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PENNSYLVANIA BULLETIN

Volume 33

Number 14

Saturday, April 5, 2003 • Harrisburg, Pa.

Pages 1703—1828

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Public School Employees' Retirement Board
State Board of Nursing
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State Employees' Retirement Board

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

No. 341, April 2003

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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 2003.

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THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 19]

Amendment of Rule 1901 Governing Termination of Inactive Cases; No. 252 Judicial Administration; Doc. No. 1

Order

Per Curiam:

And Now, this 20th day of March, 2003, Pennsylvania Rule of Judicial Administration 1901 is amended to read as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 2003.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 19. MISCELLANEOUS ADMINISTRATIVE PROVISIONS

MISCELLANEOUS ADMINISTRATIVE PROVISIONS

Rule 1901. Prompt disposition of matters; termination of inactive cases.

* * * * *

(b) *Primary Responsibility for Implementation of Policy.*

(1) [Each] Except as provided by paragraph (3), each court of common pleas is primarily responsible for the implementation of the policy expressed in subdivision (a) of this rule and is directed to make local rules of court for such purposes applicable to the court and to the community court or district justices of the peace of the judicial district.

* * * * *

(3) The policy set forth in subdivision (a) of this rule shall be implemented in actions governed by the Pennsylvania Rules of Civil Procedure pursuant to Rule of Civil Procedure 230.2.

* * * * *

[Pa.B. Doc. No. 03-613. Filed for public inspection April 4, 2003, 9:00 a.m.]

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 21]

Order Adopting Amendment to Rule 2111; No. 143; Appellate Court Rules; Doc. No. 1

Order

Per Curiam:

Now, this 20th day of March, 2003, upon the recommendation of the Appellate Court Procedural Rules Com-

mittee, Pennsylvania Rule of Appellate Procedure 2111 is amended in the following form.

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the amendment to Pa.R.A.P. 2111 is amended in the following form.

This Order is promulgated without prior publication in the interests of efficient administration. This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 21. BRIEFS AND REPRODUCED RECORD

CONTENT OF BRIEFS

Rule 2111. Brief of the Appellant.

(a) *General rule.* The brief of the appellant, except as otherwise prescribed by these rules, shall consist of the following matters, separately and distinctly entitled and in the following order:

* * * * *

(10) In the Superior Court, a copy of the statement of the matters complained of on appeal filed with the trial court pursuant to Rule 1925(b), or an averment that no order requiring a Rule 1925(b) statement was entered.

* * * * *

(d) *Brief of the Appellant.* There shall be appended to the brief of the appellant a copy of the statement of matters complained of on appeal, filed with the trial court pursuant to Pa.R.A.P. 1925(b). If the trial court has not entered an order directing the filing of such a statement, the brief shall contain a statement that no order to file a statement pursuant to Pa.R.A.P. 1925(b) was entered by the trial court.

* * * * *

Explanatory Comment—2003

The 2003 amendment adding subdivision 10 to Rule 2111 is intended to replace Rule 3520 adopted by the Superior Court in 2001. The purpose of this amendment is to consolidate all requirements for briefs into Chapter 21 of the Appellate Rules. It is anticipated that following adoption of this Rule, the Superior Court will rescind Rule 3520.

Materials attached to appellant's brief pursuant to Pa.R.A.P. 2111(a) (9) and (10) shall not count against the page limitations set forth in Pa.R.A.P. 2135.

[Pa.B. Doc. No. 03-614. Filed for public inspection April 4, 2003, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 200]

Promulgation of Rule 230.2 Governing Termination of Inactive Cases; No. 385 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 20th day of March, 2003, Pennsylvania Rule of Civil Procedure 230.2 is promulgated to read as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective July 1, 2003.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 230.2. Termination of Inactive Cases.

(a) The court may initiate proceedings to terminate a case in which there has been no activity of record for two years or more by serving a notice of proposed dismissal of court case.

Official Note: This rule provides an administrative method for the termination of inactive cases.

(b)(1) The court shall serve the notice on counsel of record, and on the parties if not represented, sixty days prior to the date of the proposed termination. The notice shall contain the date of the proposed termination and the procedure to avoid termination.

(2) The notice shall be served by mail pursuant to Rule 440. If the mailed notice is returned, the notice shall be served by advertising it in the legal publication, if any, designated by the court for the publication of legal notices or in one newspaper of general circulation within the county.

Official Note: If the notice mailed to an attorney is returned by the postal service, the prothonotary should check a legal directory or contact the Administrative Office of Pennsylvania Courts for a current address. Otherwise, publication in the legal newspaper or a newspaper of general circulation within the county is required under this rule if the mailed notice is returned.

See subdivision (e) for the form of notice.

(c) If no statement of intention to proceed has been filed, the prothonotary shall enter an order as of course terminating the matter with prejudice for failure to prosecute.

Official Note: The prothonotary may not enter an order terminating the action until more than sixty days after service of the notice of proposed termination.

A court officer may certify to the prothonotary those matters which have been inactive and in which no statement of intention to proceed has been filed.

(d)(1) If an action has been terminated pursuant to this rule, an aggrieved party may petition the court to reinstate the action.

(2) If the petition is filed within thirty days after the entry of the order of termination on the docket, the court shall grant the petition and reinstate the action.

Official Note: The provision under subdivision (d)(2) for filing a petition within thirty days is not intended to set a standard for timeliness in proceedings outside this rule.

(3) If the petition is filed more than thirty days after the entry of the order of termination on the docket, the court shall grant the petition and reinstate the action upon a showing that

(i) the petition was timely filed following the entry of the order for termination and

(ii) there is a reasonable explanation or a legitimate excuse for the failure to file both

(A) the statement of intention to proceed prior to the entry of the order of termination on the docket and,

(B) the petition to reinstate the action within thirty days after the entry of the order of termination on the docket.

Official Note: The provision under subdivision (d)(2) for filing a petition within thirty days of the entry of the order of termination on the docket is not a standard of timeliness. Rather, the filing of the petition during that time period eliminates the need to make the showing otherwise required by subdivision (d)(3).

(e) The notice required by subdivision (b) shall be in the following form:

(Caption)

NOTICE OF PROPOSED TERMINATION OF COURT CASE

The court intends to terminate this case without further notice because the docket shows no activity in the case for at least two years.

You may stop the court from terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed should be filed with the Prothonotary of the Court at

_____ Address
 on or before _____ Date

IF YOU FAIL TO FILE THE REQUIRED STATEMENT OF INTENTION TO PROCEED, THE CASE WILL BE TERMINATED.

BY THE COURT;

_____ Officer
 Date of this Notice _____

(f) The Statement of Intention to Proceed shall be in the following form:

(Caption)

Statement of Intention to Proceed

To the Court:
 _____ intends to proceed with the above captioned matter.

Date: _____ Attorney for _____

Explanatory Comment

The Supreme Court of Pennsylvania has promulgated new Rule of Civil Procedure 230.2 governing the termina-

tion of inactive cases and amended Rule of Judicial Administration 1901. Two aspects of the recommendation merit comment.

I. Rule of Civil Procedure

New Rule of Civil Procedure 230.2 has been promulgated to govern the termination of inactive cases within the scope of the Pennsylvania Rules of Civil Procedure. The termination of these cases for inactivity was previously governed by Rule of Judicial Administration 1901 and local rules promulgated pursuant to it. New Rule 230.2 is tailored to the needs of civil actions. It provides a complete procedure and a uniform statewide practice, preempting local rules.

This rule was promulgated in response to the decision of the Supreme Court in *Shope v. Eagle*, 551 Pa. 360, 710 A.2d 1104 (1998) in which the court held that "prejudice to the defendant as a result of delay in prosecution is required before a case may be dismissed pursuant to local rules implementing Rule of Judicial Administration 1901."

Rule of Judicial Administration 1901(b) has been amended to accommodate the new rule of civil procedure. The general policy of the prompt disposition of matters set forth in subdivision (a) of that rule continues to be applicable.

II. Inactive Cases

The purpose of Rule 230.2 is to eliminate inactive cases from the judicial system. The process is initiated by the court. After giving notice of intent to terminate an action for inactivity, the course of the procedure is with the parties. If the parties do not wish to pursue the case, they will take no action and "the prothonotary shall enter an order as of course terminating the matter with prejudice for failure to prosecute." If a party wishes to pursue the matter, he or she will file a notice of intention to proceed and the action shall continue.

a. Where the action has been terminated

If the action is terminated when a party believes that it should not have been terminated, that party may proceed under Rule 230(d) for relief from the order of termination. An example of such an occurrence might be the termination of a viable action when the aggrieved party did not receive the notice of intent to terminate and thus did not timely file the notice of intention to proceed.

The timing of the filing of the petition to reinstate the action is important. If the petition is filed within thirty days of the entry of the order of termination on the docket, subdivision (d)(2) provides that the court must grant the petition and reinstate the action. If the petition is filed later than the thirty-day period, subdivision (d)(3) requires that the plaintiff must make a showing to the court that the petition was promptly filed and that there is a reasonable explanation or legitimate excuse both for the failure to file the notice of intention to proceed prior to the entry of the order of termination on the docket and

for the failure to file the petition within the thirty-day period under subdivision (d)(2).

b. Where the action has not been terminated

An action which has not been terminated but which continues upon the filing of a notice of intention to proceed may have been the subject of inordinate delay. In such an instance, the aggrieved party may pursue the remedy of a common law non pros which exists independently of termination under Rule 230.2.

By the Civil Procedural Rules Committee

R. STANTON WETTICK, Jr.,
Chair

[Pa.B. Doc. No. 03-615. Filed for public inspection April 4, 2003, 9:00 a.m.]

**Title 25—LOCAL
COURT RULES**

CARBON COUNTY

Substance Abuse Education and Demand Reduction Fund; No. 40 MI 03

Administrative Order No. 7-2003

And Now, this 19th day of March, 2003, pursuant to 18 Pa.C.S.A. 7508.1, it is hereby

Ordered and Decreed, that the County Treasurer shall establish a separate interest bearing account for monies received from adult and juvenile offenders in every applicable case where the Clerk of Court assesses the costs prescribed pursuant to the previous statute.

It Is Further Ordered and Decreed that the portion of the monies which are to remain in Carbon County *Shall Be Used* exclusively for the Substance Abuse Treatment and/or Prevention Programs at the direction of the Court of Common Pleas of Carbon County.

By the Court

RICHARD W. WEBB,
President Judge

[Pa.B. Doc. No. 03-616. Filed for public inspection April 4, 2003, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 147]

Special Permits; Exotic Wildlife

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 7, 2003, meeting, adopted the following changes:

Add §§ 147.241(g), 147.261(f) and 147.281(g) (relating to scope) to require applicants to have 2 years of experience of hands-on work with exotic wildlife.

The final-form rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The final-form rulemaking was adopted under the authority of 34 Pa.C.S. (relating to the Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 32 Pa.B. 6261 (December 21, 2002).

1. Introduction

The Commission amended Chapter 147, Subchapters M—O (relating to exotic wildlife dealer; exotic wildlife possession; and menageries) by adding §§ 147.241(g), 147.261(f) and 147.281(g).

2. Purpose and Authority

Formerly, permits to acquire, possess and dispose of wild or exotic animals could be issued to applicants possessing limited or no education or experience in the care of and protection of the public from these types of animals. Uneducated and inexperienced persons involved in the acquisition, possession or disposal of these types of animals pose not only a danger to the welfare of the animals themselves, but to the public as well. The changes to Chapter 147 (relating to special permits) will limit these dangers by requiring permit applicants to have at least 2 years of hands-on work experience with the species involved.

Section 2901(b) of the code (relating to authority to issue permits) states that “the Commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under the authority of any permit issued.” This section provides the authority for changes to Chapter 147.

3. Regulatory Requirements

The final-form rulemaking will require applicants to have 2 years of experience of hands-on work with the specific wild or exotic species to obtain a permit.

4. Persons Affected

Persons applying for exotic wildlife possession, exotic wildlife dealer or menagerie permits will be affected by the final-form rulemaking.

5. Comment and Response Summary

All 87 official comments received, regarding the changes to Chapter 147, were in favor of the requirement of 2 years experience.

6. Cost and Paperwork Requirements

The final-form rulemaking should not result in any additional cost or paperwork.

7. Effective Date

The final-form rulemaking will be effective on publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

8. Contact Person

For further information regarding the final-form rulemaking, contact Michael A. Dubaich, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending §§ 147.241, 147.261 and 147.281 to read as set forth at 32 Pa.B. 6261.

(b) The Executive Director of the Commission shall certify this order and 32 Pa.B. 6261 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

VERNON R. ROSS,
Executive Director

Fiscal Note: Fiscal Note 48-153 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 03-617. Filed for public inspection April 4, 2003, 9:00 a.m.]

PROPOSED RULEMAKING

STATE BOARD OF PHYSICAL THERAPY

[49 PA. CODE CH. 40]

General Provisions

The State Board of Physical Therapy (Board) proposes to amend Chapter 40. The proposed rulemaking includes educational and licensure provisions pertaining to physical therapists and physical therapist assistants, scope of practice provisions, nondelegable activities and functions of supportive personnel and provisions pertaining to discipline. The Board also proposes to make general editorial amendments.

Effective Date

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

Statutory Authority

The proposed rulemaking is authorized under section 3 of the Physical Therapy Practice Act (act) (63 P. S. § 1303) and section 812.1 of The Administrative Code of 1929 (71 P. S. § 279.3a).

Background and Purpose

Most of the Board's regulations have not been amended since the mid-1980s. Many of the Board's current provisions are unnecessary or require clarification. With respect to educational requirements for physical therapists, the regulations need to be updated and refined. Provisions pertaining to the scope of practice of a physical therapist should be updated. The Board also intends to refine and clarify nondelegable activities which may not be assigned to a physical therapist assistant or supportive personnel. The following is a description of the proposed rulemaking.

Description of Proposed Rulemaking

Section 40.1 (relating to definitions) would be amended by defining "direct on-premises supervision" to reflect the definition in section 9.1 of the act (63 P. S. § 1309.1). In particular, the amendment reflects that the term means "on the premises" where the physical therapist assistant or the supportive personnel is providing patient-care services.

The proposed amendment to § 40.4(2) (relating to admission to practice of physical therapy) clarifies that the Board issues licenses by endorsement to applicants who are educated in another state or territory of the United States. Paragraph (4) would be amended by updating the word "trained" to "educated," which is a more accurate term of art. The Board proposes to add paragraph (5) to make it clear that the Board also issues licenses by endorsement to applicants educated in a foreign country and who are authorized to practice as a physical therapist without limitations in the country where the professional education occurred and who hold a valid license by examination in another state or territory of the United States providing that the requirements were, at the time of receiving the license, substantially equivalent to the requirements in the act. Although the Board has always issued these licenses, the regulations did not clearly state that the license by endorsement

pertained to a foreign educated applicant who also holds a valid license by examination in another state or territory of the United States.

Section 40.11(1) (relating to license by examination; requirements for examination) would be amended to reflect the Board's recognition of the Commission on Accreditation in Physical Therapy Education (CAPTE) as the approved accrediting program for educational programs of physical therapy. One of the more rapid changes that is occurring in physical therapy education is the move toward the entry level doctorate in physical therapy. Beginning January 1, 2002, CAPTE will accredit only programs that offer a postbaccalaureate degree. There are currently 17 accredited programs in this Commonwealth, all of which are at the postbaccalaureate level. The physical therapy programs in this Commonwealth are either already accredited by CAPTE or in the process of becoming accredited by CAPTE. Section 40.11(1) would require an applicant to have graduated from a CAPTE-accredited program within 6 months of the effective date of the final-form rulemaking. Paragraph (2) would be amended to clarify that the baccalaureate degree consists of at least 120 semester hours.

Section 40.15(c) and (d) (relating to examinations) would be deleted because the Board has switched from paper and pencil examinations to computer based testing, which is available on a frequent basis.

Section 40.16 (relating to licensure by endorsement) would be amended to clarify that subsection (a) applies to applicants who were educated in a state or territory of the United States and that subsection (b) applies to applicants who were educated in a country or territory outside of the United States. Subsection (a)(2) would be deleted because paragraph (1) states that the requirements for licensure or regulation in the state from which the applicant was originally licensed must be substantially equal to the requirements for licensure in this Commonwealth. Also, the passing scores for examinations are uniform throughout the United States since the examination is National.

Subsection (b) is added regarding licensure by endorsement for an applicant who was trained in a foreign country. This provision more clearly sets out the requirements for these applicants. The applicant would be required to meet the educational requirements in § 40.17 (relating to foreign-trained physical therapists applying to take the licensure examination and pursue a clinical experience). If the applicant is licensed in a country or territory outside of the United States, the applicant would also be required to submit evidence that the applicant holds that license without restriction. The applicant must also hold a valid license by examination in another state or territory of the United States providing the requirements were, at the time of receiving the license, substantially equivalent to the requirements in the act.

Section 40.17 would be amended by requiring the foreign-trained applicant to provide evidence that the school of physical therapy where the education occurred is recognized by its own ministry of education, or other authorizing agency or entity; and if the applicant is licensed in the foreign country where he was educated, he must provide proof of authorization to practice in the country where the professional education took place. The

applicant must also provide proof of legal authorization to seek employment in the United States or its territories. The Board believes this is necessary to protect the health and safety of this Commonwealth's citizens from licensing illegal aliens. Paragraph (5) would amend the educational requirements for foreign trained applicants by referring to general educational requirements. The applicant would be required to complete 50, rather than 60, credit hours in general education subjects including a minimum of 10 credit hours in electives rather than 20 hours. Paragraph (6) would be added to establish professional education of 60 credit hours for foreign-trained applicants applying to take the licensure examination. These requirements were developed through the use of guidelines set forth by the Federation of State Boards of Physical Therapy.

The Board proposes to delete § 40.18 (relating to approved physical therapy schools) since the Board sets out previously at § 40.11(1) that an approved school is one that is accredited by CAPTE.

Section 40.21 (relating to temporary licenses; physical therapists licensed by other states or territories of the United States) would be deleted because licenses issued through the endorsement process are processed quickly obviating the necessity of issuing temporary licenses. This also pertains to deleting §§ 40.23 and 40.24 (relating to temporary licenses issued at Board's discretion; and expiration of temporary licenses). In addition, with respect to § 40.24, the statute does not authorize the Board to renew a temporary permit.

Section 40.22 (relating to temporary license; graduating students) would be amended by clarifying that a physical therapist holding a temporary license works under the on-premises supervision of a licensed physical therapist with at least 2 years of experience. This reflects section 6(g) of the act (63 P. S. § 1306(g)). Section 6(g) of the act also states that a temporary license expires upon the failure of the first examination or 6 months after the date of issue, whichever occurs first. Section 40.22(b) reflects that statutory provision.

Section 40.32 (relating to functions of supportive personnel) would be amended to permit supportive personnel to record the care given to a patient through the use of flow charts and checklists which identify the care or services provided. The Board developed this provision based upon guidelines for physical therapy documentation published by the American Physical Therapy Association.

Section 40.51 (relating to administration of electro-neuromyography (EMG) and nerve conduction velocity (NCV) tests) would be amended regarding the physical therapist's scope of practice. In particular, current subsection (a) would be deleted and restated as new subsection (a). Subsection (b) would be added to authorize a physical therapist to perform transdermal administration of drugs through the use of modalities such as ultrasound and electrical stimulation. The Board has always considered this procedure to be within the scope of practice of a physical therapist. Licensees have questioned the Board on the procedures that physical therapists should follow when administering drugs transdermally (that is, iontophoretic and phonophoretic). Accordingly, this provision clarifies and reflects current practice. The provision requires that if a prescriptive medication is used, the medication must be prescribed by the referring physician and dispensed in the name of the patient by the referring physician or pharmacist. The remaining medications must be disposed of by the physical therapist or returned to the patient. Drugs must be properly stored in a manner consistent with pharmaceutical practice.

Section 40.52(12) (relating to unprofessional conduct; physical therapists) would be amended to make it unprofessional for a physical therapist to fail to maintain adequate patient records. Adequate patient records would include at a minimum a summary of the findings of the examination, an evaluation, a diagnosis, the plan of care including desired outcomes, the treatment record, a discharge plan including results of intervention and sufficient information to identify the patient.

Section 40.53(a) (relating to nondelegable activities; accountability) would be amended to state the general rule that a physical therapist may delegate to a physical therapist assistant or supportive personnel that which he is educated to perform. Subsection (b)(7) would be amended to clarify that mobilization is not a procedure that a physical therapist would be permitted to assign or delegate to a physical therapist assistant or supportive personnel. Mobilization would be defined as a passive therapeutic movement at any point in the range of motion at variable amplitudes and speeds. The purpose of joint mobilization is to restore accessory joint movements. Mobilization does not include gross passive movement throughout normal planes of joint motions. A physical therapist may still delegate to a physical therapist assistant gross passive movement throughout normal planes of joint motions. The Board does not intend to prohibit a physical therapist from delegating to a physical therapist assistant the performance of range of motion or the performance of exercises to restore the functional motion of the joint. Joint mobilization is used to restore accessory joint motion (that is, gliding of joint surfaces).

Subsection (d) would be amended to require a physical therapist to reevaluate and adjust a patient's plan of care at intervals not to exceed 14 days, rather than 30 days, when that plan of care is provided by the physical therapist assistant. The Board recognizes that conditions of patients can change in less than 30 days and that only the physical therapist is authorized to evaluate and change the patient's plan of care. Accordingly, the Board believes this amendment would result in more effective and safer practice.

Subsection (e) would be added to assure that physical therapists not assign or delegate to physical therapist assistants or supportive personnel the performance of consultations, initial evaluations, reevaluations or discharge summaries and the interpretation of the resulting data collected since these procedures require the skill and expertise of a license physical therapist.

Subsection (f) would prohibit a physical therapist from assigning or delegating to a physical therapist assistant or supportive personnel screenings to determine the need for the following: (1) primary, secondary or tertiary services; (2) further examination or intervention; (3) consultation by a physical therapist; and (4) referral to another health care practitioner. For purposes of this section, screening would be defined as determining the need for further examination or intervention, or both, by a physical therapist or for referral to another health professional. The procedures outlined in subsection (f) regarding screening require the skill and knowledge of a physical therapist to evaluate the need for further intervention by a physical therapist. A physical therapist cannot delegate the evaluation of a patient to a physical therapist assistant or supportive personnel. The Board has received numerous requests to clarify this issue.

Sections 40.161 and 40.163 (relating to registration of physical therapist assistants; practice; exceptions; and

requirements for registration) would be amended by deleting the reference to Nationally recognized accrediting agency and including CAPTE. CAPTE is currently the only accrediting body for physical therapy educational programs.

Section 40.164 (relating to physical therapist assistant registration examination) would be amended by deleting subsections (b) and (d). Subsection (b) would be deleted because the passing score is set by the third-party testing service. Subsection (d) is deleted because other provisions of these regulations establish that applicants by endorsement must pass an exam equivalent to that required in the Commonwealth. Accordingly, this provision is unnecessary.

Fiscal Impact and Paperwork Requirements

The proposed rulemaking will have no fiscal impact and impose no additional paperwork requirements on the Board or its licensees.

The proposed rulemaking should not impose any legal, accounting or reporting requirements on the regulated community.

The Board solicited predraft input of an earlier draft of the proposed rulemaking from licensees, students, professional associations, educational programs and hospitals. The Board received approximately 300 comments to that earlier draft. A large number of these comments were in opposition to a provision pertaining to the prohibition of delegation of wound care and manual therapy. The Board deleted these provisions in the current proposed rulemaking. Many comments pertaining to the prohibition of manual therapy by a physical therapist assistant explained that the prohibition was overly broad. The Board agreed. The current proposed rulemaking is limited to mobilization and is narrowly defined. The proposed rulemaking addresses a compelling public interest as described in the Preamble.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on February 12, 2003, the Board submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. In addition to submitting the proposed rulemaking, the Board has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Board. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed rulemaking, it will notify the Board within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria that have not been met by the portion of the proposed rulemaking to which an objection is made. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of objections raised.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to Robert Kline, Administrative Assistant, State Board of Physical Therapy, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Refer-

ence No. 16A-659 (General Revisions) when submitting comments.

JAMES J. IRRGANG,
Chairperson

Fiscal Note: 16A-659. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 40. STATE BOARD OF PHYSICAL THERAPY

**Subchapter A. PHYSICAL THERAPISTS
GENERAL PROVISIONS**

§ 40.1. Definitions.

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

Act—The Physical Therapy Practice Act (63 P. S. §§ 1301—[1312] 1313).

* * * * *

Direct on-premise supervision—The physical presence of a physical therapist [**in the facility or location**] **on the premises** where the physical therapist assistant or the supportive personnel is providing patient-care services, so that the physical therapist is immediately available to provide supervision, direction and control.

* * * * *

§ 40.4. Admission to practice of physical therapy.

Admission to the practice of physical therapy in this Commonwealth will be granted by the Board as follows:

* * * * *

(2) By the issuance of a license by endorsement to an applicant who **is educated in another state or territory of the United States and who** meets the licensing requirements [**set forth**] in section 6 of the act (63 P. S. § 1306) and who holds a valid license by [**written**] examination in another state or territory of the United States, providing the requirements were, at the time of receiving the license, substantially equal to the requirements as set forth in the act.

* * * * *

(4) By the issuance of a license to [**a foreign trained**] **an applicant educated in a jurisdiction other than a state or territory of the United States** who meets the licensing requirements as set forth in sections 5 and 6(f) of the act (63 P. S. §§ 1305 and 1306(f)).

(5) **By the issuance of a license by endorsement to an applicant who is educated in a foreign country and who is authorized to practice as a physical therapist without limitations in the country where the professional education occurred and who holds a valid license by examination in another state or territory of the United States providing the requirements were, at the time of receiving the license, substantially equivalent to the requirements as set forth in the act.**

LICENSURE

§ 40.11. License by examination; requirements for examination.

Applicants for license by examination shall meet the following requirements:

(1) Professional requirements consisting of an accredited physical therapy course approved by the American Physical Therapy Association of not less than 12 months in a school of physical therapy established in an accredited medical school, hospital, college or university which course has provided adequate instruction in basic sciences, clinical science and physical therapy theory and procedures [and the requirements of which course shall be approved by the Board]. By ____ (Editor's Note: The blank refers to a date 6 months after the effective date of adoption of this proposed rulemaking.), an applicant shall have graduated from a physical therapy program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE) which has provided adequate instruction in basic sciences, clinical science and physical therapy theory and procedures.

(2) Following graduation from the professional study of physical therapy, a physical therapist shall hold a minimum of a baccalaureate degree consisting of at least 120 semester hours from a regionally accredited institution of higher education.

§ 40.14. [Failure] Examination; failure; reexamination.

* * * * *

§ 40.15. Examinations.

* * * * *

[(c) Examinations are conducted by numbers, exclusive of names, and the candidate may in no part of his paper give indication as to his name or school of graduation.

(d) As a means of identifying applicants, two unmounted finished photographs, not proofs, of each applicant shall be furnished, one of which shall be certified by the appropriate officer of the physical therapy school attended and the other of which shall be marked with the number assigned to the candidate and shall be returned to him with a card of admission to the examinations. Each candidate shall bring the admission card and returned photograph to the Board; otherwise, the candidate may not be admitted to the examination.]

§ 40.16. Licensure by endorsement.

(a) An applicant for licensure by endorsement who is educated in another state or territory of the United States is required to submit the professional credentials in § 40.11 (relating to license by examination; requirements for examination), and comply with the following:

(1) Submit a written application on forms provided by the Board, together with evidence satisfactory to the Board that [he] the applicant is licensed or otherwise registered as a physical therapist in another state or territory of the United States, or in the District of Columbia, if the requirements for licensure or registration in the state[,] or territory [or district] were, at the date of [his] licensure or registration, substantially equal to the requirements for licensure or registration in this Commonwealth under the act.

(2) [In the event that an applicant for licensure by endorsement has taken and failed the Commonwealth's approved examination one or more times but has subsequently taken and passed an examination given in another state or territory of the United States or in the District of Columbia, proof shall be given to the Board by the applicant that the other examination taken and passed by the applicant was in fact equivalent to the examination this Commonwealth has approved, before the Board will exercise its discretion in considering endorsing the applicant for licensure.

(3)] A fee prescribed in § 40.5 (relating to fees) shall accompany each application for licensure by endorsement. Reference should be made to section 6(d)(2) of the act (63 P. S. § 1306(d)(2)).

(b) An applicant for licensure by endorsement who received education in a country outside of the United States is required to meet the educational requirements as set forth in § 40.17(5) and (6) (relating to foreign-educated physical therapists applying to take the licensure examination and pursue a clinical experience) and comply with the following:

(1) The applicant shall submit evidence that the applicant is authorized to practice as a physical therapist without limitation in the country where the professional education occurred.

(2) The applicant shall hold a valid license by examination in another state or territory of the United States providing the requirements were, at the time of receiving the license, substantially equivalent to the requirements as set forth in the act.

§ 40.17. Foreign-[trained] educated physical therapists applying to take the licensure examination and pursue a clinical experience.

To be eligible to take the examination for licensure, foreign-[trained] educated applicants for licensure shall [apply at least 30 days prior to the next scheduled date of the examination and prior to the application date,] comply with the following conditions:

(1) [Evidence.] The applicant shall submit evidence, satisfactory to the Board, indicating that [he] the applicant has met the requirements stated in § 40.12(a)(1)—(3) (relating to application for licensure).

(2) The applicant shall provide written proof that the school of physical therapy is recognized by the authorizing agency or entity of the jurisdiction in which the school is situated.

(3) The applicant shall provide written proof of authorization to practice as a physical therapist without limitations in the country where the professional education took place.

(4) The applicant shall provide proof of legal authorization to seek employment in the United States or its territories.

[(2) Educational requirements.] (5) The applicant shall meet general educational requirements by securing a credentials evaluation and by correcting educational deficiencies, if any, as follows:

(i) Credentials evaluation. The applicant shall secure a credentials evaluation from a recognized and accredited

credential evaluation agency approved by the Board. Upon request, the Board will forward to the foreign-
[trained] educated applicant a list of currently approved credential evaluation agencies. The credentials evaluation shall indicate that the applicant has completed at least **[60] 50** credit hours in the following **education** subjects:

* * * * *

(E) A minimum of **[20] 10** credit hours in electives.

(ii) *Educational deficiencies.* The applicant may correct **general** educational deficiencies in the areas specified in **[paragraph (2)] subparagraph (i)** by either:

* * * * *

(I) The CLEP General Examination may be used to satisfy the requirements **[set forth]** in **[paragraph (2)] subparagraph (i)** for credit hours if passing scores are received in the following subjects:

* * * * *

(II) The CLEP Subject Examination may be used to satisfy the requirements **[set forth]** in **[paragraph (2)] subparagraph (i)** for credit hours if passing scores are received in the following subjects:

* * * * *

(6) *Professional education.* The applicant shall complete **60** credit hours of professional education as follows:

(i) A minimum of **3** credit hours is required in each of the following basic health science topics:

(A) Human anatomy (specific to physical therapy).

(B) Human physiology (specific to physical therapy).

(C) Neurological science.

(D) Kinesiology or functional anatomy.

(E) Abnormal or developmental psychology.

(F) Pathology.

(ii) A minimum, of **15** credit hours of clinical sciences which shall include all of the following:

(A) Clinical medicine pertinent to physical therapy to include the following:

(I) Neurology.

(II) Orthopedics.

(III) Pediatrics.

(IV) Geriatrics.

(B) Physical therapy course work to include the following:

(I) Physical agents.

(II) Musculoskeletal assessments and treatment.

(III) Neuromuscular assessment and treatment.

(IV) Cardiopulmonary assessment and treatment.

(iii) A minimum of **two** clinical affiliations of at least **18** credit hours which are supervised by a physical therapist.

(iv) A minimum of **9** credit hours from the following topics of professional course work:

(A) Professional ethics.

(B) Administration.

(C) Community health.

(D) Research.

(E) Educational techniques.

(F) Medical terminology.

[(3)] (7) * * *

* * * * *

§ 40.18. **[Approved physical therapy schools] (Reserved).**

[(a) The approved physical therapy schools in this Commonwealth are as follows:

(1) University of Pennsylvania, School of Allied Medical Professions, 3901 Pine Street, Philadelphia, Pennsylvania 19104.

(2) Temple University, Department of Physical Therapy, College of Allied Health Profession, Philadelphia, Pennsylvania 19140.

(3) University of Pittsburgh, Department of Physical Therapy, School of Health Related Professions, Pittsburgh, Pennsylvania 15213.

(b) The Board will also accept for admission to the examination graduates of physical therapy schools approved by the American Physical Therapy Association, providing the credentials of the applicant meet the requirements of § 40.11 (relating to license by examination; requirements for examination). The Board will also consult with recognized national accrediting agencies and professional agencies to consider graduates of other fully accredited schools.]

TEMPORARY LICENSES

§ 40.21. **[Temporary licenses; physical therapists licensed by other states or territories of the United States] (Reserved).**

[(a) Under section 6(g) of the act (63 P. S. § 1306(g)), the Board will issue temporary licenses to the following applicants, provided the applicant is licensed by another state or territory or the District of Columbia where the licensing requirements at the time of the applicant's licensing were substantially equal to the requirements of the act. With respect to this provision, the rules covering endorsement may be applied by the Board:

(1) A person who will be working in this Commonwealth because of medical emergency.

(2) A person who will be working in this Commonwealth on a special physical therapy project, including a foreign exchange visitor.

(b) An applicant shall submit, on forms provided by the Board, the exact nature of the emergency or special project that requires location within this Commonwealth, including the anticipated length of time that the temporary license is requested and the place of residence while in this Commonwealth, and shall submit a fee as prescribed in § 40.5 (relating to fees).]

§ 40.22. Temporary license **[; graduating students]**.

(a) An applicant for temporary license under section 6 **[(h)](g)** of the act (63 P. S. § 1306 **[(h)](g)**) shall

[make application] apply to the Board on forms provided by the Board and meet the following requirements:

* * * * *

(3) Having received the temporary license from the Board, work only under the direct on premises supervision of a licensed physical therapist with at least 2 years of experience.

(b) A temporary license issued under 6[(h)](g) of the act [(63 P. S. § 1306(g))] shall be surrendered to the Board immediately upon the failure of the first examination[. The granting of an extension of the temporary license is discretionary with the Board] or in 6 months after the date of issuance, whichever occurs first.

§ 40.23. [Temporary licenses issued at Board's discretion] (Reserved).

[The Board, at its discretion, may issue temporary licenses to the following applicants:

(1) A person who has applied to be licensed in this Commonwealth by endorsement but whose Commonwealth work experience begins prior to the time of the approval of the endorsement application.

(2) A person who is foreign trained, and who has properly registered with the Board under § 40.17 (relating to foreign trained physical therapists applying to take the licensure examination and pursue a clinical experience).]

§ 40.24. [Expiration of temporary licenses] (Reserved).

[Upon an expiration of a temporary license or upon the departure of an individual holding a temporary permit from this Commonwealth with the intention of returning permanently to the domiciliary state or country of such individual, the license shall be returned immediately to the Board. Except for the temporary license under § 40.22 (relating to temporary licenses; graduating students), a request for a renewal of a temporary license shall be made to the Board, in writing, at least 30 days prior to the original date of expiration for the temporary license and shall contain an update of the information provided by the applicant when the first temporary license was sought. An approval of a renewal is discretionary with the Board.]

[PHYSICAL THERAPIST ASSISTANTS AND] SUPPORTIVE PERSONNEL

§ 40.32. Functions of supportive personnel.

* * * * *

(b) The physical therapist may not permit supportive personnel to provide physical therapy services. The physical therapist may permit supportive personnel to perform the following:

* * * * *

(6) Record the care given to a patient through the use of flow sheets and checklists which identify the care/services provided.

* * * * *

SCOPE OF PRACTICE

§ 40.51. [Administration of electroneuromyography (EMG) and nerve conduction velocity (NCV) tests] Scope of practice; physical therapists.

(a) [EMG and NVC—studies and evaluations—shall be conducted only upon the referral of a physician, under section 9 of the act (63 P. S. § 1309).] A physical therapist may administer electroneuromyography (EMG) and nerve conduction velocity (NCV) tests only upon the referral of a physician under section 9 of the act (63 P. S. § 1309).

(b) [A licensed physical therapist may not diagnose from the results of the tests, but may prepare a statement of his impression of the results of the test to be forwarded to the referring physician for his review and diagnosis.] A physical therapist may perform transdermal administration of drugs through the use of modalities such as ultrasound and electrical stimulation. If a prescriptive medication is used, the medication shall be prescribed by the referring physician and dispensed in the name of the patient by the referring physician or pharmacist. The remaining medications shall be disposed of by the physical therapist or returned to the patient. Drugs shall be properly stored in a manner consistent with pharmaceutical practice.

§ 40.52. Unprofessional conduct; physical therapists.

A physical therapist who engages in unprofessional conduct is subject to disciplinary action under section 11(a)(6) of the act (63 P. S. § 1311(a)(6)). Unprofessional conduct includes the following:

* * * * *

(12) Failure to maintain adequate patient records. Adequate patient records include at a minimum a summary of the findings of the examination, an evaluation, a diagnosis, the plan of care including desired outcomes, the treatment record, a discharge plan including results of intervention and sufficient information to identify the patient.

§ 40.53. Nondelegable activities; accountability.

(a) A physical therapist may delegate to a physical therapist assistant or supportive personnel that which he is educated to perform subject to the limitations in this section.

(b) A physical therapist may not assign or delegate to physical therapist assistants or supportive personnel functions which require the formal education or training and the skill and knowledge of a licensed physical therapist, including the following functions:

* * * * *

(7) Mobilization is defined as a passive therapeutic movement at any point in the range of motion at variable amplitudes and speeds. The purpose of joint mobilization is to restore accessory joint movements. Mobilization does not include gross passive movement throughout normal planes of joint motions.

[(b)] (c) * * *

[(c) Where] (d) When patient-care services are provided by the physical therapist assistant, the physical therapist shall **[document reevaluations]** reevaluate and **[adjustments to a]** adjust the patient plan of care and goals at intervals not to exceed **[30] 14** days.

(e) A physical therapist may not assign or delegate to a physical therapist assistants or supportive personnel the performance of consultations, initial evaluations, reevaluations or discharge summaries and the interpretation of resulting data collected.

(f) A physical therapist may not assign or delegate to a physical therapist assistant or supportive personnel screenings to determine the need for the following:

- (1) Primary, secondary or tertiary services.**
- (2) Further examination or intervention.**
- (3) Consultation by a physical therapist.**
- (4) Referral to another health care practitioner.**

(g) For purposes of this section, screening is defined as determining the need for further examination or intervention, or both, by a physical therapist or for referral to another health professional.

Subchapter C. PHYSICAL THERAPIST ASSISTANTS

REGISTRATION

§ 40.161. Registration of physical therapist assistants; practice; exceptions.

* * * * *

(c) This subchapter does not prohibit physical therapist assistant students from assisting a physical therapist licensed to practice without restriction in this Commonwealth under the direct on-premises supervision of the physical therapist as is incidental to their course of study in a program which has been approved for the education and training for physical therapist assistants by the [Nationally recognized accrediting agency for

physical therapist assistant education programs] Commission on Accreditation in Physical Therapy Education (CAPTE).

§ 40.163. Requirements for registration.

(a) Under section 9.1(a) of the act (63 P. S. § 1309.1(a)), an applicant for registration by examination shall submit evidence of the following:

(1) Graduation from a physical therapist assistant program [adopted by the Board,] which program has been approved for the education and training for physical therapist assistants by [a Nationally recognized accrediting agency recognized by the Board] the Commission on Accreditation in Physical Therapy Education (CAPTE).

* * * * *

§ 40.164. Physical therapist assistant registration examination.

* * * * *

(b) [Passing score. The passing score shall be 75 scaled to the recommended score of third-party testing services.

(c) [Failure and reexamination. In the case of failure of examination, the following apply:

* * * * *

[(d) Examination taken outside of this Commonwealth. Applicants who take a physical therapist assistant registration examination outside of this Commonwealth are not exempted from achieving the passing score established by the Board or meeting the other registration requirements in this subchapter.]

[Pa.B. Doc. No. 03-618. Filed for public inspection April 4, 2003, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Pennsylvania State Police

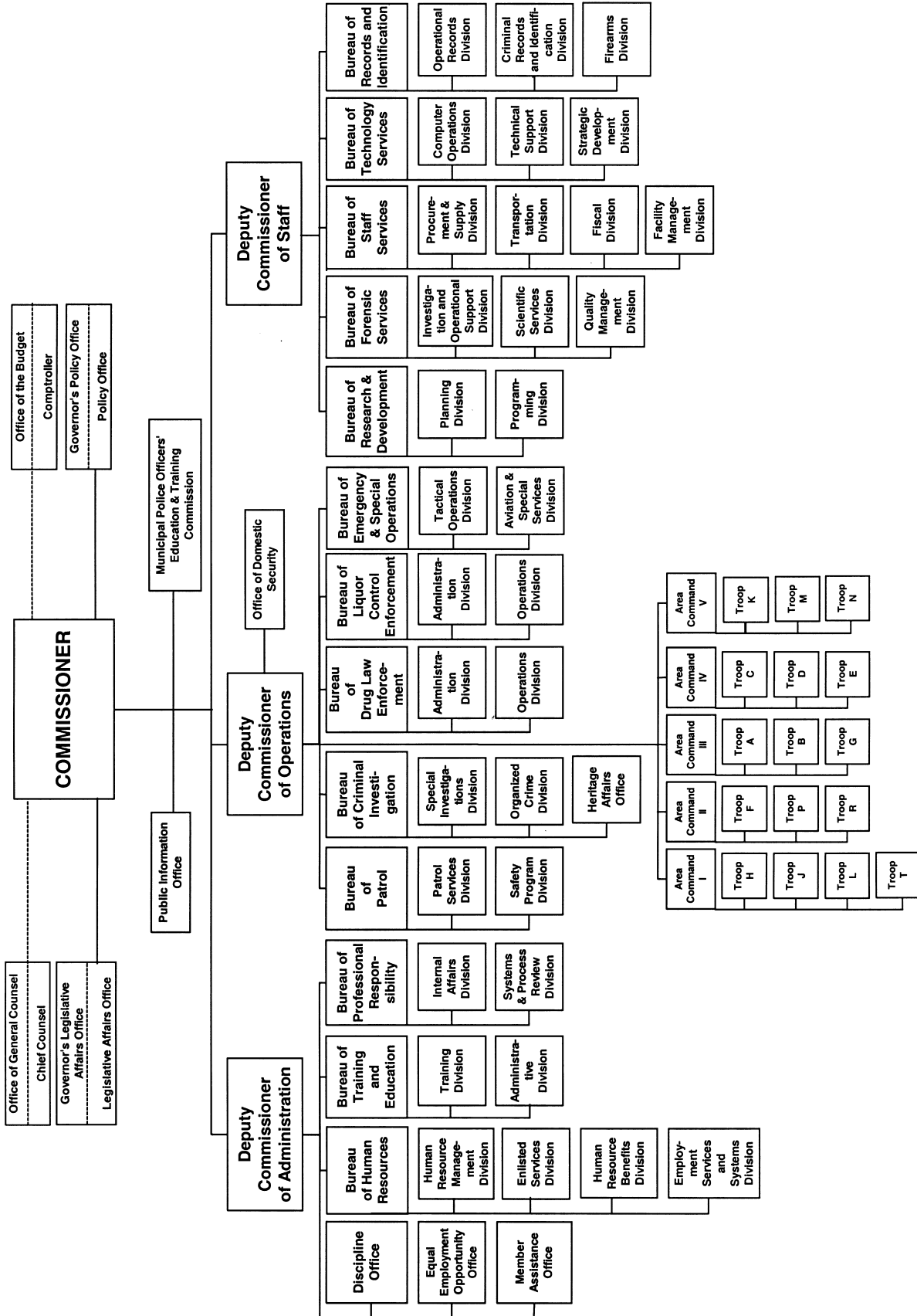
The Executive Board approved a reorganization of the Pennsylvania State Police effective March 24, 2003.

The organization chart at 33 Pa.B. 1723 (April 5, 2003) 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) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 03-619. Filed for public inspection April 4, 2003, 9:00 a.m.]

PENNSYLVANIA STATE POLICE



NOTICES

DEPARTMENT OF AGRICULTURE

Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice that it intends to award up to \$250,000 in grants under its Year 2004 Dog Control Facility Bill Reimbursement Program (Program). The Program will award bill reimbursement grants of up to \$10,000 per recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this Program. The Program will be funded from the Dog Law Restricted Account, from funds which are declared to be surplus funds for the limited purposes set forth in section 1002(b) of the Dog Law (3 P.S. § 459-1002(b)).

These proposed guidelines and conditions for the Program are set forth in this notice. These proposed guidelines and conditions are substantively identical to the guidelines and conditions for last year's Year 2003 Dog Control Facility Bill Reimbursement Grant Program, published at 32 Pa.B. 4372 (September 7, 2002).

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

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

Proposed Guidelines and Conditions for the Year 2004 Dog Control Facility Bill Reimbursement Grant Program

1. *Definitions.*

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

Department—The Department of Agriculture.

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

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

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.

- iii. If for materials, a description of the materials and the date of delivery.

- iv. If for services, a description of the nature of the services and the dates upon which the services were rendered.

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

- vi. The name, address and telephone number of the entity issuing the document.

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

Program—The Year 2004 Dog Control Facility Bill Reimbursement Program.

2. *Eligibility.*

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

- a. Has been in operation for at least 1 year immediately preceding the application date.

- b. Has performed dog control functions for at least 1 year immediately preceding the application date.

- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.

- d. Is not a party to a contract with the Department under which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2004.

- e. Agrees—as a condition of receiving any grant money under the Program—to continue to perform dog control activities through the year 2004.

- f. Has a total operating budget of \$350,000 or less for the 2004 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$350,000 or less for each fiscal year comprising any portion of calendar year 2004.

3. *Use of Grant Funds.*

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement, and will not exceed \$10,000 with respect to any application. The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2004, through December 31, 2004. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Any money

remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2004, or after December 31, 2004, that bill is not an eligible bill and will not be reimbursed by the Department under the Program.

4. *Application Process.*

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

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

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

- i. The name and address of the applicant.
- ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2.
- iii. The maximum grant amount sought by the applicant—not to exceed \$10,000.
- iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2002 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.
- v. Other information as the Department might reasonably require.

5. *Review and approval of grant application.*

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

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

- i. The number of applications received and the availability of funds for the grants sought.
- ii. The relative contribution of the applicant to dog control activities in the area it serves.

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

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

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

6. *Grant agreement.*

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

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

By May 15, 2004, the grant recipient will: (1) deliver copies of the eligible bills it has paid between January 1 and April 30, 2004; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By September 15, 2004, the grant recipient will: (1) deliver copies of the eligible bills it has paid between May 1 and August 31, 2004; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By January 15, 2005, the grant recipient will: (1) deliver copies of the eligible bills it has paid between September 1 and December 31, 2004; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

c. *Payment by the Department.* The Department will reimburse a grant recipient for eligible bills within 60 days of receiving a complete and timely reimbursement request.

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

DENNIS C. WOLFF,
Acting Secretary

[Pa.B. Doc. No. 03-620. Filed for public inspection April 4, 2003, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 25, 2003.

BANKING INSTITUTIONS

Branch Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|---|---------------|
| 3-19-03 | Patriot Bank Pottstown Montgomery County | 155 Shillington Rd. Sinking Spring Berks County | Filed |
| 3-21-03 | S&T Bank Indiana Indiana County | Patch Way Road Strawberry Meadows Development Blair Township Blair County | Filed |
| 3-25-03 | Fulton Bank Lancaster Lancaster County | U.S. Route 1 East Concord Township Delaware County | Approved |

Branch Relocations/Consolidations

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|---|---------------|
| 3-14-03 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | Consolidation of 11 branch offices with and into existing branch offices: | Effective |
| | <i>Consolidating:</i> | <i>Continuing Location:</i> | |
| | 3531 West Chester Pike Newtown Square Delaware County | To: 3514 West Chester Pike Newtown Square Delaware County | |
| | 201 Second Ave., Ste. 100 Collegeville Montgomery County | To: 222 West Main Street Collegeville Montgomery County | |
| | 638 East Main Street Lansdale Montgomery County | To: 25 East Main Street Lansdale Montgomery County | |
| | 521 West Main Street Lansdale Montgomery County | To: 25 East Main Street Lansdale Montgomery County | |
| | 200 W. Ridge Pike, Ste. 108 Conshohocken Montgomery County | To: 202 West Ridge Pike Conshohocken Montgomery County | |
| | 7425 Frankford Avenue Philadelphia Philadelphia County | To: 7327 Frankford Avenue Philadelphia Philadelphia County | |
| | 3745 Aramingo Avenue Philadelphia Philadelphia County | To: 3500 Aramingo Avenue Philadelphia Philadelphia County | |
| | 30 South 15th Street Philadelphia Philadelphia County | To: 1515 Market Street Philadelphia Philadelphia County | |
| | 61 East Germantown Pike East Norriton Montgomery County | To: 5 West Germantown Pike East Norriton Montgomery County | |

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|---|---------------|
| | 6331 Castor Avenue Philadelphia Philadelphia County | To: 6537 Castor Avenue Philadelphia Philadelphia County | |
| | 6301 Oxford Avenue Philadelphia Philadelphia County | To: 6537 Castor Avenue Philadelphia Philadelphia County | |

Branch Discontinuances

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|---|---------------|
| 3-14-03 | Citizens Bank of Philadelphia Philadelphia Philadelphia County | Redner's 1661 Easton Rd. Warrington Bucks County | Effective |
| 3-14-03 | Citizens Bank of Philadelphia Philadelphia Philadelphia County | Clemens 170 Eagleview Blvd. Exton Chester County | Effective |
| 3-14-03 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | Thriftway 700 Downingtown Pike West Chester Chester County | Effective |
| 3-14-03 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | Johnson Highway and Markley St. Norristown Montgomery County | Effective |

SAVINGS INSTITUTIONS**Voluntary Dissolutions**

| <i>Date</i> | <i>Name of Association</i> | <i>Action</i> |
|-------------|--|--|
| 3-19-03 | The Sterling Building and Loan Association Philadelphia Philadelphia County | Articles of Dissolution filed with the Department of State. Corporate existence terminated. |

CREDIT UNIONS**New Charter Applications**

| <i>Date</i> | <i>Name of Credit Union</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|--|---------------|
| 3-19-03 | New Life Community Development Credit Union Philadelphia Philadelphia County | 1152 N. 63rd Street Philadelphia Philadelphia County | Approved |

Articles of Amendment

| <i>Date</i> | <i>Name of Credit Union</i> | <i>Purpose</i> | <i>Action</i> |
|-------------|---|--|------------------------------|
| 3-19-03 | PPL G.O.L.D. Credit Union Allentown Lehigh County | Amendment to Article 8 of the Articles of Incorporation provides for a change in the field of membership. | Approved and Effective |

A. WILLIAM SCHENCK, III,
Acting Secretary

[Pa.B. Doc. No. 03-621. Filed for public inspection April 4, 2003, 9:00 a.m.]

Right-To-Know Law Request Policy

This written policy outlines the proper procedures for requesting records from the Department of Banking (Department) under Pennsylvania's Right-to-Know Law, 65 P. S. §§ 66.1—66.9. Questions regarding this policy should be directed to the Department's Legal Office at (717) 787-1471.

1. All requests for records must be in writing and signed by the requester. The request should identify or

describe the records sought with sufficient specificity to enable the Department to ascertain which records are being requested and shall include a name and address to which the agency should address its response. The Department will not accept anonymous requests for records.

2. All requests for records shall be addressed to Lydia E. Hernandez-Velez, Deputy Secretary of Banking, Administration and Non-Depository Institutions, Department of Banking, 333 Market Street, 16th Floor, Harrisburg, PA 17101-2290.

3. Written requests for records may be sent to the Department by mail, facsimile to (717) 705-5492 or delivered in person during the Department's regular business hours, 8:30 a.m. to 5 p.m., Monday through Friday. The Department will not accept verbal or e-mail requests for records.

4. If a written request for records is granted, the following fees will be charged to the requester:

| | |
|---|---------------------|
| <i>Copies:</i> | |
| 1-10 photocopies | No charge |
| 11 + photocopies | \$.15 per copy |
| Certified photocopies | \$1.00 per copy |
| <i>Redaction</i> | |
| | \$1.00 per page |
| <i>PC Diskettes</i> | |
| | \$1.00 per diskette |
| <i>Postage:</i> | |
| Records fitting into standard letter envelope | No charge |
| Other types of mailing | Actual cost |

A "photocopy" is either a single-sided copy or one side of a double-sided copy of a standard 8.5" x 11" page. The Department may require a requester to prepay an estimate of the fees listed if the fees required to fulfill the request are expected to exceed \$100. All costs may be

paid by check or money order payable to "Pennsylvania Department of Banking."

A. WILLIAM SCHENCK, III,
Acting Secretary

[Pa.B. Doc. No. 03-622. Filed for public inspection April 4, 2003, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Change in Submission Date for Program Year 2003-04 Federal Even Start Grants for Renewal and New Family Literacy Programs

Due to a delay in receiving final budget allocations, the submission date for Even Start renewal and new applications to the Bureau of Adult Basic and Literacy Education, Department of Education, has been changed to April 17, 2003 (formerly March 24, 2003, as published at 33 Pa.B. 365 (January 18, 2003)).

VICKI L. PHILLIPS, Ed.D.,
Acting Secretary

[Pa.B. Doc. No. 03-623. Filed for public inspection April 4, 2003, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

Under the Federal Clean Water Act and The Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed 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 new permit applications, renewal application with major changes or applications for permits not waived by the EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. 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 this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application, within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The 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. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. 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 renewal application, including proposed effluent limitations and special conditions, is available on file. For new permit applications, information submitted with the applications is available on file. The information may be inspected and arrangements made for copying at the office indicated before the application.

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

I. NPDES Renewal Applications

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

| <i>NPDES No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N ?</i> |
|-----------------------------|--|-------------------------------------|--|-----------------------------|
| PA0057231 | Eric W. Barton 289 Compass Road Parkesburg, PA 19365 | Chester County Sadsbury Township | Buck Run | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N ?</i> |
|-----------------------------|---|------------------------------------|--|-----------------------------|
| PA0061948 Sewage | Lehighon Land Company 1500 Rock Road Lehighon, PA 18235 | Carbon County Franklin Township | Pohopoco Creek 2B | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N ?</i> |
|-----------------------------|--|--|--|-----------------------------|
| PA0038326 | Pequea Valley School District/ Intermediate & High 166 S. New Holland Road Kinzers, PA 17535-0130 | Lancaster County Leacock Township | Pequea Creek 7K | Y |
| PA0038318 | Pequea Valley School District/ Salisbury Elem. 166 S. New Holland Road Kinzers, PA 17535-0130 | Lancaster County Salisbury Township | Pequea Creek 7K | Y |
| PA0084085 | Country View Estates 105 Carlisle Road Newville, PA 17241 | Cumberland County Upper Frankford Township | Bloser Creek 7B | Y |
| PA0010227 | FL Smidth Inc. 236 S. Cherry Street Manheim, PA 17545 | Lancaster County Manheim Township | Chickies Creek 7G | Y |

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

| <i>NPDES No. (Type)</i> | <i>Facility Name and Address</i> | <i>County and Municipality</i> | <i>Stream Name (Watershed No.)</i> | <i>EPA Waived Y/N ?</i> |
|---------------------------------|--|--|--|-----------------------------|
| PA0209431 Sewerage | Thomas R. ShROUT 326 Oakley Drive State College, PA 16803 | Halfmoon Township Centre County | UNT Halfmoon Creek 11-A | Y |
| PA0209571 | Romain Dorman R. D. 4, Box 72 Mifflinburg, PA 17844 | West Buffalo Town- ship Union Township | North Branch Buffalo Creek 10C | Y |
| PA0023582 Sewerage Public | Municipal Authority of the Borough of Freeburg P. O. Box 308 Freeburg, PA 17827 | Snyder County Freeburg Borough | Susquehecca Creek SWP 6A | Y |

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

PA0209775, Sewage, **Church of Jesus Christ in God**, 43351 Centerville Buells Corners Road, Spartansburg, PA 16434. This proposed facility is located in Rome Township, **Crawford County**.

Description of Proposed Activity: Renewal of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 64 miles below point of discharge.

The receiving stream, unnamed tributary to Thompson Creek, is in watershed 16-E and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.000279 MGD.

| <i>Parameter</i> | <i>Concentrations</i> | | |
|-------------------------|-------------------------------|--|-------------------------------------|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Flow | XX | | XX |
| CBOD ₅ | 10 | | 20 |
| Total Suspended Solids | 20 | | 40 |
| Fecal Coliform | | 200/100 ml as a geometric average | |
| Total Residual Chlorine | XX | | XX |
| pH | | 6.0 to 9.0 standard units at all times | |

XX—Monitor and Report

The EPA waiver is in effect.

PA0091197, Sewage, **High Meadows Sewer Service, Inc.**, 222 Airport Road, Butler, PA 16001. This proposed facility is located in Penn Township, **Butler County**.

Description of Proposed Activity: Renewal of a treated minor discharge from a privately owned sewage treatment works.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Connoquenessing Creek and Zelienople Municipal Waterworks located at River Mile 22.47, 39.29 miles below point of discharge.

The receiving stream, unnamed tributary to Thorn Creek, is in watershed 20-C and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03 MGD.

| <i>Parameter</i> | <i>Concentrations</i> | | |
|-------------------------|-------------------------------|--|-------------------------------------|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| CBOD ₅ | 25 | | 50 |
| Total Suspended Solids | 30 | | 60 |
| NH ₃ -N | | | |
| (5-1 to 10-31) | 2 | | 4 |
| (11-1 to 4-30) | 6 | | 12 |
| Fecal Coliform | | 200/100ml as a geometric average | |
| (5-1 to 9-30) | | 2,400/100ml as a geometric average | |
| (10-1 to 4-30) | | | |
| Phosphorus | | | |
| (5-1 to 10-31) | 2 | | 4 |
| Total Residual Chlorine | 0.3 | | 0.7 |
| Dissolved Oxygen | | minimum of 6 mg/l at all times | |
| pH | | 6.0 to 9.0 standard units at all times | |

The EPA waiver is in effect.

PA0209988, Industrial Waste, **Department of Public Welfare, Polk Center WTP**, Polk, PA 16342. This proposed facility is located in Polk Borough, **Venango County**.

Description of Proposed Activity: Existing discharge of treated IW.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company intake on the Allegheny River located at Emlenton, approximately 24 miles below point of discharge.

The receiving stream, Little Sandy Creek, is in watershed 16-G and classified for HQ-CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.032 MGD.

| <i>Parameters</i> | <i>Loadings</i> | | <i>Concentrations</i> | | |
|-------------------------|---------------------------------|-------------------------------|--|-----------------------------|-------------------------------------|
| | <i>Average Monthly (lb/day)</i> | <i>Maximum Daily (lb/day)</i> | <i>Average Monthly (mg/l)</i> | <i>Maximum Daily (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Flow | XX | | | | |
| Total Suspended Solids | XX | XX | 30 | 60 | 75 |
| Iron | XX | XX | 2 | 4 | 5 |
| Aluminum | XX | XX | 4 | 8 | 10 |
| Manganese | XX | XX | 1 | 2 | 2.5 |
| Total Residual Chlorine | | | 0.5 | | 1.2 |
| pH | | | 6.0 to 9.0 standard units at all times | | |

XX—Monitor and report.

The EPA waiver is in effect.

PA0034380, Sewage, **Quadland Corporation**, 7041 Truck World Boulevard, Hubbard, OH 44425. This proposed facility is located in Scrubgrass Township, **Venango County**.

Description of Proposed Activity: Renewal of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Emlenton Municipal Water Authority on the Allegheny River located at Emlenton, approximately 3 miles below point of discharge.

The receiving stream, unnamed tributary to Allegheny River, is in watershed 16G and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.02 MGD.

| <i>Parameter</i> | <i>Concentrations</i> | | |
|---|-------------------------------|--|-------------------------------------|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Flow | XX | | |
| CBOD ₅ | 25 | | 50 |
| Total Suspended Solids | 30 | | 60 |
| Fecal Coliform (5-1 to 9-30) (10-1 to 4-30) | | 200/100 ml as a geometric average 2,000/100 ml as a geometric average minimum of 3 mg/l at all times | |
| Dissolved Oxygen | | | |
| Total Residual Chlorine | 1.0 | | 2.3 |
| pH | | 6.0 to 9.0 standard units at all times | |

XX—Monitor and Report

The EPA waiver is in effect.

PA0101117, Sewage, **Shady Acres Mobile Home Park**, P. O. Box 358, Edinboro, PA 16412. This proposed facility is located in Cussewago Township, **Crawford County**.

Description of Proposed Activity: Renewal of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Franklin General Authority intake on French Creek located at Franklin, approximately 50 miles below point of discharge.

The receiving stream, Cussewago Creek is in watershed 16-D and classified for WWF, aquatic life, water supply and recreation.

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

| <i>Parameter</i> | <i>Concentrations</i> | | |
|---|-------------------------------|--|-------------------------------------|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Flow | XX | | XX |
| CBOD ₅ | 25 | | 50 |
| Total Suspended Solids | 30 | | 60 |
| Fecal Coliform (5-1 to 9-30) (10-1 to 4-30) | | 200/100 ml as a geometric average 2,000/100 ml as a geometric average | |
| Total Residual Chlorine | 1.0 | | 2.3 |

| <i>Parameter</i> | <i>Concentrations</i> | | |
|------------------|-----------------------------------|----------------------------------|---|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Dissolved Oxygen | | | |
| pH | | minimum of 3 mg/l at all times | 6.0 to 9.0 standard units at all times |

XX—Monitor and Report

The EPA waiver is in effect.

PA0222062, Sewage, **Remington's Steakhouse, Inc.**, 1553 Perry Highway, Mercer, PA 16137. This proposed facility is located in Springfield Township, **Mercer County**.

Description of Proposed Activity: Renewal of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Beaver Falls Municipal Authority—Eastvale Plant Intake and the Beaver River located at Eastvale, approximately 40 miles below point of discharge.

The receiving stream, an unnamed tributary to Neshannock Creek, is in watershed 20-A and classified for TSF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0015 MGD.

| <i>Parameter</i> | <i>Concentrations</i> | | |
|---|-----------------------------------|---|---|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Flow | XX | | |
| CBOD ₅ | 25 | | 50 |
| Total Suspended Solids | 30 | | 60 |
| Fecal Coliform (5-1 to 9-30) (10-1 to 4-30) | | 200/100 ml as a geometric average 24,000/100 ml as a geometric average | |
| Total Residual Chlorine | 0.5 | | 1.2 |
| pH | | 6.0 to 9.0 standard units at all times | |

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6130.

PA0058653, Industrial Waste, **Wyeth Pharmaceuticals, Facilities Department**, P. O. Box 8299, Philadelphia, PA 19101-8299. This application is for issuance of an NPDES permit to discharge cooling water from the boilers of the central utility plants in Upper Providence Township, **Montgomery County**. This is a new discharge to Perkiomen Creek.

The receiving stream is classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 or 002, based on an average flow of 40,000 gallons per day are as follows:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Maximum Daily (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|-------------------------|--|---------------------------------|---|
| Temperature | | | 110°F |
| pH | Within limits of 6.0—9.0 Standard Units at all times | | |
| Total Dissolved Solids | 16,700 | 22,600 | 33,400 |
| Total Residual Chlorine | 0.5 | | 1.2 |
| Total Suspended Solids | 30 | 60 | 75 |

The EPA waiver is in effect.

PA0025917 Amendment No. 1, Sewage, **Chalfont New Britain Township Joint Sewage Authority**, 1645 Upper State Road, Doylestown, PA 18901-2666. This application is for an amendment of an NPDES permit to add a stormwater outfall to discharge stormwater from the Chalfont New Britain sewage treatment plant facility area located in Doylestown Township, **Bucks County**. This is an existing discharge to Neshaminy Creek.

The receiving stream is classified for TSF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 002, based on stormwater runoff from parking lot and area around STP are as follows:

| <i>Parameter</i> | <i>Maximum Daily (mg/l)</i> |
|------------------------|-----------------------------|
| CBOD ₅ | Monitor |
| Total Suspended Solids | Monitor |
| Oil and Grease | Monitor |
| pH | Monitor |
| COD | Monitor |
| TKN | Monitor |
| Total Phosphorus | Monitor |
| Iron Dissolved | Monitor |

Phase II Stormwater Requirements.

The EPA waiver is in effect.

PA0057401, Sewage, **S and S Styles, Inc.**, 6801 Easton Road, Pipersville, PA 18947-9717. This application is for renewal of an NPDES permit to discharge treated sewage from a sewage treatment plant in Bedminster Township, **Bucks County**. This is an existing discharge to unnamed tributary to Cabin Run.

The receiving stream is classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 1,405 GPD are as follows:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|-------------------------|--|-------------------------------------|
| CBOD ₅ | | |
| (5-1 to 10-31) | 10 | 20 |
| (11-1 to 4-30) | 20 | 40 |
| Suspended Solids | 10 | 20 |
| Total Nitrogen | 10 | 20 |
| Total Residual Chlorine | 1.2 | 2.0 |
| Fecal Coliform | 200 colonies/100 ml as a geometric average | |
| Dissolved Oxygen | minimum of 3 mg/l at all times | |
| pH | Within limits of 6.0—9.0 Standard Units at all times | |

The EPA waiver is in effect.

PA0021512, Sewage, **Royersford Borough**, 300 Main Street, P. O. Box 188, Royersford, PA 19468. This application is for renewal of an NPDES permit to discharge treated sewage from Royersford Borough STP in Upper Providence Township, **Montgomery County**. This is an existing discharge to Schuylkill River.

The receiving stream is classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 0.54 MGD are as follows:

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|-------------------------|--|------------------------------|-------------------------------------|
| CBOD ₅ | 25 | 40 | 50 |
| Suspended Solids | 30 | 45 | 60 |
| Ammonia (as N) | 20 | | 40 |
| Total Residual Chlorine | 1.0 | | 1.2 |
| Fecal Coliform | 200 colonies/100 ml as a geometric average | | |
| Dissolved Oxygen | Monitor and Report | | Monitor and Report |
| pH | Within limits of 6.0—9.0 Standard Units at all times | | |

The EPA waiver is in effect.

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

PA0061832, Industrial, **Tamaqua Cable Products Corporation**, P. O. Box 347, Schuylkill Haven, PA 17972. This proposed facility is located in Schuylkill Haven Borough, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES permit.

The receiving stream, Schuylkill River, is in the State Water Plan watershed no. 3A and is classified for CWF. The nearest downstream public water supply intake for the Pottstown Water Authority is located on the Schuylkill River, over 50 miles below the point of discharge.

The proposed effluent limits for each outfall is as listed.

Outfall 001—0.038 MGD

| <i>Parameter</i> | <i>Monthly Average (mg/l)</i> | <i>Daily Maximum (mg/l)</i> |
|------------------------|------------------------------------|-----------------------------|
| BOD ₅ | | 26.0 |
| Total Suspended Solids | | 19.0 |
| Oil and Grease | 15.0 | 29.0 |
| Dissolved Oxygen | A minimum of 5.0 mg/l at all times | |
| pH | 6.0 to 9.0 at all times | |

Outfall 002—0.156 MGD

| <i>Parameter</i> | <i>Monthly Average (mg/l)</i> | <i>Daily Maximum (mg/l)</i> |
|------------------------|------------------------------------|-----------------------------|
| BOD ₅ | | 26.0 |
| Total Suspended Solids | | 19.0 |
| Oil and Grease | 15.0 | 29.0 |
| Dissolved Oxygen | A minimum of 5.0 mg/l at all times | |
| pH | 6.0 to 9.0 at all times | |

Outfall 003—0.096 MGD

| <i>Parameter</i> | <i>Monthly Average (mg/l)</i> | <i>Daily Maximum (mg/l)</i> |
|------------------------|------------------------------------|-----------------------------|
| BOD ₅ | | 26.0 |
| Total Suspended Solids | | 19.0 |
| Oil and Grease | 15.0 | 29.0 |
| Dissolved Oxygen | A minimum of 5.0 mg/l at all times | |
| pH | 6.0 to 9.0 at all times | |

Outfall 004—0.019 MGD

| <i>Parameter</i> | <i>Monthly Average (mg/l)</i> | <i>Daily Maximum (mg/l)</i> |
|------------------------|------------------------------------|-----------------------------|
| BOD ₅ | | 26.0 |
| Total Suspended Solids | | 19.0 |
| Oil and Grease | 15.0 | 29.0 |
| Dissolved Oxygen | A minimum of 5.0 mg/l at all times | |
| pH | 6.0 to 9.0 at all times | |

The EPA waiver is in effect.

PA0062421, Industrial, **Jim Thorpe Water Authority**, 421 North Street, Jim Thorpe, PA 18229-2528. This proposed facility is located in Jim Thorpe Borough, **Carbon County**.

Description of Proposed Activity: Renewal of NPDES permit for discharge of filter backwash.

The receiving stream, Mauch Chunk Creek, is in the State Water Plan watershed no. 2B and is classified for CWF. The nearest downstream public water supply intake for Lehigh Water Authority is located on the Lehigh River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.082 MGD.

| <i>Parameter</i> | <i>Mass (lb/day)</i> | | <i>Concentration (mg/l)</i> | |
|-------------------------|-----------------------------|----------------------|-----------------------------|----------------------|
| | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i> | <i>Maximum Daily</i> |
| Total Suspended Solids | | | 30 | 60 |
| pH | Within the range 6.0 to 9.0 | | | |
| Total Iron | | | 2 | 4 |
| Total Aluminum | | | 1.2 | 2.4 |
| Total Manganese | | | 1.0 | 2.0 |
| Total Residual Chlorine | | | 0.5 | 1.0 |

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

PA0246972, CAFO, **Weiler Farms Partnership (Weiler Farms No. 3)**, 350 East Mill Avenue, Myerstown, PA 17067. Weiler Farms Partnership has submitted an application for an individual NPDES permit for a proposed CAFO known as Weiler Farms No. 3, Box 4418, Ridge Road, Jonestown, Union Township, **Lebanon County**.

The CAFO is situated near Trout Run in Watershed 7-D, which is classified for WWF. The CAFO is designed to maintain an animal population of approximately 817.2 AEU's consisting of 6,600 wean to finish swine. The animals will be housed in three swine finishing floors. Manure will be stored in three below house manure pits. The total capacity of the manure storage facilities will be 1.54 million gallons. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate

Pennsylvania Technical Guide Standards. 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 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. Individuals 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 Water 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 EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

PA0021229, Sewage, **Littlestown Borough Authority**, 46 East King Street, Littlestown, PA 17340-1612. This facility is located in Union Township, **Adams County**.

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

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

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

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|-----------------------------------|-----------------------------------|-------------------------------------|---|
| CBOD ₅ | | | |
| (5-1 to 10-31) | 10 | 15 | 20 |
| (11-1 to 4-30) | 20 | 30 | 40 |
| Total Suspended Solids | 30 | 45 | 60 |
| NH ₃ -N | | | |
| (5-1 to 10-31) | 1.5 | | 3 |
| (11-1 to 4-30) | 4.5 | | 9 |
| Total Residual Chlorine (Interim) | Monitor and Report | | Monitor and Report |
| Copper (Interim) | Monitor and Report | | Monitor and Report |
| Copper (Final) | 9.1 | | 18.2 |
| Dissolved Oxygen | | Minimum of 5.0 at all times | |
| pH | | From 6.0 to 9.0 inclusive | |
| Fecal Coliform | | | |
| (5-1 to 9-30) | | 200/100 ml as a geometric average | |
| (10-1 to 4-30) | | 2,000/100 ml as a geometric average | |

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

The EPA waiver is not in effect.

PA0246808, CAFO, **Clair Hurst (Clair Hurst Farm)**, 788 Kingpen Road, Kirkwood, PA 17536. Clair Hurst has submitted an application for an individual NPDES permit for an existing CAFO known as Swine and Dairy, 788 Kingpen Road, Little Britain Township, **Lancaster County**.

The CAFO is situated near an unnamed tributary to West Branch Octoraro Creek in Watershed 7-K, which is classified for HQ, CWF and MF. The CAFO is designed to maintain an animal population of approximately 507 AEUs consisting of 3,600 finishing pigs and 95 dairy cows. The animals will be housed in a finishing barn and dairy barn. Manure is collected and stored under the finishing barn and in an earthen lagoon next to the dairy barn. The total capacity of the manure storage facilities is 1.735 million gallons. 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 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. Individuals 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 Water 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 EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3666.

PA0024325, Sewerage, SIC 4952, **Muncy Borough Municipal Authority**, 14 North Washington Street, Muncy, PA 17756. This proposed facility is located in Muncy Borough, **Lycoming County**.

Description of Proposed Activity: Pending renewal of the NPDES permit for the existing discharge of treated sewage wastewater through Outfall 001 and site stormwater through Outfall S01.

The receiving stream for Outfall 001, the West Branch of the Susquehanna River, is in the State Water Plan watershed 10D and is classified for WWF. The nearest public water supply surface water intake, owned by the Pennsylvania American Water Company, is located on the West Branch of the Susquehanna River in Milton Borough, 16.7 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 MGD.

| <i>Discharge Parameter</i> | <i>Monthly Average (mg/l)</i> | <i>Weekly Average (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|----------------------------|-------------------------------|--------------------------------------|-------------------------------------|
| CBOD ₅ | 25 | 40 | 50 |
| Total Suspended Solids | 30 | 45 | 60 |
| Total Chlorine Residual | 0.5 | | 1.6 |
| Fecal Coliforms | | | |
| (5-1 to 9-30) | | 200 col/100 mL as a Geometric Mean | |
| (10-1 to 4-30) | | 2,000 col/100 mL as a Geometric Mean | |
| pH | | Within the range of 6.0 to 9.0 | |

The receiving stream for Outfall S01, an unnamed tributary to the West Branch of the Susquehanna River, is in the State Water Plan watershed 10D and is classified for WWF. The nearest public water supply surface water intake, owned by the Pennsylvania American Water Company is located on the West Branch of the Susquehanna River in Milton Borough, 17.2 miles below the point of discharge. Approximately 0.01 MGD of stormwater will be discharged through Outfall S01 from an average storm event. Annual Inspection Certification will be required.

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

PA0026751 Amendment No. 1, Sewage, **Borough of Indiana**, 80 North Eighth Street, Indiana, PA 15701. This application is for amendment of an NPDES permit to discharge stormwater from the Borough of Indiana Water Pollution Control Plant in Center Township, **Indiana County**.

The receiving waters are known as Stoney Run, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation.

Outfall SW1: existing stormwater outfall at plant site.

This amendment adds Outfall SW1 to NPDES Permit PA0026751 and authorizes a discharge of uncontaminated stormwater from the sewage treatment plant parking lot and surrounding area. There are at this time no specific effluent limitations on this outfall. This discharge must meet the "Stormwater Discharges" requirements in Part C of the amendment.

The EPA waiver is not in effect.

PA0038164, Sewage, **Confluence Borough Municipal Authority**, P. O. Box 6, Confluence, PA 15424. This application is for renewal of an NPDES permit to discharge treated sewage from Borough of Confluence Sewage Treatment Plant in Confluence Borough, **Somerset County**.

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

Outfall 001: existing discharge, design flow of 0.137 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | 38 | | 50 |
| Suspended Solids | 30 | 45 | | 60 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Total Residual Chlorine | 1.0 | | | 3.3 |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0046906-A1, Sewage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108. This application is for amendment of an NPDES permit to discharge treated sewage from Flaugherty Run STP in Moon Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as the Ohio River (proposed) and Flaugherty Run (existing), which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Midland Borough Water Authority.

Outfall 001: existing discharge, design flow of 1 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | 37.5 | | 50 |
| Suspended Solids | 30 | 45 | | 60 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 2.0 | 3.0 | | 4.0 |
| (11-1 to 4-30) | 5.0 | 7.5 | | 10.0 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Dissolved Oxygen | not less than 5.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

Other Conditions: The following effluent limitations will apply if/when the treatment plant is expanded to a flow of 2 mgd and the discharge is relocated to the Ohio River.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | 37.5 | | 50 |
| Suspended Solids | 30 | 45 | | 60 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

Other Conditions: Outfall SW2 will be permitted to discharge uncontaminated stormwater runoff from the STP site.

The EPA waiver is not in effect.

PA0096326, Sewage, **Wareham Investment Company, L. P.**, 130 Penn-Adamsburg Road, Jeannette, PA 15644. This application is for renewal of an NPDES permit to discharge treated sewage from Wencliff Eyrie Mobile Home Estates in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary to Brush Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania American Water Company, Beck's Run Intake, on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.03 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 2.1 | | | 4.2 |
| (11-1 to 4-30) | 4.4 | | | 8.8 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Dissolved Oxygen | not less than 6.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0096342, Sewage, **Fairchance-Georges Joint Municipal Sewage Authority**, 142 Big Six Road, Smithfield, PA 15478. This application is for renewal of an NPDES permit to discharge treated sewage from Fairchance-Georges STP in Georges Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Georges 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 Dunkard Valley Joint Municipal Authority on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.45 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | | | | |
| (5-1 to 10-31) | 15 | 23 | | 30 |
| (11-1 to 4-30) | 25 | 38 | | 50 |
| Suspended Solids | 25 | 38 | | 50 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 2.0 | 3.0 | | 4.0 |
| (11-1 to 4-30) | 5.0 | 7.5 | | 10.0 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Dissolved Oxygen | not less than 5.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

Other Conditions: The following effluent limitations will apply if/when the treatment plant is expanded to a flow of 0.75 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | | | | |
| (5-1 to 10-31) | 15 | 23 | | 30 |
| (11-1 to 4-30) | 25 | 38 | | 50 |
| Suspended Solids | 25 | 38 | | 50 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 2.0 | 3.0 | | 4.0 |
| (11-1 to 4-30) | 4.5 | 6.8 | | 9.0 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Dissolved Oxygen | not less than 5.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0215929, Sewage, **Walter L. Houser**, R. R. 9, Box 434, Kittanning, PA 16201. This application is for renewal of an NPDES permit to discharge treated sewage from Mudlick Run Portal STP in Washington Township, **Indiana County**.

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

Outfall 001: existing discharge, design flow of 0.007 mgd.

| Parameter | Concentration (mg/l) | | | |
|----------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 3.0 | | | 6.0 |
| (11-1 to 4-30) | 6.0 | | | 12.0 |
| Fecal Coliform | | | | |
| (5-1 to 9-30) | 200/100 ml as a geometric mean | | | |
| (10-1 to 4-30) | 2,000/100 ml as a geometric mean | | | |
| Total Residual Chlorine | | | | |
| (1st Month to 36th Month) | Monitor and Report | | | |
| (37th Month to Expiration) | 1.4 | | | 3.3 |
| Dissolved Oxygen | not less than 3.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

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

PA0239135, Sewage, **Ronald W. Gardner**, 424 East Main Street, Titusville, PA 16354. This proposed facility is located in Cambridge Township, **Crawford County**.

Description of Proposed Activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Franklin General Authority on French Creek located at Franklin, approximately 50 miles below point of discharge.

The receiving stream, unnamed tributary to French Creek, is in watershed 16-A and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0016 MGD.

| Parameter | Concentrations | | |
|-------------------------|--|-----------------------------------|------------------------------|
| | Average Monthly (mg/l) | Average Weekly (mg/l) | Instantaneous Maximum (mg/l) |
| Flow | XX | | XX |
| CBOD ₅ | 10 | | 20 |
| Total Suspended Solids | 20 | | 40 |
| Fecal Coliform | | 200/100 ml as a geometric average | |
| Total Residual Chlorine | XX | | XX |
| Dissolved Oxygen | Minimum of 3 mg/l at all times. | | |
| pH | 6.0 to 9.0 standard units at all times | | |

XX—Monitor and Report

The EPA waiver is in effect.

PA0239089, Sewage, **Joshua S. Wendel**, 1237 East Eschbach Road, St. Marys, PA 15857. This proposed facility is located in St. Marys, **Elk County**.

Description of Proposed Activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Clarion River and the Pennsylvania American Water Company—Clarion District located at Emlenton, approximately 65 miles below point of discharge.

The receiving stream, an unnamed tributary to Trout Run, is in watershed 17A and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

| Parameter | Concentrations | | |
|------------------------|------------------------|----------------------------------|------------------------------|
| | Average Monthly (mg/l) | Average Weekly (mg/l) | Instantaneous Maximum (mg/l) |
| Flow | | | |
| CBOD ₅ | 10 | | 20 |
| Total Suspended Solids | 20 | | 40 |
| Fecal Coliform | | 200/100ml as a geometric average | |

| <i>Parameter</i> | <i>Concentrations</i> | | |
|-----------------------------|--|----------------------------------|---|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Ultraviolet Light Intensity | XX | | |
| pH | 6.0 to 9.0 standard units at all times | | |

XX—Monitor and report average intensity from UV intensity meter in microwatts/square centimeter and refer to Special Condition 1.

The EPA waiver is in effect.

PA0239097, Sewage, **Gregory A. Meyer**, 558 Robin Road Extension, St. Marys, PA 15857. This proposed facility is located in St. Marys, **Elk County**.

Description of Proposed Activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Clarion River and the Pennsylvania American Water Company—Clarion District located at Emlenton, approximately 65 miles below point of discharge.

The receiving stream, an unnamed tributary to Elk Creek, is in watershed 17A and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

| <i>Parameter</i> | <i>Concentrations</i> | | |
|-----------------------------|--|-----------------------------------|---|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Flow | | | |
| CBOD ₅ | 10 | | 20 |
| Total Suspended Solids | 20 | | 40 |
| Fecal Coliform | | 200/100 ml as a geometric average | |
| Ultraviolet Light Intensity | XX | | |
| pH | 6.0 to 9.0 standard units at all times | | |

XX—Monitor and report average intensity from UV intensity meter in microwatts/square centimeter and refer to Special Condition 1.

The EPA waiver is in effect.

PA0239071, Sewage, **ABECO, Inc.**, P. O. Box 265, Clarion, PA 16214. This proposed facility is located in Paint Township, **Clarion County**.

Description of Proposed Activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Parker City Water Systems on the Allegheny River located at Parker, approximately 28 miles below point of discharge.

The receiving stream, unnamed tributary to Clarion River, is in watershed 17B and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.

| <i>Parameter</i> | <i>Concentrations</i> | | |
|---|--|--|---|
| | <i>Average Monthly (mg/l)</i> | <i>Average Weekly (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Flow | XX | | |
| CBOD ₅ | 25 | | 50 |
| Total Suspended Solids | 30 | | 60 |
| Fecal Coliform (5-1 to 9-30) (10-1 to 4-30) | | 200/100 ml as a geometric average 2,000/100 ml as a geometric average minimum of 3 mg/l at all times | |
| Dissolved Oxygen | | | |
| Total Residual Chlorine | 0.5 | | 1.6 |
| pH | 6.0 to 9.0 standard units at all times | | |

XX—Monitor and Report

The EPA waiver is in effect.

**WATER QUALITY MANAGEMENT
PERMITS**
**CONTROLLED INDUSTRIAL WASTE AND SEWAGE
WASTEWATER**
**APPLICATIONS UNDER THE CLEAN STREAMS
LAW**
PART II PERMITS

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department).

Persons wishing to comment on an application are invited to submit a statement to the office noted before the application, within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The 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 reserves the right to hold a public hearing 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 of the area. If no hearing is held, the Department's Water Management Program Manager will make a final determination regarding the applications after a complete review. 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.

A copy of the permit application or proposed plan is on file in the office indicated and is open to public inspection. Appointments to review the application may be made by contacting Records Management at the indicated telephone number.

I. 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. 5403402, St. Clair Sewer Authority, 16 South Third Street, St. Clair, PA 17970. This proposed facility is located in East Norwegian Township, **Schuylkill County**.

Description of Proposed Action/Activity: This project includes the construction of a sanitary sewage pump station and 8-inch diameter sewer extension to serve two existing and future commercial establishments located in East Norwegian Township, Schuylkill County. The anticipated flow from the project is 2,400 gallons per day. The sewer extension and pump station will be dedicated to the St. Clair Sewer Authority.

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

WQM Permit No. 3603401, Sewerage, Manheim Borough, 15 East High Street, Manheim, PA 17545. This proposed facility is located in Manheim Borough, **Lancaster County**.

Description of Proposed Action/Activity: Construction of sewer extension and pumping station to serve Carel, USA Subdivision.

WQM Permit No. 3603202, Industrial Waste, Chester County Solid Waste Authority, 7224 Division Highway, Narvon, PA 17555. This proposed facility is located in Caernarvon and Salisbury Townships, **Lancaster County** and Honeybrook Township, **Chester County**.

Description of Proposed Action/Activity: Leachate treatment modification is to better meet current cold weather ammonia limits. The existing biological treatment system (sequencing batch reactor) will be replaced by an ultrafiltration/reverse osmosis system. Discharge to the Conestoga Creek will continue via existing Outfall 001.

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

WQM Permit No. 1703201, Industrial Waste, Glen Hope Water Authority, P. O. Box 116, Glen Hope, PA 16645. This facility is located in Glen Hope Borough, **Clearfield County**.

Description of Proposed Action/Activity: Water Quality Management Part II Permit Application for construction of a waste holding tank and Outfall 001. Wastewater from the public water supply pressure filtration plant will be directed to the waste holding tank. Supernatant will be discharged through approved NPDES Outfall 001. Solids will be hauled to Clearfield Municipal Authority's Wastewater Treatment Plant.

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

Application No. 0203402, Sewerage, Nick Vidnovic, 183 Hill Place Road, Venetia, PA 15367. Application for the construction and operation of a single residence sewerage treatment plant to serve the Vidnovic residence, Peters Township, **Washington County**.

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

WQM Permit No. 4303404, Sewerage, Terrence L. Young, 200 Home Street, Mercer, PA 16137. This proposed facility is located in Jackson Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2503405, Sewerage, Ludwig Corsi, 3925 Douglas Road, Erie, PA 16510. This proposed facility is located in Greene Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2003405, Sewerage, David A. and Linda S. Wetsell, 16781 Huson Road, Saegertown, PA 16433. This proposed facility is located in Woodcock Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2003406, Sewerage, Eugene G. Walker, 2804 Perry Highway, Cochranon, PA 16314. This proposed facility is located in Greenwood Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2503404, Sewerage, Kevin Luke and Mary E. McCann, 6065 Bridlewood Drive, Fairview, PA 16415-2709. This proposed facility is located in Fairview Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

NPDES Stormwater Individual Permit

The following parties have applied for an NPDES permit to discharge stormwater associated with a construction activity into waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA Region III Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(d).

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

Following the 30-day comment period, the appropriate Regional Office Water 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 this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth distur-

bance activity, are on file and may be inspected at the office identified in this notice.

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

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

NPDES Permit PAI2011503017, Stormwater, **Elam Richl**, 807 Fifth Street Road, Oxford, PA 19363, has applied to discharge stormwater associated with a construction activity located in East Nottingham Township, **Chester County**, to Little Elk Creek (HQ-TSF).

NPDES Permit PAI2011503018, Stormwater, **The Woolbridge Organization**, 1500 Greenhill Road, West Chester, PA 19380, has applied to discharge stormwater associated with a construction activity located in East Goshen, **Chester County**, to Boot Road Run/West Branch Ridley Creek (HQ-TSF).

NPDES Permit PAI2011503019, Stormwater, **Andrew Hudson**, 499 Lewisville Road, Lincoln University, PA 19352, has applied to discharge stormwater associated with a construction activity located in New London Township, **Chester County** to Hodgson Run (HQ-TSF-MF).

NPDES Permit PAI2011503020, Stormwater, **Haller Residence**, 489 Devon Park Drive, Suite 316, Wayne, PA 19087, has applied to discharge stormwater associated with a construction activity located in Charlestown Township, **Chester County** to unnamed tributary to Pickering Creek (HQ-TSF).

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

Luzerne County Conservation District: R485 Smith Pond Road, Lehman, PA 18627-0250, (570) 674-7991.

| <i>NPDES No.</i> | <i>Applicant Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Water/Use</i> |
|------------------|---|-----------------------------------|----------------------------|
| PAI024003001 | Department of Transportation P. O. Box 111 Scranton, PA 18501 | Luzerne County Slocum Township | Black Brook Creek CWF |

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

| <i>NPDES No.</i> | <i>Applicant Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Water/Use</i> |
|------------------|---|---|----------------------------|
| PAI024803008 | Charles Chrin 2841 Norton Ave. Easton, PA 18045 | Northampton County Tatamy Borough Palmer Township | Bushkill Creek HQ-CWF |

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

| <i>NPDES No.</i> | <i>Applicant Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Water/Use</i> |
|------------------|--|------------------------------------|----------------------------|
| PAI024503004 | William and Carole Grant P. O. Box 287 Brodheads ville, PA 18322 | Monroe County Hamilton Township | Lake Creek HQ-CWF |

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

| <i>NPDES No.</i> | <i>Applicant Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Water/Use</i> |
|------------------|---|--|-------------------------------|
| PAI023903005 | Fieldstone Associates, L. P. 906A Cross Keys Dr. Doylestown, PA 18901 | Lehigh County Upper Macungie Township | Little Lehigh Creek HQ-CWF |
| PAI023903006 | Muhlenberg College 2400 Chew St. Allentown, PA 18104 | Lehigh County City of Allentown | Little Lehigh Creek HQ-CWF |

Susquehanna County Conservation District: County Office Building, 31 Public Avenue, Montrose, PA 18801, (570) 278-4600.

| <i>NPDES No.</i> | <i>Applicant Name and Address</i> | <i>County and Municipality</i> | <i>Receiving Water/Use</i> |
|------------------|--|--|--|
| PAI025803001 | New Milford Municipal Authority 175 Main St. New Milford, PA 18834 | Susquehanna County New Milford Borough and Township | Salt Lick Creek HQ Smith Creek HQ Meylet Creek HQ |

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

Fayette County Conservation District: 10 Nickman Plaza, Lemont Furnace, PA 15456.

NPDES Permit PAI052603002, Stormwater, **Nemacolin Woodlands Company**, 1001 Lafayette Drive, Farmington, PA 15437, has applied to discharge stormwater associated with a construction activity located in Wharton Township, **Fayette County** to Deadman Run, a tributary to Meadow Run (HQ-CWF).

NPDES Permit PAI052603003, Stormwater, **Burd Plaza, Inc.**, 4156 National Pike, Farmington, PA 15437, has applied to discharge stormwater associated with a construction activity located in Wharton Township, **Fayette County** to Deadman Run (HQ-CWF).

Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6860.

NPDES Permit PAI084203001, Stormwater, **Seneca Resources Corporation**, Route 1, Box 27E, Sigel, PA 15860 has applied to discharge stormwater associated with a construction activity located in Hamilton Township, **McKean County** to Whiting Run (HQ-CWF), unnamed tributaries to Libby Run (HQ-CWF), Libby Run (HQ-CWF), White Gravel Creek (HQ-CWF), unnamed tributaries to Chappel Fork (HQ-CWF), Chappel Fork (CWF), unnamed tributaries to Markham Run (HQ-CWF), Markham Run (HQ-CWF) and Kinzua Creek (CWF).

NPDES Permit PAI082703001, Stormwater, **Pennsylvania General Energy, Corp.**, 208 Liberty Street, Warren, PA 16365 has applied to discharge stormwater associated with a construction activity located on Warrant 5135 in Kingsley Township, **Forest County** to unnamed tributaries to Salmon Creek (HQ-CWF) and Salmon Creek (HQ-CWF).

PUBLIC WATER SUPPLY (PWS) PERMIT

Under the Pennsylvania Safe Drinking Water Act, the following parties have applied for a public water supply permit to construct or substantially modify a public water system.

Persons wishing to comment on the 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 this 30-day comment period will be considered in the formulation of the final determinations regarding this application. Comment responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of 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 available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

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

Permit No. 4503502, Public Water Supply.

| | |
|---------------------|---|
| Applicant | Pocono Jackson Joint Water Authority |
| Township or Borough | Jackson Township, Monroe County |

Responsible Official Edward N. Possinger, Chairperson
Pocono Jackson Joint Water
Authority
P. O. Box 196
Reeders, PA 18352

Type of Facility Community Water System

Consulting Engineer William T. Hemsley, P. E.
Nassaux-Hemsley, Incorporated
56 North Second Street
Chambersburg, PA 17201

Application Received Date March 3, 2003

Description of Action Permitting of the three existing
system supply wells for increased
pumping rates.

Permit No. 3903501, Public Water Supply.

Applicant **South Whitehall Township
Authority**

Township or Borough South Whitehall Township,
Lehigh County

Responsible Official Gerald J. Gasda, Township
Manager
South Whitehall Township Public
Works Dept.
4444 Walbert Avenue
Allentown, PA 18104-1699

Type of Facility Community Water System

Consulting Engineer Steven R. Henning, P. E.
The Pidcock Company
2451 Parkwood Drive
Allentown, PA 18103-9608

Application Received Date March 13, 2003

Description of Action Permitting approval requested for
removal of two existing 100 GPM
booster pumps for replacement
with two 300 GPM booster pumps
at the Springhouse West Booster
Pump Station.

Permit No. 3903502, Public Water Supply.

Applicant **South Whitehall Township
Authority**

Township or Borough South Whitehall Township,
Lehigh County

Responsible Official Gerald J. Gasda, Township
Manager
South Whitehall Township Public
Works Dept.
4444 Walbert Avenue
Allentown, PA 18104-1699

Type of Facility Community Water System

Consulting Engineer Steven R. Henning, P. E.
The Pidcock Company
2451 Parkwood Drive
Allentown, PA 18103-9608

Application Received Date March 13, 2003

Description of Action Permitting approval requested for
removal of two existing 100 GPM
booster pumps with associated
variable-frequency controls for
replacement with two 300 GPM
hydro-constant booster pumps and
installation of a hypochlorite
booster system at the Eck Road
Booster Pump Station.

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

Permit No. 6703506, Public Water Supply.

Applicant **West Manchester Township
Authority**

County **York**

Responsible Official Samuel Null, Chairperson
2115 Log Cabin Road
York, PA 17404

Type of Facility PWS

Consulting Engineer Thomas S. Ladue, P. E.
Goodkind & O'Dea, Inc.
P. O. Box 340
Carlisle, PA 17013

Application Received Date February 24, 2003

Description of Action PWS Construction Permit
Application for Well No. 9.
Permission is sought to use the
well at a rate of up to 220 gallons
per minute. Treatment will
include disinfection from sodium
hypochlorite and fluoridation.

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

Application No. Minor Amendment, Public Water Supply.

Applicant **Pennsylvania American Water
Company**
800 West Hersheypark Drive
Hershey, PA 17033

Township White Deer Township

Responsible Official Steven J. Seidl, Vice President,
Engineering
Pennsylvania American Water
Company
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility PWS

Consulting Engineer Bruce E. Juergens, Engineering
Manager
Pennsylvania American Water
Company
800 West Hersheypark Drive
Hershey, PA 17033

Application Received Date March 5, 2003

Description of Action Relocation of the Edendale Booster Station to a third site and the interconnect of Sandy Ridge and West Decatur Authority Water Systems with the PAWC—Philipsburg System.

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

Permit No. 1003503, Public Water Supply.

Applicant **Bonniebrook Personal Care Home**
111 Bonniebrook Road
Cabot, PA 16023.

Township or Borough Jefferson Township, **Butler County**

Responsible Official Dr. Victor Steibel, Owner

Type of Facility PWS

Consulting Engineer Gray-Warnick Engineering
662 West New Castle Road
Butler, PA 16001

Application Received Date March 7, 2003

Description of Action Install 2,000 gallon finished water storage with booster pump.

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 any 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 under 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 listed. 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:

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

Pennsylvania Steel, Borough of Hamburg, **Berks County**. UAI Environmental, Inc., 6 Commerce Drive, Reading, PA 19607, on behalf of Atchinson Casting Corporation, 200 East Richland Avenue, Myerstown, PA 17067, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with diesel fuel, fuel oil no. 2, leaded gasoline, MTBE and other organics. The applicant proposes to remediate the site to meet the requirements for a combination of the Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Eagle* on March 9, 2003.

Former Posey Iron Works and Heritage Trading Company Site, City of Lancaster, **Lancaster County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of the Redevelopment Authority of the City of Lancaster, 120 North Duke Street, Lancaster, PA 17608, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, lead, heavy metals, PHCs, PAHs and solvents. The applicant proposes to remediate the site as a Special Industrial Area. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer Journal* on February 7, 2003.

Kauffman Residence, Conoy Township, **Lancaster County**. GES, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of NiSource, Inc., 801 E. 86th Avenue, Merrillville, IN, 46410, submitted a Notice of Intent to Remediate site soils contaminated with benzene, toluene, ethylbenzene, xylenes (total), PAHs, isopropylbenzene and naphthalene. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer Journal* on March 12, 2003.

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

Ambrossino Property, Town of Bloomsburg, **Columbia County**. Marshall Miller and Associates, on behalf of

Boyer Oil Service, Inc., 1311 Old Berwick Road, Bloomsburg, PA 17815, has submitted a Notice of Intent to Remediate soil contaminated with BTEX and PAHs. A summary of the Notice of Intent to Remediate was reported to have been published in the *Press-Enterprise* in February 2003.

Supelco, Inc., Spring Township, Centre County. Groundwater Sciences Corporation, on behalf of Supelco, Inc., Supelco Park, Bellefonte, PA 16823-0048, has submitted a Notice of Intent to remediate groundwater contaminated with chlorinated solvents. A summary of the Notice of Intent to Remediate was reported to have been published in the *Centre Daily Times* on February 28, 2003.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

Copies of these 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 the 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. Any 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. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

PLAN APPROVALS

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

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

54-310-029: Pennsy Supply, Inc. (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17104) for construction of a stone crushing plant and associated air cleaning device at their Summit Station Plant, 2225 Fair Road, Wayne Township, **Schuylkill County**.

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

01-05017C: Quebecor World Fairfield, Inc. (100 North Miller Street, Fairfield, PA 17320) for construction of a four unit double web offset lithographic printing press with two natural gas-fired heatset dryers (Web No. 1) at its Fairfield Plant in Fairfield Borough, **Adams County**.

06-05096A: Reading Hospital and Medical Center (Sixth and Spruce Streets, Reading, PA 19612-6052) to modify three 1,500 kW emergency generators in West Reading Borough, **Berks County**.

36-03105B: Binkley and Ober, Inc. (P. O. Box 7, East Petersburg, PA 17520) for construction of an air classifier controlled by a baghouse at their East Petersburg stone crushing plant in East Hempfield Township, **Lancaster County**.

67-05101A: Kinsley Construction, Inc. (P. O. Box 2886, York, PA 17403) for construction of a drum mix asphalt plant in West Manchester Township, **York County**. This construction is subject to 40 CFR 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities, Subpart Kb—Standards for Performance for Volatile Organic Liquid Storage Vessels.

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

17-305-047: Forcey Coal, Inc. (P. O. Box 225, Madera, PA 16661) for modification of a coal crushing, screening and loading facility (increase in throughput to a level in excess of 200 tons per day) in Bigler Township, **Clearfield County**. This facility is subject to Subpart Y of the Federal Standards of Performance for New Stationary Sources.

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

26-00550A: Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) for installation of a portable coal crusher at Fabian Mine in Springfield Township, **Fayette County**.

04-00719: Lehigh Cement Co. (3111 Water Street, Richmond, VA 23223) for installation of a bulk cement terminal in Aliquippa City, **Beaver County**.

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

61-004C: Electralloy (175 Main Street, Oil City, PA 16301) for installation of a CoJet burner system on the electric arc furnace in Oil City, **Venango County**.

42-061A: Dresser Manufacturing Division—Dresser Industries (41 Fisher Avenue, Bradford, PA 16701) for modification of a plan approval to increase the VOC emissions from the Binks Spray Booth at their Fisher Avenue Plant, Bradford, **McKean County**.

20-291A: Taylor-Ramsey Corp. (631 West Central Avenue, Titusville, PA 16354) for installation of a wood waste boiler with a multi-cyclone air cleaning device and a sawdust silo to replace the current natural gas boiler in Titusville, **Crawford County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

AMS 03022: Advance Technologies (2925 East Ontario Street, Philadelphia, PA 19134) for permitting two reactors manufacturing ester materials and associated condensers and scrubbers in Philadelphia, **Philadelphia County**.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-0048B: Wyeth Pharmaceuticals (500 Arcola Road, Collegeville, PA 19426) for installation of a 1,500 kW no. 2 fuel oil fired emergency generator at Wyeth Pharmaceutical's facility in Upper Providence Township, **Montgomery County**. This facility is a Title V facility. The Plan Approval will subsequently be incorporated into the Company's Title V Operating permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. The Plan Approval will limit the hours of operations for the generator to 125 hours per year. The resulting NOx emissions from this hourly restriction will be 3.4 tons per year. Additional recordkeeping and operating restrictions are included in the Plan approval to keep the facility operating within the allowable emissions and all applicable air quality requirements.

46-0040: National Label Co. (2025 Joshua Road, Lafayette, PA 19444) for modification of a Modular gravure printing press controlled by a thermal oxidizer at their facility in Whitmarsh Township, **Montgomery County**. This facility is a Major facility. Total emissions from this source is 5.84 tons of VOCs per year. The Plan approval will contain recordkeeping and operating restrictions to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

01-05016C: ISP Minerals, Inc. (Box O, 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214-0914) for replacement of a crusher, screen deck and conveyors, controlled by a fabric filter, at their Charmian Facility in Hamiltonban Township, **Adams County**. This facility's

operation will result in approximately 0.1 TPY of PM. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

28-03044: Tarco Roofing Materials, Inc. (8650 Molly Pitcher Highway North, Antrim, PA 17225) for construction of an asphalt coater and associated storage tanks in Antrim Township, **Franklin County**. The facility's annual emissions of PM10 and VOCs are expected to be about 17 tpy and 6 tpy, respectively. The plan approval and State-only operating permit will contain emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-05100A: Cummins Power Systems, Inc. (2727 Ford Road, Bristol, PA 19007-6895) for construction of ten No. 2 oil-fired 1,500 kW electrical generating units at its Zions View Substation in East Manchester Township, **York County**. The site has the following potential annual emissions based on an annual operating restriction of 438 hours per electrical generating unit during any consecutive 12-month period: 63 tons of NOx; 10 tons of SOx; 9 tons of CO; 2 tons of VOC; 1 ton of PM10. The plan approval and State-only operating permit will contain emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

18-313-018D: Avery Dennison Chemical Division (US) (171 Draketown Road, Mill Hall, PA 17751-9601) for installation of an air cleaning device (a thermal oxidizer) on various batch chemical reactor systems at the company's facility in Bald Eagle Township, **Clinton County**.

The respective batch chemical reactor systems are used to manufacture adhesives, resins and coatings and emit VOCs, some of which are also HAPs. The proposed thermal oxidizer will replace two existing thermal oxidizers currently used to control the VOC/HAP emissions from the batch chemical reactor systems. The two existing thermal oxidizers will, however, be retained as backup control devices. The proposed thermal oxidizer will provide an equivalent level of control to that achieved by the two existing thermal oxidizers so there will be no change in the emission rates of VOCs or HAPs from the batch chemical reactor systems (maximum controlled emission rates of 2.08 tons of VOCs and 1.62 tons of HAPs per year).

Avery Dennison Chemical Division (US) has also proposed the reactivation of a storage tank which has been out of use for approximately 10 years. The reactivated storage tank will be used to store adhesives and will be equipped with a pressure vacuum valve to control VOCs and HAPs. The resultant VOC/HAP emissions are conservatively expected to be less than 1 ton per year.

The Department's review of the information contained in the application indicates that the respective batch chemical reactor systems will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants following the installation of the proposed thermal oxidizer including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12 and that the storage tank will do the

same following its reactivation. Based on this finding, the Department intends to approve the application and issue plan approval for the installation of the thermal oxidizer and the reactivation of the storage tank.

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

1. The thermal oxidizer shall be operated so that the oxidizer exit gas temperature is at least 1,600°F at all times any of the batch chemical reactor systems are in use except that the oxidizer may be bypassed or operated at an oxidizer temperature below 1,600°F for up to 30 minutes per month.

2. No more than 200 cubic feet per minute of process gas shall be vented to the thermal oxidizer at any time.

3. The only supplemental fuel to be used in the thermal oxidizer shall be natural gas.

4. The thermal oxidizer shall be equipped with instrumentation to continuously monitor and record the oxidizer's outlet temperature as well as with instrumentation to continuously monitor and record the flow of process gas to the oxidizer.

5. The thermal oxidizer shall be equipped with a programmable logic controller which regulates the ratio of process gas and air introduced to the oxidizer.

6. Within 120 days of startup of the thermal oxidizer, VOC stacktesting shall be performed.

7. The reactivated storage tank shall be equipped with a pressure vacuum valve set to release at no less than 1.0 psig pressure and .3 psig vacuum.

8. No materials shall be stored in the reactivated storage tank other than those identified in the plan approval application unless prior Department approval is obtained.

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

AMS 03023: Geppert Brothers, Inc. (3101 Trewig-town Road, Colmar, PA 18915) for installation of a temporary concrete crusher at Milcreek Housing, 46th and Fairmont Streets, Philadelphia, **Philadelphia County**. The operation is for 180 days. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

V01-006: Kvaerner Philadelphia Shipyard, Inc. (Philadelphia Naval Business Center, 2100 Kitty Hawk Avenue, Philadelphia, PA 19112) for operation of construction of standard and specialized ships which includes fabrication and surface coating in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include 2 12.6 mmBtu/hr natural-gas fired boilers controlled by low NOx burners, 5 natural-gas fired heaters each rated at less than 2.0 mmBtu/hr, 23 welding operations controlled by 22 baghouses, paint shop shot blasting operations controlled by 6 dust collectors,

paint shop painting controlled by paint stop filters, dry dock shot blasting operations controlled by 4 dust collectors and dry dock painting.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-00158: Colorcon (415 Moyer Boulevard, West Point, PA 19486-2605) for a non-Title V, State-only, Natural Minor Operating Permit in Upper Gwynedd Township, **Montgomery County**. Colorcon manufactures color additives and specialty coatings for food, drugs and nontoxic printing inks. Operations at their facility include grinding, blending, mixing and packaging of coating materials. Dust collectors and scrubbers are in each section of the plant and are used to control particulate emissions. Colorcon has facility emissions limits of 11 tons of particulate matter per year and 22.48 tons of VOCs per year and actual emissions of particulates from the facility are 7.57 tons of particulate per year. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

46-00162: Hammond Lead Products (10 South Grosstown Road, Pottstown, PA 19464) for operation of a lead oxide manufacturing plant in West Pottsgrove Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The facility has a potential to emit less than 25 tons per year of NOx and VOCs; the facility is a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

09-00062: Rotondo PreCast (514 Township Line Road, Telford, PA 18969) for operation of a precast concrete manufacturing plant in West Rockhill Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. The facility has elected to cap their VOCs and HAPs to Minor Source threshold levels (less than 25 tons per year each). The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

09-00048: H and K Materials (300 Skunk Hollow Road, Chalfont, PA 18914) for operation of their asphalt paving mixture plant in Hilltown Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. H and K Materials has elected to cap their VOCs and NOx and PM emissions to Minor Source threshold levels; the facility is a Synthetic Minor. VOC and NOx emissions are less than 25 tons per year each and PM emissions are less than 100 tons per year. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

23-00087: Greif Brothers Corp. (3033 Market Street, Twin Oaks, PA 19014) for operation of their paper drum manufacturing site in the Upper Chichester Township, **Delaware County**. The permit is for a non-Title V (State-only) facility. Sources of air emissions include printing and spraying operations. The permit will include monitoring, recordkeeping and reporting requirements designed to keep their facility operating below 24.9 tons of VOCs per year and within all applicable air quality requirements.

15-00087: G. O. Carlson, Inc. (135 West Lincoln Highway, Coatesville, PA 19320) for operation of their fabricated plate works site in the City of Coatesville, **Chester County**. The permit is for a non-Title V (State-only) facility. Source of air emissions are an iron powder burning torch and associated baghouse. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

01-05024: McDermitt, Inc. (83 Hunterstown Road, Gettysburg, PA 17325) for operation of its concrete and asphalt plant in Straban Township, **Adams County**. The facility shall emit less than 100 tons per year (tpy) of CO, 100 tpy of PM10, 50 tpy of VOCs and 25 tpy of HAPs. This facility is a non-Title V facility. The sources are subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels. The State-only operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

21-05021: Arnold Fuel Oil, Inc. (P. O. Box 2621, Harrisburg, PA 17105) for operation of a petroleum product storage and loading facility at its Mechanicsburg North Terminal in Silver Spring Township, **Cumberland County**. The facility's major sources of emissions include bulk petroleum product storage and loading which primarily emit VOCs. This State-only operating permit is a renewal will contain monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

21-05027: Gulf Oil Limited Partnership (90 Everett Avenue, Chelsea, MA 02150) for operation of a petroleum product storage and loading facility at its Mechanicsburg Terminal in Hampden Township, **Cumberland County**. The facility's major sources of emissions include bulk petroleum product storage and loading which primarily emit VOCs. This State-only operating permit is a renewal will contain monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

21-05037: Union Quarries, Inc. (P. O. Box 686, Carlisle, PA 17013) for operation of its crushing, concrete and asphalt plants at their existing facility in South Middleton Township, **Cumberland County**. The facility has the potential to emit more than 100 tons per year of particulate matter. The State-only operating permit will limit emissions to levels below the Title V permit thresholds. The permit will contain emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

36-03142: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for operation of its crushing plant at their Silver Hill Quarry in Brecknock Township, **Lancaster County**. This is a non-Title V (State-only) facility. The operating permit will contain appropriate conditions designed to keep the facility operating below Title V thresholds for criteria pollutants and within all other applicable air quality requirements.

36-05068: Nesso Enterprises LLC d/b/a Meridian Products (124 Earland Drive, New Holland, PA 17517)

for operation of their wood furniture surface coating facility in East Earl Township, **Lancaster County**. This is a non-Title V (State-only) facility. The operating permit will contain appropriate conditions designed to keep the facility operating below Title V thresholds for criteria pollutants and within all other applicable air quality requirements.

36-05118: RR Donnelley and Sons, Co. (1375 Harrisburg Pike, Lancaster, PA 17601) for operation of its printing facility in the City of Lancaster, **Lancaster County**. The facility shall emit less than 50 tpy of VOCs and 25 tpy of HAPs. This is a non-Title V facility. One of the sources is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-05128: Compass Quarries, Inc. d/b/a Independence Construction Materials (P. O. Box 130, 47 McIlvaine Road, Paradise, PA 17562-0130) for operation of their stone crushing and limestone pulverizing plants in Paradise Township, **Lancaster County**. This is a non-Title V (State-only) facility. The operating permit will contain appropriate conditions designed to keep the facility operating below Title V thresholds for criteria pollutants and within all other applicable air quality requirements.

36-05129: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for operation of its asphalt plant at their Silver Hill Quarry in Brecknock Township, **Lancaster County**. This is a non-Title V (State-only) facility. The operating permit will contain appropriate conditions designed to keep the facility operating below Title V thresholds for criteria pollutants and within all other applicable air quality requirements.

38-05024: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105) for operation of its crushing operation at their Prescott Stone/Concrete Plant in South Lebanon Township, **Lebanon County**. This is a non-Title V (State-only) facility. The operating permit will contain appropriate conditions designed to keep the facility operating below Title V thresholds for criteria pollutants and within all other applicable air quality requirements.

67-05056: ConAgra Foods, Inc. (2800 Blackbridge Road, York, PA 17402) for operation of its flour milling facility in Manchester Township, **York County**. The facility has the potential to emit 237.9 tpy of PM and less than 1 tpy of CO, NOx, SOx, VOCs and HAPs. The State-only operating permit will limit PM10 emissions to less than 100 tpy. The operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

63-00916: Perryman Co. (213 Vandale Drive, Houston, PA 15315342) for operation of a strand acid pickle line with fume scrubbers in North Strabane Township, **Washington County**.

56-00290: Abilene Boot Co., Inc. (841 South Center Avenue, Somerset, PA 15501) for operation of a shoe manufacturing plant in Somerset Township, **Somerset County**.

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

25-00044: Building Materials Manufacturing Corp. (281 West Bayfront Highway, PA 16507) for operation of their facility in the City of Erie, **Erie County**. The facility's primary emissions are from the processing of asphalt and aggregate materials used in the roofing material manufacturing process.

**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); and 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 the 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 the application is available for inspection at the District Mining Office indicated before each 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 same address 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 (relating to public notices of filing of permit applications, opportunity for comment and informal conferences).

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 to the previous, 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 which have requested review of the 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 those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; 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; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires 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.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

22031301. Landar, Inc. (1165 Trail Road, Hummels-town, PA 17036), commencement, operation and restora-

tion of an anthracite underground mine operation in Williams Township, **Dauphin County** affecting 3.8 acres, receiving stream: Wiconisco Creek. Application received March 11, 2003.

40980103R. No. 1 Contracting Corp. (49 S. Main Street, Ashley, PA 18706), renewal of an existing anthracite surface mine operation in Hazle and Banks Townships, **Luzerne and Carbon Counties** affecting 37.0 acres, receiving stream: none. Application received March 20, 2003.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982.

65980103. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application received to change the land use at an existing bituminous surface mine located in Ligonier Township, **Westmoreland County**, affecting 101 acres. Receiving streams: unnamed tributaries to Loyalhanna Creek (CWF) and Loyalhanna Creek (TSF). The first downstream potable water supply intake from the point of discharge is the Latrobe Municipal Authority. Application received February 25, 2003.

26870202 and NPDES Permit No. 0589608. Carbon Fuel Resources, Inc. (200 College Drive, Suite 300, Lemont Furnace, PA 15456). Application received for transfer of permit currently issued to Carriage Mining, Inc. for continued operation and reclamation of a bituminous surface mine site located in German Township, **Fayette County**, affecting 103.2 acres. Receiving stream: unnamed tributary to Browns Run (WWF). There is no potable water supply intake within 10 miles downstream from the point of discharge. Transfer application received March 5, 2003.

65990102 and NPDES Permit No. PA0202479. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Application received for transfer of permit currently issued to Dunamis Resources, Inc., for continued operation and reclamation of a bituminous surface mining site located in Fairfield Township, **Westmoreland County**, affecting 91 acres. Receiving streams: unnamed tributaries to Conemaugh River, to Conemaugh River (CWF). There is no potable water supply intake within 10 miles downstream from the point of discharge. Transfer application received March 11, 2003.

65020101 and NPDES Permit No. PA0250082. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Application received for transfer of permit currently issued to Laurel Energy, LP, for continued operation and reclamation of a bituminous surface mining site located in Unity Township, **Westmoreland County**, affecting 68.0 acres. Receiving streams: unnamed tributary to Nine Mile Run to Nine Mile Run (CWF). There is no potable water supply intake within 10 miles downstream from the point of discharge. Transfer application received March 11, 2003.

65950104 and NPDES Permit No. PA0201367. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Application received for transfer of permit currently issued to Dunamis Resources, Inc., for continued operation and reclamation of a bituminous surface mining site located in Fairfield and Ligonier Townships, **Westmoreland County**, affecting 111.5 acres. Receiving streams: unnamed tributaries to Hannas Run (CWF) and Hypocrite Creek (TSF). The first potable water supply intake within 10 miles downstream from the point of discharge is Latrobe Municipal Authority. Transfer application received March 11, 2003.

03030102 and NPDES Permit No. PA0250350. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Application for commencement, operation and reclamation of a bituminous surface mine located in East Franklin and Sugarcreek Townships, **Armstrong**

County, affecting 224.5 acres. Receiving streams: unnamed tributary to Long Run and to Long Run to Patterson Creek to Buffalo Creek (TSF). There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received March 18, 2003.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.

32030104 and NPDES Permit No. PA0249432. Twin Brook Coal, Inc., P. O. Box 225, Clymer, PA 15728, commencement, operation and restoration of a bituminous surface mine and for treated mine drainage in Green Township, **Indiana County**, affecting 61.0 acres. Receiving streams: North Branch Two Lick Creek (CWF) and Pompey Run (WTS). There are no potable water supply intakes within 10 miles downstream. Application received March 18, 2003.

McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.

30921601. NPDES Permit PA0214060, RAG River Processing Corporation (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370), to renew the permit for the Monongahela Resource Tipple in Jefferson Township, **Greene County**, renewal, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, No additional charges. The first downstream potable water supply intake from the point of discharge is N/A. Application received February 19, 2003.

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

43020103 and NPDES Permit No. PA0242136. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous surface strip operation in Sandy Lake Township, **Mercer County** affecting 95.4 acres. Receiving streams: South Sandy Creek (CWF) and unnamed tributary to Sandy Creek (WWF). There are no potable surface water supply intakes within 10 miles downstream. Revision to add beneficial use coal ash. Application received March 17, 2003.

33030103 and NPDES Permit No. PA0242357. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface strip operation in Union Township, **Jefferson County** affecting 11.5 acres. Receiving streams: unnamed tributary to Little Mill Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received March 13, 2003.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

46030301 and NPDES Permit PA0224308. Gibraltar Rock, Inc. (355 Newbold Road, Fairless Hills, PA 19030), commencement, operation and restoration of a quarry operation and discharge of treated mine drainage in New Hanover Township, **Montgomery County** affecting 241.0 acres, receiving stream: unnamed tributary to Swamp Creek (TSF). Application received March 10, 2003.

58980301C. ER Linde Construction Corporation (R. R. 6 Box 6825, Honesdale, PA 18431), correction to an existing quarry operation in Lackawaxen Township, **Pike County** affecting 11.86 acres, receiving stream: unnamed tributary to Little Blooming Grove Creek. Application received March 17, 2003.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for 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(a)), 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. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Permit or 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 any questions to the 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. Each individual 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 of 8 a.m. and 4 p.m. on each working day at the office noted before the application.

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E52-183. Westfall Township Municipal Authority, P. O. Box 235, Matamoras, PA 18336, in Westfall Township, **Pike County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing outfall structure at the edge of bank and to construct and maintain a submerged effluent diffuser outfall in the Delaware River (WWF), extending approximately 150 feet from the edge of the bank. The outfall will consist of a dual 12-inch DIP effluent lines, encased in concrete, with flow discharged via four diffuser openings. The outfall will be constructed using either: (1) a temporary causeway and adjoining dewatered work cells, using gravel-filled sandbags; or (2) a portadam cofferdam. The temporary measures will extend approximately 200 feet from the bank and will occupy approximately 0.4 acre. The project is part of a wastewater treatment plant upgrade and expansion project and is located on the south side of SR 6/209, near the interchange of SR 0084 and SR 6/209 (Port Jervis South, NY-NJ-PA Quadrangle N: 18.5 inches; W: 12.5 inches).

E13-136. Vacation Charters, Ltd., P. O. Box 592, One Lake Drive, Lake Harmony, PA 18624-0592, in Kidder Township, **Carbon County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain an outfall channel in the floodway of a tributary to Black Creek (HQ-CWF). The project is located approximately 1,500 feet west of the intersection of SR 0940 and the on-ramp to the Turnpike Northeast Extension (Hickory Run, PA Quadrangle N: 12.6 inches; W: 11.5 inches).

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

E07-367: R & K Creekside Farm, R. D. 2, Box 120A, Williamsburg, PA 16693 in Huston Township, **Blair County**, ACOE Baltimore District.

To relocate and maintain 645 feet of stream channel averaging 7 1/2 feet in width and to construct and maintain a 51-inch by 66-inch arch culvert in the channel of an intermittent stream which is an unnamed tributary to Piney Creek (HQ-CWF) at a point along Route 866 (Franktown, PA Quadrangle N: 4.8 inches; W: 3.8 inches) for the purpose of providing access to an existing farm in Huston Township, Blair County. The project proposes to directly affect through relocation 645 linear feet of stream and 1.72 acres of floodway. This project description was published incorrectly as E06-367 at 33 Pa.B. 1269 (March 8, 2003).

E34-108: Department of Transportation, District 2-0, 1924-30 Daisy Street, P. O. Box 342, Clearfield, PA in Fermanagh Township, **Juniata County**, ACOE Baltimore District.

To remove the existing bridge and then to construct and maintain a bridge with a span of 35.95 feet with an underclearance of 5.25 feet over Horning Run (CWF) on SR 1006, Section A02, Segment 0020, offset 0019 located about 3 miles north of Mifflintown Borough (Mifflintown,

PA Quadrangle N: 20.5 inches; W: 5.0 inches) in Fermanagh Township, Juniata County.

E38-139: Department of Transportation, District 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Union and Swatara Townships, **Lebanon County**, ACOE Baltimore District.

To maintain a two span bridge of 123 feet each span on a 70 degree skew with a minimum average underclearance of 9.8 feet across Swatara Creek (WWF) on SR 1022, Section 001, Segment 0020, offset 2811 of de minimis wetland located about 1.2 miles north of the Village of Lickdale (Indiantown Gap, PA Quadrangle N: 16.85 inches; W: 0.85 inch) in Union and Swatara Townships, Lebanon County. The applicant will provide 0.01 acre of replacement wetland onsite.

E44-118: Department of Transportation, District 2-0, 1924-30 Daisy Street, Clearfield, PA 16830 in Menno Township, **Mifflin County**, ACOE Baltimore District.

To remove the existing bridge and then to construct and maintain a 12-foot by 6.5-foot concrete box culvert at the channel of an unnamed tributary to Saddler Creek (TSF) on SR 0655, Section A02, Segment 0030, Offset 0006, located in Allensville Village (Allensville, PA Quadrangle N: 6.55 inches; W: 9.2 inches) in Menno Township, Mifflin County.

E44-119: Department of Transportation, District 2-0, 1924-30 Daisy Street, Clearfield, PA 16830 in Derry Township, **Mifflin County**, ACOE Baltimore District.

To remove the existing bridge and to construct and to maintain a box culvert with a normal span of 23 feet with an underclearance of 5.5 feet at the channel of an unnamed tributary to Buck Run (TSF) on SR 4013, Section A02, Segment 0170, offset 0829 located about 1.5 miles west of Burnham Borough (Lewistown, PA Quadrangle N: 21.8 inches; W: 13.5 inches) in Derry Township, Mifflin County.

E21-350: Triple Crown Corporation, 5351 Jaycee Avenue, Harrisburg, PA, 17112 in Silver Spring Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain two trapezoidal floodway channels to improve drainage and reduce floodway/floodplain limits through the site. Also, install and maintain three culverts, one 50 foot long 49-inch by 33-inch corrugated metal pipe, one 60 foot long 49-inch by 33-inch corrugated metal pipe and two 10 foot by 3 foot twin concrete box culverts. All are within a UNT to the Conodoguinet Creek (WWF), located on the north side of the U. S. Route 11 (Carlisle Pike) 1/2 mile west of the Ridge Road intersection (Mechanicsburg, PA Quadrangle N: 19.6 inches; W: 14.0 inches) in Silver Spring Township, Cumberland County.

E22-456: PPL Electric Utilities Corporation, GENN-4, 2 North Ninth Street, Allentown, PA 18101 in Lower Paxton and West Hanover Townships, **Dauphin County**, ACOE Baltimore District.

To install and maintain seven aerial single pole electric line crossings including: twocrossings over Beaver Creek (WWF), one crossing over a UNT to Beaver Creek (WWF), two crossings over a UNT to Beaver Creek (WWF) and its adjacent wetlands and two wetland crossings, all of which are waivable under section 105.12(a)(3). Also, installation and maintenance of six access roads, of which three are regulated by GP-7, to cross wetlands with a total wetland impact of 0.25 acre. The project is located along

Route 39 and then parallels the Picketown Road crossing U. S. Route 22 and Interstate 81 (Harrisburg East, PA Quadrangle N: 18.4 inches; W: 2.5 inches) in Lower Paxton and West Hanover Townships, Dauphin County.

E31-187: Juniata Valley School District, R. R.1 P. O. Box 318, Alexandria, PA 16611-0318 in Porter Township, **Huntingdon County**, ACOE Baltimore District.

To rehabilitate and maintain a 725-foot reach of a perennial, unnamed tributary to the Frankstown Branch of the Juniata River (WWF) located directly behind the Juniata Valley High School (Alexandria, PA Quadrangle N: 11.1 inches; W: 10.65 inches) in Porter Township, Huntingdon County. The project will involve the excavation of pools, the placement of stone and cross vanes for riffle creation, the removal of a small island within the channel and floodway excavation and grading.

E05-309: Old Bedford Village, Inc., 220 Sawblade Road, Bedford, PA 15522 in Bedford Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain a temporary crossing and to rehabilitate an existing covered bridge across the channel of the Raystown Branch of the Juniata River (TSF) at a point approximately 3,500 feet downstream of Route 220 (Bedford, PA Quadrangle N: 7.3 inches; W: 1.1 inches) to provide access to Old Bedford Village in Bedford Township, Bedford County.

E07-369: Borough of Duncansville, 1146 3rd Avenue, P. O. Box 308, Duncansville, PA 16635 in the Borough of Duncansville, **Blair County**, ACOE Baltimore District.

To remove the existing abutments and concrete bridge deck having a clear span of 10 feet, an average rise of 5.7 feet and an instream length of 20 feet and to construct and maintain concrete a box culvert having a clear span of 10 feet, a rise of 6 feet and an instream length of 38 feet at a point along 14th Street within an unnamed tributary to Gillians Run (CWF) (Hollidaysburg, PA Quadrangle N: 9.1 inches; W: 8.9 inches) in the Borough of Duncansville, Blair County.

E36-756: Paradise Sportsmen's Association, 339 South Belmont Road, Paradise, PA 17652 in Salisbury Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a stream restoration project (approximately 2,950 feet) within Pequea Creek (HQ, CWF) for the purposes of: stream bank stabilization, improved sediment transport, establishment of riparian buffers and improved aquatic habitat while implementing a natural stream channel design approach consisting of the following construction activities: channel relocation, stream and floodway excavation and filling, installation of rock vanes, cross vanes and J-hooks, riprap, root wad and log spur placement, beginning at a point just south of the intersection of Wanner and Jacobs Roads (Honey Brook, PA Quadrangle N: 9.5 inches; W: 11.1 inches) in Salisbury Township, Lancaster County.

E67-735: Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106 in Fairview Township, **York County** and Steelton and Highspire Boroughs, Swatara and Lower Swatara Townships, **Dauphin County**, ACOE Baltimore District.

To construct and maintain the eastbound and westbound bridges of the Pennsylvania Turnpike (I-76) across the Susquehanna River (WWF) with a total length

of 5,910 feet and then to demolish the existing bridge; to extend the length of the existing culvert by 103 feet long at the channel of Laurel Run (WWF) and to fill in .004 acre of wetland to rehabilitate I-76 from Milepost 245.72 to Interchange 19 (Steelton, PA Quadrangle N: 14.6 inches; W: 7.6 inches and N: 16.15 inches; W: 6.25 inches respectively) in Fairview Township, York County and in Steelton and Highspire Boroughs, Swatara and Lower Swatara Townships, Dauphin County. Project proposes .004 acre of de minimis wetland impact with no replacement required.

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

E25-666, Technica Development Corporation for Presque Isle Downs, Inc., 4800 Tramarlac Lane, Erie, PA 16505-1360. Presque Isle Downs Horseracing Facility, in Summitt Township, **Erie County**, ACOE Pittsburgh District (42°, 4'20" North; 80°, 1', 48" West).

To conduct the following activities associated with construction of the Presque Isle Downs horseracing facility south of I-90 east of SR 97:

1. To fill a total of 8.61 acres of 24 nonexceptional value wetland areas. Project includes the creation of a total of 10.56 acres of replacement wetlands at five areas within the project site.

2. To construct and maintain a prefabricated steel truss bridge having three 116.67-foot spans and a maximum underclearance of 23 feet across Walnut Creek (WWF-MF) approximately 3,000 feet upstream of SR 97.

3. To construct and maintain a prefabricated steel truss bridge having two 125-foot spans and a maximum underclearance of 15 feet across Walnut Creek approximately 4,800 feet upstream of SR 97.

4. To impact a total of approximately 11,808 feet of tributaries to Walnut Creek and elimination of approximately 12.1 acres of floodplain storage as a result of grading and fills associated with site construction, stormwater detention and wetland replacement. Approximately 1,576 feet of new open channel will be created near the north end of the site as part of the relocation of a tributary to Walnut Creek, restoration of approximately 1.79 acres of previously impacted floodplain of Walnut Creek, excavation to provide 11.8 acres of additional floodplain storage and construction of stream bank enhancement at nine locations along Walnut Creek.

5. To construct and maintain a 350-foot long reinforced concrete box stream enclosure having two 12-foot wide by 6-foot high waterway openings in the relocated tributary to Walnut Creek approximately 780 feet upstream of its mouth.

6. To construct and maintain a 249-foot long reinforced concrete box stream enclosure having two 12-foot wide by 6-foot high waterway openings in the relocated tributary to Walnut Creek approximately 175 feet downstream of the existing railroad line.

7. To modify and maintain the existing 50-foot long, 60-inch diameter steel culvert in a tributary to Walnut Creek on Footemill Road approximately 750 feet north of Robison Road.

8. To construct and maintain five stormwater outfalls to Walnut Creek and adjoining wetlands.

9. To fill an approximately 0.58 acre manmade pond at the northern end of the site.

10. To install and maintain sanitary sewer and water lines across Walnut Creek attached to the northern bridge.

11. To install and maintain a sanitary sewer line across a tributary to Walnut Creek on the southern end of the site.

ENVIRONMENTAL ASSESSMENTS

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

EA36-006. Lancaster County Conservation District, 1383 Arcadia Rd., Rm. 6, Lancaster, PA 17601, in East Hempfield, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a stream restoration project consisting of bank regrading, placement of rock vanes, log vanes, root wads, in-stream boulders, riparian plantings and streambank fencing, all for the purpose of enhancing bank stability and improving aquatic habitat within a 0.7 mile section of Swarr Run (TSF) beginning downstream of the SR 722 bridge (Lancaster, PA Quadrangle N: 15.1 inches; W: 0.9 inch) in East Hempfield Township, Lancaster County.

ACTIONS

FINAL ACTIONS TAKEN UNDER THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT—NPDES AND WQM PART II PERMITS

INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to 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. Municipal and Industrial Permit Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

WQM Permit No. 1502409, Sewerage, **Valley Township**, 890 West Lincoln Highway, P. O. Box 467, Coatesville, PA 19320. This proposed facility is located in Valley Township, **Chester County**.

Description of Proposed Action/Activity: Approval granted for the construction and operation of the Rock Run Pump Station.

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

NPDES Permit No. PA0061301, Sewage, **Starlight Inn Corporation**, P. O. Box 27, Starlight, PA 18461-0027. This proposed facility is located in Buckingham Township, **Wayne County** and discharges to an unnamed tributary of Shehawken Creek.

Description of Proposed Action/Activity: Renewal of NPDES permit.

NPDES Permit No. PA0040932, Sewage, **Northwestern Lehigh School District**, 6493 Route 309, New Tripoli, PA 18066. This proposed facility is located in Weisenberg Township, **Lehigh County** and discharge to tributary to Lyon Creek.

Description of Proposed Action/Activity: Renewal of NPDES Permit.

NPDES Permit No. PA0064254, Sewage, **West Mahanoy Township (Village of Lost Creek)**, 190 Pennsylvania Avenue, Shenandoah Heights, PA 17976. This proposed facility is located in West Mahanoy Township, **Schuylkill County** and discharges to Shenandoah Creek.

Description of Proposed Action/Activity: Issuance of NPDES permit.

NPDES Permit No. PA0026000, Sewage, **City of Allentown**, 112 Union Street, Allentown, PA 18102-4912. This proposed facility is located in the City of Allentown, **Lehigh County** and discharges to the Lehigh River.

Description of Proposed Action/Activity: Renewal of NPDES Permit.

NPDES Permit No. PA0061646, Industrial Waste, **Pennsylvania American Water Company**, 20 East Union Street, Wilkes-Barre, PA 18701. This proposed facility is located in Roaring Brook Township, **Lackawanna County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge treated industrial waste to Stafford Meadow Brook.

NPDES Permit No. PAS902202, Industrial Waste, **Lehigh County Pretreatment Facility**, 7676 Industrial Boulevard, Allentown, PA 18106. This proposed facility is located in Upper Macungie Township, **Lehigh County** and discharge to Little Lehigh Creek.

Description of Proposed Action/Activity: Issuance of individual NPDES Permit for stormwater discharge.

NPDES Permit No. PAS202206, Industrial Waste, **Aurora Equipment Co.**, 220 Main Street, Tatamy, PA 18088. This proposed facility is located in Tatamy Borough, **Northampton County**.

Description of Proposed Action/Activity: Renewal of individual NPDES Permit for stormwater to Bushkill Creek.

WQM Permit No. 5203401, Sewerage, **Lake Adventure Community Associations, Inc.**, 5000 Lake Adventure, Milford, PA 18337. This proposed facility is located in Dingman Township, **Pike County**.

Description of Proposed Activity: Replacement of existing sewers in Sections 2 and 3.

WQM Permit No. 4002402, Sewerage, **Suburban Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. This proposed facility is located in White Haven Borough, **Luzerne County**.

Description of Proposed Action: Rerating of the existing permitted White Haven Wastewater Treatment Plant from 340,000 gpd to 450,000 gpd.

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

NPDES Permit No. PA0031968, Sewage, **Sam Corbin, Youth Forestry Camp 3**, R. D. 1, Box 175, James Creek, PA 16657. This proposed facility is located in Todd Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Great Trough Creek in Watershed 11-D.

NPDES Permit No. PA0082279, Sewage, **Spring Creek Joint Sewer Authority**, P. O. Box 373, Three Springs, PA 17264. This proposed facility is located in Clay Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to Three Springs Creek in Watershed 12-C.

WQM Permit No. 2103401, Sewerage, **Timothy R. Brenneman**, 522 Highland Court, Carlisle, PA 17013. This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction of sewage treatment plant to serve their single family residence.

WQM Permit No. 0102406, Sewerage, **Conrad Youse, Lutheran Camping Corporation** of Central Pennsylvania, P. O. Box 459, Arendtsville, PA 17303-0459. This proposed facility is located in Menallen Township, **Adams County**.

Description of Proposed Action/Activity: Expansion of existing primary and secondary infiltration lagoons. Both lagoons will be lined with 60 mil HDPE liner. A new chlorine contact tank and wet well will be installed and new spray irrigation piping will be installed to route effluent to a 4.1 acre sprayfield site adjacent to Nawakwa Road to serve Camp Nawakwa.

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

NPDES Permit No. PA0228621, Sewage, **SIC 4952, Smithfield Township Authority**, R. R. 2, Box 189, Columbia Cross Roads, PA 16914. This proposed facility will be located in Smithfield Township, **Bradford County**.

Description of Proposed Activity: The applicant has applied for an NPDES permit for the discharge of treated municipal wastewater from a proposed 60,000 gallon per day extended aeration wastewater treatment plant. The system will be owned and operated by the Smithfield

Township Authority and will provide sanitary sewer collection and treatment for the area in and around the unincorporated Village of East Smithfield. The discharge of treated effluent will be to Tomjack Creek (TSF).

WQM Permit No. 0802403, Sewerage, **Smithfield Township Authority**, R. R. 2, Box 189, Columbia Cross Roads, PA 16914. This proposed facility will be located in Smithfield Township, **Bradford County**.

Description of Proposed Action/Activity: A permit was issued for the construction and operation of a conventional gravity/low-pressure conveyance system (including a new pump station) and a new 60,000 gpd extended aeration wastewater treatment plant. The system will be owned and operated by the Smithfield Township Authority and will provide sanitary sewer collection and treatment for the area in and around the unincorporated Village of East Smithfield.

WQM Permit No. 1403201, Industrial Waste 0921, **Fish and Boat Commission, Bellefonte Fish Culture Station**, 1150 Spring Creek Road, Bellefonte, PA 16823-8458. This existing facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: A WQM permit was issued to construct and operate an off-line aerated sludge storage tank for the hatchery wastewater treatment system. The sludge storage tank will be used to store sludge pumped from the clarifier during times when it cannot be applied to agricultural fields.

NPDES Permit No. PA0115215, Industrial Waste SIC 4231, **Lucas Trucking Corp.**, R. D. 5, Box 151, Jersey Shore, PA 17740. This existing facility is located in Piatt Township, **Lycoming County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge 0.00072 MGD to unnamed tributary of West Branch Susquehanna River.

NPDES Permit No. PA0032816, Sewage 4952, **Department of Transportation, Bureau of Design**, P. O. Box 3060, Harrisburg, PA 17105-3060. This facility is located in Greene Township, **Clinton County**.

Description of Action/Activity: Renewal of NPDES permit for nonmunicipal wastewater treatment facilities serving Safety Rest Areas 33 and 34.

WQM Permit No. 1497406-T1, Sewage 4952, **Thomas R. Shrout**, 326 Oakley Drive, State College, PA 16803. This facility will be located in Halfmoon Township, **Centre County**.

Description of Proposed Action/Activity: Permit was issued authorizing the construction and operation of small flow wastewater treatment facilities to serve the Thomas R. Shrout residence.

WQM Permit No. 0803402, Sewerage 4952, **William Hogan**, 236 Brown Road, Berkshire, NY 13736. This proposed facility will be located in Pike Township, **Bradford County**.

Description of Proposed Action/Activity: Issuance of a WQM Part II Permit for construction and operation of a small flow treatment facility to serve a single residence.

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

NPDES Permit No. PA0098876, Industrial, **YMCA of Pittsburgh**, South Hills YMCA, 51 McMurray Road, Upper St. Clair, PA 15241 is authorized to discharge from

a facility located at South Hills YMCA, Upper St. Clair Township, **Allegheny County** to receiving waters named McLaughlin Run.

NPDES Permit No. PA0217689, Industrial Waste, **The Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229 is authorized to discharge from a facility located at Joseph A. Berkley Water Treatment Plant, Neville Township, **Allegheny County** to receiving waters named Ohio River (009-014) and the Back Channel (001-008) of the Ohio River.

NPDES Permit No. PA0025968, Sewage, **Aliquippa Municipal Water Authority**, 160 Hopewell Avenue, Aliquippa, PA 15001-3545 is authorized to discharge from a facility located at Aliquippa STP, Aliquippa Borough, **Beaver County** to receiving waters named Ohio River.

NPDES Permit No. PA0028801, Sewage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 101, Moon Township, PA 15108 is authorized to discharge from a facility located at Montour Run Water Pollution Control Plant, Moon Township, **Allegheny County** to receiving waters named Ohio River Back Channel.

NPDES Permit No. PA0204455, Sewage, **Orchard Estates MHP LLC, c/o The Carlyle Group**, 504 Preston Pl., Raleigh, NC 27604 is authorized to discharge from a facility located at Orchard Estates MHP STP, Economy Borough, **Beaver County** to receiving waters named unnamed tributary of Big Sewickley Creek.

NPDES Permit No. PA0219398, Sewage, **John C. Golden**, 581 Murray Road, Salisbury, PA 15558 is authorized to discharge from a facility located at Golden SFTF, Greenville Township, **Somerset County** to receiving waters named unnamed tributary of Piney Creek.

Permit No. 6502201, Industrial Waste, **United States Army Corps of Engineers—Pittsburgh District**, 1000 Liberty Avenue, Pittsburgh, PA 15222-4186. Construction of Stormwater Treatment Plant located in Rostraver Township, **Westmoreland County** to serve the Right Bank Lock and Dam No. 4 construction project.

Permit No. 0662-S-A3, Sewage, 5th and Virginia Avenue, P. O. Box 206, Oakmont, PA 15139-0206. Construction of Treatment Plant Improvements and Equalization Tank Addition located in Oakmont Borough, **Allegheny County** to serve Oakmont Sewage Treatment Plant.

Permit No. 0202410, Sewerage, **McCandless Township Sanitary Authority**, 418 West Arcadia Drive, Pittsburgh, PA 15237-5506. Construction of grinder pump and pressure sewer system and sanitary sewers located in Franklin Park Borough, **Allegheny County** to serve Castletown Plan of Lots.

Permit No. 5602407, Sewerage, **John C. Golden**, 581 Murray Road, Salisbury, PA 15558. Construction of single residence sewage treatment plant located in Greenville Township, **Somerset County** to serve Golden residence.

Permit No. 5602408, Sewage, **James and Phyllis Bandstra**, 1570 Causeway Drive, Friedens, PA 15541. Construction of single residence sewage treatment plant located in Stonycreek Township, **Somerset County** to serve the Bandstra Residence.

Permit No. 6503402, Sewage, **Frank Waldron**, P. O. Box 236, Derry, PA 15627. Construction of a sewage treatment plant located in Derry Township, **Westmoreland County** to serve the Frank Waldron Single Residence.

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to 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.

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

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|--|
| PAI2011502001 | Joseph McWilliams 871 Welsh Road Honey Brook, PA 19344 | Chester | West Nantmeal | East Branch Brandywine Creek HQ-TSF-MF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---|--|
| PAS101321-1 | Kovatch Enterprises, Inc. Hauto Valley Estates, Inc. One Industrial Complex Nesquehoning, PA 18240 | Carbon | Summit Hill, Lansford and Nesquehoning Bor- oughs Packer Township | Deep, Dennison, First and Second Hollow and Broad Runs Nesquehoning Creek HQ-CWF |
| PAS10Q231 | West Park Acquisition Company II, Inc. c/o JP Morgan Investment, Inc. 522 Fifth Ave. New York, NY 10036 | Lehigh | Upper Macungie Township | Little Lehigh Creek HQ-CWF |
| PAS10S118 | Talanton Associates, Inc. P. O. Box 367 Bartonsville, PA 18321 | Monroe | Jackson Township | Appenzell Creek HQ-CWF Kettle Creek HQ-CWF McMichaels Creek HQ-CWF |
| PAS10S120 | Church of God 801 White St. Stroudsburg, PA 18360 | Monroe | Stroud Township | Flagler and Big Meadow Runs HQ-CWF |
| PAS10U183 | Manor Haven Corp. (Twins at The Gap) 6065 William Penn Hwy. Easton, PA 18042 | Northampton | Wind Gap Borough Plainfield Township | Unnamed tributary to Little Bushkill Creek HQ-CWF, MF |
| PAS10V043 | Lake Adventure Community Association, Inc. 5000 Lake Adventure Milford, PA 18337 | Pike | Dingman Township | Unnamed tributary to Shohola and Birchy Creeks HQ-CWF |
| PAS10Q243 | Gateway Pine, LLC 188 Jefferson St. Emmaus, PA 18049 | Lehigh | Upper Macungie Township | Little Lehigh Creek HQ-CWF |

| <i>NPDES Permit No.</i> | <i>Applicant Name and Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|-------------------------|-------------------------------|
| PAS10Q247 | Norsemen Construction, Inc. P. O. Box 113 Creamery, PA 19430 | Lehigh | Upper Macungie Township | Little Lehigh Creek HQ-CWF |

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

The following parties have submitted a Notice of Intent and have received coverage under each applicable general permit listed.

The approval for coverage under these general permits is subject to effluent or pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices, monitoring, reporting requirements and other conditions set forth in the general permit. This and other project specific information are on file and are open for public review. Arrangements for reviewing this information can be made by contacting the identified office listed with each action.

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

List of NPDES and/or Other General Permit Types

| | |
|-------------|--|
| PAG-1 | General Permit for Discharges From Stripper Oil Well Facilities |
| PAG-2 | General Permit for Discharges of Stormwater Associated With Construction Activities (PAR) |
| PAG-3 | General Permit for Discharges of Stormwater From Industrial Activities |
| PAG-4 | General Permit for Discharges From Single Residence Sewage Treatment Plant |
| PAG-5 | General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems |
| PAG-6 | General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO) |
| PAG-7 | General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application |
| PAG-8 | General Permit for Beneficial Use of 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 | Concentrated Animal Feeding Operations (CAFOs) |

General Permit Type—PAG-2

| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|---|-------------------|---|---|--|
| Northampton Township Bucks County | PAR10D664 | Giuseppe's of Richboro 990 Second Street Pike Richboro, PA 18954 | Iron Works Creek TSF-MF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |
| Doylestown Township Bucks County | PAR10D715 | Sharon Fedele P. O. Box 1863 Doylestown, PA 18901 | Unnamed tributary Neshaminy Creek TSF-MF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |
| Plumstead Township Bucks County | PAR10D695 | Heritage Building Group, Inc. 3326 Old York Rd., Ste. 100 Furlong, PA | North Branch Neshaminy Creek WWF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |

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| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|---|-------------------|---|---|---|
| Doylestown Township Bucks County | PAR10D659 | Pisani Builders 424 Bella Circle Doylestown, PA 18901 | Unnamed tributary Pine Run WWF-MF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |
| Warwick Township Bucks County | PAR10D698 | Main Street, Inc. 3359 Durham Road Doylestown, PA 18901 | Neshaminy Creek WWF-MF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |
| Warrington Township Bucks County | PAG200903017 | Central Bucks School District 320 West Swamp Road Doylestown, PA 18901 | Little Neshaminy Creek WWF-MF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |
| Middletown Township Bucks County | PAG200903012 | The Woods Service 1 Woods Drive Langhorne, PA 19047 | Mill Creek MF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |
| Falls Township Bucks County | PAG2000903003 | Pennsburg School District 134 Yardley Avenue Fallingston, PA 19058 | Martins Creek WWF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |
| Radnor Township Delaware County | PAG2002303015 | Cabrini College 229 Willow Avenue Wayne, PA 19087 | Gulph Creek WWF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |
| City of Philadelphia Philadelphia County | PAG2015103002 | Albertson's, Inc. 250 Park Center Boulevard Boise, ID 83726 | Wissahickon Creek WWF | Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000 |
| Lackawanna County Clarks Summit Borough | PAG2003503001 | Louis Vitale Clarks Summit Fire Co. 304 S. State St. Clarks Summit, PA 18411 | Leggetts Creek CWF | Lackawanna County Conservation District (570) 281-9495 |
| Luzerne County Hanover Township | PAG2004003001 | Earth Conservancy, Inc. 101 S. Main St. Ashley, PA 18706 | Warrior and Garringers Creeks CWF | Luzerne County Conservation District (570) 674-7991 |
| Luzerne County Laflin Borough | PAG2004003002 | American Asphalt 500 Chase Rd. Shavertown, PA 18708 | Gardner Creek CWF | Luzerne County Conservation District (570) 674-7991 |
| Luzerne County Plains Township | PAG2004003003 | Popple Properties 202 Main St. Laflin, PA 18702 | Mill Creek CWF | Luzerne County Conservation District (570) 674-7991 |
| Northampton County Bethlehem Township | PAG2004803007 | Bethlehem Centres, LLC c/o Posh Properties Real Estate Services 2216 Willow Park Road Bethlehem, PA 18020 | Lehigh River WWF | Northampton County Conservation District (610) 746-1971 |

| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|---|-------------------|---|---|---|
| Luzerne County White Haven Borough | PAG2004003004 | Charles Weaver R. D. 1, Box 248 White Haven, PA 18061 | Linesville Creek CWF | Luzerne County Conservation District (570) 674-7991 |
| Luzerne County Hazle Township | PAG2004003005 | Jeff Moisey P. O. Box 434 Hazleton, PA 18202 | Black Creek CWF | Luzerne County Conservation District (570) 674-7991 |
| Luzerne County Plains Township | PAG2004003006 | Michael J. Pasonick, Jr. 165 N. Wilkes-Barre Blvd. Wilkes-Barre, PA 18702 | Mill Creek CWF | Luzerne County Conservation District (570) 674-7991 |
| Carbon County Lehighton Borough | PAG2001303002 | Lehighton Area School District Attn: Dr. Robert Klucharich 1000 Union St. Lehighton, PA 18235 | Mahoning Creek CWF Lehigh River TSF | Carbon County Conservation District (610) 377-4894 |
| Carbon County Nesquehoning Borough | PAG2001303003 | Mapleshade Meadows, LP Frank J. Parano 50 E. Locust St. Nesquehoning, PA 18240 | Nesquehoning Creek CWF | Carbon County Conservation District (610) 377-4894 |
| The Village at Morrissions Cove Martinsburg Borough North Woodbury Township | PAG2000703004 | Village at Morrissions Cove 429 South Market Street Martinsburg, PA 16662 | UNT Plum Creek WWF | Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5 |
| Claysburg Kimmel Jr. and Sr. High School Greenfield Township | PAG2000703005 | Claysburg Area School District R. R. 1 Box 522 Bedford Street Claysburg, PA 16625 | Beaverdam Creek CWF | Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5 |
| Homewood Martinsburg Cottages North Woodbury Township | PAG2000703006 | Homewood Retirement Centers 430 South Market Street Martinsburg, PA 16662 | UNT Plum Creek WWF | Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5 |
| Rolling Hills Phase III Frankstown Township | PAG2000703007 | W. E. Campbell Builders 1601 3rd Avenue Duncansville, PA 16635 | Frankstown Branch of Juniata River WWF | Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5 |
| Metzler Auto Dealership Taylor Township | PAG2000703008 | Don Metzler R. D. 1 Box 144 Martinsburg, PA 16662 | Plum Creek WWF | Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5 |
| Southampton Cumberland County | PAG2002103010 | JLG Industries, Inc. Karl Petrie 1 JLG Drive McConnellsburg, PA 17233 | UNT to Bulls Head Branch CWF | Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812 |
| Guilford Township | PAR10M154-R | Ridgewood Station Preston Bellows 2082 Lincoln Way East Chambersburg, PA 17201 | Conococheague Creek CWF | Franklin County Conservation District (717) 264-8074 |
| Greene Township | PAG2002803010 | Mary and Chester Shively Trust c/o Michael Shively 467 Briar Lane Chambersburg, PA 17201 | Conococheague Creek CWF | Franklin County Conservation District (717) 264-8074 |

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| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|--|-------------------|--|--|---|
| Bradford County Athens Borough and Township | PAR100822 | Athens Area School District 204 Willow St. Athens, PA 18810 | Chemung River WWF | Bradford County Conservation District R. R. 5, Box 5030C Stoll Natural Resource Center Towanda, PA 18848 (570) 265-5530, Ext. 205 |
| Centre County State College Borough | PAG2001403008 | Creekside Plaza Creekside Real Estate Joint Venture 444 East College Ave. State College, PA 16801 | Slab Cabin Run CWF | Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817 |
| Centre County Snow Shoe Township | PAG2001403010 | Department of Transportation 16830 SR 0053, Sect. A04 1924-30 Daisy St. P. O. Box 342 Clearfield, PA | Moshannon Creek TSF | Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817 |
| Clinton County Wayne Township | PAR101912R | First Quality Products, Inc. P. O. Box 270 McElhattan, PA 17748 | UNT W. Br. Susquehanna River WWF | Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798 |
| Clinton County Wayne Township | PAR101914R | First Quality Products, Inc. P. O. Box 270 McElhattan, PA 17748 | UNT W. Br. Susquehanna River WWF | Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798 |
| Clinton County Bald Eagle Township | PAR101920R | Fairpoint Meadows Subdiv. Phase A Fairpoint Meadows Rd. Mill Hall, PA 17751 | Bald Eagle Creek WWF | Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798 |
| Columbia County Town of Bloomsburg | PAG2001903002 | Dan Sterner 145 E. Ninth St. Bloomsburg, PA 17815 | Bloomsburg Storm Sewer System WWF | Columbia County Conservation District 702 Sawmill Rd., Suite 204 Bloomsburg, PA 17815 (570) 784-1310 |
| Columbia County Mt. Pleasant and Hemlock Townships Town of Bloomsburg | PAG2001903003 | United Water Pennsylvania 4122 E. Park Circle Harrisburg, PA 17111 | Fishing Creek Watershed WWF | Columbia County Conservation District 702 Sawmill Rd., Suite 204 Bloomsburg, PA 17815 (570) 784-1310 |
| Lycoming County Wolf Township | PAG2004103004 | Department of Transportation 715 Jordan Ave. Montoursville, PA 17754 | Muncy Creek CWF | Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003 |
| Northumberland County Mt. Carmel Borough and Township | PAG2004903009 | Department of Transportation SR 54 Mt. Carmel Bridge Replacement 715 Jordan Ave. Montoursville, PA 17754 | Shamokin Creek WWF | Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 186-7114x4 |
| Tioga County Westfield Township | PAG2005903005 | North Penn Gas Co. 2 North 9th St. Allentown, PA 18101 | Mill Creek TSF | Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801 |

| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|---|-------------------|--|-------------------------------|--|
| Armstrong County Hovey Township | PAG2000B03002 | James A. Green P. O. Box 825 Carrabelle, FL 32322 | Allegheny River WWF | Armstrong County Conservation District (724) 548-3425 |
| Indiana County White Township | PAG2003203002 | Douglas W. Lockard Heritage Oaks One Highpointe Place Indiana, PA 15701 | UNT to McCarthy Run CWF | Indiana County Conservation District (724) 463-8547 |
| Washington County Cecil Township | PAG2006303008 | Department of Transportation P. O. Box 459 Uniontown, PA 15401 | Chartiers Creek WWF | Washington County Conservation District (724) 228-6774 |
| Venango County Oakland and Cherry Townships | PAG2006103003 | Karl D. Ishman Department of Transportation Engineering District 1-0 255 Elm Street Oil City, PA 16301 | Cherrytree Run CWF | Venango County Conservation District (814) 676-2832 |

General Permit Type—PAG-3

| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|---|-------------------|--|-----------------------------|---|
| Lehigh County Upper Macungie Township | PAR152201 | Behr Process Corp. 7529 Morris Court Building 500 Allentown, PA 18106 | Spring Creek CWF | DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511 |
| Wyoming County Falls Township | PAR602239 | Fabiani Auto R. R. 2, Box 220-A Dalton, PA 18414 | Buttermilk Creek CWF | DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511 |
| Berks County Upper Tulpehocken Township | PAR203599 | Post Precision Castings, Inc. 21 Walnut Street Strausstown, PA 19559 | UNT Jackson Creek CWF | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707 |
| Cumberland County Middlesex Township | PAR803617 | Schneider National Carriers (CL7) P. O. Box 2545 Green Bay, WI 54306 | Retention Pond | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707 |
| Adams County Straban Township | PAR703522 | Reliant Energy Hunterstown, LLC P. O. Box 1050 1001 Broad Street Johnstown, PA 15907 | Rock Creek WWF | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707 |
| Lancaster County West Donegal Township | PAR233542 | Lasco Bathware, Inc. 40 Industrial Road Elizabethtown, PA 17022 | Conewago Creek TSF | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707 |
| York County Manchester Township | PAR803618 | Con-Way Transportation Services c/o CNF, Inc. (XEG) 3240 Hillview Avenue Palo Alto, CA 94304 | Codorus Creek CWF | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707 |
| Morgan Township Greene County | PAR226123 | Wilson Forest Prod. Inc. P. O. Box 269 1216 Jefferson Road Jefferson, PA 15344 | Ten Mile Creek | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |

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| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|---|-------------------|--|---|---|
| Potter Township Beaver County | PAR236125 | Lyondell Chemical Co. 1 Houston Center 1600 P. O. Box 77252-2583 Houston TX 77010 | Ohio River | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Dunkard Township Greene County | PAR606185 | Jordan Auto Parts R. D. 1 Box 289-A Dilliner, PA 15327 | Unnamed feeder to the Monongahela River | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Cumberland Township Greene County | PAR606190 | West End Auto Wreckers Inc. 303 N. 88 Road Carmichaels, PA 15320 | Unnamed tributary to Muddy Creek | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| <i>General Permit Type—PAG-4</i> | | | | |
| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
| Tioga Township Tioga County | PAG045040 | Eddie R. Watkins R. R. 1 Box 169-A Tioga, PA 16981 | Unnamed tributary To Crooked Creek WWF | Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666 |
| Pike Township Bradford County | PAG045153 | William Hogan 236 Brown Road Berkshire, NY 13736 | UNT to Johnson Creek CWF | Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666 |
| Sewickley Heights Borough Allegheny County | PAG046269 | V. Martin Wintermantel 1723 North Spring Drive Atlanta, GA 30338 | Unnamed tributary of Kilbuck Run | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Derry Township Westmoreland County | PAG046270 | Frank Waldron P. O. Box 236 Derry, PA 15627 | Stony Run | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |

| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office and Telephone No.</i> |
|---|-------------------|---|----------------------------|--|
| Sandy Creek Township Mercer County | PAG048521 | Troy A. and Carolyn A. Unger 3122 Perry Highway Clarks Mills, PA 16114-1513 | Tributary to Mill Run | DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942 |

General Permit Type—PAG-8

| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Site Name and Location</i> | <i>Contact Office and Telephone No.</i> |
|---|---|---|-------------------------------|--|
| Washington Township Northampton County | PAG082215 | Bangor Borough Authority/WWTP 900 Lower Main St. P. O. Box 51 Bangor, PA 18013 | | NERO 2 Public Square Wilkes-Barre, PA 18711 |
| Mount Holly Springs Borough Cumberland County | PAG083577 | Mount Holly Springs Bor- ough WWTP 200 Harman Street Mount Holly Springs, PA 170565 | | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110- 8200 (717) 705-4707 |
| Snake Spring Township Bedford County | PAG083516 | Snake Spring Township Municipal Authority 624 Pennknoll Road Everett, PA 15537-6945 | | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110- 8200 (717) 705-4707 |
| Montgomery Township Franklin County | PAG080003, 0006, 0008, 0009, 2201, 2203, 3501, 3502, 3506, 3515, 3517, 3518, 3522, 3540, 3542, 3547, 3551, 3825, 9903, 9904, 9905 | SynaGro Mid Atlantic 1605 Dooley Rd. P. O. Box B Whiteford MD 21160 | Martin Grove Farm | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110- 8200 (717) 705-4707 |

General Permit Type—PAG-9

| <i>Facility Location and Municipality</i> | <i>Permit No.</i> | <i>Applicant Name and Address</i> | <i>Site Name and Location</i> | <i>Contact Office and Telephone No.</i> |
|--|-------------------|--|--|---|
| Brecknock Township Lancaster County | PAG093506 | Shupp's Grove Antique Market P. O. Box 892 Adamstown, PA 19501 | | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110- 8200 (717) 705-4707 |
| Granville Township Mifflin County | PAG093542 | Buck Run Farms 87 Buck Run Lane Lewistown, PA 17044 | Buck Run Farm Granville Township Mifflin County | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110- 8200 (717) 705-4707 |
| Leslies Septic Service Pike Township Potter County | PAG094805 | David Hinman Leslies Septic Service P. O. Box 211 Galeton, PA 16922 | Leslies Septic Service Pike Township Potter County | Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3655 |

PUBLIC WATER SUPPLY PERMITS

The Department of Environmental Protection has taken the following actions on applications received under the Safe Drinking Water Act for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to 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 (35 P. S. §§ 721.1—721.17).

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

Operations Permit issued to **Tulpehocken Spring Water, Inc.**, R. R. 1, Box 114T, Northumberland, PA 17857, PWS ID 2406498, Foster Township, **Luzerne County** on March 6, 2003, for the operation of facilities approved under Construction Permit Minor Amendment issued January 31, 2003.

Operations Permit issued to **Nestle Waters North America, Inc.**, 405 Nestle Way, Breinigsville, PA 18031, PWS ID 3396420, South Coventry Township, **Chester County** on March 7, 2003, for the operation of facilities approved under Construction Permit 3902502.

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

Permit No. 6702516, Public Water Supply.

| | |
|--------------|---------------------------------------|
| Applicant | Stewartstown Borough Authority |
| Municipality | Hopewell Township |
| County | York |

| | |
|----------------------------|---|
| Type of Facility | Construction Permit for a proposed chlorine booster station to be installed on the Route 851 main. The station will use sodium hypochlorite to raise chlorine residuals in water purchased from the York Water Company. |
| Consulting Engineer | Dennis E. Sarpen, P. E. Holley & Assoc. 18 S. George St. York, PA 17402 |
| Permit to Construct Issued | January 31, 2003 |

Operations Permit issued to **Halifax Area Water Authority**, 7220040, Halifax, **Dauphin County** on March 21, 2003, for the operation of facilities approved under Construction Permit 2201507.

Operations Permit issued to **Tulpehocken Area School District—Bethel Elementary School**, 3060358, Bernville Borough, **Berks County** on March 17, 2003, for the operation of facilities approved under Construction Permit No. 0602502.

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

Permit No. 1702502, Public Water Supply.

| | |
|----------------------------|--|
| Applicant | Glen Hope Water Authority c/o Norman Diehl, President P. O. Box 116 Glen Hope, PA 16645 |
| Borough | Glen Hope Borough |
| County | Clearfield County |
| Type of Facility | PWS—Construction of the pressure filtration plant. |
| Consulting Engineer | Andrew Johnson, P. E. Gwin Dobson & Foreman Inc. 3121 Fairway Drive Altoona, PA 16602 |
| Permit to Construct Issued | March 17, 2003 |

Permit No. Minor Amendment, Public Water Supply.

| | |
|----------------------------|---|
| Applicant | Shamokin Dam Borough c/o Thomas A. McBryan, Jr. P. O. Box 273 Shamokin Dam, PA 17876 |
| County | Snyder County |
| Type of Facility | PWS—Installation of a liner in the finished water reservoir. |
| Consulting Engineer | Samuel F. Wood, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100 |
| Permit to Construct Issued | March 14, 2003 |

Operations Permit issued to **Orviston Water Association, Inc.**, PWS ID 4140104, Curtain Township, **Centre County** on March 21, 2003, for the operation of facilities approved under Construction Permit 1499504.

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

Operations Permit issued to **Buhl Community Water Company**, 372 Old Ash Road, Mercer, PA 16137, PWS ID 6430049, Springfield Township, **Mercer County** on March 25, 2003, for the operation of facilities approved under Construction Permit 4398501.

Operations Permit issued to **Brockway Borough Municipal Authority**, 501 Main Street, Brockway, PA 15824, PWS ID 6330002, Brockway, **Jefferson County** on March 25, 2003, for the operation of facilities approved under Construction Permit 3301501.

SEWAGE FACILITIES ACT PLAN APPROVALS

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

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

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|--|---------------|
| Quakertown Borough | 15-35 North Second Street P. O. Box 727 Quakertown, PA 18951 | Bucks County |

Plan Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the financing source for this project. Quakertown Borough proposes to rehabilitate 35,000 linear feet of sanitary sewage collection and over 700 of the respective sewer laterals. This project will significantly reduce the infiltration/inflow of both stormwater and groundwater into the sanitary sewage collection system. The Department's review of the project and information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

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

Plan Location:

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|---|--------------------|
| New Milford Borough | 175 Main Street P. O. Box 630 New Milford, PA 18834 | Susquehanna County |

Plan Description: The approved plan provides for: construction of a centralized sewerage collection system, primarily low pressure, to serve the entire Borough of New Milford; sewer service for the Blue Ridge High School located in New Milford Township; and construction of a sewer interceptor, located in New Milford Township, to connect New Milford Borough with Great Bend Township.

The proposed sewer system will be owned and maintained by the New Milford Municipal Authority (NMMA). The NMMA sewer system will connect with the proposed Hallstead-Great Bend Joint Sewer Authority's (HGBJSA) sewage conveyance line in Great Bend Township. Wastewater from the proposed NMMA sewer system will be treated at the existing HGBJSA's wastewater treatment plant in Great Bend Borough. The plant discharges to the Susquehanna River.

The Department's review of the plan update has not identified any significant environmental impacts from the

proposal. Any required Water Quality Management Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|---------------------------------------|--------------------|
| Great Bend Township | P. O. Box 781 Great Bend, PA 18821 | Susquehanna County |

Plan Description The approved plan provides for the construction of a sewage conveyance line from the existing HGBJSA sewer system to the proposed NMMA sewer system in New Milford Township. The project consists of the installation of about 15,000 LF of 12 inch sanitary sewer, extending from the end of the existing HGBJSA's sewer system in Great Bend Township, along Route 11 and an abandoned railroad bed, terminating at the Great Bend Township/New Milford Township boundary line. The project also includes 800 LF of 8 inch sanitary sewer, 2,500 LF of 8 inch force main and three sanitary pumping stations. Wastewater will be treated at the existing HGBJSA's wastewater treatment plant in Great Bend Borough. The plant discharges to the Susquehanna River.

The Department's review of the plan has not identified any significant environmental impacts from the proposal. Any required Water Quality Management Permits must be obtained in the name of the municipality or authority as appropriate.

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

Proposed Consent Order and Agreement

**Chester Parking Authority—Wade Site
Chester, Delaware County**

Under section 1113 of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), the Department of Environmental Protection (Department) has entered into a Prospective Purchaser Consent Order and Agreement (CO&A) with the Chester Parking Authority (CPA) concerning the reuse of the Wade Site (Site).

The Site consists of approximately 3 acres located along the Delaware River in Chester, Delaware County. During the 1970s, hazardous substances were disposed at the Site and these substances contaminated the environment at the Site. In the 1980s, the Department along with the EPA, conducted response actions to address the release or threatened release of hazardous substances at the Site. The CPA now wishes to purchase the Site with the intention of constructing parking facilities for public use as a part of a larger redevelopment plan for the Delaware River waterfront. In exchange for a covenant not to sue and contribution protection from the Department, the CPA will make a payment towards the Department's response costs and will redevelop the property in a constructive manner.

The specific terms of this settlement are set forth in the CO&A between the Department and the CPA. The Department will receive and consider comments relating to the CO&A for 60 days from the date of this public notice. The Department has the right to withdraw its consent to the CO&A if comments received during the public comment period disclose facts or considerations which indicate that the CO&A is inappropriate, improper or not in the public interest. After the public comment period, the Department's settlement with the CPA shall be effective

upon the date that the Department notifies the CPA, in writing, that this CO&A is final and effective in its present form and that the Department has filed a response to significant written comments to the CO&A or that no comments were received.

Copies of the CO&A are available for inspection at the Department's Southeast Regional Office. Comments may be submitted, in writing, to Dustin Armstrong, Department of Environmental Protection, Hazardous Sites Cleanup Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA, 19428. Further information may be obtained by calling Dustin Armstrong, (610) 832-6000. TDD users may contact the Department through the Pennsylvania Relay Services at (800) 645-5984.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

The following final 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 final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where 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.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

Hoppes Facility, Sadsbury Township, **Chester County**. Darryll D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Bala Cynwyd, PA 19004, on behalf of Michaels of Oregon Co., 1710 Red Soils Court, Oregon City, OR 08807, has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with chlorinated solvents and other organics and site groundwater contaminated with chlorinated solvents and MTBE.

Randall Nester Property, Pottstown Borough, **Montgomery County**. Bruce W. Haigh, P. E., Whittemore & Haigh Engineering, Inc., 200 Bethlehem Dr., Suite 201,

Morgantown, PA 19543, on behalf of Barbara Nestor, 161 Crest Dr., Boyertown, PA 19512, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Proposed Broad-Moore Development, City of Philadelphia, **Philadelphia County**. James Gallagher, P. E., Pennoni Associates, Inc., 950 Clifton Ave., Clifton, NJ 07013, on behalf of Redevelopment Authority of the City of Philadelphia, Hope Yusem, 1234 Market St., 16th Fl., Philadelphia, PA 19107, has submitted a Final Report concerning remediation of site soil contaminated with lead and other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Gordon, Gonzales, Marchesani, Welsh Property, Proposed CVS Pharmacy City of Philadelphia, **Philadelphia County**. Robert R. Botterman, TolTest, Inc., 339 Haymaker Rd., Suite 1101, Monroeville, PA 15146 (on behalf of Howard Gordon, 1521 E. Wingohocking St., Philadelphia, PA, 19124; Geraldine and Ferdinand Gonzales, 1515 E. Wingohocking St., Philadelphia, PA, 19124; Nino Marchesani, 4411 Castor Ave., Philadelphia, PA 19124; and Richard Welsh, 1509 Wingohocking St., Philadelphia, PA 19124) has submitted a revised Final Report concerning remediation of site soil and groundwater contaminated with solvents, PAH and PHC. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its 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 under 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Stanley Marvel, Inc., Bensalem Township, **Bucks County**. John M. Ash, URS Corp., 2325 Maryland Rd., 2nd Fl., Willow Grove, PA 19090, on behalf of Stanley Marvel, Inc., 1221 Ford Rd., Bensalem, PA, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with BTEX and PHC. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 21, 2003.

Ashland Inc.—Former Aston Chemical Distribution Facility, Chester Township, **Delaware County**. Patrick Peterson, Environmental Strategies Corp., 4 Penn Center West, Suite 315, Pittsburgh, PA 15276, on behalf of Dunlap, Mellor & Co., Inc., 100 N. Commerce Dr., Aston, PA 19014, has submitted a Remedial Investigation/Final Report concerning the remediation of site groundwater contaminated with solvents and BTEX. The report demonstrated attainment of Site-Specific Standards and was approved by the Department on March 17, 2003.

The Reserves at Gwynedd (Groundwater), Upper Gwynedd Township, **Montgomery County**. William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Suite 200, Philadelphia, PA, on behalf of Carmen Danella, Danella Companies, 470 E. Norristown Rd., Suite 100, Blue Bell, PA 19422, has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning remediation of site groundwater contaminated with solvents. The reports were disapproved by the Department on March 19, 2003.

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

John Root Property, formerly Eby's Service Station, East Petersburg Borough, **Lancaster County**. Rettew Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Connie Long, POA for the Root Family, 11025 Rosemont Drive, Rockville, MD 20852, submitted a combined remedial investigation and final report concerning remediation of site soils and

groundwater contaminated with diesel fuel, fuel oil no. 2, leaded gasoline, MTBE, unleaded gasoline and used motor oil. The final report demonstrated attainment of a combination of the Statewide Health and Site-Specific Standards. The combined Remedial Investigation and Final Report was approved by the Department on March 21, 2003.

Koppenhaver Residence, Montgomery Township, **Franklin County**. Hydrocon Services, Inc., 16 East Minor Street, Emmaus, PA 18049, on behalf of Ricky and Debra Koppenhaver, 11311 Claylick Road, Mercersburg, PA 17236, submitted a Final Report concerning remediation of site soils and groundwater contaminated with kerosene. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 28, 2003.

PPL Hummelstown Substation, Derry Township, **Dauphin County**. PPL Electric Utilities, Two North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 29, 2003.

Teledyne Readco Lot 2A, Spring Garden Township, **York County**. Gannett Fleming, Inc., 1650 Manheim Pike, Lancaster, PA 17601, on behalf of York College of Pennsylvania, 439 Country Club Road, York, PA 17405, submitted a Remedial Investigation and Risk Assessment concerning remediation of site soils contaminated with inorganics. The Remedial Investigation and Risk Assessment were approved by the Department on February 5, 2003.

Ruba Horner Residence, Conewago Township, **Adams County**. Alliance Environmental Services, Inc., 1414 North Cameron Street, Suite B, Harrisburg, PA 17103, on behalf of Ruba Horner, 4738 East Flower Circle, Mesa, AZ 85206 and Dan Wisotzkey, 3311 Honey Run Drive, York, PA 17404-9443, submitted a combined remedial investigation and final report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The final report demonstrated attainment of a combination of the Statewide Health and Site-Specific Standards. The combined Remedial Investigation and Final Report was approved by the Department on January 31, 2003.

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.

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

Permit No. 400555. Penco Products, Inc., 99 Brower Avenue, Oaks, PA 19456, Upper Providence Township, **Montgomery County**. Waste incinerator has ceased operation and has been closed. Permittee has requested that the waste permit be revoked and the associated bond released. Bond will be released upon this revocation action becoming final. The permit was revoked by the Southeast Regional Office on March 21, 2003.

Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 400682. East Norriton-Plymouth-Whitpain Joint Sewer Authority, 200 Ross St., Plymouth Meeting, PA 19462-2740, Plymouth Township, **Montgomery County**. Permit modification application submitted for a radiation protection action plan to comply with the requirements of 25 Pa. Code § 271.114. The permit was issued by the Southeast Regional Office on March 21, 2003.

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

Permit No. 101646. World Resource Recovery Systems, Inc., 1631 East Avenue, Erie, PA 16503-2365, Erie City, **Erie County**. Increase the size of the transfer facility and increase the maximum daily volume of waste from 300 tons per day to 600 tons per day. The permit was issued by the Northwest Regional Office on March 19, 2003.

Permits 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.

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

Permit No. 100955. Clinton County Solid Waste Authority, 264 Landfill Lane, P. O. Box 209, McElhattan, PA 17748-0209 for the Wayne Township Landfill located in Wayne Township, **Clinton County**. A major permit modification for modifying the permitted acreage was received by the Williamsport Regional Office on March 17, 2003.

Persons interested in reviewing the permit may contact David Garg, P. E., Acting Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

MUNICIPAL AND RESIDUAL WASTE TRANSPORTER AUTHORIZATION

Issued applications for Municipal and Residual Waste Transporter Interim Authorization received under the Waste Transportation Safety Act (27 Pa.C.S. §§ 6201—6209) and regulations to transport municipal or residual waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.

Hugh Sheridan, 788 Dekalb Pike, P. O. Box 282, Blue Bell, PA 19422. Authorization No. WH2933. Effective March 17, 2003.

JAB Const., 1283 Justus Blvd., Clarks Summit, PA 18411. Authorization No. WH2935. Effective March 17, 2003.

AWF Leasing Corp., 411 Bergen Ave., Kearney, NJ 07032. Authorization No. WH2936. Effective March 17, 2003.

Scranton School District, 425 N. Washington Ave., Scranton, PA 18503-1305. Authorization No. WH2937. Effective March 17, 2003.

Housing Authority, City of Pottsville, 410 Laurel Blvd., Pottsville, PA 17901. Authorization No. WH2939. Effective March 17, 2003.

Shimpeno Specialized Contr. Inc., 202 Beech St., Edinboro, PA 16412-2006. Authorization No. WH2940. Effective March 17, 2003.

Hopwood Enterprises Inc., P. O. Box 527, Hopwood, PA 15445. Authorization No. WH2941. Effective March 17, 2003.

K & L Delivery Service, 5 Edinburgh Road, Blackwood, NJ 08012-4525. Authorization No. WH2942. Effective March 17, 2003.

L. Marki & Son Inc., R. R. 1 Box 1504, Stroudsburg, PA 18360-9644. Authorization No. WH2943. Effective March 17, 2003.

George A. Price Trucking, P. O. Box 875, New Hampton, NY 10958. Authorization No. WH2945. Effective March 17, 2003.

Ondos Recycling Inc., 1218 Logan St., Pottstown, PA 19464. Authorization No. WH2946. Effective March 17, 2003.

Dickson City Borough, Lackawanna County, 801-805 Boulevard Ave., Dickson City, PA 18519-1517. Authorization No. WH2947. Effective March 17, 2003.

Indiana County Municipal SA, 827 Water St., Indiana, PA 15701. Authorization No. WH2949. Effective March 17, 2003.

Luis G. Mendez, 2552 Vauxhall Road, Union, NJ 07083. Authorization No. WH2950. Effective March 17, 2003.

Western Butler County Auth., P. O. Box 427, 607 Market St., Zelenople, PA 16063-1826. Authorization No. WH2951. Effective March 17, 2003.

Victor M. Siguencia, Apt. 2, 115 Fleming Ave., Newark, NJ 07105. Authorization No. WH2952. Effective March 17, 2003.

Nelson M. Espinoza, 115 Fleming Ave., Newark, NJ 07105. Authorization No. WH2953. Effective March 17, 2003.

Guido V. Espinoza, 115 Fleming Ave., Newark, NJ 07105. Authorization No. WH2955. Effective March 17, 2003.

Pierce & Petersen, 213 West Third Ave., P. O. Box 627, Warren, PA 16365. Authorization No. WH2957. Effective March 17, 2003.

MDF Excavators Inc., 310 Washington Ave., Hickory, PA 15340-1202. Authorization No. WH2958. Effective March 17, 2003.

Fairchance Borough, Fayette County, 125 W. Church St., Fairchance, PA 15436-1136. Authorization No. WH2960. Effective March 17, 2003.

Little Buffalo Trucking, 1175 Fairchild Road, Lewisburg, PA 17837. Authorization No. WH2964. Effective March 17, 2003.

Teddy L. Kunselman, 164 Grovers Road, New Bethlehem, PA 16242. Authorization No. WH2969. Effective March 17, 2003.

Scranton School District, 425 N. Washington Ave., Scranton, PA 18503-1305. Authorization No. WH2971. Effective March 17, 2003.

Olyphant Borough, 113 Willow Avenue, Olyphant, PA 18447-1498. Authorization No. WH2991. Effective March 18, 2003.

Wilson R. Morocho, 3437 106th Street, Corona, NY 11368. Authorization No. WH2993. Effective March 18, 2003.

Roger Shank Residential & Commercial Contents Removal, 3331 East Galen Hall Road, Reinholds, PA 17569. Authorization No. WH2994. Effective March 18, 2003.

Lucas Electric Company Inc., 1381 Route 130, P. O. Box 329, Windsor, NJ 08561. Authorization No. WH2997. Effective March 18, 2003.

W. J. Woodhouse Jr. & Sons, 66 Donley Road, Eighty Four, PA 15330-2068. Authorization No. WH2998. Effective March 18, 2003.

Guer's Topsoil & Mulch Products Inc., 110 North Valley Street, New Philadelphia, PA 17959. Authorization No. WH2999. Effective March 18, 2003.

E. C. Bradley Bros., P. O. Box 789, Trenton, NJ 08605-0789. Authorization No. WH3000. Effective March 18, 2003.

Frederick Reid, 601 Davis Avenue, Harrison, NJ 07021. Authorization No. WH3002. Effective March 18, 2003.

Michael A. Infanti Jr., 61 South Ronald Avenue, Bayville, NJ 08721. Authorization No. WH3003. Effective March 18, 2003.

J. Rutigliano Waste Removal Inc., 550 Old Country Road, Hicksville, NY 11801. Authorization No. WH3005. Effective March 18, 2003.

LBJ Construction Co., Inc., 31 Ruddle Street, Wilkes-Barre, PA 18702. Authorization No. WH2972. Effective March 19, 2003.

Chorba Demolition Co., 822 Dudley Street, Throop, PA 18512-1142. Authorization No. WH2973. Effective March 19, 2003.

Broad Top Township, Bedford County, P. O. Box 57, 187 Municipal Road, Defiance, PA 16633-0057. Authorization No. WH2974. Effective March 19, 2003.

Foster Construction, Inc., 1016 McCoy Road, McKees Rocks, PA 15136. Authorization No. WH2975. Effective March 19, 2003.

Dixon Zapata, 1903 Mt. Laurel Road, Temple, PA 19560. Authorization No. WH2976. Effective March 19, 2003.

Advanced Disposal Solutions, Inc., 2200 East Adams Avenue, Philadelphia, PA 19124. Authorization No. WH2977. Effective March 19, 2003.

Alarcon & Marrone Demolition Co., 1302 Cumberland Street, Philadelphia, PA 19132. Authorization No. WH2978. Effective March 19, 2003.

Tunkhannock Borough, Wyoming County, 126 Warren Street, Tunkhannock, PA 18657. Authorization No. WH2979. Effective March 19, 2003.

D. Pierce Transportation, Inc., P. O. Box 453, Murrsville, PA 15668. Authorization No. WH2980. Effective March 19, 2003.

A. D. Call & Sons Excavating & Trucking, Inc., P. O. Box 60, Stafford, NY 14143-0060. Authorization No. WH2981. Effective March 19, 2003.

E. E. Austin & Son, Inc., 1919 Reed Street, Erie, PA 16503. Authorization No. WH2982. Effective March 19, 2003.

James R. Hite Trucking, 243 Whitetail Lane, Ebensburg, PA 15931. Authorization No. WH2984. Effective March 19, 2003.

Gem Enterprises, Inc., 34 Norm Avenue, Bedford Hills, NY 10507. Authorization No. WH2985. Effective March 19, 2003.

R. P. Blair Corp., 1956 Stout Drive, Ivyland, PA 18974. Authorization No. WH2986. Effective March 19, 2003.

Ivyland Construction Co., Inc., 1956 Stout Drive, Ivyland, PA 18974. Authorization No. WH2987. Effective March 19, 2003.

M. S. Carriers, Inc., 3171 Directors Row, Memphis, TN 38131-0405. Authorization No. WH2988. Effective March 19, 2003.

BDB Energy Services, Inc., 103 Carnegie Avenue, P. O. Box 4352, Youngstown, OH 44515. Authorization No. WH2990. Effective March 19, 2003.

South Jersey Waste Removal, 106D Centre Boulevard, Marlton, NJ 08053. Authorization No. WH3026. Effective March 18, 2003.

Ribb's Trucking, Inc., 156 Bank Street, Suite 3A, New York, NY 10014. Authorization No. WH3025. Effective March 18, 2003.

Byrd Disposal, 982 Upper Gulph Road, Wayne, PA 19087-2721. Authorization No. WH3021. Effective March 18, 2003.

Long View Farm, 382 Fair Hill Drive, Elkton, MD 21921. Authorization No. WH3023. Effective March 18, 2003.

Youghiogheny Industries, Inc., 52 North Urania Avenue, Greensburg, PA 15601-2631. Authorization No. WH2103. Effective March 18, 2003.

L & P Trucking LLC, 2 Tanglewood Lane, Colonia, NJ 07067. Authorization No. WH3028. Effective March 18, 2003.

Stefanos Hellas, Inc., 821 6th Street, Secaucus, NJ 07094. Authorization No. WH3029. Effective March 18, 2003.

American Truck & Equipment Leasing Corporation, 3300 Veterans Memorial Highway, Bohemia, NY 11716. Authorization No. WH3030. Effective March 18, 2003.

Grannetino Trucking Company, 1311 Ashbridge Road, West Chester, PA 19380. Authorization No. WH3031. Effective March 18, 2003.

Darling International, Inc., 825 Wilson Avenue, Newark, PA 07105. Authorization No. WH3032. Effective March 18, 2003.

SMAC Corporation, 27 East 33rd Street, Paterson, NJ 07514. Authorization No. WH3033. Effective March 19, 2003.

Edwin Morris Cox, 435 Pennock Bridge Road, West Grove, PA 19390. Authorization No. WH3034. Effective March 18, 2003.

Luis G. Chacon, 78-14 87th Avenue, Woodhaven, NJ 11421. Authorization No. WH3035. Effective March 18, 2003.

Apolo Transport Corporation, 715 24th Street, Union City, NJ 07087. Authorization No. 3036, Effective March 18, 2003.

KCS Trucking, 2150 Tower Road, Hartly, DE 19953. Authorization No. WH3039. Effective March 18, 2003.

B. C. Construction, Inc., P. O. Box 7, Croydon, PA 19021-0007. Authorization No. WH3041. Effective March 18, 2003.

Leopold Builders, Inc., 105 West Monument Avenue, Hatboro, PA 19040. Authorization No. WH3042. Effective March 18, 2003.

Lawrence Copney Sanitation, R. R. 1, Box 161, Avonmore, PA 15618. Authorization No. WH3043. Effective March 18, 2003.

Frank Griffith Remodeling, 2297 Pheasant Ridge Road, Lewisburg, PA 17837. Authorization No. WH3045. Effective March 18, 2003.

Sam Cox Trucking, 116 Queen Lane, Landenburg, PA 19350-1517. Authorization No. WH3047. Effective March 18, 2003.

Laurich Company, Inc., 3745 Lincoln Way West, Chambersburg, PA 17201-8664. Authorization No. WH3048. Effective March 18, 2003.

Scarangella Disposal, 915 South 9th Street, Altoona, PA 16602-6329. Authorization No. WH3049. Effective March 18, 2003.

Fought's Disposal Service, 197 B Albertson Road, Orangeville, PA 17859. Authorization No. WH1344. Effective March 20, 2003.

Gurminder Singh, Apartment 3, 300 Elmira Street, White Haven, PA 18661. Authorization No. WH1383. Effective March 20, 2003.

Mahantango Enterprises Inc., R. R. 2 Box 680, Liverpool, PA 17045-9517. Authorization No. WH1975. Effective March 20, 2003.

LA Trucking LLC, 181 East Road, Broad Brook, CT 06016. Authorization No. WH2398. Effective March 20, 2003.

Ritenour & Sons Construction Company Inc., 202 Falls Avenue, Connellsville, PA 15425. Authorization No. WH2520. Effective March 20, 2003.

United Sanitation Network Inc., 83 Foote Avenue, Duryea, PA 18642-1104. Authorization No. WH3024. Effective March 20, 2003.

Terra Environmental Contractors Inc., 1398 Wilmington Pike, West Chester, PA 19382. Authorization No. WH3027. Effective March 20, 2003.

Klever Salazar, 163 Mt. Prospect Avenue, Newark, NJ 07104. Authorization No. WH3051. Effective March 20, 2003.

Victor H. Salazar, 163 Mt. Prospect Avenue, Newark, NJ 07104. Authorization No. WH3053. Effective March 20, 2003.

M & O Roofing & Sheet Metal Inc., 1737 Green Street, Allentown, PA 18104. Authorization No. WH3057. Effective March 20, 2003.

Day Excavating Inc., 145 Beagle Road, Lewisburg, PA 17837. Authorization No. WH3058. Effective March 20, 2003.

William G. Porto, 8 South 2nd Street, Shamokin, PA 17872. Authorization No. WH3059. Effective March 20, 2003.

Donald G. Bock Jr., 314 Martha Street, Punxsutawney, PA 15767. Authorization No. WH3060. Effective March 20, 2003.

Shuman Disposal, P. O. Box 69, Sybersville, PA 18251. Authorization No. WH3061. Effective March 20, 2003.

R. Hess Equipment Inc., 950 Johnson Road, Ulysses, PA 16948. Authorization No. WH3062. Effective March 20, 2003.

Central Jersey Property Improvements Inc., P. O. Box 407, 341 Route 539, Cream Ridge, NJ 08514. Authorization No. WH3063. Effective March 20, 2003.

Liberty Cores Inc., 268 Chestnut Street, Camden, NJ 08103. Authorization No. WH3064. Effective March 20, 2003.

Exclusive Enterprises Inc., P. O. Box 7089, Philadelphia, PA 19149. Authorization No. WH3065. Effective March 20, 2003.

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, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

09-312-034GP: CRC Industries, Inc. (885 Louis Drive, Warminster, PA 18974) on March 20, 2003, for an aboveground storage tank in Warminster Township, **Bucks County**.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: Michael Saffo, Facilities Permitting Chief, (570) 826-2531.

48-310-048GP: H B Mellot Estate, Inc. (100 Mellot Drive, Suite 100, Warfordsburg, PA 17267) for construction and operation of a portable stone crushing plant and associated air cleaning device at the Riverton Pit, Martins Creek-Belvidere Highway, Lower Mt. Bethel Township, **Northampton County**.

64-310-012GP: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for construction and operation of a portable stone crushing plant and associated air cleaning device at their facility in Palmyra Township, **Wayne County**.

64-310-013GP: Reading Materials (P. O. Box 196, Skippack, PA 19474) for the construction and operation of a portable stone crushing plant and associated air cleaning device at their facility in Palmyra Township, **Wayne County**.

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

61-011: Merisol Antioxidants, LLC (292 SR 8, Oil City, PA 16301) on March 31, 2003, for modifications to three storage tanks in Cornplanter Township, **Venango County**.

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

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

40-320-017: Bemis Co., Inc. (20 Jaycee Drive, West Hazleton, PA 18201) on January 27, 2003, for modification of two flexo-graphic presses (9 and 10) and installation of an air cleaning device (replacement) at their facility in the Valmont Industrial Park, West Hazleton Borough, **Luzerne County**.

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

06-05024B: Reliant Energy Mid-Atlantic Holdings, LLC (P. O. Box 1050, Johnstown, PA 15907) on March 17, 2003, for modification of the electric generating plant at their Titus Station in Cumru Township, **Berks County**.

06-05188A: Cummins Power Systems, Inc. (2727 Ford Road, Bristol, PA 19007-6895) on March 19, 2003, for construction of a peaking electric generator at their Muhlenberg Substation of Metropolitan Edison in Muhlenberg Township, **Berks County**.

07-03045A: Young's, Inc. (Frederick Road, P. O. Box 71, Roaring Spring, PA 16673) on March 21, 2003, for construction of high efficiency cyclones in Taylor Township, **Blair County**.

36-05014E: Alumax Mill Products, Inc. (1480 Manheim Pike, Lancaster, PA 17604) on March 18, 2003, for modification of the No. 9 melting furnace at their existing mill in Manheim Township, **Lancaster County**.

36-05119A: Signature Custom Cabinetry, Inc. (434 Springville Road, Ephrata, PA 17522) on March 19, 2003, for construction of a paint booth for coating wood furniture parts in Ephrata Township, **Lancaster County**.

67-05099: Kinsley Construction, Inc. (1110 East Princess Street, York, PA 17403) on March 24, 2003, for construction of a surface coating operation at its Kinsley Manufacturing steel fabrication plant in the City of York, **York County**.

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

10-021K: Indspec Chemical Corp. (133 Main Street Petrolia, PA 16050) on March 18, 2003, for minor modification of Plan Approval 10-313-028B for the Resorcinol Flaker/Bagging and Packaging to run either the old or new system in the Borough of Petrolia, **Butler County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

AMS 02109: AT&T Corp. (23 John Reading Road, Flemington, NJ 08822) was authorized to install six 750 kW peak shaving turbine generators in Philadelphia, **Philadelphia County**.

AMS 02166: SBC Telecom (36 South Fairview Avenue, Park Ridge, IL 60068) was authorized to install one 1,020 kW emergency generators in Philadelphia, **Philadelphia County**.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.

09-0015C: Rohm and Haas Co. (Route 413 and State Road, Bristol, PA 19007) on March 20, 2003, for operation of a thermal oxidizer in Bristol Township, **Bucks County**.

15-0060B: SECCRA Landfill (219 West Street Road, Kennett Square, PA 19348) on March 20, 2003, for operation of a landfill gas open flare in London Grove Township, **Chester County**.

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

38-03028A: Brentwood Industries, Inc. (2101 Lehman Street, Lebanon, PA 17046) on March 23, 2003, for installation of carbon adsorption odor control equipment on gray line and green line at its Lebanon Plant in West Lebanon Township, **Lebanon County**. This plan approval was extended.

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

08-317-003C: Taylor Packing Co., Inc. (P. O. Box 188, Wyalusing, PA 18853) on March 14, 2003, for operation of a rendering cooker and associated air cleaning devices (venturi scrubber/boiler operating in series or venturi scrubber and two packed bed scrubbers operating in series) on a temporary basis until July 12, 2003, in Wyalusing Township, **Bradford County**. The Plan Approval has been extended.

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

56-00011A: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) on March 14, 2003, for construction of a screen. This plan approval was extended.

11-00507A: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201) for installation of a coal preparation plant at their Twin Rocks facility in Blacklick Township, **Cambria County**. The application for this facility has been revised and now identifies the maximum coal processing capacity to be 500,000 tons per year. As a result, Plan Approval Condition 6, as identified, is no longer relevant and has been completely removed.

Plan Approval Condition 6: In the event that the owner/operator elects to process more than 500,000 tons of coal in any consecutive 12 month period the following actions must first be taken (25 Pa. Code § 127.12b):

- The owner/operator shall submit to the Department, for review and written approval, a plan and schedule detailing the installation of an underground reclaim tunnel and associated equipment.
- Upon written approval of these plans the owner/operator shall install underground reclaim tunnels in accordance with the approved plan and schedule.
- Upon completion of the installation, the throughput of the facility shall be limited to 1.4 million tons of coal in any consecutive 12-month period.

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

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-00012: Philadelphia Newspapers, Inc./Schuylkill Printing Press (800 River Road, West Conshohocken, PA 19428) on March 19, 2003, for an administrative amendment to Title V Operating Permit 46-00012 in Upper Merion Township, **Montgomery County**. The permit is being amended to incorporate changes based on the appeal of the Title V operating permit. The facility's major emission points include 9 printing presses, 3 main boilers, 12 miscellaneous heaters and boilers, 1 backup generator, 1 platemaking developer, 1 fire pump and 1 gasoline storage and dispensing area. The amended Title V Operating Permit will contain additional monitoring, recordkeeping, reporting and work practice standards to keep their facility operating within all applicable air quality requirements and will include the revisions listed:

- Section A, Site Inventory List—revised the Capacity/Throughput values for Sources IDs Nos. 001—015 to include a maximum rated heat input capacity, in units of “MMBTU/hr” and a maximum throughput capacity for natural gas in units of “CF/hr.”
- Section A, Site Inventory List—revised the Capacity/Throughput values for Sources IDs Nos. 031 and 032 to include a maximum rated heat input capacity, in units of “MMBTU/hr.”
- Sections A and D, Source 014—revised the Capacity/Throughput value to 0.2 mmBtu/hr. Changed the name of the source to “Pump House HW Boiler 6.”
- Section A, Site Inventory List, Source FML01—removed this duplicate entry for the natural gas pipeline.
- Section C, Condition 017—revised the cross-reference to include the term “Condition 23(b).”
- Section D, Source ID Nos. 001—004, Conditions Nos. 003 and 004—revised monitor and recordkeeping frequency of the fuel usage to a monthly basis. Include a paragraph that states the frequency of the required monitoring and recordkeeping, is consistent the “Alternative Monitoring Frequency of Fuel Usage” approval granted to the permittee by letter, dated March 29, 2001, from EPA Region III and that a copy letter has been attached to the permit and designated “Attachment A.”
- Section D, Sources 031 and 032, Condition 002—revised the condition to include the term “To assure compliance with the Condition 001, . . .” to provide for monthly monitoring of the hours of operation for these sources.

- Section D, Source 126, Condition 006—revised this condition to require the facility to maintain a functional Stage II Vehicle Refueling Control Program.

- Section D, Source ID: 127, Conditions 005 and 007—revised these conditions to require the facility monitor and record the following parameters on a daily basis:

(a) The ink throughput for each press, using the allocation method between pairs of presses.

(b) The amount of fountain solution used at the facility using the allocation method between pairs of presses.

(c) The amount of blanket wash used at the facility.

- Section D, Source ID: 127, Condition 008—revised these conditions to change the term “all” to “any.”

- Section F, Emission Restriction Summary—omitted the 2.7 tons per year limit for Sources 031 and 032.

- Section G, Miscellaneous—included the miscellaneous fugitive emissions from Source 101, Developing Process and the propane powered floor maintenance equipment to the list of activities that do not require limitations, monitoring or recordkeeping.

This Administrative Amendment of the Title V Operating Permit is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

46-00011: Bethlehem Steel Corp.—Conshohocken (Conshohocken Road, Conshohocken, PA 19428) on March 20, 2003, for an administrative amendment for operation of steel heating furnaces, annealing furnace, rolling mills, temper furnace, cutting and shot blasting facility in Plymouth Township, **Montgomery County**. The previously issued Title V Operating Permit has been amended to resolve issues pertaining to an appeal. The amended Title V Operating Permit, issued on March 20, 2003, contains additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. The permit is being amended to incorporate following changes:

- Section D, Source 107, Conditions 001(c) and 003 typographical changes.

- Section D, Source 107, Condition 004—inclusion of regulatory requirements from 25 Pa. Code § 129.52(d)—(h), except for subsection (g) into the condition.

This Administrative Amendment of the Title V Operating Permit is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

36-05024: Bigbee Steel and Tank Co. (99 West Elizabethtown Road, Manheim, PA 17545) on March 17, 2003, for operation of a steel tank manufacturing facility in Rapho Township, **Lancaster County**. This is renewal No. 1 of the operating permit.

44-05011: Overhead Door Corp. (23 Industrial Park Road, P. O. Box 110, Lewistown, PA 17044) on March 18, 2003, for operation of a sectional and rolling steel door manufacturing facility in Granville Township, **Mifflin County**. This is renewal No. 1 of the operating permit.

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.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-00094: Highway Materials, Inc. (5000 Joshua Road, Plymouth Meeting, PA 19462) on March 19, 2003, for operation of a Synthetic Minor Operating Permit in Whitmarsh Township, **Montgomery County**.

46-00093: Main Line Hospitals, Inc. (130 South Bryn Mawr Avenue, Bryn Mawr, PA 19010) on March 20, 2003, for operation of a Synthetic Minor Operating Permit in Lower Merion Township, **Montgomery County**.

46-00195: F. J. Janoski Petroleum Co., Inc. (Germantown Pike and Felton Road, East Norriton, PA 19401) on March 20, 2003, for operation of a Natural Minor Operating Permit in East Norriton Township, **Montgomery County**.

23-00093: Bryn Hill Industries, Inc. (Price and Pine Streets, Holmes, PA 19043) on March 24, 2003, for operation of a Synthetic Minor Operating Permit in Ridley Township, **Delaware County**.

09-00130: Doylestown Township Municipal Authority (Easton Road and Swamp Road, Cross Keys, PA 18901) on March 24, 2003, for operation of a Natural Minor Operating Permit in Plumstead Township, **Bucks County**.

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

01-05015: Kemper Industries, Inc. d/b/a Lee Metal Products (P. O. Box 6, Littlestown, PA 17340) on March 20, 2003, for operation of a metal furniture surface coating facility in Littlestown Borough, **Adams County**.

06-03061: IFS Industries, Inc. (P. O. Box 1053, Reading, PA 19603) on March 19, 2003, for operation of an adhesive manufacturing facility in the City of Reading, **Berks County**.

06-03080: F. M. Brown's Sons, Inc. (118-122 Main Street, P. O. Box 153, Fleetwood, PA 19522) on March 17, 2003, for operation of a flour milling and grain drying facility in Fleetwood Borough, **Berks County**.

22-05037: Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105) on March 20, 2003, for operation of an asphalt plant at their Paxton Street Asphalt Plant in the City of Harrisburg, **Dauphin County**.

31-05012: Department of Corrections (1120 Pike Street, Huntingdon, PA 16652) on March 13, 2003, for operation of three bituminous coal fired boilers at their Smithfield SCI in Smithfield Township, **Huntingdon County**.

36-03039: TYCO Electronics Corp. (30 Kauffman Road, Landisville, PA 17538) on March 18, 2003, for operation of an electroplating and connector component production and a gas-fired emergency generator in East Hempfield Township, **Lancaster County**.

67-03029: Yorktowne Caskets, Inc. (654 Lincoln Street, York, PA 17404) on March 19, 2003, for operation of a human crematory in the City of York, **York County**.

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

65-00235: Alcoa, Inc. (100 Technical Drive, Alcoa Center, PA 15069) on March 19, 2003, for operation of small

laboratory sources and natural gas fired boilers in Upper Burrell Township, **Westmoreland County**.

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

43-00294: International Timber and Veneer, LLC (75 McQuiston Drive, Jackson Center, PA 16133). Natural Minor operating permit for emissions from the manufacturing of hardwood veneers and operation of a wood-fired boiler in Jackson Township, **Mercer County**.

INTERSTATE OZONE TRANSPORT REDUCTION

NOx Budget Trading Program

25 Pa. Code § 145.43 Compliance Supplement Pool

Early Reduction Credit Allocation

Under 25 Pa. Code § 145.43, the Department has finalized the Early Reduction Credit allocations. The allocations will be transferred into unit accounts by the NOx Budget Administrator by May 1, 2003.

This allowance allocation is in addition to the initial allocations that were included in the operating permit of the NOx budget unit. The allocations contained in this notice have been adjusted to meet the provisions of 25 Pa. Code § 145.43(b) and (c) and (e), based on comments received and as necessary to reflect any difference between unit requests and the qualifying 2001-02 allowances remaining in unit accounts after reconciliation by the NOx Budget Administrator.

The final Early Reduction Credit allocations for units that made a request under 25 Pa. Code § 145.43(b) and (c) are listed in the columns under "Para. (b)" and "Para. (c)," respectively.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to 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.

Bureau of Air Quality: Division of Air Resource Management, 400 Market Street, P. O. Box 8468; Contact: James Stoner, Division of Air Resource Management, (717) 772-3921.

| Facility | ORIS | Para. (b) | Para. (c) |
|------------------------------|--------|-----------|-----------|
| AES Ironwood | 55337 | 70 | |
| Allegheny Energy 1-2 | 55196 | 2 | |
| Allegheny Energy 8-9 | 55377 | 2 | |
| Allegheny Energy 12-13 | 55654 | 2 | |
| Armstrong | 3178 | 451 | |
| Bruce Mansfield | 6094 | 296 | |
| Brunner Island | 3140 | 1854 | |
| Brunot Island | 3096 | 133 | |
| Cheswick | 8226 | 134 | |
| Colver Power Project | 10143 | 1897 | |
| Cromby | 3159 | 447 | |
| Ebensburg Power | 10603 | 84 | |
| Eddystone | 3161 | 19 | |
| Elrama | 3098 | 134 | |
| Fairless Hills—Exelon | 7701 | 10 | |
| Glatfelter, P. H. Co. | 50397 | 7 | |
| Hatfield's Ferry | 3179 | 1102 | |
| Homer City | 3122 | 167 | 241 |
| Hunlock Pwr. Station | 3176 | 52 | |
| Keystone | 3136 | 3 | |
| Liberty Electric Power | 55231 | 132 | |
| Mitchell | 3181 | 419 | |
| Montour | 3149 | 249 | 1335 |
| Mountain | 3111 | 1 | |
| New Castle | 3138 | 709 | |
| Portland | 3113 | 3 | |
| Procter & Gamble Co. | 50463 | 6 | |
| Schuylkill | 3169 | 5 | |
| Seward | 3130 | 4339 | |
| Shawville | 3131 | 5 | |
| St. Nicholas Cogeneration | 54634 | 0 | |
| Sun Refining & Marketing Co. | 880020 | 13 | |
| Sun Refining & Marketing Co. | 52106 | 70 | |
| Sunbury | 3152 | 5 | |
| Sunoco Inc. | 880007 | 4 | |
| Titus | 3115 | 4 | |
| Tolna | 3116 | 1 | |
| Tosco Refining | 880025 | 43 | |
| Warren | 3132 | 7 | |
| Westwood Energy Properties | 50611 | 293 | |
| Wheelabrator Frackville | 50879 | 28 | |
| Williams Gen.—Hazleton | 10870 | 985 | |
| Total: | | 14187 | 1576 |

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.

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

S96-007: St. Christopher's Hospital for Children, LLC (Erie Avenue at Front Street, Philadelphia, PA 19134-1095) administratively amended on March 18, 2003, to change contact information. The Synthetic Minor operating permit was originally issued on May 14, 1999.

S95-048: Jeanes Hospital (7600 Central Avenue, Philadelphia, PA 19111) administratively amended on March 19, 2003, to change contact information and to correct the type of fuel for one of its boilers. The boiler was incorrectly listed as being capable of burning natural gas as well as No. 4 Oil in the source identification table. No applicable requirements are affected. The Synthetic Minor operating permit was originally issued on June 19, 2001.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.

02860201 and NPDES Permit No. PA0588407. Minerals Technology, Inc. (100 High Tower Blvd., Suite 301, Pittsburgh, PA 15205). Permit revised to add three treatment ponds and one NPDES discharge point on Guys Run at a bituminous surface mining and coal refuse reprocessing operation located in Harmar Township, **Allegheny County**, affecting 168.3 acres. Receiving streams: Guys Run. Application received February 3, 2003. Revised permit issued March 21, 2003.

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

56020104 and NPDES Permit No. PA0249246. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, commencement, operation and restoration of a bituminous surface mine and for treated mine drainage in Brothersvalley Township, **Somerset County**, affecting 128.8 acres. Receiving streams: Buffalo Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received July 5, 2002. Permit issued March 17, 2003.

56920114 and NPDES Permit No. PA0212334. Sanner Energies, Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552-7228, permit renewal for continued operation of a bituminous surface and auger mine and for discharge of treated mine drainage in Southampton Township, **Somerset County**, affecting 278.5 acres. Receiving streams: unnamed tributaries to North Branch of Jennings Run, Jennings Run and unnamed tributaries to Jennings Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received January 22, 2003. Permit issued March 17, 2003.

McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.

30921301. NPDES Permit PA0213900, RAG River Processing Corp. (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370), to renew the permit for the Monongahela Resource Mine in Jefferson Township, **Greene County**, renewal, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, No additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued March 18, 2003.

Noncoal Permits Actions

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

7473SM2T and NPDES Permit PA0118460. Hercules Cement Company, LP (501 Center Street, P. O. Box 69, Stockertown, PA 18083), transfer and correction to an existing quarry operation and discharge of treated mine drainage in Upper Nazareth Township, **Northampton County** affecting 301.3 acres, receiving stream: Bushkill and Schoeneck Creek. Applications received March 31, 2000, and April 23, 2001. Transfer/Correction issued March 13, 2003.

28010302 and NPDES Permit PA0224162. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), commencement, operation and restoration of a quarry operation and discharge of treated

mine drainage in Antrim Township, **Franklin County** affecting 49.0 acres, receiving stream: unnamed tributary to Muddy Run. Application received September 26, 2001. Permit issued March 18, 2003.

40030801. Earth Conservancy (101 South Main Street, Ashley, PA 18706), commencement, operation and restoration of a topsoil stripping operation in the City of Nanticoke, **Luzerne County** affecting 5.0 acres, receiving stream: Susquehanna River. Application received January 22, 2003. Permit issued March 18, 2003.

58020854. William T. McNeice (R. R. 3 Box 294C, Meshoppen, PA 18530), commencement, operation and restoration of a quarry operation in Liberty Township, **Susquehanna County** affecting 2.0 acres, receiving stream: Snake Creek. Application received November 27, 2002. Permit issued March 18, 2003.

64020810. Star Pond, LLC (65 Oak Street, Deposit, NY 13754), commencement, operation and restoration of a quarry operation in Scott Township, **Wayne County** affecting 5.0 acres, receiving stream: tributary to Balls Creek. Application received December 9, 2002. Permit issued March 18, 2003.

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

6577SM3A, P & W Excavating, Inc., P. O. Box 712, McConnellsburg, PA 17233. Renewal of NPDES Permit No. PA0120588 in Todd Township, **Fulton County**. Receiving stream unnamed tributary to Big Cove Creek. NPDES renewal application received December 9, 2002. Permit issued March 17, 2003.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.

10010308. Winfield Lime & Stone Co., Inc. (1295 Winfield Road, Cabot, PA 16023). Commencement, operation and restoration of a noncoal underground mine in Winfield and North Buffalo Townships, **Butler and Armstrong Counties**. Receiving streams: Rough Run, Cornplanter Run and unnamed tributaries to Buffalo Creek. Application received July 19, 2001. Permit issued March 31, 2003.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.

09034003. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Hilltown Township, **Bucks County** with an expiration date of March 26, 2004. Permit issued March 18, 2003.

28034005. R. A. Hill, Inc. (1364 Lincoln Way East, Chambersburg, PA 17201), construction blasting in Guilford Township, **Franklin County** with an expiration date of June 4, 2003. Permit issued March 18, 2003.

21034012. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting in Carlisle,

Cumberland County with an expiration date of February 13, 2008. Permit issued March 18, 2003.

10134002. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Oxford and Hamilton Townships, **Adams County** with an expiration date of April 4, 2004. Permit issued March 18, 2003.

38034003. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in North Cornwall Township, **Lebanon County** with an expiration date of April 4, 2004. Permit issued March 18, 2003.

22034006. ABEL Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting in Lower Paxton Township, **Dauphin County** with an expiration date of April 4, 2004. Permit issued March 18, 2003.

36034018. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in Penn Township, **Lancaster County** with an expiration date of July 3, 2003. Permit issued March 18, 2003.

38034004. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in South Londonderry Township, **Lebanon County** with an expiration date of April 4, 2005. Permit issued March 18, 2003.

06034004. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Ruscombmanor Township, **Berks County** with an expiration date of April 5, 2004. Permit issued March 20, 2003.

06034005. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Lower Heidelberg Township, **Berks County** with an expiration date of April 4, 2004. Permit issued March 20, 2003.

15034001. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in East Brandywine Township, **Chester County** with an expiration date of April 5, 2004. Permit issued March 20, 2003.

15034002. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in East Vincent Township, **Chester County** with an expiration date of April 5, 2004. Permit issued March 20, 2003.

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

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

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

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to 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 P.S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

Permits Issued and Actions on 401 Certifications

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-911. Horsham Township, 1025 Horsham Road, Horsham, PA 19044, Horsham Township, **Montgomery County**, ACOE Philadelphia District.

To relocate a 55-foot reach of an intermittent unnamed tributary of Pennypack Creek (TSF, MF) and to construct and maintain a 35-foot long extension to the upstream end of the existing stream enclosure which conveys flow under Meetinghouse Road. The proposed structure will utilize a curved concrete box culvert consisting of an 8'-5" span by 4'-10". This project is associated with the widening of Meetinghouse Road and is located approximately 250 feet northeast of the intersection of Easton Road (SR 0611) and Meetinghouse Road (Ambler, PA USGS) Quadrangle N: 10.4 inches; W: 1.0 inch).

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

E45-429. William Koller, 27 Roanoke Road, Bridgewater, NJ 08807. Middle Smithfield Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a private road crossing through a de minimis area of wetlands equal to 0.03 acre consisting of clean rock fill having approximate dimensions of 135 feet by 10 feet with three 8-inch diameter cross drain pipes to provide access to a proposed single family dwelling. The project is located in Country Woods Estates Subdivision, Lot 25, Section 2, approximately 1,200 feet east of the intersection of T630 (Coolbaugh Drive) and Stoney Brook Road (Bushkill, PA Quadrangle N: 14.7 inches; W: 16.0 inches).

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

E06-557: Berks Products Corporation, P. O. Box 421, Reading, PA 19603 in Ontelaunee Township, **Berks County**, ACOE Philadelphia District.

To remediate and maintain the existing shotcrete structure/blanket at the confluence of Maiden Creek (WWF) and the Schuylkill River (WWF, MF) and to construct and maintain future sinkhole remediation projects at a point or points within the Schuylkill River and Maiden Creek adjacent to Berks Products Corporation properties (Temple, PA Quadrangle N: 8.8 inches; W: 10.4 inches) in Ontelaunee Township, Berks County.

E21-320: Norfolk Southern Corporation, 99 Spring Street, SW, Atlanta, GA 30303 in South Middleton Township, **Cumberland County**, ACOE Baltimore District.

To: (1) abandon in place an existing concrete box culvert with a clear opening of approximately 2.66 feet by 9 feet and to construct and maintain a reinforced concrete box culvert, approximately 20 feet west of the existing culvert, having a waterway opening 5.5 feet by 10 feet and an instream length of 36 feet within Little Dogwood Run (HQ-CWF); and (2) to realign the existing channel with the proposed box culvert all at a point on Norfolk Southern Railroad property approximately 800 feet upstream of the confluence of Little Dogwood Run and Old Town Run (Carlisle, PA Quadrangle N: 1.3 inches; W: 1.55 inches) in South Middleton Township, Cumberland County.

E67-729: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Chanceford and East Hopewell Townships, **York County**, ACOE Baltimore.

To remove the existing bridge and then to construct and maintain rock vanes and a new bridge having a single

span of 43 feet and a minimum underclearance of 6.37 feet across the North Branch Muddy Creek (CWF) on SR 2075, Section 001, Segment 0040, Offset 2310 located at the Village of Laurel (Stewartstown, PA Quadrangle N: 13.7 inches; W: 1.48 inches) in Chanceford and East Hopewell Townships, York County.

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

E02-1353. Allegheny County Department of Public Works, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-2904. Robinson Township, **Allegheny County**, ACOE Pittsburgh District.

To remove existing structures, to construct and maintain a Single Span Composite Steel Multi-Girder Bridge over the culverted Campbells Run (WWF), to construct and maintain a box culvert having a span of 4,267 mm (14 feet) and under clearance of 1,829 mm (6 feet) depressed 300 mm (1 foot) for a distance of 32.95 m (108 feet) in Campbells Run, to construct and maintain a box culvert having a span of 4,267 mm (14 feet) and under clearance of 1,829 mm (6 feet) depressed 300 mm (1 foot) for a distance of 187.63 m (615.6 feet) in Campbells Run, to construct and maintain three channel relocations having a total distance of 280.01 m (918.67 feet) in Campbells Run, to construct and maintain a 1,650 mm (5.5 feet) diameter RCP culvert depressed 150 mm (.5 foot) for a distance of 32.94 m (108.1 feet) with a concrete junction box in a tributary to Campbells Run and to place and maintain fill in a de minimis area of palustrine emergent wetland equal to 0.0076 acre for the purpose of constructing the Settlers Cabin/Campbells Run Road Interchange. This permit also authorizes the operation and maintenance of a 2,100 mm (7 feet) diameter CMP culvert, 612.7 m (2,010.2 feet) long in Campbells Run, originally permitted under E02-491 (Oakdale, PA Quadrangle Project starts at N: 10.8 inches; W: 2.7 inches and ends at N: 12.2 inches; W: 4.7 inches).

E02-1383. North Way Christian Community, Inc., 12121 Perry Highway, Wexford, PA 15090. Pine Township, **Allegheny County**, ACOE Pittsburgh District.

To place and maintain fill in 0.33 acre of wetlands associated with an unnamed tributary to Wexford Run (CWF) for the purpose of constructing the Copperleaf Corporate Centre. The project is located on the west side of Perry Highway (SR 0019), approximately 720 feet southwest from the intersection of Perry Highway and Wallace Road Extension. The applicant proposes to mitigate 0.44 acre of replacement wetlands (Mars, PA Quadrangle N: 2.0 inches; W: 9.1 inches).

E63-78727. Orion Power MidWest, LLC, 2000 Cliff Mine Road, Suite 200, Pittsburgh, PA 15272. Union Township, **Washington County** and Jefferson Hills Borough, Allegheny County, ACOE Pittsburgh District.

To amend Permit No. 6378727 that authorizes Orion Power MidWest, LLC to perform maintenance dredging along the left bank of the Monongahela River at Mile 25 in Union Township, Washington County to include the operation and maintenance of the existing barge mooring facility in the channel and along the left bank of the Monongahela River, to construct and maintain a 200-foot long by 220-foot wide addition to the existing barge mooring facility (on the downstream end as measured from the normal pool elevation) and to construct and maintain a loading ramp and asphalt driveway along the left bank of said stream for the purpose of expanding the existing barge mooring facility. The project is located at River Mile 25, approximately 6,300 feet upstream from

the Lock and Dam No. 3 (Glassport, PA Quadrangle N: 0.5 inch; W: 5.7 inches).

E65-810. Dr. Ice. 300 Penn Center Boulevard, Suite 201, Pittsburgh, PA 15235. City of New Kensington, **Westmoreland County**, ACOE Pittsburgh District.

To place and maintain fill along the right floodway of Little Pucketa Creek (TSF) with average dimensions of 50 feet wide by 500 feet long by 1 foot high associated with the construction of a proposed ice rink and parking facilities located at the intersection of SR 56 and Craig Dell Road (New Kensington East, PA Quadrangle N: 14.1 inches; W: 15.7 inches).

ENVIRONMENTAL ASSESSMENTS

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

EA10-019, Aquascape Wetland and Environmental Services, 147 South Broad Street, Grove City, PA 16127, Camp Lutherlyn Mine Drainage Treatment Project, in Connoquenessing Township, **Butler County**, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 22.2 inches; W: 3.0 inches).

To construct and maintain a passive treatment system to treat abandoned mine discharge impacting Semiconon Run (WWF) in Connoquenessing Township, Butler County. The project will consist of two collection channels, a 0.11 acre holding pond and a 0.25 acre constructed treatment wetland. A 0.10-acre PEM wetland will be impacted for the construction of the project and temporary impacts are anticipated to unnamed tributaries to Semiconon Run. The project anticipates eliminating more than 1 ton of pollution from the stream each year and will help restore approximately 2.4 miles of Semiconon Run.

EA1009-001. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project in Cherry Township, **Butler County**, Pittsburgh ACOE District (West Sunbury Quadrangle—Site 1: N: 13.6 inches; W: 4.4 inches, Site 2: N: 14.2 inches; W: 5.3 inches, Site 3: N: 21.1 inches; W: 3.1 inches). The applicant proposes to backfill two abandoned surface mine highwalls: Site 1, which includes a 1,200-foot long dangerous highwall and Site 2, which includes an 800-foot long dangerous highwall. The project will include the backfilling of: (1) 0.70 acre of PEM wetland; (2) 1.61 acres of PUB open water body at Site 1; (3) 0.02 acre of PEM wetland; and (4) 0.64 acre of PUB open water body at Site 2. Site 2 will also include the construction of 0.65 acre of PUB farm pond. Site 3, located approximately 2 aerial miles from the reclamation activity and within the same watershed (Slippery Rock Creek), will consist of the construction of 2.06 acres of PEM wetland. The replacement wetland will be constructed in an area previously drained, currently in use as pasture and severely impacted by overgrazing. The project proposes to directly affect a total of 0.72 acre of wetland and 2.25 acres of open water. Open water creation of 0.65 acre is proposed. Wetland creation of 2.06 acres is proposed. Of the 2.06 acres, 0.72 acre will be used as 1:1 mitigation for the wetland impacts related to this project. The remaining 1.34 acres of constructed wetlands will be considered advanced compensatory mitigation for future abandoned mine reclamation projects in the area.

EA1709-001. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation,

Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project in Boggs Township, **Clearfield County**, Baltimore ACOE District (Wallaceton Quadrangle N: 17.5 inches, W: 10.8 inches). The applicant proposes to backfill an abandoned surface mine, which includes a 650-foot long dangerous highwall. The project will include the backfilling of 0.26 acre of PEM wetland. A 0.26 acre PEM replacement wetland will be constructed immediately adjacent to the reclamation. The project will directly impact 0.26 acres of wetland. Wetland creation of 0.26 acres is proposed to compensate for wetland impacts.

SPECIAL NOTICES

Submission Date for Recycling Program Development and Implementation Grants under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101)

The Department of Environmental Protection (Department) announces the availability of applications to municipalities for recycling program grant assistance under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P. S. § 4000.902). Municipalities eligible for recycling grants include counties, cities, boroughs, incorporated towns, townships, home rule municipalities, councils of governments, consortiums or similar entities established by two or more municipalities under 53 Pa.C.S. Chapter 23, Subchapter A.

Applicants must be in compliance with the provisions of Act 101 and the implementing regulations to be eligible to receive grant funding. At a minimum, those communities mandated to recycle under Act 101 must have enacted an ordinance that includes, but is not limited to, the following:

- a. A requirement for the separation of at least three materials from municipal solid waste (MSW) by residents of homes and apartments.
- b. A requirement for the separation of leaf waste (as defined by Act 101) from MSW by residents of homes and apartments.
- c. A requirement for the separation of at least high-grade office paper, corrugated paper, aluminum and leaf waste from MSW by commercial, municipal and institutional establishments.
- d. A curbside collection system for recyclable materials operating at least once per month.
- e. Provisions to ensure compliance with the ordinance.
- f. Provisions for the recycling of collected materials.

In addition, mandated municipalities must conduct a recycling education program which notifies all persons occupying every residential, commercial, municipal and institutional establishment within its borders of the requirements of the ordinance. This must be conducted at least once every 6 months.

Communities not mandated to recycle must provide assurance that their recycling program will be operated in conformance with the Department's Guidelines for Proper Management of Recyclable Materials. Applicants must be in compliance with any previous grant contract provisions. County applicants should be in compliance with planning and other county-related provisions of Act 101. Applicants who are not in compliance with Act 101

annual reporting requirements will not be considered in this grant application round.

Municipalities are eligible for 90% funding of approved recycling program costs. Municipalities considered financially distressed by the Department of Community and Economic Development under the Financial Distressed Communities Act are eligible for 100% of approved costs. No application requesting more than \$2 million in grant funding will be accepted.

The following categories of recycling projects will be given funding priority in the order given:

1. Projects bringing communities newly mandated to recycle as determined by the 2000 Federal census into compliance with Act 101.
2. Regional and intergovernmental cooperative projects.
3. Projects implemented by a municipality in which the affected community is mandated to participate.

Projects in which the level of recycling education exceeds the requirements of section 1501(d) of Act 101 for all persons occupying residential, commercial, institutional and municipal premises.

4. Municipalities that offset recycling programs costs with revenue from the sale of materials collected by their recycling programs or recycling performance grants.

Projects eligible for grant funding are those which divert the following recyclable materials from municipal solid waste: clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper, other marketable grades of paper, plastics, source separated food scraps and leaf and yard wastes.

Eligible recycling program development costs include: recycling program design costs; recycling market investigations; development of recycling market commitments; development of recycling program ordinances; developing of recycling public education programs; and the costs of developing contracts for procuring equipment or services necessary for the operation of the recycling program.

Eligible recycling program implementation costs include: purchasing or leasing vehicles used to collect recyclables, transport recyclables to processing facilities or markets and vehicles used in the operation of a materials recovery facility; reusable containers for the collection or storage of recyclable materials; acquiring and/or renovating buildings for the processing or storage of recovered materials; equipment used to process or manufacture recyclable materials into usable products; improvements to land needed to operate a recycling facility or yard waste composting facility authorized under 25 Pa. Code § 103(h); and the costs associated with educating the public on recycling program requirements, including the development and publication of printed and audio-visual educational materials, advertisements, the development of Internet "Recycling Home Pages" and school or special event programs. Composting projects and programs will be considered to be recycling projects or programs accordingly.

A municipality must retain sole ownership of equipment or facilities funded by the grant. Funding for equipment or facilities purchased for the recycling program used for recycling and other purposes will be prorated according to its recycling use. Funding for

certain leaf and yard waste collection equipment may be limited according to its seasonal use. Funding for wood chipping equipment will be approved only when the equipment is part of an approved yard waste composting facility operating under the Department's guidelines and where the material is collected curbside from residents. Funding of street sweepers for the purpose of leaf collection will not be considered.

Funding may be restricted in situations where equipment or services requested through a grant application may be available from the public or private sector within the county of the applicant. Public notices may be required before the grant application may be submitted depending upon the nature of the funding request. When the municipality submits the recycling grant application to the Department, it must include proof of compliance with the notification requirements, a description of any responses received to the notice and an explanation of why the municipality has concluded the mechanical processing equipment is not available to the program from the private sector.

Potential applicants must contact the appropriate Department regional planning and recycling coordinator to schedule a preapplication conference to discuss application requirements and program particulars. Applications will be returned to municipalities that fail to schedule preapplication conferences. Grant application forms are available from the Department regional offices and the Department's website, www.dep.state.pa.us (directLINK "Recycling Grants").

Grant applications must be received or postmarked by 3 p.m. on June 26, 2003. Applications received by the Department after that date will not be considered during the current round of solicitation. Applications must be on forms provided by the Department, with two copies submitted to the Department Central Office (Rachel Carson State Office Building, Harrisburg) and one copy submitted to the appropriate county recycling coordinator. Grant awards will be predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of moneys in the Recycling Fund.

Inquiries concerning this notice should be directed to Todd Pejack, Recycling Grants Coordinator, Department of Environmental Protection, Rachel Carson State Office Building, Bureau of Land Recycling and Waste Management, Division of Waste Minimization of Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, tpejack@state.pa.us.

Regional Planning and Recycling Coordinators

Southeast Region

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Environmental Protection
Bureau of Land Recycling and Waste Management
Lee Park, Suite 6010, 555 North Lane
Conshohocken, PA 19428-2233
(610) 832-6212
(610) 832-6143 (fax)

Calvin Ligons (cligons@state.pa.us)
Ann Ryan (aryan@state.pa.us)
MaryAlice Reisse (mreisse@state.pa.us)

Northeast Region

Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties

Department of Environmental Protection
Bureau of Land Recycling and Waste Management
2 Public Square
Wilkes-Barre, PA 18711-0790
(570) 826-2516
(570) 826-5448 (fax)

Chris Fritz (cfritz@state.pa.us)

Southcentral Region

Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties

Department of Environmental Protection
Bureau of Land Recycling and Waste Management
909 Elmerton Avenue
Harrisburg, PA 17110-8200
(717) 705-4706
(717) 705-4930 (fax)

Mark Vottero (mvottero@state.pa.us)

Northcentral Region

Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties

Department of Environmental Protection
Bureau of Land Recycling and Waste Management
208 W. 3rd Street, Suite 101
Williamsport, PA 17701
(570) 327-3653
(570) 327-3420 (fax)

Pat Brennan (pbrennan@state.pa.us)

Southwest Region

Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties

Department of Environmental Protection
Bureau of Land Recycling and Waste Management
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4000
(412) 442-4194 (fax)

Sharon Svitek (ssvitek@state.pa.us)

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Northwest Region

Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties

Department of Environmental Protection
Bureau of Land Recycling and Waste Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6848
(814) 332-6117 fax

Guy McUmber (gmcumber@state.pa.us)

**Public Hearing for Section 401
Water Quality Certification**

FERC Project 487 PPL Holtwood, LCC

The Department of Environmental Protection (Department) will hold a public hearing to accept comment on

Section 401 Water Quality Certification Application for Federal Energy Regulatory Commission (FERC) Project 487 for the discharge of water from hydroelectric generation from PPL Holtwood, LCC, in Hawley Borough, Wayne and Pike Counties.

The public hearing will be conducted on May 15, 2003, at 7 p.m. in the auditorium of Wallenpaupack Area High School on Route 6 near Hawley by the Water Management Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553. The hearing is in response to an application submitted by PPL Holtwood, LCC. The 401 Water Quality Certification for the FERC relicensing of the discharge of water from hydroelectric process to Lackawaxen River.

The Department requests that individuals wishing to testify at the hearing submit a written notice of intent to Hearing Examiner, Department of Environmental Protection, Water Management Program, 2 Public Square, Wilkes-Barre, PA 18711. The Department will accept notices up to the day of the hearing. The Department requests that individuals limit their testimony to 10 minutes so that all individuals have the opportunity to testify. The Department can only review comments made with regard to the Section 401 Water Quality Certification for 487 FERC Project. Written copies of oral testimony are requested. Relinquishing time to others will not be allowed. All individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who preregister to testify will be given priority on the agenda.

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

The 401 Water Quality Certification application is available for review at the Pike County Conservation District Office, Route 402, Blooming Grove, PA, (570) 26-8220.

For further information, contact Mark Carmon, Northeast Regional Office, (570) 826-2511.

[Pa.B. Doc. No. 03-624. Filed for public inspection April 4, 2003, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website (www.dep.state.pa.us) at the Public Participation Center page. The "January 2003 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. 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 2003.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest

inventory or an unbound paper copy of any of the final documents listed on the inventory by calling 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—Minor Revisions

DEP ID: 362-2207-004. Title: Impact of the Use of Subsurface Disposal on Ground Water Nitrate-Nitrogen Levels. Description: Upon review of the existing language in this document, the Department has made revisions in order to remain consistent with 25 Pa. Code § 71.62 (relating to individual and community onlot sewage systems). Listed are the main document revisions:

1. Page 6, IV., B., 1., remove sentence, "These are designed to eliminate nitrates prior to effluent discharge in a stream."
2. Page 8, V., B., 1., remove phrase, "toward receiving surface waters."
3. Page 8, V., B., 2., remove sentence, "Alternately, a discharge to surface waters that does not meet surface water quality."
4. Page 9, VI., F., in first sentence, remove phrase, "or stream."

Effective Date: April 5, 2003. Contact: Milt Lauch, (717) 787-8184, mlauch@state.pa.us.

Draft Technical Guidance

DEP ID: 580-2219-004. Title: Section 224(b)—Alternate Method of Test Drilling. Description: To protect the health and safety of underground coal mine workers, it is necessary to ensure that the active mine workings will not accidentally mine through to adjacent workings. The purpose of this guidance is to set forth standards and procedures to enable the use of alternative drilling techniques to comply with the requirements of section 224(b) of the Act without filing an individual request to adopt an alternative item or method. Comment Period Ends: May 5, 2003. Anticipated Effective Date: May 24, 2003. Contact: Paul Hummel, (724) 439-7469, pahummel@state.pa.us.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-625. Filed for public inspection April 4, 2003, 9:00 a.m.]

Bond Rate Guidelines for the Calculation of Land Reclamation Bonds on Coal Mining Operations

The Department of Environmental Protection (Department) announces the bond rate guidelines for 2003

for anthracite and bituminous coal mining operations. The authority for bonding coal mining operations is The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66) and the regulations promulgated thereunder at 25 Pa. Code Chapter 86, Subchapter F (relating to bonding and insurance requirements). These guidelines will be used in calculating the land reclamation bonds for surface coal mining activities including surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities and the surface facilities of underground mining operations. The procedures for calculating land reclamation bonds are described in technical guidance 563-2504-001, "Conventional Bonding for Land Reclamation—Coal," which is available on the Department's website (www.dep.state.pa.us) at the Public Participation Center page.

The Department will apply the 2003 Bond Rate Guidelines in Table 1 when calculating bond amounts for new permits and permit renewals, at the midterm of the permit and when a change in a mine's operation or reclamation plan necessitates a recalculation of the bond. The Department may review the adequacy of bonds on existing permits based on the bond rate guidelines at any time.

The bond rate guidelines do not apply to bonds assuring replacement of water supplies under subsection 3.1(c) of the Surface Mining Conservation and Reclamation Act or to bonds ensuring compliance with the requirements of the Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21).

General Methodology

The Department developed the bond rate guidelines for 2003 from a database of unit costs provided by the Bureau of Abandoned Mine Reclamation (BAMR). The BAMR database lists contract bid amounts for the various unit operations needed to complete reclamation of a mine site for years 1998—2001.

In general, the bond rate for a given unit operation is the weighted average of the three lowest bids for that unit operation. Not all unit operations included in the BAMR database are included in Table 1. Some unit operations listed in the database were combined to streamline the guidelines. In the event that a unit operation necessary to calculate a reclamation bond is not listed in Table 1, then any additional cost information available from BAMR will be used. If enough data is still not available, the rate will be set from a standard reference like "Means Building Construction Cost Data."

The bond rate guidelines are available electronically at <http://www.dep.state.pa.us/dep/deputate/minres/BMR/BMRhome.htm>. For background information and supporting documentation regarding bonding rate guidelines, contact the Bureau of Mining and Reclamation, Division of Monitoring and Compliance, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

Effective Date

The bond rate guidelines in this notice become effective April 21, 2003.

TABLE 1
Bond Rate Guidelines
For Year 2003

| <i>Unit Operation</i> | <i>Unit Measure</i> | <i>Unit Costs (\$)</i> |
|--|--|---|
| Mobilization/demobilization | job | 4% of direct costs or \$40,000, whichever is less |
| Grading (<500-foot push) | cubic yard | 0.55 |
| Grading (≥500-foot push) | cubic yard | 0.80 |
| Selective Grading | acre | 800.00 |
| Revegetation | acre | 1,160.00 |
| Tree Planting | tree | 0.15 |
| Ditch Excavation | cubic yard | 4.50 |
| Jute Matting | square yard | 2.00 |
| High Velocity Erosion Control | square yard | 2.40 |
| R3 Rock Lining | square yard | 16.00 |
| R4 Rock Lining | square yard | 20.00 |
| R5 Rock Lining | square yard | 18.50 |
| Geotextile/Filter Fabric | square yard | 1.50 |
| PVC Lining ¹ | square yard | 8.00 |
| Subsurface Drain | lineal foot | 15.00 |
| Pond Removal ² | pond | 3,500.00 |
| Erosion and Sedimentation Control (Temporary Installation) | job | Lump sum (5% of direct costs for site) |
| Stage 3 Maintenance Bond | acre | 500.00 |
| Structure Demolition | Costs for structure demolition will be calculated using costs listed in the construction industry's latest annual cost publications, such as the <i>Means Building Construction Cost Data</i> publication. | |
| Mine Sealing ³ Nonhydraulic shaft seal—inert fill | shaft (10 ft. or less diameter) | 1,400.00 |
| | shaft (11 to 15 ft. diameter) | 3,000.00 |
| | shaft (16 to 20 ft. diameter) | 4,500.00 |
| | shaft (21 to 25 ft. diameter) | 8,000.00 |
| Mine Sealing ³ Hydraulic shaft seal w/bulkhead | shaft (10 ft. or less diameter) | 7,600.00 |
| | shaft (11 to 15 ft. diameter) | 9,200.00 |
| | shaft (16 to 20 ft. diameter) | 10,700.00 |
| | shaft (21 to 25 ft. diameter) | 14,200.00 |
| Mine Sealing ³ Nonhydraulic drift/slope seal | drift/slope | 3,900.00 |
| Mine Sealing ³ Hydraulic drift/slope seal w/bulkhead | drift/slope | 6,200.00 |

¹ Typically used for lining of ponds or ditches crossing fill material.

² Unit cost not from BAMR bids, includes dewatering, grading, topsoil placement and revegetation.

³ Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment and labor costs from BAMR bid abstracts or from an industry-standard cost estimation publications, for example, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-626. Filed for public inspection April 4, 2003, 9:00 a.m.]

Certification Program Advisory Committee for Water and Wastewater Systems Operators Meeting Cancellation

The Certification Program Advisory Committee for Water and Wastewater Systems Operators has canceled its scheduled meeting on April 9, 2003. The next scheduled meeting is May 8, 2003, at 10 a.m. in the Tenth Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Persons with questions concerning this meeting should contact Lynn Rice, (717) 787-5236, mlrice@state.pa.us. The agenda and meeting materials for the meeting scheduled in May will be available through the Public Participation Center of the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us>.

Persons with a disability who require accommodation to attend this meeting should contact the Department at (717) 787-5236 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-627. Filed for public inspection April 4, 2003, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board Subcommittee on Vapor Intrusion Meeting

The Cleanup Standards Scientific Advisory Board, Subcommittee on Vapor Intrusion, will hold a meeting by teleconference call on April 11, 2003, at 1 p.m. in the 14th Floor Medium Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, to make final recommendations on the draft guidance document on vapor intrusion into buildings from soil and groundwater.

Questions concerning this meeting should be directed to Marilyn Wooding, (717) 783-7509, mwooding@state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at <http://www.dep.state.pa.us>.

Persons with a disability who require accommodations to attend this meeting should contact the Department at (717) 783-7509 or through the Pennsylvania AT&T Relay

Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-628. Filed for public inspection April 4, 2003, 9:00 a.m.]

Pennsylvania Association of Sewage Enforcement Officers Workgroup Meeting Cancellation

The meeting of the Pennsylvania Association of Sewage Enforcement Officers Workgroup scheduled for April 15, 2003, has been canceled. The next meeting is scheduled for October 7, 2003. For information, contact Milt Lauch, (717) 787-8184, mlauch@state.pa.us.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-629. Filed for public inspection April 4, 2003, 9:00 a.m.]

Pennsylvania Bituminous Mine Safety Advisory Committee Meeting Cancellation

The April 9, 2003, meeting of the Pennsylvania Bituminous Mine Safety Advisory Committee has been canceled. The next meeting is scheduled for July 9, 2003, at 10 a.m. in the Fayette County Health Center, Uniontown, PA.

Questions concerning this meeting should be directed to Allison Gaida, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7469, agaida@state.pa.us. The agenda and materials for this meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at www.dep.state.pa.us.

Persons in need of accommodations, as provided for in the Americans With Disabilities Act of 1990, should contact Allison Gaida at (724) 439-7469 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Acting Secretary

[Pa.B. Doc. No. 03-630. Filed for public inspection April 4, 2003, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

State Surplus Property

Under the provisions of section 510 of The Administrative Code of 1929 (71 P. S. § 190), the Department of General Services, State Surplus Property Program, is offering for sale to counties, boroughs, incorporated towns, cities and townships the following items:

| <i>Item</i> | <i>Make</i> | <i>Eq. No.</i> | <i>Location</i> |
|----------------------------|-------------|----------------|----------------------------|
| Self-Propelled Belt Loader | Athey | 103-5369 | PennDOT—Somerset, PA |
| Crawler Loader | John Deere | 137-1040 | PennDOT—Elizabethville, PA |
| Rubber Tire Roller | Galion | 677-2435 | PennDOT—Clarks Summit, PA |
| Tag Along Roller | Galion | 835-9435 | PennDOT—Clarks Summit, PA |
| Articulated Loader | John Deere | 054-2040 | PennDOT—Harrisburg, PA |
| Self-Propelled Belt Loader | Athey | 160-5369 | PennDOT—West Chester, PA |

| <i>Item</i> | <i>Make</i> | <i>Eq. No.</i> | <i>Location</i> |
|------------------------------|-------------|----------------|---------------------------|
| All Wheel Drive Excavator | Gradall | 107-6365 | PennDOT—Norristown, PA |
| Rubber Tire Loader | Case | 254-2056 | PennDOT—Carlisle, PA |
| Tag-a-long Roller | Galion | 900-9435 | PennDOT—Lemoyne, PA |
| Side Dozer Maintainer | Huber | 056-5683 | PennDOT—Lemoyne, PA |
| Articulated Grader | John Deere | 039-6678 | PennDOT—Kittanning, PA |
| Three Wheel Static Roller | Galion | 593-3435 | PennDOT—Kittanning, PA |
| Articulated Grader | Champion | 018-3682 | PennDOT—Montoursville, PA |
| Self-Propelled Belt Loader | Athey | 114-5369 | PennDOT—Montoursville, PA |
| Three Wheel Roller | Galion | 518-3435 | PennDOT—Bedford, PA |
| Three Wheel Roller | Galion | 567-3435 | PennDOT—Bedford, PA |
| Three Wheel Roller | Galion | 619-3435 | PennDOT—Bedford, PA |
| Three Wheel Roller | Galion | 645-3435 | PennDOT—Bedford, PA |
| Grader | John Deere | 011-6678 | PennDOT—Bedford, PA |
| Loader | John Deere | 042-2040 | PennDOT—Warren, PA |
| Grader | John Deere | 003-1678 | PennDOT—Warren, PA |
| Articulated All Wheel Loader | John Deere | 149-2040 | PennDOT—Montrose, PA |
| Articulated All Wheel Loader | Case | 379-2056 | PennDOT—Montrose, PA |
| 5 Ton Tandem Roller | Galion | 899-9435 | PennDOT—Gettysburg, PA |
| Tandem Excavator Gradall | Koehring | 011-6368 | PennDOT—Allentown, PA |
| Rubber Tire Roller | Galion | 680-2435 | PennDOT—Allentown, PA |
| Front End Loader | John Deere | 164-2040 | PennDOT—Allentown, PA |
| Hi Lift Loader | John Deere | 088-2040 | PennDOT—Huntingdon, PA |
| Hi Lift Loader | John Deere | 033-2040 | PennDOT—Huntingdon, PA |
| Tandem Roller | Galion | 836-9435 | PennDOT—Towanda, PA |
| Tandem Roller | Huber | 256-6432 | PennDOT—Ft. Littleton, PA |
| Front End Loader | John Deere | 126-2040 | PennDOT—Ft. Littleton, PA |
| Three Wheel Roller | Galion | 597-3435 | PennDOT—Ft. Littleton, PA |
| Loader | John Deere | 148-8040 | PennDOT—Ebensburg, PA |
| Backhoe/Loader Tractor | John Deere | 188-6040 | PennDOT—Ebensburg, PA |
| Articulated Grader | John Deere | 008-6678 | PennDOT—Punxsutawney, PA |

The items will be sold to the highest responsible bidder by sealed bid sale. Political subdivisions interested in procuring one or more of these items should contact the Department of General Services, State Surplus Property Division, 2221 Forster Street, Room G-12, Harrisburg, PA 17125, (717) 787-4085. Requests need to be made prior to the bid opening on April 17, 2003, at 1 p.m. to receive a bid packet.

DONALD T. CUNNINGHAM, Jr.,
Secretary

[Pa.B. Doc. No. 03-631. Filed for public inspection April 4, 2003, 9:00 a.m.]

DEPARTMENT OF HEALTH

Approval of Drugs which may be Used by Certain Optometrists

Under the Optometric Practice and Licensure Act (act) (63 P. S. §§ 244.1—244.12), and specifically as that act was amended by the act of December 16, 2002 (P. L. 1950, No. 225) (Act 225), the Secretary of Health (Secretary) has the authority to approve drugs for use in the practice of optometry as the “practice of optometry” is defined in Act 225. The State Board of Optometry, through the Secretary of State, provided the Secretary a list of drugs on January 8, 2003, and requested that the Secretary approve the use of those drugs. Act 225 requires that the Secretary, within 90 days of the receipt of the list of drugs, and in consultation with the Physician General, approve or disapprove for good cause each drug. The Secretary has found good cause to approve the use of the following drugs in the practice of optometry:

I. Drugs for Approval for Use by all Therapeutically Certified Optometrists

Topical Steroids

prednisolone
medrysone
fluorometholone

hydrocortisone
dexamethasone
rimexolone
loteprednol
triamcinolone

Oral Steroids

prednisone
methylprednisolone

Commercially available combinations of drugs approved for use by optometrists.

II. Drugs for Approval for use by Optometrists Certified to Treat Glaucoma

Beta Adrenergic Receptor Blocking Drugs

Nonselective

timolol
levobunolol
metipranolol
carteolol

Selective

betaxolol
levobetaxolol

*Cholinergic Receptor Agonists**Direct Acting*pilocarpine
carbachol*Indirect Acting*physostigmine
demecarium
echothiophate iodide*Adrenergic Receptor Agonists**Nonselective*epinephrine
dipivefrin*Selective Alpha 2 Agonists*apraclonidine
brimonidine*Topical Carbonic Anhydrase Inhibitors*dorzolamide
brinzolamide*Prostaglandin Analogs*eicosanoid derivatives
latanoprost
travoprost
bimatoprost
docosanoid derivatives
unoprostone

Commercially available combinations of drugs approved for use by optometrists.

The approval of the use of these drugs is effective upon publication in the *Pennsylvania Bulletin*.

Questions should be directed to John Hair, Director, Bureau of Community Program Licensure and Certification, 132 Kline Plaza, Suite A, Harrisburg, PA, 17104, (717) 783-8665.

Persons with a disability who require an alternative format of this document (for example, large print, audiotape or Braille) should contact John Hair at the number or address previously listed or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ROBERT S. MUSCALUS, D.O.,
Acting Secretary

[Pa.B. Doc. No. 03-632. Filed for public inspection April 4, 2003, 9:00 a.m.]

DEPARTMENT OF STATE

State Plan Advisory Board Meeting

On Friday, April 11, 2003, the State Plan Advisory Board (Board) will meet from 10 a.m. to 3 p.m. in Room 303, North Office Building, Harrisburg. The Board is responsible for developing a plan which details how the Commonwealth will use grants from the Federal government to meet the requirements of the Federal Help America Vote Act of 2002 and "to carry out other activities to improve the administration of elections." Persons wishing to attend should contact, by April 9, 2003,

Barbara Smotherman, (717) 787-3796, bsmotherma@state.pa.us.

BENJAMIN RAMOS,
Acting Secretary of the Commonwealth

[Pa.B. Doc. No. 03-633. Filed for public inspection April 4, 2003, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

National Railroad Passenger Corporation v. DEP; EHB Doc. No. 2003-065-K

National Railroad Passenger Corporation has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in the City of Philadelphia, Philadelphia County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 03-634. Filed for public inspection April 4, 2003, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Environmental Quality Board Meeting Cancellation

The April 15, 2003, Environmental Quality Board (Board) meeting has been canceled. The next meeting of the Board is scheduled for Wednesday, May 21, 2003, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg. An agenda and materials for this meeting will be available through the Public Participation Center on the Department of Environmental Protection's website at <http://www.dep.state.pa.us>.

Questions concerning the Board's next scheduled meeting should be directed to Michele Tate, (717) 783-8727, mtate@state.pa.us.

KATHLEEN A. MCGINTY,
Acting Chairperson

[Pa.B. Doc. No. 03-635. Filed for public inspection April 4, 2003, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(d) of the Regulatory Review Act (71 P. S. § 745.5(d)) provides that the designated standing Committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the Committee comment period. The Commission comments are based upon the criteria contained in section 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)).

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> |
|-----------------|---|---|-------------------------------------|
| 7-378 | Environmental Quality Board Small Sources of NOx, Cement Kilns and Large Internal Combustion Engines (32 Pa.B. 5178 (October 19, 2002)) | 12/26/02 | 3/20/03 |

—————

Environmental Quality Board Regulation No. 7-378 Small Sources of NOx, Cement Kilns and Large Internal Combustion Engines March 20, 2003

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Environmental Quality Board (EQB) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

1. EQB request in the Preamble for comment in three areas.—Economic impact; Feasibility; Reasonableness.

In the Preamble, Section I, Public Comments, the EQB specifically requests comment on three areas which are pertinent to the regulation. Each of the EQB's questions are discussed.

The EQB request for comment on §§ 129.201 and 129.202 that allow averaging emissions from two or more boilers to demonstrate compliance. Should these sections allow more flexibility or allow less flexibility?

Averaging

Sections 129.201(b) and 129.202(c) state the owner of two or more sources (boilers or stationary combustion

turbines, respectively) "may propose in writing to the Department to demonstrate compliance with this section by averaging emissions from the affected sources The Department will approve the averaging proposal in writing."

Commentators have stated that the flexibility of averaging is the most effective manner to achieve compliance. Our concern is that the regulation does not include the criteria the Department of Environmental Protection (Department) will use, and how that criteria will be applied, to decide whether to approve an averaging proposal. Given that these decisions will affect industry and competitiveness, definitive standards need to be established in this regulation.

We also have several questions regarding how averaging would be applied:

- On what basis would the average be calculated? Would the average be based on permitted hours of operation or actual hours? Could an owner average boilers and internal combustion engines together or must they be treated separately?
- How would ownership be established? How would joint ownership of a source be handled?
- Why is averaging limited to sources within the specified five county area? Should "upwind" sources also be included?

We agree that flexibility will allow more cost effective control of emissions. However, as written, the language of the proposed regulation regarding averaging lacks clarity and could be applied inconsistently. The regulation should:

- Specify the particular conditions and calculations for averaging emissions from multiple sources.
- Include or reference the process for reviewing an averaging proposal, the process for appeals and the process for an applicant to make amendments to respond to any concerns raised by the Department.
- Include timeframes for decisions on applications, given that this process will determine compliance or the need for an alternative strategy. If the review process takes too long or is overly complicated, a business whose averaging proposal is denied would need time to comply using an alternative strategy.

Purchasing Allowances

In regard to flexibility, the proposed regulation does not mention the purchase of allowances to attain compliance. For example, an owner of multiple sources is able to average under this proposed rulemaking, while an owner of a single source has no other option but strict compliance. The Department's NOx Budget Program allows units operating in the same region to comply by purchasing allowances. Why didn't the EQB include an option for sources to comply by purchasing allowances?

The EQB request for affected sources to submit detailed information concerning the technical feasibility of the proposed control requirements and potential cost to comply for the affected units in this Commonwealth.

Feasibility

Many commentators stated that they have already added emission controls under prior programs. As a result they argue that any further emission reductions from these sources would be minimal. Others commented that their sources only operate a few hours in a typical year.

Some commentators offered that the EQB's requirements were not technologically feasible. For example, operators of municipal waste combustors (MWCs) claim that the EQB's requirement for an additional reduction of approximately 51% cannot be achieved. Currently, an MWC meeting the maximum available control technology (MACT) requirements has a minimum efficiency of 9% to 58%.

Commentators claim the United States Environmental Protection Agency (EPA) does not intend to further regulate MWCs based on the EPA's October 21, 1998, proposed Federal Implementation Plan, which stated "municipal waste combustors should not be required to reduce emissions beyond that already required by the maximum achievable control technology rules for NO_x under Sections 111 and 129 of the Clean Air Act." The EQB needs to demonstrate that compliance is possible and determine what equipment will be needed to comply. In addition to technical feasibility, the EQB needs to demonstrate that technically feasible solutions are not cost prohibitive.

Potential Costs

Commentators provided calculations demonstrating that the required investment compared to the resulting emission reduction far exceeds the cost estimates in the EQB's Preamble, Section F, Benefits Costs and Compliance and Compliance Cost. In the Preamble, costs are presented as dollars per ton, but it is not clear what costs the EQB included in the estimates. It is also unclear what level of operation or reduction is required to achieve estimates in dollars per ton. Some commentators believe their costs per ton would be tens of thousands of dollars.

Some commentators included detailed capital and operating costs in their estimates. Using MWCs as an example, operators claim compliance with the proposed standard would cost approximately \$12,000 per ton of NO_x, compared with the EQB's estimate of \$1,500 to \$3,500 per ton. Additionally, another commentator stated the capital cost of a continuous emission monitoring system (CEMS) is more than \$150,000 with annual operating costs greater than \$50,000. Yet another commentator stated that the cost of CEMS effectively prevents sources from opting into the NO_x Budget Program.

In conclusion, on the EQB's question on technical feasibility and potential costs, for the sources selected in the final-form rulemaking, the EQB should:

- Describe the control equipment available to achieve compliance with the proposed rulemaking.
- Provide detailed estimates of the costs including a breakdown of components such as additional equipment needed to comply and the costs of monitoring and reporting.
- Provide a detailed explanation of how those costs were developed.
- Explain why the control of these sources is the most cost effective alternative for the Commonwealth to achieve compliance with the National Ambient Air Quality Standards (NAAQS).

The EQB request for comment on whether the regulation should apply Statewide and for the entire year.

A majority of the commentators disagree with applying these requirements Statewide and for the entire year. They are concerned that the costs for maintaining and enforcing the program will outweigh the environmental

benefits achieved and are not consistent with the intended purpose of this regulation.

The EQB's stated purpose of this rulemaking is to reduce ozone by reducing ozone season NO_x emissions. To expand this rulemaking to apply for the entire year is outside the stated purpose for this rulemaking. How would application of these standards Statewide and for the entire year bring the Commonwealth into compliance for the ozone months?

If the EQB decides to apply this regulation Statewide and for the entire year, the EQB needs to demonstrate why this is needed to comply with the NAAQS. In addition, the EQB would have to justify why these sources must comply outside the ozone season, while similar sources, such as those in the NO_x Budget Trading Program in Chapter 145, Subchapter A must comply only within the ozone season.

Advanced Notice of Final Rulemaking

If the EQB adds language to the final-form regulation in response to comments on these issues, it should consider either using a separate proposed rulemaking or publishing the language in an Advanced Notice of Final Rulemaking. Otherwise, the legislature, the public and the Commission will not have had an opportunity to review and comment on the specific regulatory language in comparison to the opportunity for comment on a proposed rulemaking.

2. Opt-in provisions.—Reasonableness.

This rulemaking appears to limit "opt-in" to two specific circumstances: § 129.201(a)(2) for boilers greater than 250 million Btu/hour and § 129.202(a)(2) for stationary combustion turbines greater than 250 million Btu/hour. "Opt-in" is not mentioned for the other sources affected by this rulemaking including stationary internal combustion engines, boilers less than 250 million Btu/hour and cement manufacturing. We note these sources may not meet the existing definition of "unit" in § 145.2, which may in turn preclude them from the "opt-in process" in existing Chapter 145. Why didn't the EQB include amendments in this rulemaking that would allow these other sources to "opt-in"?

3. Compliance by the May 1, 2005 deadline.—Reasonableness; Feasibility; Need.

In §§ 129.201(a), 129.202(a), 129.203(b), 145.113, 145.143 and 145.144(a)(1), the EQB imposes a compliance deadline of "May 1, 2005." Commentators have stated that it will be difficult to comply by that deadline. For example, commentators stated that planning, construction and installation of control equipment and CEMS could take 18 months to 3 years. The EQB should explain why this deadline is reasonable, feasible and necessary.

4. Exemptions.—Need; Economic impact; Exempting smaller sources; Reasonableness; Feasibility.

The EQB has exempted emergency gas turbines and fire-fighting turbines in § 129.202(b). Has the EQB considered further exemptions for units that are not run for many hours in the ozone season such as electric generation peaking units, emergency back up generators and power generation sources used for research, development and testing purposes? Compliance with this proposed rulemaking may not be feasible given the cost of compliance versus the amount of actual time these energy sources are used. We also question how many tons of reduction these sources represent and the cost per ton for them to comply. The EQB should explain the need to regulate these sources and why this is cost effective.

5. Section 121.1. Definitions.—Reasonableness; Consistency with existing statutes.

Stationary internal combustion engine

This definition applies to any stationary internal combustion engine that is “carried or moved from one location to another and remains at a single site at a building, structure, facility or installation *for more than 30 days.*” (Emphasis added.) A commentator interprets section 209(e) of the Clean Air Act (42 U.S.C.A. § 7543(e)) as requiring installation for 12 months. The commentator notes that the definition of “nonroad engine” in 40 CFR 90.3 uses the timeframe of 12 months. Why did the EQB use 30 days?

Chapter 129. Standards for Sources.

6. General.—Economic and fiscal impact; Feasibility; Reasonableness.

Waste to energy facilities.

Commentators have argued that MWCs should be exempt from the requirements of this rulemaking for reasons including: the difficulty of predicting emissions due to the variability of fuel; the facilities have already implemented MACT; the limits set by this regulation may not be achievable; and these facilities provide other environmental benefits. The EQB should explain why these facilities were chosen for further reductions. Additionally, the EQB should explain what equipment will work at these facilities to achieve compliance and provide the associated costs of installation and operation of this equipment.

7. Section 129.201. Standards for boilers; Section 129.202. Standards for stationary combustion turbines; and Section 129.203. Standards for stationary internal combustion engines.—Clarity.

Sections 129.201(b), 129.202(c) and 129.203(c) state “The Department *will* approve the averaging proposal in writing.” (Emphasis added.) The word “will” implies all proposals will be approved. If the Department intends to exercise discretion, these provisions should be rewritten to state proposals will be considered and that Department action will be in writing.

8. Section 129.203. Standards for stationary internal combustion engines.—Feasibility; Reasonableness.

Subsection (b)(1)

This paragraph requires an emission limit “for a spark-ignited engine of 1.5 grams of NO_x per brake horsepower-hour.” A commentator has stated that this standard is technically infeasible, and will not be met on most lean burn engines. Further, an engine control efficiency average close to 3.0 grams of NO_x per brake horsepower-hour is feasible and would result in an 82% NO_x reduction. The EQB should explain how the 1.5 grams of NO_x per brake horsepower-hour could be met.

9. Section 145.115. Reporting, monitoring and recordkeeping.—Need; Feasibility; Reasonableness.

Subsection (c)

This subsection states that an owner or operator of a unit subject to compliance shall “maintain records necessary to demonstrate compliance... at the facility at which the unit is located.” Is it necessary to keep the records at the facility? The EQB should explain the need for onsite recordkeeping requirements as opposed to allowing a source to keep records at a centralized location.

10. Section 145.143. Standard requirements.—Feasibility; Economic impact.

One commentator explained why low NO_x burners are not technically feasible or cost effective. As stated in our earlier comment on feasibility, the EQB needs to demonstrate that compliance is possible and what equipment will be needed to comply. In addition to technical feasibility, the EQB needs to also demonstrate that technically feasible solutions are not cost prohibitive.

Commentators have stated that the alternative control allowed in paragraph (3) is overly restrictive because it is based on actual 1990 emissions. Commentators believe the regulation should allow an uncontrolled 1990 baseline. Why did the EQB use the actual 1990 emissions?

11. Section 145.144. Reporting, monitoring and recordkeeping.—Reasonableness.

Subsection (b) requires CEMS, but does not allow any alternatives. Chapter 145 allows other sources the opportunity to use alternatives to CEMS, including proposed § 145.115(b)(1)(ii). Why did the EQB foreclose the opportunity for cement kilns to comply using an alternative monitoring method?

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-636. Filed for public inspection April 4, 2003, 9:00 a.m.]

Notice of Deemed Approved

On March 6, 2003, the following regulation was deemed approved under sections 5.1(e) and 6.6(a) of Regulatory Review Act (71 P. S. §§ 745.5a(e) and 745.6(a)).

Department of Revenue #15-416: Master Settlement Agreement (amends 61 Pa. Code Chapters 71 and 85).

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-637. Filed for public inspection April 4, 2003, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

| <i>Final-Form Reg. No.</i> | <i>Agency/Title</i> | <i>Received</i> |
|--------------------------------|---|-----------------|
| 64-3 | Treasury Department Estimation Calculations for Determining Unclaimed Property Liability | 3/26/03 |

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-638. Filed for public inspection April 4, 2003, 9:00 a.m.]

INSURANCE DEPARTMENT

[Correction]

HealthAmerica; Eastern and Western Service Areas; Rate Filing

An error occurred in an Insurance Department notice published at 33 Pa.B. 1429 (March 15, 2003). The correct version appears as follows, with ellipses referring to the existing text of the notice:

* * * * *

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg and Pittsburgh Regional Offices.

All interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

(*Editor's Note:* The comment period expired on March 30, 2003.)

[Pa.B. Doc. No. 03-481. Filed for public inspection March 14, 2003, 9:00 a.m.]

Alleged Violation of Insurance Laws; Roman and Janet Gutman; Doc. No. SC01-03-036

Notice is hereby given of the Order to Show Cause issued on March 25, 2003, by the Deputy Insurance Commissioner in the previously referenced matter. Violation of the following is alleged: sections 604, 605, 622, 631 and 639 of The Insurance Department Act of 1921 (40 P. S. §§ 234, 235, 252, 271 and 279) and 31 Pa. Code §§ 37.11, 37.12, 37.17, 37.37 and 37.45—37.48.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If Respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency ADA Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-639. Filed for public inspection April 4, 2003, 9:00 a.m.]

Lynn Konchanin, M.D.; Prehearing

Appeal of Lynn Konchanin, M.D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-03-015

The proceeding in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for April 22, 2003, at 2 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 26, 2003. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 7, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before April 14, 2003.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-640. Filed for public inspection April 4, 2003, 9:00 a.m.]

Life and Health Insurance Company of America; Rate Filing

The Life and Health Insurance Company of America is requesting approval to increase its premium 30% for the Long Term Care policy Form LHA-5400. The increase will affect 138 policyholders in this Commonwealth.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 15 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-641. Filed for public inspection April 4, 2003, 9:00 a.m.]

Mercer Mutual Insurance Company; Public Informational Hearing; Plan of Conversion

The Insurance Department (Department) will hold a public informational hearing regarding the proposed Plan of Conversion (plan) submitted by Mercer Mutual Insurance Company (Mercer Mutual), a Pennsylvania domiciled mutual casualty insurance company. The proposed plan provides for conversion of Mercer Mutual from a Pennsylvania mutual casualty insurance company to a Pennsylvania stock casualty insurance company. In furtherance to the transaction, Mercer Insurance Group, Inc., a Pennsylvania domiciled corporation, submitted a request for approval to acquire control of all of the authorized capital stock of Mercer Mutual upon consummation of the previously referenced conversion. The plan was submitted for approval under the Insurance Company Mutual-to-Stock Conversion Act (act) (40 P. S. §§ 911-A—929-A) and the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Policyholders and interested persons are invited to attend and participate in the hearing. Individuals may attend the hearing without any obligation to speak at the hearing.

1. *Date and Time:* May 15, 2003, at 9 a.m.
2. *Location:* Capitol Associates Building, 901 North 7th Street, Room 200, Harrisburg, PA 17102.
3. *Nature of Hearing:* The public informational hearing will provide an opportunity for policyholders and interested persons to present comments relevant to the proposed plan. The proceeding will be recorded and a transcript may be purchased directly from the court reporter.
4. *Legal Authority:* The public informational hearing will be held under the act.
5. *ADA Notice:* Individuals who require the assistance of auxiliary aids or services to participate in or attend this public informational hearing should contact Tracey Pontius, Director of the Bureau of Administration, (717) 787-4298. Hearing impaired persons should call the Department's TTY/TDD (717) 783-3898.
6. *Written Comments:* Persons unable to attend the public informational hearing or persons who prefer to submit written comments instead of speaking at the hearing should submit comments to Robert E. Brackbill, Jr., Chief, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us. Comments received will be part of the public record regarding this filing.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-642. Filed for public inspection April 4, 2003, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II

(relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

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

Appeal of Richard C. and Terry R. Johnson; file no. 02-03-188-01443; Erie Insurance Exchange; doc. no. P03-03-017; May 6, 2003, 10 a.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of William T. and Linda E. Miller, III; file no. 03-215-00483; Travelers Insurance Company; doc. no. PH03-03-019; May 14, 2003, 12:30 p.m.

Appeal of Jeffrey and Pamela M. Nason; file no. 03-280-00525; Erie Insurance Exchange; doc. no. PH03-02-020; May 15, 2003, 9 a.m.

Appeal of Herbert Odell; file no. 02-280-06764; Chubb Insurance Company; doc. no. PH03-02-019; May 15, 2003, 10 a.m.

Appeal of Cathleen L. Palm and Larry Rittle; file no. 03-193-01591; Erie Insurance Exchange; doc. no. PH03-03-016; May 15, 2003, 11 a.m.

Appeal of Margaret M. Zeidler; file no. 03-210-00466; Erie Insurance Exchange; doc. no. PH03-03-020; May 15, 2003, 12:30 p.m.

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

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

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

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the

hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-643. Filed for public inspection April 4, 2003, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

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

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Edward W. and Susan C. Constant, III; file no. 03-03-70261; Liberty Mutual Fire Insurance Company; doc. no. PI03-03-018; April 28, 2003, 8:30 a.m.

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

Appeal of Joseph and Linda Shomoskie; file no. 03-188-02059; National Grange Mutual Insurance Company; doc. no. P03-03-025; May 6, 2003, 1:30 p.m.

Appeal of Rudolph J. Dermo, Jr. and Jodi I. Buchinski; file no. 03-181-00682; Peerless Insurance Company; doc. no. P03-03-024; May 7, 2003, 1:30 p.m.

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

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

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-644. Filed for public inspection April 4, 2003, 9:00 a.m.]

Robert Packer Hospital; Hearing

Appeal of Robert Packer Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-03-014

The proceeding in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for April 24, 2003, at 9:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 26, 2003. A hearing shall occur on May 13, 2003, at 10:30 a.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 1, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before May 8, 2003.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-645. Filed for public inspection April 4, 2003, 9:00 a.m.]

Elaine C. Turcan, D.O.; Prehearing

Appeal of Elaine C. Turcan, D.O. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-03-013

The proceeding in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for April 23, 2003, at 1:30 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 26, 2003. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before April 9, 2003, with the Hearings Administrator, Administrative Hearings Office,

Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before April 16, 2003.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-646. Filed for public inspection April 4, 2003, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine & Spirits Shoppe #0216, 104 East Main Street, Carnegie, PA 15106-2429.

Lease Expiration Date: March 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,600 net useable square feet of new or existing retail commercial space in the Central Business District of Carnegie. Site must have access for rear tractor trailer delivery.

Proposals due: April 25, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

Allegheny County, Wine & Spirits Shoppe #0285, Hampton Plaza, 4760 William Flynn Highway, Allison Park, PA 15101-2413.

Lease Expiration Date: March 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space in a shopping center environment located on Route 8 between Wildwood Road and the Pennsylvania Turnpike.

Proposals due: April 25, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Joseph J. Molhoek, (412) 565-5130
JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 03-647. Filed for public inspection April 4, 2003, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, announces a meeting of the Authority's 11 member board to be held on April 14, 2003, at 9:30 a.m. at the Wildwood Conference Center, Harrisburg Area Community College, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Patient Safety Authority, (717) 346-0469.

ALAN B.K. RABINOWITZ,
Administrator

[Pa.B. Doc. No. 03-648. Filed for public inspection April 4, 2003, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest should 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, on or before April 28, 2003. 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-00119643. Robert J. Meinzer t/d/b/a Independent Taxi (523 Green Ridge Street, Scranton, Lackawanna County, PA 18509)—persons upon call or demand in the County of Lackawanna.

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-00110608, Folder 2. Salgals, Inc. t/d/b/a American Taxi (P. O. Box 60402, Harrisburg, Dauphin County, PA 17106-0402), a Pennsylvania corporation—additional

right—persons upon call or demand in the Counties of Cumberland, Dauphin and York.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-649. Filed for public inspection April 4, 2003, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #02-152.1, Furnish and Install Two Overhead Doors and Twelve Man Doors, Piers 38 and 40 South, until 2 p.m. on Thursday, April 24, 2003. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available April 7, 2003. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

A mandatory prebid job site meeting will be held April 17, 2003, 10 a.m. at Pier 40 South, Columbus Blvd. and Christian St., Philadelphia, PA 19147.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 03-650. Filed for public inspection April 4, 2003, 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:

| | | |
|---------------|---|-----------|
| May 7, 2003 | Kerie Nichole (Class T-D) | 1 p.m. |
| May 28, 2003 | Marguerite Labelle (Purchase of Service) | 1 p.m. |
| | Joyce Hughes (Purchase of Service) | 2:30 p.m. |
| June 11, 2003 | Ethel B. Norcini (Final Average Salary) | 1 p.m. |
| | Paul Robert Barbadoro (Class T-D) | 2:30 p.m. |

Persons with a disability who wish to attend the previously 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.

DALE H. EVERHART,
Secretary

[Pa.B. Doc. No. 03-651. Filed for public inspection April 4, 2003, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Valerie A. Washington, LPN; Doc. No. 0421-51-02

On February 14, 2003, the State Board of Nursing (Board) revoked the practical nursing license of Valerie A. Washington, LPN, license number PN-252774-L.

A copy of the adjudication may be obtained by writing to Teresa Lazo-Miller, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

JANET HUNTER SHIELDS, MSN, CRNP, CS,
Chairperson

[Pa.B. Doc. No. 03-652. Filed for public inspection April 4, 2003, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

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:

- May 5, 2003 Gloria M. Schleicher 1 p.m.
 (Independent Contractor
 Retirement Credit)
- May 7, 2003 Daniel J. McGlynn 1 p.m.
 (Purchase of Military Service)
- May 13, 2003 Michael J. Pars 1 p.m.
 (Disability after Retirement)
- May 14, 2003 Ronald L. Mangus (D) 1 p.m.
 (Change Retirement Option
 Selection)
- May 21, 2003 Barbara Marinucci 1 p.m.
 (Disability after Retirement)

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 § 250.01 (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.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 03-653. Filed for public inspection April 4, 2003, 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 | ③ Contract Information |
| Location: | Harrisburg, Pa. | ④ Department |
| Duration: | 12/1/93-12/30/93 | ⑤ Location |
| Contact: | Procurement Division 787-0000 | 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

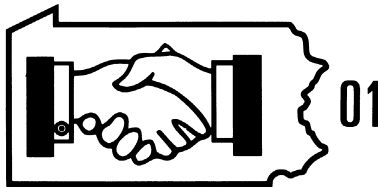
GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

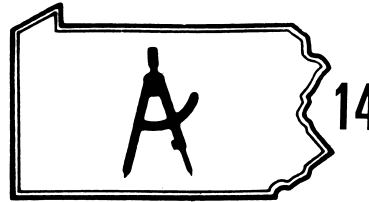
SERVICES



Advertising

03-141-2671 Request for proposals to provide the Pennsylvania Turnpike Commission design, layout and printing services for the "Turnpike Traveler" customer newsletter. The publication is issued three times per year using a web process and printed on newsprint. The contractor will also be required to provide a four color offset poster for each edition and make delivery of the newsletters/posters to approximately 50 locations across the Turnpike System. The RFP will be issued on April 7, 2003; a MANDATORY pre-proposal conference will be held on April 23, 2003; and closing date for receipt of proposals is May 9, 2003. Copies of the RFP can be obtained by calling 717-939-9551, extension 3040.

Department: Turnpike Commission
Location: PTC Central Office, Highspire, PA
Duration: Three-year contract with option for two 1-year renewals.
Contact: Carl DeFebo, (717) 939-9551 ext 2934



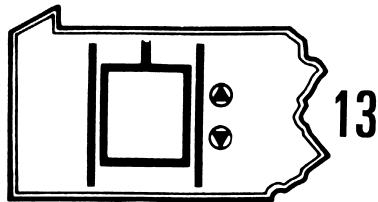
Engineering Services

PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us.

Department: Transportation
Location: Various
Contact: www.dot2.state.pa.us

SU-02-27 OPEN ENDED PROFESSIONAL DESIGN SERVICES. Shippensburg University of the State System of Higher Education will select one or more firms for the purpose of providing open ended professional design services. Interested professionals should obtain a Request for Proposals (RFP) by faxing a request to Deborah K. Martin, Director of Purchasing and Contracting, Shippensburg University, 1871 Old Main Drive, Shippensburg, PA 17257-2299 or FAX: 717-477-4004. RFP submittals are due no later than 4 p.m. on April 30, 2003. Shippensburg University intends to develop a pool of professional firms to provide a full range of architectural and engineering services for the University. The University will consider any and all proposals in response to this RFP regardless of the type or size of the firm, firms with full service capability or firms who specialize in a specific discipline or area of expertise, such as testing services, industrial hygiene, environmental remediation, indoor air quality, telecommunications, coal-fired steam plants, electrical distribution systems, heating, ventilation, and air-conditioning systems, etc. In order to insure responsiveness of firms, the professional must be located less than 200 miles from Shippensburg University. The University reserves the right to select more than one firm to render services from this RFP and to contract for like or similar services exclusive from this RFP. The System encourages responses from small firms, minority firms, woman owned firms and firms which have not previously worked for the System and will consider joint ventures which will enable these firms to participate in System professional services contracts. Non-Discrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

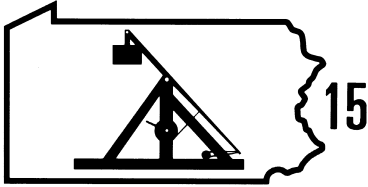
Department: State System of Higher Education
Location: Shippensburg University, Shippensburg, PA 17257
Duration: Two-year period, with options to renew for an additional two option periods.
Contact: Deborah K. Martin, (717) 477-1121



Elevator Maintenance

FM-8616 Furnish all labor, materials, and equipment to provide a complete service and preventive maintenance program for one passenger elevator. Services shall include monthly scheduled preventive maintenance and servicing on the unit including all necessary additional service calls that are required.

Department: State Police
Location: Troop G, Hollidaysburg, 1510 N. Juniata Street, Hollidaysburg, PA 16628
Duration: July 1, 2003, through June 30, 2006
Contact: Stacey Logan-Kent, (717) 705-5952



Environmental Maintenance Service

BF 438-102.1 Abandoned Mine Land Reclamation Project, Avery Coal Company, Inc., Mining Permit No. 4675SM13. Principal items of work include 42,160 c.y. grading, 690 c.y. ditch excavation, 2,750 s.y. calcareous rock lining with filter material, 17,780 s.y. impervious lining (PVC), 560 ton roadway surface material, 308 l.f. corrugated polyethylene pipe, 900 l.f. subsurface drain, 15,180 ton aggregate (high CaCo3 content), 13,710 l.f. polyvinyl chloride (PVC) pipe, 6 each gate valves, 15 each ball valves, 2 each H-Flumes, 2 each concrete vaults with siphons, 6,000 c.y. special material handling, 12,200 c.y. spent mushroom compost and 7 acres seeding. This project issues on April 4, 2003, and bids will be opened on April 22, 2003, at 2 p.m. Payment in the amount of \$15.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Beech Creek Township, Clinton County
Duration: 420 calendar days after notice to proceed. Actual time required up to 120 calendar days will be added if a NPDES Individual Permit is applied for and received.
Contact: Construction Contracts Section, (717) 783-7994

BF 474-101.1 Abandoned Mine Land Reclamation Project, E & J Contracting Company, Mining Permit Nos. 1202-12, 12A, 13. The principal items of work and approximate quantities are backfilling of ponds, 110 acres minor grading, 12,000 s.y. high velocity erosion control mulch blanket and 110 acres seeding. This project issues April 4, 2003, and bids will be opened on April 24, 2003, at 2 p.m. Payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Dunbar Township, Fayette County
Duration: 300 calendar days after notice to proceed.
Contact: Construction Contracts Section, (717) 783-7994

OSM 11(3576)101.1 Abandoned Mine Land Reclamation Project, Brubaker Run. Principal items of work and approximate quantities are 180 l.f. rock underdrain, 156,180 c.y. grading, 14.8 acres seeding and 1,020 tons alkaline addition (limestone screenings and/or reline). This project issues April 4, 2003, and bids will be opened April 29, 2003, at 2 p.m. Payment in the amount of \$10.00 must be received before bid documents will be sent.

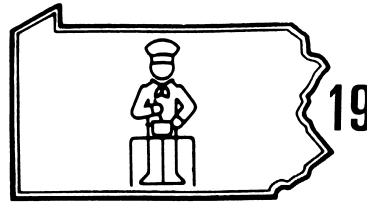
Department: Environmental Protection
Location: Elder Township, Cambria County
Duration: 240 calendar days after notice to proceed. Actual time required up to 120 calendar days will be added if the contractor applies for and receives an NPDES Individual Permit.
Contact: Construction Contracts Section, (717) 783-7994

BF 401-101.1 Abandoned Mine Land Reclamation Project, Westport Mining Company, Mining Permit No. 1779132. The principal items of work include 11.8 acres grading, 17 acres selective grading, 4,280 l.f. ditch removal, 4 each monitoring well sealing, 160 c.y. ditch excavation, 150 s.y. rock lining with filter material, 150 l.f. subsurface drain and 34 acres seeding. This project issues on April 4, 2003, and bids will be opened April 22, 2003. Payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Gulich Township, Clearfield County
Duration: 180 calendar days after notice to proceed.
Contact: Construction Contracts Section, (717) 783-7994

BF 462-101.1 Abandoned Mine Land Reclamation Project, B&D Coal Company, Mining Permit No. 3072SM2. Principal items of work are two sites, limestone upflow pond construction, 2 each H-Flumes, pond construction for two stabilization ponds, 2 each settling pond/wetland, and a drinking water pond, 2,000 c.y. ditch excavation, 2,100 s.y. rock lining, 5,000 l.f. access roads, 5 acres seeding, 2,100 l.f. right-of-way fence, and 1,400 c.y. impervious soil lining. This project issues on April 4, 2003, and bids will be opened on April 29, 2003, at 2 p.m. Payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Venango Township, Butler County
Duration: 180 calendar days after notice to proceed.
Contact: Construction Contracts Section, (717) 783-7994



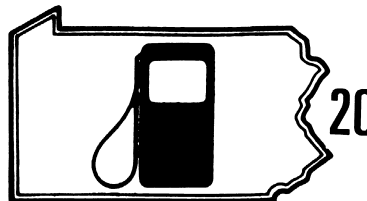
Food

633675 Misc. Foods to be provided to Warren State Hospital for Quarter ending June 2003.

Department: Public Welfare
Location: Warren State Hospital, 33 Main Dr., N. Warren, PA 16365-5099
Duration: April 2003—June 2003
Contact: Bobbie Muntz, PA III, (814) 726-4496

633680 Juice, Juice Drinks, express-packed Frozen, Unsweetened, prepared from 100% pure fresh juice or 100% pure juice processed from concentrate. Contractor to provide one dispensing equipment system free of charge.

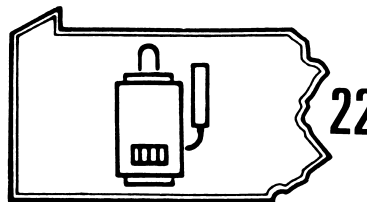
Department: Public Welfare
Location: Warren State Hospital, 33 Main Dr., N. Warren, PA 16365-5099
Duration: 05/01/03—03/31/05
Contact: Bobbie Muntz, PA III, (814) 726-4496



Fuel Related Services

SBC-404946 Kutztown University is seeking bids from qualified vendors capable of providing service of dining services hoods to include full service cleaning, preventive maintenance, and certification of water fire suppression systems. Interested vendors must submit a request (in writing) for a copy of the bid package to: Kutztown University, Attn: Craig Kleinsmith, Purchasing Department, P. O. Box 730, Kutztown, PA 19530; FAX: (610) 683-4674; or e-mail: kleinsmi@kutztown.edu. Bid packages will be available from 8 a.m. on Monday, April 7, 2003, through 12 Noon on April 18, 2003. Technical questions may be directed to Ms. Camille Bartlett at (610) 683-1314. Contracting questions may be directed to Craig Kleinsmith at (610) 683-4774. Bids are due by 12:00 Noon Friday, May 2, 2003. Late submissions will not be accepted.

Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA
Duration: 12 Months after NTP
Contact: Craig Kleinsmith, (610) 683-4774



HVAC Services

461471 Vendor shall provide maintenance for gas fired heating and air conditioning systems at the listed location for the length of the contract period.

Department: Transportation
Location: Equipment Division, 17th St. and Arsenal Blvd., Harrisburg, PA 17120
Duration: 08/01/03—07/31/04 with one 1-year renewal
Contact: Sherri Linen, (717) 787-3959

30013861 To provide regular and emergency repair services for generators located on facility, to include supplies as needed; 24 hour service required.

Department: Public Welfare
Location: South Mountain Restoration Center, 10058 South Mountain Road, South Mountain, PA 17261
Duration: July 1, 2003, to June 30, 2008
Contact: Jan Blocker, (717) 749-4030



Janitorial Services

FM-8552 Furnish materials, equipment, and labor to perform janitorial services three visits per week at the Troop E, Erie Headquarters and Annex. The detailed work schedule and bid specifications will be forwarded upon notification of request to quote from the Facility Management Division.

Department: State Police
Location: Troop E, Erie Headquarters and Annex, 4320 Iroquois Avenue, Erie, PA 16514
Duration: July 1, 2003, through June 30, 2006
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8609 Furnish materials, equipment, and labor to perform janitorial services three visits per week at the Troop D, Kittanning Station. The detailed work schedule and bid specifications will be forwarded upon notification of request to quote from the Facility Management Division.

Department: State Police
Location: Troop D, Kittanning Station, RD #3, Box 49, Kittanning, PA 16201
Duration: July 1, 2003, through June 30, 2006
Contact: Stacey Logan-Kent, (717) 705-5952

FM-8599 Furnish materials, equipment, and labor to perform janitorial services three visits per week at the Troop A, Somerset Station. The detailed work schedule and bid specifications will be forwarded upon notification of request to quote from the Facility Management Division.

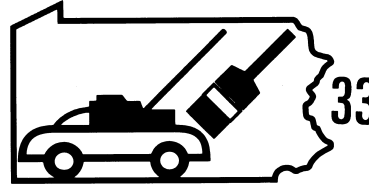
Department: State Police
Location: Troop A, Somerset Station, 142 Sagamore Street, Somerset, PA 15501-8356
Duration: July 1, 2003, through June 30, 2006
Contact: Stacey Logan-Kent, (717) 705-5952



Medical Services

30776004 To provide ophthalmology services, initial consultations, follow-ups, screening tests and glasses if needed. A copy of the bid packet can be obtained by contacting the purchasing department at (610) 740-3425 or FAX at (610) 740-3424.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498
Duration: 7/1/03 to 6/30/07
Contact: Robert Mitchell, (610) 740-3425



Property Maintenance

CL-574, Upgrade HVAC, Maverick-Boyd Clarion University of Pennsylvania is soliciting bids for replacement of up to 34 existing through wall HVAC units and the addition of a ducted HVAC system servicing 1,000 square feet. Construction will be during the summer, at a time when classroom occupation will be at a minimum. This project includes replacement/addition of individual pneumatic temperature controls, electric disconnection/hookup, all patching, painting, etc. One prime contract will be awarded for HVAC construction. **BID PACKAGES WILL NOT BE AVAILABLE UNTIL THE WEEK OF MARCH 31ST.** Check payable to Clarion University, in the amount of \$20 non-refundable, may be mailed to the attention of Judy McAninch, Contract Specialist, 218 Carrier Hall, Clarion University, Clarion, PA 16214. Pre-Bid meeting: 10:00 A.M., April 9, 2003. Bids Due: 2:00 P.M., April 22, 2003.

Department: State System of Higher Education
Location: Clarion University, Clarion County, Clarion, PA
Duration: 90 Days from Notice to Proceed
Contact: Judy McAninch, Contract Specialist, (814) 393-2240

KURFP-0053 This Request for Proposal (RFP) contains information and instructions to enable interested vendors to prepare and submit proposals and accompanying material for consideration by Kutztown University to satisfy its need for continuing moving services in support of new construction and renovation projects. RFP packages are available for a nonrefundable fee of \$15.00 from: Barbara Barish, Contract Specialist, Kutztown University, Office of Planning and Construction, P.O. Box 730, Kutztown, PA, 19530, Phone: (610) 683-4602, email: loguebar@kutztown.edu. RFP packages are available March 31, 2003. There will be no Pre-proposal Meeting. All questions regarding this RFP are to be submitted in writing on or before April 16, 2003, by the close of business. Proposals are to be received no later than 3:00 PM, April 30, 2003, in Room 229, Office of Planning and Construction. Nondiscrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

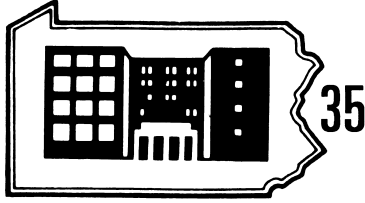
Department: State System of Higher Education
Location: Kutztown University, Kutztown, PA 19530
Duration: 1 year from Notice to Proceed with 4 renewal options
Contact: Barbara Barish, (610) 683-4602

053A09 This contract is intended to provide grounds maintenance (mowing, shrub trimming, snow removal) for acquired properties associated with the Lehigh County 222-002 Improvement Project. Thirty eight properties of varying size are anticipated to be maintained under the proposed contract. The contract will be for one year, with the option to renew for an additional year.

Department: Transportation
Location: Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103
 Attn: R/W unit
Duration: 1 year contract, with option to renew for an additional year; anticipated start date, May 2003
Contact: Kenneth S. Kutchinsky, (610) 798-4271

CL-575 Upgrade HVAC, Stevens/Special Ed. Annex Clarion University is soliciting bids for the replacement of up to 11 existing through wall HVAC units, addition of a ducted central HVAC system, supply and installation of a chilled water system, and upgrading of powered roof exhaust fans. Construction will be during the summer, at a time when the building occupation will be at a minimum for Stevens Hall, which will receive the powered roof exhaust fans. Special Education Annex will be vacated during the summer to allow the installation of the HVAC units and the ducted central HVAC system. This project includes replacement/addition of individual pneumatic temperature controls, electric disconnection/hookup, all patching, painting, etc. All work will be completed under a singular HVAC contract. **BID PACKAGES WILL NOT BE AVAILABLE UNTIL WEEK OF MARCH 31ST.** Check payable to Clarion University, in the amount of \$20 non-refundable, may be mailed to the attention of Judy McAninch, Contract Specialist, 218 Carrier Hall, Clarion University, Clarion, PA 16214. Pre-Bid meeting: 1:00 P.M., April 9, 2003. Bids Due: 2:00 P.M., April 23, 2003.

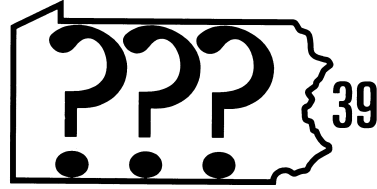
Department: State System of Higher Education
Location: Clarion University, Clarion County, Clarion, PA
Duration: 90 Days from Notice to Proceed
Contact: Judy McAninch, (814) 393-2240



Real Estate Services

SR 0268 Section 190 Notice is hereby given that the Department of Transportation, pursuant to 71 P.S. S513(e)(7), intends to sell certain land owned by it. The following is a list of the property available for sale by the Department: 1) Parker City, Armstrong County: The parcel contains 5,564.01 square feet of unimproved land situated at Bluff Street Extension, Parker, PA 16049. Estimated fair market value is \$3,000. 2) Parker City, Armstrong County: The parcel contains 4,449 square feet of unimproved land situated at Bluff Street Extension, Parker, PA 16049. Estimated fair market value is \$800. Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to: Allen R. Simmons, Pennsylvania Department of Transportation, Engineering District 10-0, 2550 Oakland Avenue, Indiana, PA 15701-0429, (724) 357-4807.

Department: Transportation
Location: Parker City, Armstrong County, PA
Duration: 30 Days
Contact: Allen R. Simmons, (724) 357-4807



Miscellaneous

2003-ACEA-1 PennSERVE announces the availability of grant funding for the operation of AmeriCorps Education Awards only programs. Grant funds provided under the program are minimal. Eligible nonprofit organizations can request up to \$400 per Full Time Equivalent (FTE) members that they propose to enroll. Applicants must have the capacity to provide service opportunities for at least ten members who serve not less than 300 hours within a calendar year. Members who successfully serve their term of service are eligible for an education award. Applications are due to the PennSERVE office no later than 4:00 PM on Wednesday, April 9th, 2003. Applications can be requested by calling PennSERVE at 717-787-1971 or by e-mail at pennserve@state.pa.us.

Department: Labor and Industry
Location: PennSERVE; The Governor's Office of Citizen Service, 1306 Labor and Industry Bldg., Seventh and Forster Streets, Harrisburg, PA 17120
Duration: One year upon award
Contact: Harry Krot, (717) 787-1971

[Pa.B. Doc. No. 03-654. Filed for public inspection April 4, 2003, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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DONALD T. CUNNINGHAM, Jr.
Acting Secretary

STATE CONTRACTS INFORMATION

Special Notice

Effective February 1, 2003, the contract awards issued by the Department of General Services (Department), Bureau of Purchases, will no longer be published in the *Pennsylvania Bulletin*. This information will continue to be available on the Department's website at www.dgs.state.pa.us, DGS KEYWORD "Procurement Awards."

DONALD T. CUNNINGHAM, Jr.,
Secretary

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