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# PENNSYLVANIA BULLETIN

Volume 34

Number 17

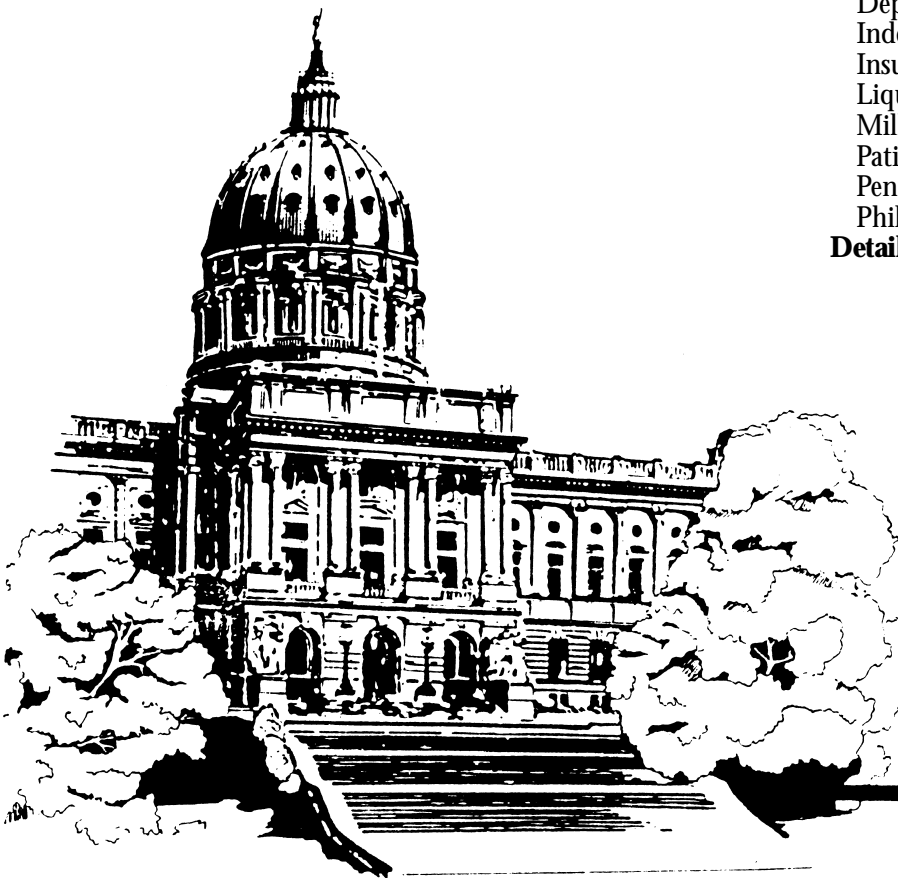
Saturday, April 24, 2004 • Harrisburg, Pa.

Pages 2155—2278

**Agencies in this issue:**

The Governor  
The General Assembly  
The Courts  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Labor and Industry  
Department of Revenue  
Independent Regulatory Review Commission  
Insurance Department  
Liquor Control Board  
Milk Marketing Board  
Patient Safety Authority  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority

**Detailed list of contents appears inside.**



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

**No. 353, April 2004**

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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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 2004.

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# THE GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER 2003-8]

#### Governor's Advisory Commission on Asian-American Affairs

June 22, 2003

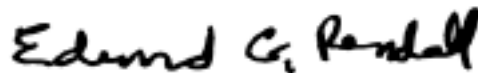
*Whereas*, the number of Asian-Americans and Asian-American businesses in the Commonwealth of Pennsylvania continues to grow rapidly, and the Asian-American community remains a vital part of the cultural, social, and economic environment of the Commonwealth; and

*Whereas*, Asian-American business, technological and educational communities have expressed great interest in doing business and pursuing educational studies in the Commonwealth of Pennsylvania and wish to be instrumental in the revitalization of the economy of the Commonwealth, including the creation of jobs and increased revenues; and

*Whereas*, a bridge is needed to accommodate the connection between the vast array of human and informational resources offered by world leaders in information technology, biotechnology, and other industries in Asia and the Asian-American business community in the Commonwealth of Pennsylvania; and

*Whereas*, a forum is required within which the unique needs and issues of concern that are prevalent in the Asian-American community and of value and great importance to all of the citizens of the Commonwealth of Pennsylvania can be articulated and addressed.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish, in the Office of the Governor, the Governor's Advisory Commission on Asian-American Affairs (hereinafter referred to as "Commission") as the Commonwealth's advocate agency for its Asian-American citizens as hereinafter set forth.



Governor

**Fiscal Note:** GOV 03-9. (1) General Fund; (2) Implementing Year 2003-04 is \$110,000; (3) 1st Succeeding Year 2004-05 is \$112,475; 2nd Succeeding Year 2005-06 is \$115,000; 3rd Succeeding Year 2006-07 is \$115,000; 4th Succeeding Year 2007-08 is \$115,000; 5th Succeeding Year 2008-09 is \$115,000; (4) 2002-03 Program—\$N/A; 2001-02 Program—\$N/A; 2000-01 Program—\$N/A; (7) Office of Administration; (8) recommends adoption.

#### Annex A

#### TITLE 4. ADMINISTRATION

#### PART I. GOVERNOR'S OFFICE

#### CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

#### Subchapter K. GOVERNOR'S ADVISORY COMMISSION ON ASIAN-AMERICAN AFFAIRS

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6.171.	Functions.
6.172.	Composition.
6.173.	Terms of membership.
6.174.	Compensation.

- 6.175. Relationship with other agencies.
- 6.176. Reports.
- 6.177. Procedures.
- 6.178. Effective date.

**§ 6.171. Functions.**

The functions of the Governor's Advisory Commission on Asian-American Affairs are:

(1) Advise and make recommendations to the Governor on policies, procedures, legislation and regulations that affect the Asian-American community and that will enable the Commonwealth to be responsive to the needs of the Asian-American community.

(2) Develop, review and recommend to the Governor policies in the areas of health and human services, housing, education, employment, business formation and development, public accommodations and in contracting practices and procedures.

(3) Serve as the Governor's liaison to the Asian-American community on policies, procedures, legislation and regulations that affect the Asian-American community to ensure that State government is accessible, accountable and responsive to the Asian-American community.

(4) Serve as a liaison to Federal, State and local agencies to ensure that programs affecting Asian-Americans are effectively utilized and that benefits accrue equitably to members of the Asian-American community.

(5) Work with the Governor's Office and the Asian-American community to promote legislation that ensures the equitable treatment of all citizens of this Commonwealth.

(6) Serve as a resource to all departments, commissions and agencies to ensure that they are cognizant of the needs of the Asian-American community and that this community benefits in an equitable fashion from their respective services and programs.

(7) Serve as a resource for community groups on Asian-American issues, programs, sources of funding and compliance requirements within State government for the benefit and advancement of Asian-Americans.

(8) Assist local Asian-American community groups in developing strategies and programs that will expand and enhance the social, cultural and economic status of the Asian-American community.

(9) Work with the administration to monitor the hiring, retention and promotion practices of the Commonwealth as they relate to the employment of Asian-Americans to ensure that there are no discriminatory employment practices within this Commonwealth.

(10) Promote the cultural arts in their various forms within the Asian-American community through coordinated efforts and advocacy.

**§ 6.172. Composition.**

(a) The Governor's Advisory Commission on Asian-American Affairs (Commission) consists of 15 members to be appointed by the Governor who are representatives of this Commonwealth's Asian-American community and others who may make the work of the Commission more meaningful, efficient and productive. The Governor may occasionally also appoint special members of the Commission to assist in unique cultural exchanges, economic development programs or gubernatorial initiatives.

(b) The Governor will designate one Commission member to serve as chairperson and one to serve as vice-chairperson of the Commission. The chairperson and vice-chairperson will serve at the pleasure of the Governor.

(c) The Governor will appoint an Executive Director and a Deputy Executive Director of the Commission, who will serve at the pleasure of the Governor.

**§ 6.173. Terms of membership.**

(a) Members will be appointed for a term of 2 years. The members serve at the pleasure of the Governor.

(b) If a vacancy occurs on the Governor's Advisory Commission on Asian-American Affairs due to resignation, disability or death of a member, a successor may be appointed by the Governor to serve the duration of the unexpired term. A successor so appointed may thereafter be reappointed.

**§ 6.174. Compensation.**

Members of the Governor's Advisory Commission on Asian-American Affairs receive no compensation for their service except that the members may be reimbursed for actual travel and related expenses in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

**§ 6.175. Relationship with other agencies.**

To implement the purpose of this subchapter, the Governor's Advisory Commission on Asian-American Affairs (Commission) may request and receive from any department, division, board, bureau, commission or any other agency of the State or any political subdivision thereof or public authority, cooperation, assistance, information and data needed by the Commission to properly carry out its powers and duties under this subchapter.

**§ 6.176. Reports.**

The Governor's Advisory Commission on Asian-American Affairs will submit reports, as deemed necessary, on issues affecting Asian-Americans in this Commonwealth.

**§ 6.177. Procedures.**

(a) The Governor's Advisory Commission on Asian-American Affairs (Commission) is authorized to establish subcommittees and rules and procedures for the effective implementation of its functions consistent with this subchapter.

(b) The Commission may hold public hearings to evaluate the effectiveness of Commonwealth services and programs to the Asian-American community.

**§ 6.178. Effective date.**

This subchapter takes effect immediately and will continue in effect unless revised or modified by the Governor.

[Pa.B. Doc. No. 04-685. Filed for public inspection April 23, 2004, 9:00 a.m.]

**[4 PA. CODE CH. 6]****[EXECUTIVE ORDER 2004-3]****Pennsylvania Business Tax Reform Commission**

March 4, 2004

*Whereas*, over the last two decades significant changes in the structure of the Commonwealth's economy have occurred resulting in the formation of new business structures and business arrangements that affect the nature of business taxation in the Commonwealth; and

*Whereas*, these new business structures and arrangements have caused some businesses to gain a competitive edge due to variation in the tax burden by business structure and arrangement; and

*Whereas*, a majority of corporations subject to the Commonwealth's major corporate taxes report no tax liability; and

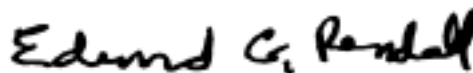
*Whereas*, technology has significantly changed the way business operates in the Commonwealth offering a dynamic tool for ensuring business tax fairness across business structures and sectors; and

*Whereas*, ensuring greater fairness in business taxation will create a more competitive business climate leading to greater economic growth in the Commonwealth; and

*Whereas*, Pennsylvania's business taxes have been, and will continue to be, reduced by the phase out of the capital stock and franchise tax; and

*Whereas*, viable opportunities to broaden business tax bases should be explored to enable the Commonwealth to lower corporate tax rates while also protecting the stability of the state budget.

*Now, Therefore*, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution and other laws of the Commonwealth of Pennsylvania, do hereby establish the Pennsylvania Business Tax Reform Commission (hereinafter referred to as "Commission") as hereinafter set forth:



Governor

**Fiscal Note:** GOV 04-2. (1) General Fund; (2) Implementing Year 2003-04 is \$350,000; (3) 1st Succeeding Year 2004-05 is \$700,000; 2nd Succeeding Year 2005-06 is \$700,000; 3rd Succeeding Year 2006-07 is \$700,000; 4th Succeeding Year 2007-08 is \$700,000; 5th Succeeding Year 2008-09 is \$700,000; (4) 2002-03 Program—\$N/A; 2001-02 Program—\$N/A; 2000-01 Program—\$N/A; (7) Department of Revenue—General Government Operations; (8) recommends adoption.

#### Annex A

### TITLE 4. ADMINISTRATION

#### PART I. GOVERNOR'S OFFICE

#### CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

#### Subchapter L. PENNSYLVANIA BUSINESS TAX REFORM COMMISSION

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6.192.	Tasks.
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6.194.	Staffing.
6.195.	Reports.
6.196.	Public meetings.
6.197.	Cooperation by State agencies.
6.197.	Effective date.

#### § 6.191. Purpose.

The Pennsylvania Business Tax Reform Commission is established to evaluate the current business tax structure in this Commonwealth and recommend changes in this Commonwealth's business tax structure that will broaden those tax bases, thereby allowing rates to be reduced, leveling the playing field and creating a fairer business tax climate.

#### § 6.192. Tasks.

(a) The Pennsylvania Business Tax Reform Commission (Commission) will explore viable options for increasing fairness and competitiveness in the business tax structure of this Commonwealth. The Commission will also find solutions to ensure that the portion of State general funds derived from direct business taxes is not diminished, and that any decrease in tax rates is offset by new taxes or a broadening of the tax base to ensure revenue neutrality.

(b) The Commission will provide a report that thoroughly discusses options and viable recommendations considered and express clear rationales for options not recommended. Specific tax changes recommended by the

Commission will be included in the report. The Commission will present to the Governor its recommendations for change in this Commonwealth's tax structure consistent with the purposes of the Commission.

**§ 6.193. Composition.**

(a) The Secretary of Revenue will chair the Pennsylvania Business Tax Reform Commission (Commission) and will serve as a member.

(b) The Commission will consist of 12 members. Seven members will be appointed by the Governor. The appointees will be members of various constituencies affected by or knowledgeable about the business tax climate of this Commonwealth. These constituencies include corporations, tax preferred entities, tax policy experts and tax practitioners. Three of the Governor's seven appointees, one from each organization, will be members of the Pennsylvania Chamber of Business and Industry, the Pennsylvania Business Roundtable and Team Pennsylvania.

(c) Each of the four caucuses within the Legislature will select one private sector citizen business representative from constituencies affected by or knowledgeable about Pennsylvania's business taxes to serve on the Commission.

(d) Staff from organizations representing business organizations are not eligible to participate on the Commission.

**§ 6.194. Staffing.**

The Commonwealth will, through the Department of Revenue, contract for research, analysis and editorial work in support of the Pennsylvania Business Tax Reform Commission, as necessary, and will provide reasonable and necessary clerical, research and administrative support.

**§ 6.195. Reports.**

The Pennsylvania Business Tax Reform Commission will prepare a written report for submission to the Governor and the General Assembly, as required by § 6.192(b) (relating to tasks), on or before June 19, 2004.

**§ 6.196. Public meetings.**

All meetings, except for organizational meetings and planning sessions, will be conducted as public meetings consistent with procedures prescribed by 65 Pa.C.S. Chapter 7 (relating to open meetings).

**§ 6.197. Cooperation by State agencies.**

The Department of Revenue will serve as the administrative support agency of the Pennsylvania Business Tax Reform Commission (Commission) and will provide facilities, personnel assistance, information and services necessary to fulfill the mission of the Commission. All other Commonwealth agencies are directed to cooperate with and assist the Commission in fulfilling its duties and responsibilities.

**§ 6.197. Effective date.**

This subchapter will take effect immediately and will continue in effect until rescinded.

[Pa.B. Doc. No. 04-686. Filed for public inspection April 23, 2004, 9:00 a.m.]

# GENERAL ASSEMBLY

## COMMISSION ON SENTENCING

### Meeting Scheduled

The Commission on Sentencing announces the following public meeting to be held at Duquesne University School of Law, 636 Fisher Hall, 6th Floor, Pittsburgh, PA 15219:

Wednesday, May 19,      Quarterly Commission    9 a.m.  
2004                              Meeting

MARK H. BERGSTROM,  
*Executive Director*

[Pa.B. Doc. No. 04-687. Filed for public inspection April 23, 2004, 9:00 a.m.]

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# THE COURTS

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Collection Fee and Late Payment Penalty for the 2004-2005 Registration Year

Notice is hereby given that in accordance with Pennsylvania Rule of Disciplinary Enforcement 219(d)(2) and 219(h)(2), The Disciplinary Board of the Supreme Court of Pennsylvania has established the collection fee for checks returned as unpaid and the late payment penalty for the 2004-2005 Fiscal Year as follows:

Where a check in payment of the annual registration fee for attorneys has been returned to the Board unpaid, the collection fee will be \$50.00 per returned item.

At the time the final notices are transmitted by certified mail to an attorney who fails to timely file an annual registration statement and pay the fee, the late payment penalty will be \$100.00. After 30 days, the names of every attorney who has failed to respond to the notice shall be certified to the Supreme Court, at which time the late payment penalty will be increased to \$200.00.

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

[Pa.B. Doc. No. 04-688. Filed for public inspection April 23, 2004, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### List of Financial Institutions

Notice is hereby given that pursuant to Rule 221(b), Pa.R.D.E., the following List of Financial Institutions have been approved by the Supreme Court of Pennsylvania for the maintenance of fiduciary accounts of attorneys. Each financial institution has agreed to comply with the requirements of Rule 221, Pa.R.D.E., which provides for trust account overdraft notification.

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

### List of Approved PA Financial Institutions

#### Bank Code A.

374	Abington Savings Bank
2	Adams County National Bank
477	Advest, Inc.
572	Affinity Bank of Pennsylvania
302	Allegheny Valley Bank of Pittsburgh
548	Allegiance Bank of North America
124	Allfirst Bank
375	Altoona First Savings Bank
376	Ambler Savings and Loan Association
532	American Bank of Lehigh Valley
502	American Eagle Savings Bank, PaSA

116	Ameriserv Financial
377	Apollo Trust Company
568	ARC Federal Credit Union

#### Bank Code B.

558	Bancorp.com Bank (The)
574	Bank of America, N. A.
155	Bank of Hanover & Trust Company
3	Bank of Lancaster County, N. A.
415	Bank of Landisburg (The)
546	Bank Philadelphia
453	Bank Pittsburgh
519	Beaver Valley Federal Credit Union
501	BELCO Federal Credit Union
396	Bell Federal Savings & Loan Association
397	Beneficial Mutual Savings Bank
399	Bernville Bank, N. A.
391	Blue Ball National Bank
520	Boston Safe Deposit & Trust Company
392	Brentwood Savings Bank
495	Brown Brothers Harriman & Co.
161	Bryn Mawr Trust Company

#### Bank Code C.

576	CNB Community Bank
382	CSB Bank
540	C & G Savings Bank
480	Cambria County Federal Savings & Loan Assoc.
393	Carnegie Savings Bank
11	Central Bank
13	Cenwest Bank
394	Charleroi Federal Savings Bank
578	Charter One Bank, N. A.
561	Citizens Bank of Pennsylvania
238	Citizens and Northern Bank
352	Citizens National Bank of Ashland
15	Citizens National Bank—Evans City
420	Citizens National Bank—Myersdale
177	Citizens National Bank of Southern PA
206	Citizens Savings Association
353	Citizens Trust Company
16	Clearfield Bank & Trust Co.
354	Coatesville Savings Bank
17	Columbia County Farmers National Bank
250	Commerce Bank, PA, NA
18	Commerce Bank/Harrisburg, NA
223	Commercial National Bank of Pennsylvania
522	Commonwealth Bank
310	Community Bank & Trust Company
21	Community Bank, National Association
204	Community Banks National Association
533	Community First Bank, N. A.
430	Community National Bank of Northwestern PA
132	Community State Bank of Orbisonia
379	Corry Savings Bank
23	County National Bank
380	County Savings Association

#### Bank Code D.

25	Deposit Bank
339	Dime Bank (The)
27	Dollar Bank
239	Downingtown National Bank
423	Dwelling House Savings & Loan Association

Bank Code E.	175	First National Community Bank
357 Eagle National Bank	549	First National Community Bank—Midland
569 Earthstar Bank	170	First Penn Bank
424 East Penn Bank	378	First Pennsylvania Savings Association
358 East Prospect State Bank	40	First Savings Bank of Perkasio
340 East Stroudsburg Savings Association	349	First Star Savings Bank
500 Elderton State Bank	158	First Summit Bank
567 Embassy Bank	54	First Susquehanna Bank & Trust
541 Enterprise Bank	408	First United National Bank
282 Equity Bank	325	FirstService Bank
28 Ephrata National Bank (The)	151	Firsttrust Savings Bank
383 ESB Bank, F.S.B.	485	Fleet Bank
552 Eureka Bank	493	FNB Bank, N. A.
	291	Fox Chase Bank
Bank Code F.	241	Franklin Mint Federal Credit Union
384 Farmers & Merchants Bank—Honesdale	58	Fulton Bank
31 Farmers & Merchants Trust Company	59	Fulton County National Bank & Trust Company
30 Farmers First Bank		
205 Farmers National Bank of Emlenton	Bank Code G.	
436 Farmers National Bank of Kittanning	506	Glen Rock State Bank
34 Fidelity Deposit & Discount Bank	409	Grange National Bank
343 Fidelity Savings and Loan of Bucks County	499	Gratz National Bank (The)
311 Fidelity Bank	401	Great American Federal Savings & Loan Association
385 First American National Bank of PA		
389 First Bank of Leechburg	498	Greenville Savings Bank
174 First Citizens National Bank		
191 First Columbia Bank & Trust Co.	Bank Code H.	
539 First Commonwealth Trust Company	402	Halifax National Bank
551 First Cornerstone Bank	244	Hamlin Bank and Trust Company
523 First County Bank	64	Harleysville National Bank and Trust Company
390 First Federal Bank		
369 First Federal Savings & Loan Assoc. of Bucks County	362	Harleysville Savings Bank
	363	Hatboro Federal Savings
437 First Federal Savings & Loan Assoc. of Carnegie	410	Herndon National Bank (The)
	411	Hoblitzell National Bank
504 First Federal Savings & Loan Assoc. of Greene County	559	Home Savings & Loan Company
	68	Honesdale National Bank (The)
388 First Federal Savings Bank	350	HSBC Bank of USA
432 First Federal Savings Bank of Kane	143	Hudson United Bank
370 First Financial Bank	508	Huntingdon National Bank of PA
318 First Heritage Bank	364	Huntingdon Valley Bank
525 First Heritage Federal Credit Union		
228 First Keystone Federal Savings Bank	Bank Code I.	
371 First Liberty Bank & Trust	365	Indiana First Savings Bank
263 First Merit, N. A.	575	Integrity Bank
51 First National Bank & Trust Co. of Newtown (The)	557	Investment Savings Bank
	200	Iron and Glass Bank
416 First National Bank in Fleetwood (The)	526	Iron Workers Savings Bank
42 First National Bank of Berwick (The)	366	Irwin Bank & Trust Company
216 First National Bank of Bradford County (The)		
138 First National Bank of Canton	Bank Code J.	
246 First National Bank of Centre Hall (The)	70	Jersey Shore State Bank
421 First National Bank of Fredericksburg	127	Jim Thorpe National Bank
275 First National Bank—Garrett	488	Jonestown Bank and Trust Company
322 First National Bank of Greencastle	72	Juniata Valley Bank (The)
417 First National Bank of Lilly (The)		
418 First National Bank of Liverpool (The)	Bank Code K.	
43 First National Bank—Marysville	403	Keystone Nazareth Bank and Trust Company
44 First National Bank of McConnellsburg (The)	414	Kishacoquillas Valley National Bank (The)
46 First National Bank of Mercersburg (The)		
419 First National Bank of Mifflintown (The)	Bank Code L.	
198 First National Bank of Minersville (The)	74	Lafayette Ambassador Bank
524 First National Bank of New England	554	Landmark Community Bank
47 First National Bank of Newport (The)	76	Laurel Savings Bank
426 First National Bank of Palmerton (The)	187	Lebanon Valley Farmers Bank
48 First National Bank of Pennsylvania	182	Leesport Bank
427 First National Bank of Port Alleghany (The)	547	Legacy Bank
428 First National Bank of Slippery Rock (The)	78	Luzerne National Bank
52 First National Bank of Chester County		



Bank Code M.	443	Peoples Thrift Savings Bank
361 M & T Bank	556	Philadelphia Federal Credit Union
269 Madison Bank	448	Phoenixville Federal Savings
386 Malvern Federal Savings Bank	79	PNC Bank, National Association
412 Manor National Bank	534	Pocono Community Bank
510 Marion Center National Bank	528	Polonia Bank
387 Marquette Savings Bank	449	Port Richmond Savings
81 Mars National Bank (The)	454	Portage National Bank
367 Mauch Chunk Trust Company	450	Premier Bank
368 Mechanics Savings Bank	451	Progressive Home Federal
5 Mellon Bank, N. A.	456	Prudential Savings Bank
555 Mercer County State Bank	Bank Code Q.	
192 Merchants National Bank of Bangor (The)	107	Quakertown National Bank (The)
478 Merchants National Bank of Kittanning	560	Quaint Oak Savings Bank
294 Mid Penn Bank	Bank Code R.	
511 Mifflin County Savings Bank	487	Reliable Bank
276 Mifflinburg Bank & Trust Company	452	Reliance Savings Bank
345 Minersville Safe Deposit Bank and Trust Company	220	Republic First Bank
346 Morton Savings and Loan Association	463	Rittenhouse Trust Company (The)
484 Muncy Bank & Trust Company (The)	496	Roxborough Manayunk Federal Savings Bank
Bank Code N.	208	Royal Bank of America
440 National Bank of Commerce	Bank Code S.	
433 National Bank of Malvern	153	S & T Bank
435 National Bank of North East	457	Savings and Loan Association of Milton PA
337 National City Bank of Pennsylvania	514	Schuylkill Savings & Loan Association
88 National Penn Bank	464	Scottdale Bank & Trust Company (The)
527 NBOC	460	Second Federal Savings & Loan Assoc. of Philadelphia
347 Neffs National Bank (The)	516	Sentry Federal Credit Union
372 Nesquehoning Savings Bank	458	Sharon Savings Bank
536 New Century Bank	312	Sky Bank
434 New Tripoli National Bank (The)	462	Slovenian Savings & Loan Assoc. of Franklin—Conemaugh
545 Nittany Bank	459	Smithfield State Bank
90 NOR-CAR Federal Credit Union	486	Somerset Trust Company
492 North Penn Savings & Loan Association	469	Spring Hill Savings Bank, FSB
543 Northern State Bank	111	Southwest Bank
373 Northside Bank	316	Sovereign Bank, FSB
439 Northumberland National Bank	465	St. Edmond's Savings and Loan Association
93 Northwest Savings Bank	518	Standard Bank PASB
Bank Code O.	542	Stonebridge Bank
348 Old Forge Bank	529	Suburban Community Bank
323 Omega Bank, NA	466	Suburban Federal Savings Bank
489 OMEGA Federal Credit Union	110	Sun Bank
94 Orrstown Bank	517	Sun National Bank
Bank Code P.	236	Swineford National Bank
573 Panasia Bank, N. A.	Bank Code T.	
267 Parkvale Bank	26	Third Federal Savings Bank
512 Patriot Bank	467	Turbotville National Bank (The)
96 Penn Central National Bank	Bank Code U.	
97 Penn Security Bank & Trust Company	113	Union Bank and Trust Company
168 Penn Star	481	Union Building and Loan Savings Bank
544 Pennsylvania Business Bank	483	Union National Bank of Mount Carmel (The)
445 Pennsylvania State Bank	133	Union National Community Bank
442 Pennview Savings Bank	243	Unitas National Bank
99 PeoplesBank, A Codorus Valley Company	472	United Bank of Philadelphia
446 Peoples Bank of Jennerstown	475	United Savings Bank
188 Peoples Bank of Western Pennsylvania	570	Unitedtrust Bank
154 Peoples Home Savings Bank	232	Univest National Bank
482 Peoples National Bank of Rural Valley (The)	Bank Code V.	
447 Peoples National Bank of Susquehanna County	136	Vartan National Bank
444 Peoples Savings Bank		
491 Peoples State Bank (The)		

Bank Code W.

123 WNB Bank  
338 Wachovia  
119 Washington Federal Savings Bank  
121 Wayne Bank  
65 Waypoint Bank  
553 Wesbanco Bank  
122 West Milton State Bank  
494 West View Savings Bank  
473 Westmoreland Federal Savings  
476 William Penn Savings and Loan Association  
474 Willow Grove Bank  
160 Wilmington Trust of PA

272 Woodlands Bank  
573 Woori America Bank

Bank Code X.

Bank Code Y.

571 Yardville National Bank  
577 York Traditions Bank

Bank Code Z.

[Pa.B. Doc. No. 04-689. Filed for public inspection April 23, 2004, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0085863 IW	SC Holdings, Inc. Harmony Grove Landfill 383 Meadow Road Edison, NJ 08817	York County Dover Township	Swale UNT Davidsburg Run 7F	Y
PA0086509 IW	Lehigh Cement Co., Inc. 537 Evansville Road Fleetwood, PA 19522-8541	Berks County Maidencreek Township	Lake Ontelaunee 3B	Y
PA0021539 SEW	Williamsburg Borough 305 E. 2nd Street Williamsport, PA 16693-1041	Blair County Catherine Township	Frankstown Branch Juniata River 11A	Y
PA0086371 SEW	Poor Richard's Historic Hereford Inn Richard and Carol Mack P. O. Box 84, 64 Star Road Hereford, PA 18056	Berks County Hereford Township	Perkiomen Creek 3E	Y
PA0008435 IW	PPL Generations LLC Holtwood Hydroelectric Station Two North Street Allentown, PA 18101-1179	Lancaster County Martic Township	Susquehanna River 7K	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0114049 Sewerage	Municipal Authority of Lewis Township P. O. Box 51 Millmont, PA 17845	Lewis Township Union County	Cold Run 6A	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0221031	Daniel E. Long 1499 Mercer-New Wilmington Rd. New Wilmington, PA 16142	East Lackawannock Township Mercer County	Unnamed tributary to Little Neshannock Creek	Y
PA0101800	Lord Corporation—Chemical Products Division 601 South Street Saegertown, PA 16433	Saegertown Borough Crawford County	French Creek Woodcock Creek 16-A	Y

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

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

**PA0088935, Amendment No. 1, CAFO, Country View Family Farms, LLC (Green Valley Farm),** 436 South Angle Street, Mount Joy, PA 17552. Country View Family Farms, LLC has submitted an application for an NPDES permit amendment for an existing CAFO known as Green Valley Farm, 2266 Junction Road, Seven Valleys, PA 17360, North Codorus Township, **York County**. The CAFO is proposing to construct one new swine finishing barn.

The CAFO is situated near an unnamed tributary of South Branch Codorus Creek in Watershed 7-H (WWF). Upon completion of the finishing barn, the CAFO will maintain an animal population of approximately 1,893 AEUs consisting of 4,080 sows, 120 gilts, 24 boars, 560 nursery pigs and 1,440 finishing swine. The animals will be housed in three barns. Manure drains into shallow pits beneath each barn and is conveyed by gravity outdoors to a concrete reception pit and three concrete manure storage facilities. The total capacity of the manure storage facilities is approximately 3.7 million gallons.

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.

**PA0247090**, Industrial Waste, SIC Code 3271, **York Building Products Company, Inc.**, P. O. Box 1708, York, PA 17405. This facility is in Lower Swatara Township, **Dauphin County**.

Description of activity: Issuance of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, unnamed tributary of Swatara Creek, is in Watershed 7-D and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Middletown Water Company is on the Swatara Creek, approximately 5 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 101 based on a design flow of 0.0432 MGD are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
pH	XXX	XXX	from 6.0 to 9.0 inclusive		
Total Suspended Solids	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	XXX
Total Aluminum	0.072	0.144	0.20	0.40	0.50
Total Iron	0.108	0.216	0.30	0.60	0.75

Outfall 001 receives stormwater associated with industrial activity. Effluent limits take the form of BMPs and yearly monitoring is required.

In addition to the effluent limits, the permit contains the following major special conditions: requirements for stormwater outfalls.

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

The EPA waiver is in effect.

**PA0247499**, Sewage, **Ruth Colledge**, 2228 French Bridge Road, Everett, PA 15522. This facility is in East Providence Township, **Bedford County**.

Description of activity: Issuance of an NPDES permit for new discharge of treated sewage.

The receiving stream, Tub Mill Run, is in Watershed 11-D and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Saxton Municipal Water Authority is on the Raystown Branch Juniata River, approximately 32 miles downstream. The discharge is not expected to affect the water supply.

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

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
Total Residual Chlorine	1.5	2.5
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform	200/100 ml as a geometric average	
(5-1 to 9-30)	2,000/100 ml as a geometric average	
(10-1 to 4-30)		

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

The EPA waiver is in effect.

**PA0022209**, Sewage, **Municipal Authority of the Borough of Bedford**, 244 West Penn Street, Bedford, PA 15522. This facility is in Bedford Township, **Bedford County**.

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

The receiving stream, Raystown Branch Juniata River, is in Watershed 11-C and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for the Saxton Municipal Water Authority is on the Raystown Branch Juniata River, approximately 49 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.5 MGD are:

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N	7.5		15
(5-1 to 10-31)			
(11-1 to 4-30)	Monitor and Report		Monitor and Report
Total Phosphorus	2.0		4.0
Total Residual Chlorine	0.44		1.43
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a geometric average	
(5-1 to 9-30)		10,000/100 ml as a geometric average	
(10-1 to 4-30)			

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.

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

**PA0208779**, Industrial Waste SIC, 3111, **Clearfield Leather Inc. d/b/a Wickett & Craig of America**, 120 Cooper Road, Curwensville, PA 16833-1542. This existing facility is in Curwensville Borough, **Clearfield County**.

Description of Proposed Activity: Renewal of an NPDES permit for an existing discharge of treated industrial wastewater.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan watershed 8B and classified for WWF. The nearest downstream public water supply intake for Reliant Energy is on the West Branch Susquehanna River, 16 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.12 MGD.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Daily Maximum	Average Monthly	Daily Maximum	Instantaneous Maximum
pH			within the range of 6.0 to 9.0		
BOD <sub>5</sub>	57	127	55	120	138
Ammonia-N					
(5-1 to 10-31)	60	119	45	90	114
(11-1 to 4-30)	119	239	90	180	228
TSS	82	179	79	173	198
Total Phenols			3.3	5.2	
Oil and Grease			15		30
Total Chromium	1.3	3.2	1.2	3.1	

No major special conditions.

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

**PA0024163**, Sewage, **Cambria Township Sewer Authority**, P. O. Box 247, Revloc, PA 15948. This application is for renewal of an NPDES permit to discharge treated sewage from the Revloc Sewage Treatment Plant in Cambria Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as South Branch Blacklick 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 Saltsburg Municipal Water Works.

*Outfall 001: existing discharge, design flow of 0.4 mgd.*

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1			3.3
pH	not less than 6.0 nor greater than 9.0			

Outfall 002, which discharges to the receiving waters known as an unnamed tributary of South Branch Blacklick Creek, serves as combined sewer overflows necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for this reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow.

The EPA waiver is in effect.

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

**PA0023213**, Sewage, **Borough of Ridgway**, P. O. Box 149, Ridgway, PA 15853-0149. This proposed facility is in Ridgway Township, **Elk County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply considered during the evaluation is the Pennsylvania American Water Company and the Clarion River at Clarion, 59.8 miles below point of discharge.

The receiving stream, the Clarion River, is in watershed 17-A and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.2 MGD with no effluent diffuser.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
Flow	XX	XX			
CBOD <sub>5</sub>	460	735	25	40	50
Total Suspended Solids	550	825	30	45	60
NH <sub>3</sub> -N	715		XX		78
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 3,800/100 ml as a geometric average			
Total Residual Chlorine			0.5		1.6
Fluoride	1,248		68		136
Copper	0.31		0.017		0.034
Zinc	2.75		0.15		0.3
Lead			XX		
Acute Whole Effluent Toxicity					1.87 TUa
pH	6.0 to 9.0 standard units at all times				

The proposed effluent limits for Outfall 001 are based on a design flow of 2.2 MGD with an effluent diffuser installed.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
Flow	XX	XX			
CBOD <sub>5</sub>	460	735	25	40	50
Total Suspended Solids	550	825	30	45	60
NH <sub>3</sub> -N	715		XX		78
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 3,800/100 ml as a geometric average			
Total Residual Chlorine			0.5		1.6
Fluoride	2,035		111		222
Copper	0.31		0.017		0.034
Zinc	13.8		0.75		1.5
Lead			XX		
Acute Whole Effluent Toxicity					8.09 TUa
pH	6.0 to 9.0 standard units at all times				

The proposed effluent limits for Outfall 101, 006 and 007 are based on a design flow of N/A MGD.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	
This outfall shall consist of uncontaminated stormwater only.*					

\* See Special Condition 4 in Part C of the permit.

The EPA waiver is not in effect.

**PA0023175**, Sewage, **Borough of Kane, Kinzua Road WWTP**, 112 Bayard Street, Kane, PA 16735. This proposed facility is in Wetmore Township, **McKean County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Emlenton Water Company and the Allegheny River at Emlenton, approximately 120 miles below point of discharge.

The receiving stream, Hubert Run, is in watershed 16-B and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX	XX			
CBOD <sub>5</sub>	313	500	25	40	50
Total Suspended Solids	375	563	30	45	60
NH <sub>3</sub> -N					
(5-1 to 10-31)			2		4
(11-1 to 4-30)			6		12
Fecal Coliform					
(5-1 to 9-30)		200/100 ml as a geometric average			
(10-1 to 4-30)		2,300/100 ml as a geometric average			
Total Residual Chlorine			0.18		0.6
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 not in effect.

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

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

**WQM Permit No. 4004402**, Hockman Company, 220 Pine Ridge Road, Tunkhannock, PA 18647. This proposed facility is in Rice Township, **Luzerne County**.

Description of Proposed Action/Activity: This project consists of the construction of a pump station and low pressure sewer extension to the Mountaintop Area Joint Sewer Authority sanitary sewer system for the Ice Lakes Development.

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

**WQM Permit No. 0504401**, Sewerage, **Ruth Colledge**, 2228 French Bridge Road, Everett, PA 15522. This proposed facility is in East Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Construction of small flow sewage treatment system to serve a single family residence at 1180 E. Graceville Road, Breezewood, PA 15533.

**WQM Permit No. 2104404**, Sewerage, **Silver Spring Township Authority**, 6415-Rear Carlisle Pike, Mechanicsburg, PA 17050. This proposed facility is in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction of sewer extension and pumping station to serve Tyson Commons.

**WQM Permit No. 6797407 Amendment 04-1**, Sewerage, **Jackson Township Sewer Authority**, 439 Roth's Church Road, Spring Grove, PA 17362. This proposed facility is in Jackson Township, **York County**.

Description of Proposed Action/Activity: Expansion of Jackson Township Wastewater Treatment Plant.

**WQM Permit No. 2104201**, Industrial Waste, **Fish and Boat Commission**, 450 Robinson Lane, Bellefonte, PA 16823-9620. This proposed facility is in Penn Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/installation of an off-line 203,000-gallon sludge storage tank at the Huntsdale Fish Hatchery.

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

**WQM Permit No. 1404402**, Sewerage 4952, **Matthew M. Barr**, 667 Marjorie May Street, State College, PA 16803. This proposed facility is in Halfmoon Township, **Centre County**.

Description of Proposed Action/Activity: Construction of small flow sewage treatment system.

**WQM Permit No. 4104401**, Sewerage 4952, **Williamsport Area School District**, 1400 West Third Street, Williamsport, PA 17701. This existing facility is in Hepburn Township, **Lycoming County**.

Description of Proposed Action/Activity: Applicant is requesting a Water Quality Management Part II Permit for replacement of the existing treatment plant at the Hepburn-Lycoming Elementary School. The new plant will have a design flow of 0.006 MGD.

*Southwest Region: Oil and Gas Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*



**WQM Permit No. 6504201**, Industrial Waste SIC 4925, **Great Lakes Energy Partners, LLC**, SR 85 and Northern Avenue, P. O. Box 235, Yatesboro, PA 16263. This proposed facility is in Salem Township, **Westmoreland County**.

Description of Proposed Action/Activity: Treat groundwater produced during extraction of methane gas from coal seams.

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

**WQM Permit No. 5604402**, Sewage, **Meyersdale Borough**, P. O. Box 60, 613 Second Street, Meyersdale, PA 15552. This proposed facility is in Meyersdale Borough, **Somerset County**.

Description of Proposed Action/Activity: Application for the replacement and operation of the Meyersdale Borough gravity sewer lines.

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

**WQM Permit No. 6598406-A1**, Sewage, **John Edward Schmidt**, R. R. 2, Box 164A, Route 66 and Pfeffer Road, Export, PA 15632-9412. This proposed facility is in Washington Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the modification and operation for completion of the equalization tank installation of the Schmidt Office Building.

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

**WQM Permit No. 6204403**, Sewerage, **Michael A. Hecei**, 2553 Pennsylvania Avenue West Extension, Warren, PA 16365. This proposed facility is in Glade Township, **Warren County**.

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

**WQM Permit No. 2004404**, Sewerage, **Emmett E. and Marilyn C. Carr**, 20562 Cole Road, Conneautville, PA 16406. This proposed facility is in Conneaut Township, **Crawford County**.

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

**WQM Permit No. 4304408**, Sewerage, **Kathleen Favorite**, 293 Donation Road, Greenville, PA 16125. This proposed facility is in Hempfield Township, **Mercer County**.

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

**WQM Permit No. 4304409**, Sewerage, **Dale W. Wilson, Hadley House Apartments**, 751 Lynn-Tyro Road, Hadley, PA 16130. This proposed facility is in Perry Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility to serve an existing five-unit apartment house.

#### **IV. NPDES Applications for Stormwater Discharges from MS4**

#### **V. Applications for NPDES Waiver Stormwater Discharges from MS4**

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504019	Vineyard Community Church 110 Roberts Street Norristown, PA 19401	Chester	Upper Uwchlan Township	Birch Run EV
PAI010904004	8500 New Falls Road, LLC Walgreen's Development P. O. Box 1010 Concordville, PA 19331	Bucks	Bristol Township	Unnamed tributary Delaware River TSF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904013	Marge Szulborski Lower Macungie Township 3400 Brookside Rd. Macungie, PA 18062	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI023904014	Barry Follweller William Markson 3372 Jordan Rd. Orefield, PA 18069	Lehigh	Weisenberg Township	Hassen Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804011	Prime Development Corp. 824 Eighth Ave. Bethlehem, PA 18018	Northampton	Upper Nazareth Township	Monocacy Creek HQ-CWF

*Pike County Conservation District: HC6, Box 6770, Hawley, PA 18428, (570) 226-8220.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025204002	Federal Highway Administration Attn: Jack Van Dop 21400 Ridgetop Circle Sterling, VA 20166	Pike	Dingman, Delaware and Lehman Townships	Tom's Creek EV Conashaugh HQ-CWF Raymondskill HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS804804	Montour Oil Service Company 112 Broad Street Montoursville, PA 17754-2241	Centre	Miles Township	Elk Creek HQ-CWF

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

*Beaver County Conservation District: 1000 Third Street, Suite 202, Beaver, PA 15009-2026, (724) 774-7090.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050404001	Lori P. Byron South Side Elementary School 4949 SR 151 Hookstown, PA 15050	Beaver	Greene Township	Little Traverse Creek WWF Tributary to Service Creek HQ-EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI084204002	Otter Exploration, Inc. 104 College Street Hudson, OH 44236	McKean	Lafayette Township	Lewis Run, Miam Run and Lewis Brook HQ-CWF

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

PAG-12    CAFOs  
PAG-13    Stormwater Discharges from MS4

## **PUBLIC WATER SUPPLY (PWS) PERMIT**

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

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

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published

in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

### **SAFE DRINKING WATER**

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

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

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

Applicant **Perry Township Municipal Authority**  
R. R. 2, Box 37  
Mt. Pleasant Mills, PA 17853-9536

Township Perry, **Snyder County**

Responsible Official Roger Womer, Chairperson  
Perry Township Municipal Authority  
R. R. 2, Box 37  
Mt. Pleasant Mills, PA 17853

Type of Facility PWS

Consulting Engineer S. Dean Stephens  
PA Environmental Services  
183 Riverview Road  
Liverpool, PA 17045

Application Received Date March 24, 2004

Description of Action Installation of a 5,500-gallon prefabricated water storage tank and interconnection improvements so SWIP testing can be conducted.

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

Applicant **Community Banks Raymond Granger, Vice President, Special Assets**  
6700 Derry Street  
Harrisburg, PA 17111

Township Delaware, **Northumberland County**

Responsible Official Raymond Granger, Vice President, Special Assets  
Community Banks  
6700 Derry Street  
Harrisburg, PA 17111

Type of Facility PWS

Consulting Engineer Charles A. Kehew, II, P. E.  
James R. Holley & Associates, Inc.  
18 South George Street  
York, PA 17401

Application Received Date April 5, 2004

Description of Action Replacement of an existing 27,000-gallon water storage tank.

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

Applicant **Houtzdale Municipal Authority**  
561 Kirk Street  
P. O. Box 97  
Houtzdale, PA 16651-1209

Borough Houtzdale, **Clearfield County**

Responsible Official John Fudrow, Manager  
Houtzdale Municipal Authority  
561 Kirk Street  
P. O. Box 97  
Houtzdale, PA 16651-1209

Type of Facility PWS

Consulting Engineer David Y. Coleman, P. E.  
Uni-Tec Consulting Engineers, Inc.  
2007 Cato Avenue  
State College, PA 16801-2765

Application Received Date April 9, 2004

Description of Action Modification of the Moshannon Creek intake structure, development of four new wells (8, 9, 11 and 14). Construction of a raw water pump station and transmission line, upgrading of the water filtration plant and construction of facilities to improve hydraulic conditions in the Henderson area of the system.

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

**Permit No. 9996417,** Public Water Supply.

Applicant **Crystal Springs Water Company**

Township or Borough Mableton, GA

Responsible Official Tracy Casper, Quality Control Manager

Type of Facility Out-of-State Bottled Water System

Application Received Date March 31, 2004

Description of Action Applicant requesting Department approval to change company name from Crystal Springs Water Company to DS Waters, LP. Bottled water to be sold in this Commonwealth under the brand names Crystal Springs Purified Water, Crystal Springs Distilled Water, Crystal Springs Spring Water with Fluoride, Crystal Springs Purified Water with Calcium, Georgia Mountain Water Distilled Water, Georgia Mountain Water Spring Water, Arctic Mist Purified Water, Arctic Mist Distilled Water, Crystal Springs Mountain Spring Water and Nursery Purified Water with Fluoride.

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

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

**Application No. 364W14-MA2.** Minor Amendment.

Applicant **Hawthorn Area WTP**

Township or Borough Hawthorn Borough

Responsible Official Terry Milliron, Authority Chairperson  
Hawthorn Area Water Authority  
100 Riverside Dr.  
P. O. Box 241  
Hawthorn, PA 16230

Type of Facility PWS

Consulting Engineer Vishnu V. Dharmadhikari, P. E.  
Senate Engineering Co.  
U-PARC  
420 William Pitt Way  
Pittsburgh, PA 15238-1330

Application Received Date April 5, 2004

Description of Action Operational modification to change the chemical feeds.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental

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

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

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

**Carl Setiz and Marion Crompton Property**, Lower Southampton Township, **Bucks County**. Marlin Hunsberger, Mid-Atlantic Associates, 2951 Advance La., Colmar, PA 18915, on behalf of Carl Setiz, 49 Townhomes at Dambridge, Egg Harbor, NJ 08234, has submitted a Notice of Intent to Remediate site soil contaminated with diesel fuel, kerosene, leaded gasoline and unleaded gasoline; and site groundwater contaminated with MTBE. A summary of the Notice of Intent to Remediate was reported to have been published in *The Bucks County Courier Times* on March 15, 2004.

**Palisades High School**, Nockamixon Township, **Bucks County**. Curt Erichson, Pennoni Associates, Inc., 515 Grove Street, Haddon Heights, NJ 08035, on behalf of Palisades School District, David Keppel, 39 Thomas Free Dr., Kintnersville, PA 18930, has submitted a Notice of Intent to Remediate. A discharge of no. 2 fuel oil from a formerly utilized unregulated underground storage tank was discovered during site construction activities. Visibly impacted soil was excavated and post-excavation soil sample results were below the Department residential direct contact MSCs. Three groundwater monitoring wells have been installed on the site. Two complete rounds of groundwater samples have been collected from the three monitoring wells and laboratory analyzed. The groundwater results were below the Department residential used aquifer MSCs.

**Former Sellersville Landfill**, Sellersville Borough, **Bucks County**. Jessica Yinger, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Park Ten Associates, Bud Motes, 418 W. Main St., Lansdale, PA 19446, has submitted a Notice of Intent to Remediate. Site soil and groundwater contaminated due the former presence of the Sellersville radium landfill. Soil contaminant: TCE. Groundwater contaminant: volatile organics. Intended future use of the property is for redevelopment.

**Pennfield Precision Parcel B**, Richland Township, **Bucks County**. Ethan E. Prout, P.G., American Resource Consultants, Inc., P. O. Box 579, Quakertown, PA 18951, on behalf of Pennfield Realty & Development Corp., John F. Matczak, Keystone Dr., P. O. Box 380, Sellersville, PA 18960, has submitted a Notice of Intent to Remediate. Soil containing chlorobenzene at levels above the Residential Statewide Health Standard was identified in an approximate 35-foot by 40-foot area in the open meadow between the former manufacturing facility and the two ponds and in the southwest corner of pond no. 2. The source of contamination is unknown. The intended future use of the property is residential.

**J. W. Maxwell & Son, Inc.**, Downingtown Borough, **Chester County**. James Arthur, Environmental Standards, Inc., 1140 Valley Forge Rd., P. O. Box 810, Valley Forge, PA 19482-0810, on behalf of J. W. Maxwell, Inc., Thomas Trego, Sr., 12 Wallace Ave., Downingtown, PA 19335, has submitted a Notice of Intent to Remediate.

During underground storage tank removal activities, free-phase no. 2 fuel oil and leaded gasoline was encountered. An area of soil remained impacted by VOCs, semivolatiles compounds and lead. Soil remediation is required in this area. The property is proposed to be developed as an automobile sales and service center.

**Media Real Estate**, Springfield Township, **Delaware County**. Kurt J. Spiess, Environmental Management Group, Inc., 5066R West Chester Pike, P. O. Box 129, Edgemont, PA 19028, on behalf of Media Real Estate, Blake Strine, 203 E. Baltimore Pike, Media, PA 19063, has submitted a Notice of Intent to Remediate site groundwater contaminated with TCE and vinyl chloride. The proposed future use of the site will be nonresidential commercial property. A summary of the Notice of Intent to Remediate was published in the *Delaware County Daily Times* on March 18, 2004.

**Barry Bridge Park Project**, Chester City, **Delaware County**. Walter H. Hungarter, III, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Delaware River Port Authority, Richard L. Brown, One Port Center, 2 Riverside Dr., Camden, NJ 08101, has submitted a Notice of Intent to Remediate. Site soil impacted with coal tar process waste. Constituent concentrations include various semivolatiles organics contaminated with PAH. The site is undergoing redevelopment and will be used as a public park. A summary of the Notice of Intent to Remediate was published in the *Delaware County Daily Times* on February 20, 2004.

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

**Viewmont Mall**, Borough of Dickson City and City of Scranton, **Lackawanna County**. Joseph J. Ozog, Jr., Mountain Research LLC, 825 25th Street, Altoona, PA 16601 has submitted a revised Notice of Intent to Remediate (on behalf of Pennsylvania Real Estate Trust, Pasquerilla Plaza, Johnstown, PA 15907) concerning the remediation of soils and groundwater found or suspected to have been contaminated with BTEX constituents, naphthalene, lead and other petroleum hydrocarbons. A Notice of Intent to Remediate was previously submitted in 1997 that proposed the use of a combination of Background and Statewide Health Standards. The applicant now proposes to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate is expected to be published in the near future in a newspaper serving the Scranton area.

**Anemostat Plant (888 North Keyser Avenue)**, City of Scranton, **Lackawanna County**. Ann McClure, Senior Counsel, Mestek, Inc., 260 N. Elm Street, Westfield, MA 01085 has submitted a Notice of Intent to Remediate concerning the remediation of soils and/or groundwater found or suspected to be contaminated with chlorinated solvents, particularly tetrachloroethene, as the result of historic site operations. The applicant proposes to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate is expected to be published in the near future in a newspaper serving the Scranton area.

**Husack Auto Sales**, South Whitehall Township, **Lehigh County**. David A. Everitt, III, Senior Environmental Scientist, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18103 has submitted a Notice of Intent to Remediate (on behalf of George Husack, Locust Drive, Schnecksville, PA 18078) concerning the remediation of

soils found or suspected to have been contaminated with leaded and/or unleaded gasoline constituents. The applicant proposes to meet the residential Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in the *Parkland Press* on February 25, 2004. A Final Report was simultaneously submitted.

**Brookhaven Development**, Upper Milford and Hereford Townships, **Lehigh and Berks Counties**. Ethan Prout, P. G., American Resource Consultants, Inc., P. O. Box 579, Quakertown, PA 18951 has submitted a Notice of Intent to Remediate (on behalf of Judd Builders and Developers, P. O. Box 1650, Blue Bell, PA 19422-0465) concerning the remediation of soils found or suspected to have been contaminated with arsenic and minor amounts of pesticides/herbicides. The applicant proposes to meet a combination of the Residential Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate will reportedly be published in *The Morning Call* on or about March 29, 2004.

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

**Aldephia Communications Corporation**, Coudersport Borough, **Potter County**. Aldephia Communications, 1 North Main Street, Coudersport, PA 16915, has submitted a Notice of Intent to Remediate groundwater contaminated with unleaded gasoline. The applicant proposed to meet the requirements of a Special Industrial Area. A summary of the Notice of Intent to Remediate was published in the *Potter Leader-Enterprise* on March 26, 2004.

#### RESIDUAL WASTE GENERAL PERMITS

**Application Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGR101. Cedar Hollow Land Development Inc.**, P. O. Box 762, 100 Paradise St., Phoenixville, PA 19460. The application covers processing and beneficial use of steel slag, iron slag and recycled asphalt pavement. The proposed processing is limited to magnetic separation of metallics and mechanical sizing and separation. The proposed beneficial use of the processed waste is as construction material. The application was found to be administratively complete by the Central Office on April 13, 2004.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. Persons interested in obtaining more information about the general permit application should contact the Division of Municipal and Residual Waste, (717) 787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

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

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

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

**Permit Application No. 101678. Tri-County Landfill, Inc.**, 159 TCI Park Drive, Grove City, PA 16365, Liberty and Pine Townships, **Mercer County**. The application is to repermit and expand the Tri-County Landfill. This application was subject to the Local Municipality Involvement Process (LMIP) Policy and the Alternative Project Timeline requirement. The LMIP was held February 26, 2004, and the alternate timeline was finalized on April 12, 2004. The application was originally received by the Northwest Regional Office on January 9, 2004.

Comments concerning the application should be directed to Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application should contact the Northwest Regional Office at (814) 332-6848. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

**AIR QUALITY**

**PLAN APPROVAL AND OPERATING PERMIT  
APPLICATIONS**

**NEW SOURCES AND MODIFICATIONS**

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

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

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

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

ing permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

**PLAN APPROVALS**

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

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

**35-322-008: Environmental and Recycling Services, Inc.** (1100 Union Street, Taylor, PA 18517-1604) for installation of an air cleaning device (enclosed flare) at their landfill in Taylor Borough, **Lackawanna County**.

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

**49-302-057A: International Paper** (1008 Locust Gap Highway, Mt. Carmel, PA 17851) for modification of two natural gas-fired boilers by burning no. 2 fuel oil in addition to natural gas in Mt. Carmel Township, **Northumberland County**.

**41-00010E: Andritz, Inc.** (35 Sherman Street, Muncy, PA 17756) for construction of two 1,000-pound capacity iron and steel electric induction melting furnaces and associated air cleaning device (a fabric collector) in Muncy Borough and Muncy Creek Township, **Lycoming County**.

**17-305-050: Penfield Collieries, LLC** (301 Market Street, Kittanning, PA 16201) for reactivation of a bituminous coal preparation plant in Huston Township, **Clearfield County**.

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

**10-309C: MultiServ—Plant No. 16** (Route 8 South, Butler, PA 16003) for minor modification of the existing plan approval for installation of an additional screening process at AK Steel, Butler Works in the City of Butler, **Butler County**.

**37-243C: The International Metals Reclamation Co., Inc.** (245 Portersville Road, Ellwood City, PA 16117) for construction of an additional three distillation furnaces in the cadmium recovery process in Ellwood City Borough, **Lawrence County**. This is a Title V facility.

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

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

**46-0244: Acme Corrugated Box Co.** (4525 Adams Circle, Bensalem, PA 19020) for use of no. 2 fuel oil as an additional fuel in their 20.4 mmBtu/hr boiler, at an existing facility in Upper Moreland Township, **Montgomery County**. This facility is a non-Title V facility. The Plan Approval will contain recordkeeping and operating requirements designed to keep the facility operating within the allowable emission requirements and all applicable air quality requirements.

**09-0067C: Herr Foods, Inc.** (273 Old Baltimore Pike, Nottingham, PA 19362-0300) for construction of a potato chip production line with a air emission control device, at an existing facility in West Nottingham Township, **Chester County**. This facility is a non-Title V facility. The Plan Approval will contain operating and recordkeeping requirements designed to keep the facility operating within the allowable emission standards and all applicable air quality requirements.

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

**07-05023B: A. P. Green Refractories, Inc.** (R. R. 1 Box 588D, Claysburg, PA 16625) for replacement of two fabric collectors in Greenfield Township, **Blair County**. This is a non-Title V (State-only) facility. Standard recordkeeping and operating restrictions will be included to keep the facility operating within all applicable air quality requirements.

**22-05047A: Dura-Bond LLC** (2716 South Front Street, Steelton, PA 17133) for installation coating of equipment for a new structural shape fabrication operation at their existing facility in Steelton Borough, **Dauphin County**. The facility's particulate emissions will be controlled through the use of baghouses. This facility's actual emissions are projected to be 75 tpy of VOC that are also HAPs, 0.9 tpy of PM, 0.4 tpy of NO<sub>x</sub> and 0.2 tpy of CO. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

**22-05048: Amerigas Propane, LP** (5400 Paxton Street, Harrisburg, PA 17111) for installation of a propane cylinder filling line in their facility in Swatara Township, **Dauphin County**. This line has a potential to emit 47 tons per year of VOCs and 17 tons per year of an HAP. Actual emissions are expected to be 5 tons per year of VOCs and 2 tons per year of an HAP. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

**67-05012A: Transcontinental Gas Pipe Line Corp.—Station 195** (2800 Post Oak Boulevard (7705G), Houston, TX 77251-1396) for installation of NO<sub>x</sub> control on two Nordberg FSE-16 engines in Peach Bottom Township, **York County**. This application approval will result in the facility annual NO<sub>x</sub> emissions reduction of approximately 100 to 160 tons. The plan approval will contain

restrictions, monitoring, recordkeeping and work practice standards designed to keep the facility operating within all applicable air quality requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Richard Maxwell, New Source Review Chief, (570) 327-3637.*

**41-310-001H: Hanson Aggregates Pennsylvania, Inc.** (2200 Springfield Pike, Connellsville, PA 15425) for construction of an impact crusher in a limestone crushing and screening plant at the Pine Creek Quarry in Limestone Township, **Lycoming County**.

The proposed crusher will replace an existing cone crusher. The emission of fugitive particulate matter from the new crusher will be prevented/controlled by the processing of prewetted stone and by two water spray dust suppression system spray nozzles at the discharge of the crusher. The resultant fugitive air contaminant emissions are expected to be less than 1 ton per year.

The Department's review of the information submitted by Hanson Aggregates Pennsylvania, Inc. indicates that the proposed crusher will meet all applicable air quality regulations pertaining to air contamination sources and the emission of air contaminants including the fugitive air contaminant emission requirement of 25 Pa. Code § 123.1 and the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval for the construction of the proposed crusher. Additionally, if plan approval is issued and the crusher is subsequently determined by the Department to have been constructed in accordance with the conditions of the plan approval as well as all applicable regulatory requirements, the conditions of the plan approval will be incorporated into Operating Permit 41-310-001F through administrative amendment in accordance with 25 Pa. Code § 127.450.

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

1. The impact crusher shall only process stone which has been prewetted in other process equipment in the existing facility.
2. The impact crusher shall be equipped with two water spray dust suppression system spray nozzles at the discharge of the crusher. More nozzles may be installed without obtaining Department approval but the two required herein may not be omitted or removed.
3. The water supply system for the two water spray dust suppression system spray nozzles at the crusher discharge shall be equipped with a filter to filter out particles which might clog the spray nozzles.
4. The two water spray dust suppression system spray nozzles at the crusher discharge shall be operated on any and all occasions that the crusher is operated except in those instances where conditions are so that the operation of the crusher without the concurrent operation of the spray nozzles can take place without creating air contaminant emissions in excess of the limitations specified in, or established under, any applicable Department rule or regulation. If, however, the spray nozzles are incapable of operation, due to weather conditions or any other reason, the crusher may not be operated.

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

**43-011D: Greenville Metals Inc.** (99 Crestview Drive, Transfer, PA 16154) for modification of a plan approval to change the SO<sub>2</sub> emission limit at their Greenville Metals site in Pymatuning Township, **Mercer County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval for their plant in Mercer County. The facility currently has a Title V Permit TV-43-00011. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. Plan Approval 43-011D is for a minor modification of a plan approval to change the SO<sub>2</sub> emission limit of the MnS Exothermic Reaction Process at the Greenville Metals site in Pymatuning Township, Mercer County. The Plan Approval will contain the following conditions:

1. The sources are subject to 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.
2. The exothermic process shall be limited to produce six reactions per day.
3. When conducting an exothermic reaction, the operation of the EAF and AOD shall not be concurrently operating.
4. Particulate emissions from exothermic process shall not exceed 0.04 grain per dry standard cubic foot, respectively.
5. Particulate emissions from the crushing, grinding and screening process shall not exceed 0.04 grain per dry standard cubic foot, respectively.
6. The average gas effluent concentration of SO<sub>2</sub> from the exothermic reaction shall be less than 500 parts per million, by volume, dry basis.
7. Requirements for the Envirotech baghouse and the Torit cartridge collector:
  - a) The permittee shall maintain at a convenient location, a pressure differential gauge to measure the pressure drop across each collector.
  - b) The permittee shall monitor on a daily basis, the pressure drop across each collector, while the source and control device are operating.
  - c) The permittee shall maintain each collector in accordance with the manufacturers recommendations.
  - d) The permittee shall perform monthly maintenance inspections of the collectors.
  - e) The permittee shall maintain a log for each collector indicating the following:
    - i) The date of each monthly maintenance inspection.
    - ii) The name of the person performing the inspection.
    - iii) Record of any bag/cartridge replacement.
    - iv) Any mechanical repairs and/or adjustments.
  - v) Once a week record of the pressure drop across the collector.
  - vi) The date and time of problems with the collector and the corrective action taken.
  - vii) The log shall be maintained at the facility for a period of 5 years and be made available to the Department for review.
8. Daily records shall be maintained of raw materials used and product produced from each MnS reaction.

9. Lime injection records shall be kept for each heat to assure sufficient lime injection takes place to control sulfur emissions.

10. SO<sub>2</sub> emissions in the stack shall be analyzed monthly using an approved SO<sub>2</sub> analyzer to assure sufficient lime injection rates. The stack shall be analyzed in those months when reactions occur and if weather permitting. The frequency of the stack analysis will be monthly for the first 12 months of operation. If no deviations are recorded, the Department will extend the monitoring to quarterly.

11. The determination of the SO<sub>2</sub> emissions shall be based upon 30 stack readings taken at 1-minute increments using the averaging measurement method described in 40 CFR 60, Appendix A—Test Methods: Method 6C.

12. The SO<sub>2</sub> analyzer shall be returned to the manufacturer for calibration, maintenance and certification to original specifications every 6 months unless the certification can be done in house with instrument technicians and EPA approved protocol calibration gases. Records shall be maintained onsite and kept for a period of 5 years of the dates of certification.

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**Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428; Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**46-00044: US Can Co.** (431 Privet Road, Horsham, PA 19090) for operation of a metal can manufacturing facility in Horsham Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The major sources of air emissions are six can production lines, with surface coating and ink jet printers and associated control devices. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00148: Pottstown Plating Works, Inc.** (Washington Street and Industrial Highway, Pottstown, PA 19464) for a non-Title V, State-only, Natural Minor Operating Permit in Pottstown Borough, **Montgomery County**. Pottstown Plating Works, Inc. performs zinc, copper, nickel and tin-plating of metal parts at their facility. The main sources of emissions are two boilers, sludge dryer, an emergency generator and two plating ovens. The facility has the potential to emit 9.3 tons NO<sub>x</sub> per year, 17.6 tons SO<sub>x</sub> per year, 0.9 ton PM per year, 5.0 tons CO per year and 0.7 ton VOC per year. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

**07-03008: Nason Hospital** (105 Nason Drive, Roaring Spring, PA 16673) for operation of their two natural gas/no. 2 oil fired boilers in Roaring Spring Borough, **Blair County**. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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



**61-00191: Seneca Printing and Label, Inc.** (Debence Drive, Franklin, PA 16323) for issuance of a Natural Minor Operating Permit to operate their facility in Sandycreek Township, **Venango County**.

**37-00307: Slippery Rock Salvage** (214 Gardner Avenue, New Castle, PA 16107) for a Natural Minor Permit to operate a scrap steel cutting operation at their New Castle plant in New Castle, **Lawrence County**.

**10-00148: Ervin Industries, Inc.—Amasteel Division** (681 East Butler Road, Butler, PA 16001) for a Natural Minor operating permit for emissions from the operation of two electric-arc furnaces and associated steel shot/grit processing equipment in Summit Township, **Butler County**.

**COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

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

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or

local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

*Coal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**17041301. NPDES Permit No. N/A, Rosebud Mining Company** (301 Market Street, Kittanning, PA

16201), to operate the Penfield Mine in Huston Township, **Clearfield County**, a new underground mine. Surface Acres Proposed 56.4, Underground Acres Proposed 3,776.0, SCP Acres Proposed 3,776.0. Receiving streams: unnamed tributary B to Wilson Run (CWF) and unnamed tributary S to Wilson Run (CWF). Application received February 23, 2004.

**32851302. NPDES Permit No. PA0213934, Helvetia Coal Company** (P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774), to renew the permit for the Lucerne No. 6-E Mine in Black Lick Township, **Indiana County** and related NPDES permit. No additional discharges. Application received March 2, 2004.

**30841316. NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company** (P. O. Box 355, 172 Route 519, Eighty Four, PA 15330), to revise the permit for the Bailey Mine in Richhill Township, **Greene County** and related NPDES permit to install the 4 South No. 3 Air Shaft. Surface Acres Proposed 10.9. Receiving streams: unnamed tributary to South Fork Dunkard Fork (WWF). Application received March 23, 2004.

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

**32040102 and NPDES Permit No. PA0249491. Britt Energies, Inc.**, 2450 Philadelphia Street, Indiana, PA 15701, commencement, operation and restoration of a bituminous surface mine in Center Township, **Indiana County**, affecting 201.2 acres. Receiving streams: Yellow Creek, Two Lick Creek, Blacklick Creek, Conemaugh River and Tearing Run (all CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 26, 2004.

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

**17990105 and NPDES Permit No. PA0238261. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830), renewal of an existing bituminous surface mine permit in Brady Township, **Clearfield County**, affecting 75 acres. Receiving streams: unnamed tributary to Luthersburg Branch, Luthersburg Branch, unnamed tributary to LaBorde Branch to the West Branch of the Susquehanna River. Application received February 18, 2004.

**17753050 and NPDES Permit No. PA0044822. River Hill Coal Company, Inc.** (P. O. Box 141, Kylertown, PA 16847), renewal of an existing bituminous surface mine permit in Karthaus Township, **Clearfield County**, affecting 687.6 acres. Receiving streams: unnamed tributaries to Saltlick Run, to Saltlick Run, unnamed tributaries to Mosquito Creek, unnamed tributaries to West Branch of the Susquehanna River, Saltlick Run, Mosquito Creek, all to the West Branch of the Susquehanna River. Application received February 27, 2004.

**17990110 and NPDES Permit No. PA0238333. M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717),

renewal of an existing bituminous surface mine-auger permit in Chest Township, **Clearfield County**, affecting 350 acres. Receiving streams: Chest Creek to the West Branch of the Susquehanna River. Application received March 8, 2004.

**17940101 and NPDES Permit No. PA0219746. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661), renewal of an existing bituminous surface mine permit in Beccaria Township, **Clearfield County**, affecting 53 acres. Receiving streams: unnamed tributary to Muddy Run, Muddy Run, Clearfield Creek, West Branch of the Susquehanna River. Application received March 23, 2004.

**17663037 and NPDES Permit No. PA0611328. Sky Haven Coal, Inc.** (5510 State Park Road, Penfield, PA 15849), renewal of an existing bituminous surface mine permit in Decatur and Woodward Townships, **Clearfield County**, affecting 400.5 acres. Receiving streams: Goss Run and Little Beaver Run, both to Beaver Run to Moshannon Creek to the West Branch of the Susquehanna River. Application received March 29, 2004.

**17990124 and NPDES Permit No. PA0242802. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847), transfer of an existing bituminous surface mine permit from Mark Coal Company. The permit is in Bigler Township, **Clearfield County** and affects 73.7 acres. Receiving streams: Muddy Run. Application received March 29, 2004.

**17010106 and NPDES Permit No. PA0243086. AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650), transfer of an existing bituminous surface mine-auger permit from Moravian Run Reclamation Co., Inc. The permit is in Woodward Township, **Clearfield County**, affecting 286.7 acres. Receiving streams: unnamed tributaries to Morgan Run, unnamed tributary to North Branch of Upper Morgan Run and an unnamed tributary to Goss Run. Application received April 7, 2004.

#### *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 of 0.5 ml/l applied to surface runoff resulting from a precipitation event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**52040301 and NPDES Permit No. PA0224405. ER Linde Construction Corporation** (R. R. 6, Box 6825, Honesdale, PA 18431), commencement, operation and restoration of a quarry operation for discharge of treated mine drainage in Lackawaxen Township, **Pike County**,

affecting 83.5 acres. Receiving streams: Little Blooming Grove Creek (CWF). Application received March 31, 2004.

**06920301C2 and NPDES Permit No. PA0595641. Martin Stone Quarries, Inc.** (P. O. Box 297, Bechtelsville, PA 19505), renewal of NPDES permit for discharge of treated mine drainage in Washington Township, **Berks County**. Receiving streams: unnamed tributary to Swamp Creek (TSF). Application received April 5, 2004.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**25940302 and NPDES Permit No. PA0212067. McDonald Sand & Gravel, Inc.** (11425 Neiger Road, Girard, PA 16417), transfer of an existing gravel opera-

tion in Girard Township, **Erie County**, affecting 93.7 acres. Receiving streams: unnamed tributary to Elk Creek (CWF-MF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from Bedrock Sand & Gravel, Inc. Application received April 7, 2004.

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

**4976SM4 and NPDES Permit No. PA0608858. Eastern Industries, Inc.** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of an existing NPDES permit in Middleburg Township, **Tioga County**, affecting 38.1 acres. Receiving streams: Morris Brook and Catlin Hollow to Crooked Creek to Tioga River to Chemung River to North Branch of the Susquehanna River. Application received March 25, 2004.

**41040801. Kevin J. Shepard** (364 Smith Road, Roaring Branch, PA 17765), commencement, operation and restoration of a small industrial minerals (flagstone/shale) permit in McNett Township, **Lycoming County**, affecting 5 acres. Receiving streams: unnamed tributary, tributary to Lycoming Creek. Application received March 18, 2004.

**18040801. Benson W. Probst** (668 German Road, Lock Haven, PA 17745), commencement, operation and restoration of a small industrial minerals (topsoil) permit in Wayne Township, **Clinton County**, affecting 5 acres. Receiving streams: Susquehanna River, tributary to Chesapeake Bay. Application received March 25, 2004.

**08040802. Henry A. Mast, Jr.** (R. D. 1, Box 200-Z, Rome, PA 18837), commencement, operation and restoration of a small industrial minerals (flagstone) permit in Orwell Township, **Bradford County**, affecting 2 acres. Receiving streams: Johnson Creek, tributary to Wysox Creek. Application received April 2, 2004.

#### *Noncoal Applications Returned*

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**4379305 and NPDES Permit No. PA0118818. Atlantic States Materials of PA, Inc.** (P. O. Box 269, Mercer, PA 16137), revision to an existing sand and gravel operation in East Lackawannock Township, **Mercer County**, affecting 175.2 acres. Receiving streams: Neshannock Creek. Revision to add 10.6 acres to the permit area. Application received March 16, 2004. Application returned: April 1, 2004.

#### *Noncoal Applications Withdrawn*

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

**32020302 and NPDES Permit No. PA0249327. Alverda Enterprises, Inc.** (P. O. Box 87, Alverda, PA 15710), commencement, operation and restoration of a noncoal surface mine and for discharge of treated mine drainage in Pine Township, **Indiana County**, affecting 5.0 acres. Receiving streams: unnamed tributaries to Yellow Creek (CWF) and unnamed tributaries to Dutch Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received October 30, 2002. Permit withdrawn April 9, 2004.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Depart-

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

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E46-957. Lower Perkiomen Valley Regional Sewer Authority (LPVRSa)**, 5 River Road, P. O. Box 613, Oakes, PA 19456-0613, Upper Providence, Lower Providence, Skippack Township, Collegetown Borough, Trappe Borough and Perkiomen Township River Road, **Montgomery County**, ACOE Philadelphia District.

Upper Perkiomen Interceptor Paralleling Project, LPVRSa—The project proposes to modify an existing sewage conveyance system which conveys sewage to Oaks Water Treatment Plant by constructing and maintaining pipeline parallel to and crossing the Perkiomen Creek (WWF-MF) and crossing several of its tributaries (TSF-MF) and adjacent wetlands (PFO, EM, SS) at 19 different locations. The works involve the following:

1. Construction of 19 utility line and wetland stream crossings of regulated waters of this Commonwealth.
2. Construction and maintenance of approximately 5,800 linear feet of 24-inch diameter sewage pipeline interceptor within the 100-year floodway and floodplain.
3. Construction and maintenance of approximately 4,100 linear feet of 30-inch diameter sewage pipeline interceptor within the 100-year floodway and floodplain.

4. Construction and maintenance of approximately 8,400 linear feet of 36-inch diameter sewage pipeline interceptor within the 100 year floodway and floodplain.

5. Construction and maintenance of seven concrete manholes and appurtenant metering works within close proximity of regulated waters of this Commonwealth associated with the connection of the different sized pipeline segments.

6. Modification and maintenance of nine existing manholes, which exist within regulated waters of this Commonwealth to accommodate the existing and new pipeline connection system and metering device.

The project proposes to temporarily affect approximately 18,300 linear feet and directly affect an approximate total of 17,000 linear feet of floodway, temporarily disturbing approximately 30 acres of floodway and approximately 5 acres of wetlands (PFO/EM/SS). The project is one of several phases of the LPVRSa paralleling project associated with the Oaks Sewage Treatment Facility upgrade. This phase is along the stretch of the Perkiomen starting approximately at 3,000 feet north of the Gratersford Road Bridge running south toward Germantown Pike and terminating approximately 1,460 feet south of where the Germantown Pike crosses Perkiomen Creek. The site spans Upper Providence, Lower Providence, Skippack Township, Collegeville Borough, Trappe Borough and Perkiomen Township, Montgomery County (Collegeville, PA Quadrangle starting at N: 17.60 inches; W: 10.80 inches and ending at N: 9.93 inches; W: 10.15 inches).

**E46-958. Lower Perkiomen Valley Regional Sewer Authority (LPVRSa)**, 5 River Road, Oaks, PA 19456-0613, Upper Providence Township, **Montgomery County**, ACOE Philadelphia District.

Lower Perkiomen Interceptor Paralleling Project Manhole Project PN01—PN38—The project proposes to modify an existing sewage conveyance system which conveys sewage to Oaks Water Treatment Plant by constructing and maintaining pipeline parallel along the floodway of Perkiomen Creek (WWF-MF), across adjacent wetlands (PFO) at three different locations and across five of unnamed tributaries (TSF-MF). The works involve the following:

1. To construct and maintain approximately 7,600 linear feet of 66-inch diameter sewage pipeline interceptor within the 100-year floodway and floodplain.

2. To construct and maintain approximately 5,900 linear feet of 54-inch diameter sewage pipeline interceptor within the 100-year floodway and floodplain.

3. To construct and maintain 38 concrete manholes to facilitate the connection of the different sized pipeline segments.

4. Conduct minor excavation and backfilling within the floodway to facilitate the pipeline construction network, disturbing approximately 20.9 acres.

5. The crossing of five unnamed tributaries to the Perkiomen (TSF-MF) at five points to facilitate the pipe network construction.

The projects proposes to temporarily affect approximately 15,000 linear feet and directly affect an approximate total of 13,500 linear feet of floodway, 80 linear feet of unnamed tributaries and impact 0.30 acre wetlands (PFO) including one large vernal pool. The project is one of several phases of the LPVRSa paralleling project associated with the Oaks Sewage Treatment Facility

upgrade. This phase is along the western bank of the Perkiomen Creek starting approximately at 1,000 feet north of the confluence of Perkiomen Creek and the Schuylkill River running north toward and terminating approximately where Perkiomen Creek meets the Skipack Creek in Upper Providence in Montgomery County (Collegeville, PA Quadrangle starting at N: 4.3 inches; W: 10.3 inches and ending at Valley Forge, PA Quadrangle N: 21.7 inches; W: 11.8 inches).

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

**E48-347. Alan B. and Kathleen J. McFall**, 118 Roosevelt Street, Windgap, PA 18091 in Plainfield Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in approximately 0.11 acre of PFO wetlands in the Little Bushkill Creek watershed, for the purpose of constructing a subdivision road and a driveway, to impact approximately 0.08 acre of PFO wetlands for the purpose of constructing a stormwater detention basin; and to construct and maintain various utility lines in wetlands. This work is associated with the proposed Janson Woods residential subdivision on the west side of Roosevelt Street, just south of the intersection with Eighth Street (Windgap, PA Quadrangle N: 18.6 inches; W: 6.9 inches).

**E48-348. Frederick Kelly Stewart**, 315 Allegheny Road, Mount Bethel, PA 18343 in Upper Mount Bethel Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a private bridge having a single span of approximately 24 feet and an underclearance of approximately 4.5 feet across Allegheny Creek (CWF). The project is on the south western side of Township Road T807 (Allegheny Road), approximately 0.5 mile northwest of Centerville Drive (Portland, PA-NJ Quadrangle N: 0.6 inch; W: 15.1 inches).

**E39-431. Wildlands Conservancy**, 3701 Orchid Place, Lehigh, PA 18101 in Salisbury and Lower Macungie Townships, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream stabilization project in a 2,400-foot reach of the Little Lehigh Creek (HQ-CWF) using natural stream channel design with work consisting of floodway excavation, streambank grading, vegetative planting and the placement of instream structures such as cross rock veins, log veins and boulder clusters. The project is within the Lehigh Country Club. It begins at River Bend Road and extends 2,400 feet downstream to a point approximately 600 feet upstream of Keystone Road (Allentown West, PA Quadrangle N: 8.8 inches; W: 1.0 inch).

**E54-312. Cornerstone Real Estate Development, LLC**, 1120 Spruce Street, Ashland, PA 17921 in Butler Township, **Schuylkill County**, U. S. Army Corps of Engineers, Baltimore District.

To relocate approximately 900 feet of a tributary to Little Mahanoy Creek (CWF) with the construction and maintenance of 1,130 feet of trapezoidal channel and a 180-foot long stream enclosure to construct and maintain three road crossings of a tributary to Little Mahanoy Creek (CWF) at Pine Street, Cedar Creek Drive and Pine Street; to construct and maintain a road crossing of a de minimis area of PFO wetlands; and the construction of seven driveway crossings to access Lots 17—20 and 32—35 across a tributary to Little Mahanoy Creek. The encroachments are associated with the development of

the Cedar Creek Development subdivision. The project is on the west side of SR 0061, approximately 2.9 miles west of SR 0054 (Ashland, PA Quadrangle N: 4.5 inches; W: 7.0 inches).

**E39-430. City of Allentown—Water Department,** 435 Hamilton Street, Allentown, PA 18101-1699 in City of Allentown, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing building and to construct and maintain a 42-foot by 125-foot storage building in the floodway of the Little Lehigh Creek and to construct and maintain a 42-foot by 125-foot storage building in the floodway fringe of the Little Lehigh Creek (HQ-CWF).

The project is at the City's water distribution facility on the east side of Martin Luther King Drive near its intersection with 15th Street (Allentown East, PA Quadrangle N: 17.25 inches; W: 14.7 inches).

**E45-462. Department of Transportation, Engineering District 5-0,** 1713 Lehigh Street, Allentown, PA 18103 in Jackson Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a precast concrete arch bridge with a concrete bottom, having a single span of 36 feet and an underclearance of approximately 8 feet across Appenzell Creek (HQ-CWF). The project is along SR 3018 (Neola Church Road), Segment 110, Offset 2035 at a point approximately 0.2 mile west of the SR 3018 and SR 3021 intersection (Saylorsburg, PA Quadrangle N: 15.1 inches; W: 12.8 inches).

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

**E29-090: Department of Transportation, District 9-0,** 1620 North Juniata Street, Hollidaysburg, PA 16648 in Wells Township, **Fulton County**, ACOE Baltimore District.

To remove the existing bridge and then to construct and maintain a 20-foot by 4.75-foot box culvert on a 70 degree skew at the channel of Roaring Run (HQ-CWF) on SR 4010, Segment 0060, Offset 0000, about 2.2 miles northeast of Wells Tannery Village (Wells Tannery, PA Quadrangle N: 20.3 inches; W: 1.0 inch) in Wells Township, Fulton County.

**E06-588: Department of Transportation, District 5-0,** 1713 Lehigh Street, Allentown, PA 18103 in Colebrookdale Township, **Berks County**, ACOE Philadelphia District.

To extend and maintain the length of an existing bridge at the upstream and by means of constructing a 20-foot wide by 9.5-foot high by 16.8-foot long concrete box culvert at the channel of an unnamed tributary to Swamp Creek (CWF) on SR 0100, Section 00, Segment 0030, Offset 1293 to construct a turning lane for the proposed Colebrookdale Village Shopping Center just north of Boyertown Borough (Boyertown, PA Quadrangle N: 18.8 inches; W: 0.42 inch) in Colebrookdale Township, Berks County.

**E22-469: West Hanover Township,** 7171 Allentown Boulevard, Harrisburg, PA 17112 in West Hanover Township, **Dauphin County**, ACOE Baltimore District.

To: (1) place fill within the delineated floodway of Beaver Creek (WWF); and (2) replace and maintain an old culvert with a new 57-inch by 38-inch CMPA culvert crossing an unnamed tributary to Beaver Creek (WWF), all for the purpose of super-elevating and widening

Piketown Road, starting at a point approximately 1,000 feet north of Interstate 81 and proceeding for 775 linear feet to the north (Harrisburg East, PA Quadrangle N: 15.35 inches; W: 1.15 inches) in West Hanover Township, Dauphin County.

**E01-246: The Brethren Home Community,** P. O. Box 128, 2990 Carlisle Pike, New Oxford, PA 17350 in Oxford Township, **Adams County**, ACOE Baltimore District.

To construct and maintain seven wetland road crossings: (1) 24-inch by 61-foot pipe; (2) 12-inch by 81-foot; (3) 15-inch by 83-foot; (4) 18-inch by 60-foot; (5) 30-inch by 60-foot; (6) 24-inch by 60-foot; and (7) 36-inch by 42-foot and an 8-inch by 563-foot sanitary sewer line crossing all unnamed tributaries to South Branch Conewago Creek (WWF) (McSherrystown, PA Quadrangle N: 20.1 inches; W: 4.3 inches) in Oxford Township, Adams County.

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

**E02-1461. Borough of Sewickley,** 601 Thorn Street, Sewickley, PA 15143. Chestnut Street outfall in Sewickley Borough, **Allegheny County**, Pittsburgh ACOE District (Ambridge, PA Quadrangle N: 6.25 inches; W: 8.25 inches) (Latitude: 40° 32' 03" and Longitude: 80° 11' 06").

The applicant proposes to remove the existing structure and to construct and maintain a 48-inch diameter outfall structure on the right bank of the Ohio River (WWF) for the purpose of discharging stormwater runoff to the Ohio River. The project is along Chestnut Street, approximately 1,023 feet southwest from the intersection of Ohio River Boulevard (SR 65) and Chestnut Street and will impact 28.0 linear feet of stream channel.

**E26-317. Redevelopment Authority of the County of Fayette,** 45 East Main Street, Suite 500, Uniontown, PA 15401. Demolition of the Autenreith Building over Dunlap Creek in Brownsville Borough, **Fayette County**, Pittsburgh ACOE District (California, PA Quadrangle N: 3.9 inches; W: 1.9 inches) (Latitude: 40° 1' 17" and Longitude: 79° 53' 19").

The applicant proposed to remove the Autenreith Building over Dunlap Creek (WWF) for the purpose of improving public safety. The demolition of the building includes cutting left side piers below normal flow elevation and cutting the right side piers 2 feet below the streambed. During removal of the structure, a temporary causeway consisting of nine 24-inch diameter pipes and cofferdams will be constructed and maintained. The project is just downstream of High Street Bridge.

**E63-443A1. Dredge Docks, Inc.,** 1290 Maple Street, Crescent, PA 15046. Denbo Landing culvert in Centerville Borough, **Washington County**, Pittsburgh ACOE District (Carmichaels, PA Quadrangle N: 22.3 inches; W: 9.2 inches) (Latitude: 39° 59' 50"—Longitude: 79° 56' 26").

The applicant proposes to amend Permit E63-443 which authorized the construction and maintenance of a 525-foot long barge dock along the left bank of the Monongahela River (WWF) near River Mile 59.8. This amendment will reissue and extend the time on the original permit and authorize the excavation and expansion of an existing pond, the construction and maintenance of a 12-inch diameter discharge culvert for a distance of approximately 805 feet and the discharge culverts outfall to the Monongahela River. The total proposed stream impact is approximately 805 feet of a tributary to the Monongahela River.

**E65-844. Bruce Henderson**, P. O. Box 945, Ligonier, PA 15658. Hidden Meadow Farm bridges in Ligonier Township, **Westmoreland County**, Pittsburgh ACOE District.

The applicant proposes to construct and maintain two bridges across North Fork Coalpit Run (HQ-CWF) for the purpose of providing access to a proposed dwelling. The first bridge is a 16.0-foot long single span con-span bridge having a normal span of 20.0 feet and an underclearance of 5.5 feet (Wilpen, PA Quadrangle N: 11.35 inches; W: 16.0 inches; Latitude: 40° 18' 45" and Longitude: 79° 14' 23"). The second bridge is a con-span bridge having two normal spans of 24.0 feet and an underclearance of 5.0 feet (Wilpen, PA Quadrangle N: 11.25 inches; W: 15.95 inches; Latitude: 40° 18' 43" and Longitude: 79° 14' 22"). The project is off of Austraw Road, 2.5 miles north of its intersection with Route 259.

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

**E20-535, Crawford County Commissioners**. Leimbach Road (T-658); County Bridge No. 44 replacement in Woodcock Township, **Crawford County**, ACOE Pittsburgh District (Blooming Valley, PA Quadrangle N: 21.4 inches; W: 7.4 inches).

The applicant proposed to remove the existing structure and to construct and maintain a 21.67-foot long, 24-foot wide by 5.33-foot high precast concrete arch (Crawford County Bridge No. 44) in Gravel Run (WWF, perennial) on T-658 (Leimbach Road), approximately 800 feet south of the intersection of Gravel Run Road and T-658 (Leimbach Road). The project include a direct impact (de minimis) of 0.014 acre of PEM and 0.02 acre of PSS wetland. The project proposes to directly affect a total of approximately 40 linear feet of stream channel and 0.034 acre of wetland (de minimis): 0.014 acre of PEM and 0.02 acre of PSS wetland.

**E62-398, Conewango Valley Country Club**, P. O. Box 7, Warren-Jamestown Road, Warren, PA 16365.

Rhine Run Restoration in Conewango and Pine Grove Township, **Warren County**, ACOE Pittsburgh District (Russell, PA-NY Quadrangle N: 6.5 inches; W: 3.6 inches).

To conduct the following activities in/along Rhine Run at the existing Conewango Valley Country Club golf course as repair and restoration of damage caused by July, 2003, flooding:

1. To construct and maintain an 8-foot wide steel beam bridge having a structure length of 50 feet and providing a clear span of approximately 45 feet and a maximum underclearance of 6.5 feet across Rhine Run to provide golf cart access to the no. 16 green and no. 17 tee on the existing golf course.

2. To remove gravel deposits, repair stream bank scour, stabilize and maintain the following along a total reach of approximately 700 feet of the channel of Rhine Run extending upstream from the existing access road bridge adjacent to the no. 16 green:

a. Removal of a total of approximately 550 feet of 5 gravel bars.

b. Backfill of scoured bank area along both sides of the stream for approximately 500 feet, beginning approximately 300 feet upstream of the golf cart bridge and extending downstream.

c. Placement of rock riprap along approximately 650 feet of the right bank beginning 300 feet upstream of the golf cart bridge and extending downstream.

d. Placement of rock riprap along approximately 150 feet of the left bank downstream of the golf cart bridge.

e. Installation of approximately 180 feet of stone retaining wall along the left bank extending upstream from the golf cart bridge.

3. To remove debris from the channel and floodway area along a total reach of approximately 2,500 feet of Rhine Run beginning approximately 700 feet upstream of the access road bridge and extending upstream.

## ACTIONS

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

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

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

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable

general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. Permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0020672 Sewerage	Washingtonville Municipal Authority P. O. Box 147 Washingtonville, PA 17884	Derry Township Montour County	Chillisquaque Creek SWP 10D	Y
PA0060062 Sewerage	Red Rock Job Corp Center P. O. Box 218 Lopez, PA 18628-0218	Colley Township Sullivan County	Mehoopany Creek SWP 4G	Y
PA0208647 Sewerage	Kratzer Run Sewer Authority P. O. Box 53 Grampian, PA 16838	Penn Township Clearfield County	Kratzer Run SWP 8B	Y
PA0041131 Sewerage	Columbia-Montour Area Vocational Technical School 5050 Sweppenheiser Drive Bloomsburg, PA 17815-8920	South Centre Township Columbia County	Campbell's Run 5-D	Y
PA0208612 Sewerage	Ridgebury Township Supervisors R. R. 3, Box 246A Gillette, PA 16925	Ridgebury Township Bradford County	UNT Bentley Creek 4-B	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0024589 Sewage	The Municipal Authority of the Borough of Leetsdale 10 Sixth Street Leetsdale, PA 15056	Allegheny County Leetsdale Borough	Ohio River	Y
PA0216089 Sewage	Westmoreland County Industrial Park Authority 2 North Main Street, Suite 601 Greensburg, PA 15601	Westmoreland County South Huntingdon Township	Youghiogheny River	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0102997	Advanced Heat Treating, Inc. 1057 Trout Run Road St. Marys, PA 15857	City of St. Marys Elk County	Unnamed tributary to Elk Creek 17-A	Y

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

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

**NPDES Permit No. PA0083053, Transfer No. 2, Sewage, All Seasons Hospitality, LLC, Days Inn—Towns Hill Plaza, R. D. 2, 1-70, Exit 156, Warfordsburg, PA 17267.** This proposed facility is in Brush Creek Township, **Fulton County**.

Description of Proposed Action/Activity: Authorization to discharge to the Wildcat Hollow Run in Watershed 11-C.

**NPDES Permit No. PA0043257, Amendment No. 1, Sewage, Scott DePoe, New Freedom Borough Authority, 49 East High Street, New Freedom, PA 17349.** This proposed facility is in Railroad Borough, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to South Branch Codorus Creek in Watershed 7-H.

**NPDES Permit No. PA0085677, Industrial Waste, Groundwater CleanUp, Harley-Davidson Motor Company Operations, Inc., Chris Kelly, 1425 Eden Road, York, PA 17402.** This proposed facility is in Springettsbury Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Codorus Creek in Watershed 7-H.

**NPDES Permit No. PA0087891, Amendment No. 2, Industrial Waste, GROWMARK FS, Inc., GROWMARK FS East Berlin Facility, 308 NE Front Street, Milford, DE 19963-9930.** This proposed facility is in Latimore Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to a drainage swale tributary to Mud Run in Watershed 7-F.

**NPDES Permit No. PA0083496, Industrial Waste, Brooks Norris, Lancaster County Solid Waste Management Authority, 1299 Harrisburg Pike, P. O. Box 4425, Lancaster, PA 17604-4425.** This proposed facility is in Conoy Township, **Lancaster County**.

Description of Proposed Action/Activity: Termination of permit.

**NPDES Permit No. PA0088897, CAFO, Hissong Farmstead, Inc., Hissong Dairy Farm, 5492 Buchanan Trail West, Greencastle, PA 17225.** This proposed facility is in Peters and Montgomery Townships, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a dairy CAFO operation in Watershed 13-C.

**NPDES Permit No. PA0246379, CAFO, Brian Blevins, Blevins Blue Mountain Finishing Farm, LLC, Blue Mountain Finishing Farm, 10315 Otterbein Church Road, Newburg, PA 17240.** This proposed facility is in Lurgan Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a swine and beef CAFO in Watershed 7-B.

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

**PA0111759, Industrial Waste SIC, 2011, Taylor Packing Company Inc., P. O. Box 188, Wyalusing, PA 18853.** This existing facility is in Wyalusing Township, **Bradford County**.

Description of Proposed Activity: Renewal of an NPDES permit for an existing discharge of treated industrial wastewater.

The receiving stream, Wyalusing Creek, is in the State Water Plan watershed 4D and classified for CWF. The nearest downstream public water supply intake for the Danville Municipal Water Authority is on the Susquehanna River, 120 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.8 MGD.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Daily Maximum	Average Monthly	Daily Maximum	Instantaneous Maximum
pH	within the range of 6.0 to 9.0				
CBOD <sub>5</sub>					
(5-1 to 10-31)	180	360	27	54	68
(11-1 to 4-30)	300	600	45	90	112
TSS	500	1,000	75	150	188
Ammonia-N					
(6-1 to 10-31)	20	40	3	6	7.5
(11-1 to 5-31)	57	113	8.5	17	21
Oil and Grease	100	153	15	23	30
Fecal Coliform					400 mpn/100 ml
Total Chlorine Residual			0.36		1.2

In addition to the effluent limits, the permit contains Part C 6 that requires best management practices to control the discharge of total dissolved solid and resultant osmotic pressure.

**PA0032352, Sewerage, SIC 4952, Williamsport Area School District, 1400 West 3rd Street, Williamsport, PA 17701.** This existing facility is in Hepburn Township, **Lycoming County**.

Description of Existing Activity: Issuance of an amended NPDES permit for a discharge from a wastewater treatment plant serving the Williamsport Area School District Hepburn-Lycoming Elementary School. The only change from the previous NPDES permit will be a reduction in discharge from 0.016 MGD to 0.006 MGD. Effluent limits will remain unchanged.



The receiving body of water, Lycoming Creek, is in the State Water Plan watershed 10A and is classified for WWF. The nearest downstream public water supply surface water intake for the Pennsylvania American Water Company, on the West Branch of the Susquehanna River, is approximately 38 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.006 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Total Cl <sub>2</sub> Residual	1.0	2.3
Fecal Coliform (5-1 to 9-30)	200/100ml as a geometric mean	
(10-1 to 4-30)	2,000/100ml as a geometric mean	
pH	6.0 to 9.0 SU at all times	

**NPDES Permit No. PA0111538**, Sewerage (4952), **Pine Valley Associates, LP**, 215 W. Church Road, Suite 105, King of Prussia, PA 19406. This existing facility is in the West Buffalo Township, **Union County**.

Description of Proposed Action/Activity: The NPDES permit will be transferred from Start Properties, LLC to Pine Valley Associates, LP. There are no changes to the permit other than the ownership transfer.

### **III. WQM Industrial Waste and Sewerage Actions 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. 3903201**, Industrial Waste, **Northampton Borough Municipal Authority**, 1 Clear Springs Drive, P. O. Box 156, Northampton, PA 18067-0156. This proposed facility is in North Whitehall and Whitehall Townships, **Lehigh County**.

Description of Proposed Action/Activity: The project consists of the construction of an industrial waste treatment plant to treat filter backwash and rinse water from the Northampton Borough Municipal Authority's new 8.0 mgd water treatment plant.

**WQM Permit No. 3587401-T2**, Sewerage, **Greystone—Benton I. L. P.**, 700 S. Henderson Road, Suite 210, King of Prussia, PA 19046. This proposed facility is in Benton Township, **Lackawanna County**.

Description of Proposed Action/Activity: Transfer and Issuance of Water Quality Management Permit.

**WQM Permit No. 4004401**, Sewerage, **Dallas Area Municipal Authority**, 530 South Memorial Highway, Shavertown, PA 18708. This proposed facility is in Kingston Township, **Luzerne County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit.

**WQM Permit No. 4003404**, Sewerage, **Alfonso Bellucci**, 685 South Mountain Boulevard, Mountain Top, PA 18707. This proposed facility is in Dorrance Township, **Luzerne County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit.

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

**WQM Permit No. 3604408**, Sewerage, **Kevin Herr, Superintendent, Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552. This proposed facility is in Rapho Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction of the Elm Tree Properties Interceptor.

**WQM Permit No. 3604409**, Sewerage, **Terry Kauffman, Administrator, Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552. This proposed facility is in Mount Joy Borough, **Lancaster County**.

Description of Proposed Action/Activity: Relocation and expansion of pump station no. 1.

**WQM Permit No. 3604410**, Sewerage, **Bryant Webb, Chairperson, West Earl Sewer Authority**, 157 West Metzler Road, P. O. Box 725, Brownstown, PA 17508. This proposed facility is in West Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Replacement of approximately 1,670 feet of 8-inch gravity interceptor with 12-inch gravity interceptor on East Main Street (manholes 10—15).

**WQM Permit No. 6794408, Amendment 04-1**, Sewerage, **Scott DePoe, New Freedom Borough Authority**, 49 East High Street, New Freedom, PA 17349. This proposed facility is in Railroad Borough, **York County**.

Description of Proposed Action/Activity: Installation of equalization pumps.

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

**WQM Permit No. 5904401**, Sewerage, **David Haslund**, R. R. 2, Box 70, Tioga, PA 16946. This proposed facility will be in Tioga Township, **Tioga County**.

Description of Proposed Action/Activity: Issuance of a WQM permit authorizing the construction and operation of a small flow treatment facility to serve a residence. Discharge will be to Shanty Creek (WWF).

**WQM Permit No. 1903402-T1**, Sewerage 4952, **James Sopko**, 207 Hetlerville Road, Nescopeck, PA 18635. This proposed facility is in Mifflin Township, **Columbia County**.

Description of Proposed Action/Activity: Issuance of a WQM Part II Permit for construction and operation of a small flow sewage treatment plant to serve a single residence. The treatment facility will discharge to an unnamed tributary to Tenmile Run (CWF).

**WQM Permit No. 6081403-T4**, Sewerage (4952), **Pine Valley Associates**, R. R. 4 Box 177, Mifflinburg, PA 17844. This proposed facility is in Rush Township, **Centre County**.

Description of Proposed Action/Activity: The WQM permit will be transferred from to the previous permittee. There are no changes to the permit other than the ownership transfer.

**WQM Permit No. 1704401**, Sewerage 4952, **Houtzdale Borough Municipal Sewer Authority**, 116 Sterling Avenue, P. O. Box 277, Houtzdale, PA 16651-0277. This existing facility is in Houtzdale Borough, **Clearfield County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Management Part II Permit to rerate the organic loading capacity of the treatment plant from 500 ppd BOD<sub>5</sub> to 600 ppd BOD<sub>5</sub>. The permitted hydraulic capacity of 0.3 MGD will remain the same.

**WQM Permit No. 1903405**, Sewerage 4952, **Hemlock Municipal Sewer Cooperative**, P. O. Box 243, Bloomsburg, PA 17751-0243. This proposed facility is in Hemlock Township, **Columbia County**.

Description of Proposed Action/Activity: Organic re-rating of the HMSC's wastewater treatment plant.

**WQM Permit No. 5504401**, Sewage 4952, **John W. Engle**, R. R. 5, Box 49, Park Road, Selinsgrove, PA 17870. This proposed facility is in Monroe Township, **Snyder County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate a single residence sewage plant. The sewage plant will be a septic tank, buried filter and chlorination.

**WQM Permit No. 0804401**, Sewerage 4952, **Gene Benson**, R. R. 2 Box 193, Gillett, PA 16925. This proposed facility is in South Creek Township, **Bradford County**.

Description of Proposed Action/Activity: Construction of small flow sewage treatment system.

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

**WQM Permit No. 2603403**, Sewerage, **Colonial Joint Sewage Authority**, 225 Twin Hill Road, Grindstone, PA 15442. This proposed facility is in Jefferson Township, **Fayette County**.

Description of Proposed Action/Activity: Construction of sanitary sewers and treatment plant to serve the Village of Grindstone.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAI132232	Dallas Township 601 Tunkhannock Highway Dallas, PA 18612	Luzerne	Dallas Township	Bowman's Creek HQ-CWF Toby's Creek CWF/TSF	Y
PAI132227	Lower Saucon Township 3700 Old Philadelphia Pike Bethlehem, PA 18015	Northampton	Lower Saucon Township	Saucon Creek CWF Cooks Creek EV Black River CWF Polk Valley Run CWF East Branch Saucon Creek CWF	Y
PAI132205	Upper Macungie Township 8330 Schantz Road Breinigsville, PA 18031	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF Jordan Creek TSF, MF Hassen Creek HQ-CWF, MF	Y

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Department Protocol (Y/N)</i>
PAI132204	Upper Milford Township 5831 King's Highway South Old Zionsville, PA 18068	Lehigh	Upper Milford Township	Little Lehigh Creek HQ-CWF Saucon Creek CWF Perkiomen Creek HQ-CWF	Y
PAI132206	Palmer Township 3 Weller Place P. O. Box 3039 Palmer, PA 18043-3039	Northampton	Palmer Township	Shoeneck Creek WWF Bushkill Creek HQ-CWF Lehigh River WWF	Y
PAI132236	Weisenberg Township 2175 Seipstown Road Fogelsville, PA 18051	Lehigh	Weisenberg Township	Little Lehigh Creek HQ	Y

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


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


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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010903018	Quakertown Community School District Pfaff Elementary School 600 Park Avenue Quakertown, PA 18951-2040	Bucks	Milford Township	Schmoutz Creek HQ-TSF
PAS10G328-R	Great Valley School District KD Markley Elementary 47 Church Road Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV
PAI011503061	St. Elizabeth's Parish 941 Pottstown Pike P. O. Box 941 Uwchland, PA 19480-0695	Chester	Upper Uwchlan Township	Pickering Creek HQ-TSF
PAI011503106	The Benson Companies Knobb Hill Subdivision P. O. Box 1610 Exton, PA 19341-1610	Chester	Tredyffrin Township	Valley Creek EV
PAI011504002	Chester T. Bartolli, III Bartolli Mushroom Facility 114 Gold Hawk Lane Landensberg, PA 19350	Chester	Londonderry Township	Unnamed tributary Big Elk Creek HQ-TSF-MF
PAI011504004	Willistown Township Greentree Community Park 688 Sugartown Road Malvern, PA 19355	Chester	Willistown Township	Crum Creek HQ-CWF

*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>
PAI023903050	Duane and Rosemary Oldt 2626 Livingston St. Allentown, PA 18104	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAI023904004	Keystone Property Trust 200 Four Falls, Suite 208 West Conshohocken, PA 19428	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>
PAS10Q003-2R	Jaindl Land Company 3150 Coffeetown Rd. Orefield, PA 18069	Lehigh	Upper Macungie Township	Iron Run HQ-CWF
PAI023904008	WORCO 20 West Market St. York, PA 17405	Lehigh	South Whitehall Township	Little Lehigh Creek HQ-CWF
PAI023903048	Millard Refrigerated Services 4715 South 132nd St. Omaha, NE 68137	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAS10S076-1	Pocono Mountain School District P. O. Box 200 Swiftwater, PA 18370-0200	Monroe	Tobyhanna Township	Tributary to Upper Tunkhannock Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032903001	Texas Eastern Transmission, L. P. Five Batchelder Road Seabrook, NH 03874	Fulton County Franklin County	Ayr and Peters Townships	UNT to Black Run CWF Black Run CWF Big Cove Creek CWF Buck Run HQ-CWF UNT to Buck Run HQ-CWF Kendall Run CWF UNT to Conococheague River TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044104001	Monte Rosenberger Zimmer Real Estate Development 111 Princess St. Wilmington, NC 28401	Lycoming	Jersey Shore Borough	Nichols Run HQ-CWF

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

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

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

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Single Residence Sewage Treatment Plants
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage

PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

*General Permit Type—PAG-2*

<i>Facility Location 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>
Birmingham Township Chester County	PAG2001503127	Piazza Limited Family Partnership Piazza West Chester 401 South Schuylkill Avenue Norristown, PA 19403	Unnamed tributary Radley Run WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
London Derry Township Highland Township Chester County	PAG2001503128	Eastern Shore Natural Gas Company 2993 Expansion—Foresman Loop 417 Bank Lane Dover, DE 19904	Doe Run TSF, MF Knight Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Marple Township Delaware County	PAG2002304006	Joseph Buoni Macy Properties 114 Yearsly Mill Road Media, PA 19063	Crum Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG2004604016	Montgomery Township Mun. Sewer Auth. School Spur/Kasorex Interceptor 1001 Stump Road Montgomeryville, PA 18936	Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Whitpain Township Montgomery County	PAG2004604017	Sean Breen Tract 2740 Butler Pike Plymouth Meeting, PA 19462	Stony Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Frederick Township Montgomery County	PAG2004603016	Wawa, Inc. 260 Baltimore Pike Wawa, PA 19063	Swamp Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG2004603209	Moulton Builders, Inc. Bridle Path Manor 301 North Broad Street Lansdale, PA 19446	West Branch Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004604035	Randy and Saranae Kurtz Land Development 57 Diesinger Drive Schwenksville, PA 19473	Unnamed tributary Hartenstine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Pottsgrove Township Montgomery County	PAG2004603160	Sukonik Brookside Estates, LP Brookside Estates 1250 Germantown Pike Suite 00 Plymouth Meeting, PA 19464	Sprogels Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Pottstown Borough West Pottsgrove Township Montgomery County	PAG2004604032	S. David Prizer 1800 East High Street Pottstown, PA 19464	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

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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>
Upper Moreland Township Montgomery County	PAG2004603241	Joseph Mallozzi 1145 North Easton Road Willow Grove, PA 19090	Tributary Pennypack Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lackawanna County South Abington Township	PAG2003504007	Jeffrey Keisling 10012 Valley Drive Clarks Summit, PA 18411	Leggett's Creek CWF	Lackawanna County Conservation District (570) 281-9495
Lehigh County Washington Township	PAG2003904008	Penn Quaker Site Contractors and Ashwood Development, Inc. P. O. Box 343 Nazareth, PA 18064	Lehigh River TSF	Lehigh County Conservation District (610) 391-9583
Lehigh County Weisenberg Township	PAG2003904014	Arcadia Homes of The Lehigh Valley 100 Gateway Dr., Suite 310 Bethlehem, PA 18017	Mill Creek CWF, MF	Lehigh County Conservation District (610) 391-9583
Lehigh County City of Allentown	PAG2003904015	Henry Merrill Agere Systems, Inc. 555 Union Blvd. Allentown, PA 18103	Lehigh River TSF	Lehigh County Conservation District (610) 391-9583
Northampton County City of Bethlehem	PAG2004804003	Ashley Development Corp. 559 Main St., Third Floor Bethlehem, PA 18018	Saucon Creek East Branch CWF	Northampton County Conservation District (610) 746-1971
Northampton County Borough of Freemansburg	PAG2004804004	Patrick Landon/Thomas Taylor Landon-Taylor Assoc., L. P. 1530 8th Ave., Suite 201 Bethlehem, PA 18018	Lehigh River WWF	Northampton County Conservation District (610) 746-1971
Northampton County Washington Township	PAR10U111R	Dave Sell Reen Development 1348 Hamilton Blvd. Allentown, PA 18102	Martins Creek TSF/MF	Northampton County Conservation District (610) 746-1971
Schuylkill County Butler Township	PAG2005403020	Scott McCormick 15 Elmer St. Ashland, PA 17921	Little Mahanoy Creek CWF	Schuylkill County Conservation District (570) 622-3742
Schuylkill County New Ringgold Borough	PAG2005404008	Mark Emerich, Council President New Ringgold Borough P. O. Box 188 New Ringgold, PA 17960	Little Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742
Greenwich Township Berks County	PAR10C451	Jeffrey Yorick 1275 Forman Drive Morgantown, WV 26508	UNT to Mill Creek TSF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Tilden Township Berks County	PAG2000604025	Carac Inc. 100 Industrial Drive Hamburg, PA 19526	UNT to Schuylkill River WWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Spring Township Berks County	PAG2000604104	Donald Kuser E. Kuser Inc. 150 Grings Hill Road Sinking Spring, PA 19608	Wyomissing Creek HQ-CWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657

<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>
Tulpehocken Township Berks County	PAG2000604027	Sam Forry P. O. Box 96 Rehrersburg, PA 19550	Little Swatara Creek CWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Maidencreek Township Berks County	PAG2000604036	F & P Holding Co. Inc. P. O. Box 96 Blandon Road Temple, PA 19560	Willow Creek CWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Spring Township Berks County	PAG2000604037	Township of Spring 2800 Shillington Road Sinking Spring, PA 19608	Wyomissing Creek CWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Middlesex Township Cumberland County	PAG2002104004	Second State Enterprises Bernard Washabaugh 20 Spring Street Chambersburg, PA 17201	Letort Spring Run CWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Camp Hill Borough East Pennsboro Township	PAG2002104005	Department of Transportation Engineering District 8-0 Steven Moore 2140 Herr Street Harrisburg, PA 17103	UNT to Susquehanna WWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Susquehanna Township Dauphin County	PAG2002204016	Triple Crown Corporation 5351 Jaycee Ave. Harrisburg, PA 17112	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Swatara Township Dauphin County	PAG2002203052	Wyndham Manor LLC 3315 Market Street Camp Hill, PA 17011	Spring Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Fermanagh Township Juniata County	PAG2033404006	Wade Cleck R. R. 1 Box 405 Mifflintown, PA 17059	Horning Run	Juniata County Conservation District R. R. 2 Box 302 Mifflintown, PA 17059 (717) 436-8953, Ext. 5
Columbia County Hemlock Township	PAG2001904002	Columbia County Christian School 123 Schoolhouse Rd. Bloomsburg, PA 17815	Fishing Creek CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310

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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>
Beaver County Center and Potter Townships	PAG2000404004	William G. West, Jr. Phillipsburg Center Associates, LLC The Bank Tower, Suite 910 307 Fourth Avenue Pittsburgh, PA 15222	Unnamed tributary to Markeys Run WWF	Beaver County Conservation District (724) 774-7090
Washington County Peters Township	PAG2006304013	Peters Township Sanitary Authority 3244 Washington Rd. McMurray, PA 15317	Unnamed tributary to Brush Run WWF	Washington County Conservation District (724) 228-6774
Washington County Borough of Canonsburg	PAG2006304014	A. Richard and Susan Nernberg	Unnamed tributary to Chartiers WWF	Washington County Conservation District (724) 228-6774
Westmoreland County Murrysville	PAG2006504014	Bar Dev. Co. 772 Pine Valley Dr. Pittsburgh, PA 15239	Unnamed tributary to Turtle Creek basin source to Brush Creek TSF	Westmoreland County Conservation District (724) 837-5271
Westmoreland County North Huntingdon Township	PAG2006504058	Huntingdon Dev. Inc. 12591 Route 30 North Huntingdon, PA 15642	Brush Creek TSF	Westmoreland County Conservation District (724) 837-5271
Venango County Sandy Creek Township	PAG2006104003	L & D Realty Partnership Rapid Reaction, Inc. 539 Congress Hill Road Franklin, PA 16323	UNT to Sandy Creek WWF	Venango County Conservation District (814) 676-2832
Plymouth Township Luzerne County	PAG2115404001	Department of Environmental Protection Bureau of Abandoned Mine Reclamation 2 Public Sq., 5th Floor Wilkes-Barre, PA 18711-0790	Mill Creek CWF	Department of Environmental Protection Bureau of Abandoned Mine Reclamation 2 Public Sq., 5th Floor Wilkes-Barre, PA 18711-0790 (570) 826-2371

*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>
Lower Mount Bethel Township Northampton County	PAR122208	ConAgra Flour Milling Co. a Subsidiary of ConAgra Foods, Inc. P. O. Box 193 Martins Creek, PA 18063	Delaware River WWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Upper Mahantango Township Schuylkill County	PAR122214	Michael Foods Egg Products, Inc. R. R. 1, Box 176 Klingerstown, PA 17941	Unnamed tributary to Pine Creek TSF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Coopersburg Borough Lehigh County	PAR212204	HYK Construction Corporation d/b/a Rahns Construction Material Co. 7700 Keewayden Street Coopersburg, PA 18036-2141	Unnamed tributary to Saucon Creek CWF	NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511



## NOTICES

<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>
Fulton County Ayr Township	PAR113514	JLG Industries, Inc. McConnellsburg Facility 1 JLG Drive McConnellsburg, PA 17233	UNT Big Cove Creek	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Spring Township Snyder County	PAR224849	Conestoga Wood Specialties, Corp. Beaver Springs Facility 254 Snyder Avenue Beaver Springs, PA 17812	UNT to S. Branch Middle Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Turbot Township Northumberland County	PAR804819	All American Plazas Inc. P. O. Box 302 Bethel, PA 19507	Limestone Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
<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	PAG0450173	David Haslund R. R. 2, Box 70 Tioga, PA 16946	Shanty Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Mifflin Township Columbia County	PAG045159 Sewerage	James Sopko 207 Hetlerville Road Nescopeck, PA 18635	UNT Tenmile Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
South Creek Township Bradford County	PAG045172 Sewerage	Gene Benson R. R. 2 Box 193 Gillett, PA 16925	Roaring Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

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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>
Union Township Centre County	PAG045068	Eugene E. Dubbs, Jr. 187 Jacobs Road Julian, PA 16844	UNT to Bald Eagle Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Monroe Township Snyder County	PAG045174	John W. Engle R. R. 5, Box 49, Park Road Selinsgrove, PA 17870	Rolling Green Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Franklin Township Beaver County	PAG046180	Greg S. Safran 190 Hickernell Road Fombell, PA 16123	Hazen Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
New Sewickley Township Beaver County	PAG046183	Linda Brueckner Marvin and Jean Shingleton 390 Blackwoods Road Freedom, PA 15042	UNT of Snake Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*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>
Antrim Township Franklin County	PAG083575	Greencastle Franklin County Authority 60 N. Washington St. Greencastle, PA 17225	John Buchanan Farm	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
West Pennsboro Township Cumberland County	PAG083570	Borough of Carlisle 53 W. South St. Carlisle, PA 17013	Chester Weaver Farm	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-8 (SSN)*

<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>
Palmer Township Northampton County	PAG082205	Nazareth Borough Municipal Authority P. O. Box A Nazareth, PA 18064	NBMA Farm	NERO 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511

*General Permit Type—PAG-9*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
Peters Township Franklin County	PAG093524	Rosy's Wastewater Removal Inc. 8058 Huber Rd. St. Thomas, PA 17252	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-9 (SSN)*

<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>
Upper Nazareth Township Northampton County	PAG092211	Henry Yeska & Sons, Inc. 821 Georgetown Rd. Nazareth, PA 18064	Yeska Farm	NERO 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511

*General Permit Type—PAG-12*

<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>
Lebanon County Heidelberg Township	PAG123556 Amendment No. 1	Marlin Martin Box 411C, R. D. 2 Myerstown, PA 17067	Watershed 3-C	SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Lancaster County West Lampeter Township	PAG123518 Amendment No. 1	Country View Family Farms, Inc. P. O. Box 526 Ephrata, PA 17522  Jennifer Reed Country View Family Farms, Inc. 436 S. Angle Street Mount Joy, PA 17552	Watershed 7-K	SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707

## PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

### SAFE DRINKING WATER

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

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

**Operations Permit** issued to **Dingman Delaware Elementary School**, 258 Routes 6 and 209, Milford, PA 18337, PWS ID 2520862, Dingman Township, **Pike County**, on March 26, 2004, for the operation of facilities approved under Construction Permit No. 5203504.

**Operations Permit** issued to **Pennsylvania Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489, PWS ID 2400046, Union Township, **Luzerne County** on March 30, 2004, for the operation of facilities approved under Construction Permits No. 4002503 and No. 4002502.

**Operations Permit** issued to **Schuylkill County Municipal Authority**, 221 South Centre Street, Pottsville, PA 17901, PWS ID 3540038, Branch Township, **Schuylkill County** on April 2, 2004, for the operation of facilities approved under Construction Permit N/A.

**Operations Permit** issued to **Schuylkill County Municipal Authority**, 221 South Centre Street, Pottsville, PA 17901, PWS ID 3540046, Tremont Borough,

**Schuylkill County** on April 2, 2004, for the operation of facilities approved under Construction Permit N/A.

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

**Permit No. Minor Amendment—Construction.** Public Water Supply.

Applicant **Williamsport Municipal Water Authority**  
**c/o LaRue F. VanZile**  
 253 West Fourth Street  
 Williamsport, PA 17701

Township City of Williamsport

County **Lycoming**

Type of Facility PWS—Authorizes rehabilitation of the Loyalsock finished water storage tank.

Consulting Engineer LaRue F. VanZile, P. E.  
 Williamsport Municipal Water Authority  
 253 West Fourth Street  
 Williamsport, PA 17701

Permit to Construct Issued April 1, 2004

**Permit No. Minor Amendment—Construction.** Public Water Supply.

Applicant **Walker Township Water Association**  
**David Foreman, President**  
 P. O. Box 160  
 Mingoville, PA 16856

Township Walker

County **Centre**

Type of Facility PWS—Construction of a finished water storage tank, new water distribution lines and modifications to the Sand Ridge Booster Pump Station.

Consulting Engineer Larson Design Group  
 Paul Krizan, P. E.  
 1000 Commerce Park Drive  
 Williamsport, PA 17703

Permit to Construct Issued April 2, 2004

**Permit No. 1403505—Construction.** Public Water Supply.

Applicant **Pennsylvania State University**  
**Robert E. Cooper, P. E.**  
 Office of the Physical Plant  
 University Park, PA 16802-1118

Borough State College

County **Centre**

Type of Facility PWS—Construction of air stripping, disinfection and booster pumping facilities to treat water from Houserville Wells 33—35.

Consulting Engineer Buchart Horn, Inc.  
 1200 West College Avenue  
 State College, PA 16801

Permit to Construct Issued April 7, 2004

**Permit No. 5503501.** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
**Richard T. Subasic, Vice President and General Manager**  
**Roaring Creek Division**  
 204 East Sunbury Street  
 Shamokin, PA 17872

Township Monroe

County **Snyder**

Type of Facility PWS—Operation of replacement disinfection facilities and corrosion control/sequestration treatment equipment at the Monroe Manor Well 6 well house and the Monroe Manor Well 4 well house.

Permit to Construct Issued April 1, 2004

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

**Operations Permit** issued to **Peter Rabbit Camp-ground Inc.**, 153 Lilac Lane, Slippery Rock, PA 16057, PWS ID 5100869, Brady Township, **Butler County**, on April 13, 2004, for the operation of the various changes at each of the four treatment plants, as approved under Construction Permit No. 1001502.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Minersville Borough	2 East Sunbury Street Minersville, PA 17954	Schuylkill

Plan Description: The approved plan provides for construction of separate sanitary sewers along Sunbury Street/Tunnel, South Delaware Avenue, Westwood Street, Peach Street, Front Street, South Street and Second Street. All of the new sewers, except the Peach Street sewer, will be connected to the new sewer along Sunbury Street. The Sunbury Street sewer will be connected to the existing 18-inch interceptor that is connected to the wastewater treatment plant. The Peach Street sewer will be a sewer extension from an existing manhole flowing towards Lewis Street. The project will divert approximately 11,000 gallons per day of sewage flow to the treatment plant instead of the Tunnel, that ultimately drains to the West Branch of Schuylkill River.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Fowler Residence**, Bensalem Township, **Bucks County**. Staci Nelson-Cottone, American Resource Consultants, Inc., P. O. Box 579, Quakertown, PA 18951, on behalf of Michael Fowler, 2395 Bowman Ave., Bensalem, PA 19020, has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standards.

**PECO Downingtown MGP Site**, Downingtown Borough, **Chester County**. John Roberts, Jacques Whitford Co., Inc., 450 S. Gravers Rd., Suite 105, Plymouth Meeting, PA 19462, on behalf of PECO Energy, Bryan Sladky, 2301 Market St., Philadelphia, PA 19106, has submitted a Remedial Investigation/Final Report concern-

ing remediation of site soil and groundwater contaminated with other organics and PAH. The report is intended to document remediation of the site to meet Site-Specific Standards.

**Jarrettown Elementary School**, Upper Dublin Township, **Montgomery County**. Daniel P. Claycomb, Environmental Standards, Inc., 1140 Valley Forge Rd., Valley Forge, PA 19482, has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Statewide Health Standards.

**Former Exxon Station No. 2-7497**, Horsham Township, **Montgomery County**. Jennifer L. O'Reilly, P. G., Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, has submitted a combined Remedial Investigation/Risk Assessment/Cleanup Plan/Final Report concerning remediation of site soil and groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

**Narco Avionics, Inc.**, Upper Dublin Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Commerce Drive Associates, Guy Wolfington, 700 S. Henderson Rd., Suite 225, King of Prussia, PA 19406, has submitted a combined Remedial Investigation/Risk Assessment/Final Report concerning remediation of site soil contaminated with chlorinated solvents and other organics and groundwater contaminated with chlorinated solvents, inorganics, lead and other organics. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

**Former U-Haul Property**, City of Philadelphia, **Philadelphia County**. William F. Schmidt, P. E., Penloni Associates, Inc., 3001 Market St., Suite 200, Philadelphia, PA 19104, on behalf of Broad & Washington Corp., Michael Fluehr, 101 S. King St., Gloucester City, NJ 08030, has submitted a combined Remedial Investigation/Final Report concerning remediation of site soil contaminated with lead and PAH and groundwater contaminated with chlorinated solvents, fuel oil no. 2 and PAH. The report is intended to document remediation of the site to meet Site-Specific Standards.

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

**Husack Auto Sales**, South Whitehall Township, **Lehigh County**. David A. Everitt, III, Senior Environmental Scientist, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18103 has submitted a Final Report (on behalf of George Husack, Locust Drive, Schnecksville, PA 18078) concerning the remediation of soils found or suspected to have been contaminated with leaded and/or unleaded gasoline constituents. The report was submitted to demonstrate attainment of the Residential Statewide Health Standard. A Notice of Intent to Remediate was simultaneously submitted.

**Gulf Oil Fullerton Terminal**, Whitehall Township, **Lehigh County**. Charles Olmstead, Senior Associate, Leggette Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380 has submitted a Final Report (on behalf of Andrew Beland, Gulf Oil LP, 90 Everett Avenue, P. O. Box 9151, Chelsea, MA 02150) concerning the remediation of soils and/or groundwater found or suspected to have been contaminated with

MTBE and other unleaded gasoline constituents. The report was submitted to demonstrate attainment of the Statewide Health Standard.

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

**Dar-Way Nursing Home**, Elkland Township, **Sullivan County**. Geological & Environmental Associates, Inc., on behalf of Guthrie Healthcare Systems, Guthrie Square, Sayre, PA 18840, has submitted a Final Report concerning groundwater contaminated with PHCs. This Final Report is intended to demonstrate attainment of 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), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program manager in the Department regional office before which the notice of the plan or report appears. If information

concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Lincoln Avenue and Penn Street Site**, Newtown Borough, **Bucks County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with PAH. The report was approved by the Department on March 31, 2004.

**Hoppes Facility**, Sadbury Township, **Chester County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents and other organics and site groundwater contaminated with chlorinated solvents and MTBE. The Final Report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on March 18, 2004.

**Going Residence**, Lower Merion Township, **Montgomery County**. David J. Klink, Environmental Standards, Inc., 1140 Valley Forge Rd., Valley Forge, PA 19482, on behalf of Mr. Going, 1425 County Line Rd., Rosemont, PA, has submitted a Final Report concerning remediation of site soil contaminated with fuel oil no. 2. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 6, 2004.

**Sunoco A Plus Mini Market (DUNS No. 03363-9630)**, City of Philadelphia, **Philadelphia County**. Marco Droese, Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 3, Glenmoore, PA 19343, on behalf of Sunoco, Inc. (R & M), Michael Babicki, 1801 Market St., Ten Penn Center, 20th Fl., Philadelphia, PA 19103, has submitted a Remedial Investigation/Final Report concerning remediation of site groundwater contaminated with MTBE and unleaded gasoline. The report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on April 8, 2004.

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

**Flying J Fuel Tanker Emergency Response**, Jenkins Township, **Luzerne County**. Robert Lintott, TEEM Environmental Services, Inc., Old Forge, PA 18518, submitted a Final Report (on behalf of Bryan McManus, Mericle New Boston Road LLC, Wilkes-Barre, PA 18702) concerning the remediation of site soils that became contaminated with diesel fuel as the result of a traffic accident. The report was submitted within 90 days of the release. The report demonstrated attainment of the Residential Statewide Health Soil Standard and was approved on March 26, 2004.

**America's Body Company**, City of Nanticoke, **Luzerne County**. James Sposito, P.G., Quad Three Group, Inc., 72 Glenmaura National Boulevard, Moosic, PA 18507 submitted a Final Report (on behalf of Robert Clothier, 375 W. Union Street, Nanticoke, PA 18634)

concerning the remediation of site soils accidentally contaminated by the release of an estimated 5 gallons of diesel fuel. The Final Report was submitted within 90 days of the release. The report demonstrated attainment of the Residential Statewide Health Soil Standard and was approved on April 2, 2004.

**Gerry Residence**, Bushkill Township, **Northampton County**. Thomas Martinelli, Environmental Scientist, JMT Environmental Technologies, Inc., 3353-C Gun Club Road, Nazareth, PA 18064 submitted a Final Report (on behalf of Raymond Gerry, Male Road, Wind Gap, PA) concerning the remediation of soils found or suspected to be contaminated with kerosene as the result of an accidental release. The report demonstrated attainment of the Residential Statewide Health Standard and was approved on March 31, 2004.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

*Hazardous Waste Transporter License Renewed*

**Baltimore Tank Lines, Inc.**, P. O. Box 1028, Glen Burnie, MD 21060-1028. License No. PA-AH0458. Effective March 12, 2004.

**Duquesne Light Company**, 2601 Preble, Pittsburgh, PA 15233. License No. PA-AH0462. Effective March 10, 2004.

**EAP Industries, Inc.**, P. O. Box 275, 1575 Smith Township State Road, Route 18, Atlasburg, PA 15004-0275. License No. PA-AH0660. Effective April 5, 2004.

**Fleet Environmental**, 75D York Avenue, Randolph, MA 02368. License No. PA-AH0658. Effective March 10, 2004.

**G. Tresch Transportation, Inc.**, 630 South Evergreen Avenue, Woodbury, NJ 08097. License No. PA-AH0380. Effective February 27, 2004.

**Ken's Marine Service, Inc.**, P. O. Box 4001, Bayonne, NJ 07002. License No. PA-AHS154. Effective March 24, 2004.

**Lewis Environmental, Inc.**, P. O. Box 639, Royersford, PA 19468. License No. PA-AH0591. Effective March 10, 2004.

**Op-Tech Environmental Services, Inc.**, 6392 Deere Road, Syracuse, NY 13206. License No. PA-AH0599. Effective March 24, 2004.

**Safety-Kleen Canada, Inc.**, 300 Woolwich Road, Breslau, ON N0B 1M0. License No. PA-AH0517. Effective March 9, 2004.

**Smith Systems Transportation, Inc.**, P. O. Box 2455, Scottsbluff, NE 69361. License No. PA-AH0654. Effective March 10, 2004.

**Supro, Inc.**, 7392 Whipple Avenue, NW, North Canton, OH 44720-7140. License No. PA-AH0659. Effective March 10, 2004.

**United Oil Recovery, Inc.**, 14 West Main Street, Meriden, CT 06451. License No. PA-AH0378. Effective April 6, 2004.

#### Hazardous Waste Transporter License Actions taken under the Solid Waste Management Act and regulations to transport hazardous waste.

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

*Hazardous Waste Transporter License Voluntarily Terminated*

**T. W. Scott Enterprises, Inc.**, 235 Sylvan Drive, P. O. Box 705, Belle Vernon, PA 15012. License No. PA-AH0657. Effective March 9, 2004.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Permits under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage, or disposal facility.**

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

**PAD002292068. Rohm & Haas Co.**, 200 Route 413, Bristol, PA 19007, Bristol Township, **Bucks County**. Closure certifications for tanks 365 and 369 have been approved. A partial bond release reflecting the tank closure may be executed in one year when this closure certification notice takes effect under 25 Pa. Code § 264a.166(c). Nothing in this action affects the ongoing permitted hazardous waste container storage operations. Notification of the Department's certification of closure issued by the Southeast Regional Office on April 6, 2004.

#### RESIDUAL WASTE GENERAL PERMIT

**Permits Modified under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit No. WMGR090. Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.**

General Permit No. WMGR090 authorizes the processing and beneficial use of reclaimed asphalt pavement (RAP) materials as a roadway construction material. This general permit was modified by incorporating changes to Conditions 25, 26 and Appendix A of the general permit. The changes were necessary to promote and facilitate the beneficial use of RAP materials more effectively. The modified general permit now authorizes: (1) the permittee to distribute or supply RAP materials to any person or municipality who desires to obtain the reclaimed asphalt pavement materials for beneficial use, hereinafter, referred to as "end-user," without registering as required in Condition 13 of the general permit; and (2) the end-user shall provide a signed statement that states the RAP material received will be beneficially used, within 2

weeks of the acceptance of the materials, in accordance with the requirements specified in Appendix A of the general permit. The Central Office modified the general permit on April 12, 2004.

Persons interested in obtaining more information or obtaining copies of the general permit should contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

#### **REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE**

**Registration Approved under the Solid Waste Management Act, the Residual Waste Planning, Recycling and Waste Reduction Act and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**Registration under General Permit No. WMGR090R029. Swank Associated Companies, Inc.,** 200 Hunt Valley Road, New Kensington, PA 15068. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. The Central Office approved this registration for coverage under the general permit on April 14, 2004.

Persons interested in obtaining more information or obtaining copies of the general permit should contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

**Registration Modified under the Solid Waste Management Act, the Residual Waste Planning, Recycling and Waste Reduction Act and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**Registration under General Permit No. WMGR090R001. Pennsy Supply, Inc.,** P. O. Box 3331, Harrisburg, PA 17104-3331. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R002. Wilson Paving, Inc.,** 480 West Old York Road, Carlisle, PA 17013-7503. General Permit No. WMGR090 authorizes the processing and beneficial use of

RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R003. E. J. Breneman L. P.,** 1117 Snyder Road, West Lawn, PA 19609. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R004. Quaker Sales Corporation,** P. O. Box 880, Johnstown, PA 15907-0880. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R005. EJB Paving and Materials Co.,** 1119 Snyder Road, West Lawn, PA 19609. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R006. Derry Construction Company, Inc.,** R. D. 5, Box 34, Latrobe, PA 15650-9624. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R007. HRI, Inc.,** 1750 West College, Avenue, State College, PA 16801. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R008. Glasgow, Inc.,** P. O. Box 1089, Glenside, PA 19038. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.



**Registration under General Permit No. WMGR090R009. Martin Paving, Inc.,** P. O. Box 446, Ephrata, PA 17522. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R010. IA Construction Corporation,** 2100 Garden Drive, Suite 250, Seven Fields, PA 16046. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to: (1) incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit; and (2) approve additional plants that are owned and operated by IA Construction Corporation to be covered under this general permit as requested.

**Registration under General Permit No. WMGR090R011. Russell Standard Corporation,** P. O. Box 86, Union City, PA 16438. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R012. The Lane Construction Corporation,** 965 East Main Street, Meriden, CT 06450. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R013. Mayer Brothers Construction Company,** 1902 Cherry Street, Erie, PA 16502. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R015. Lindy Paving, Inc.,** R. D. 3, Box 2A, Northgate Industrial Park, New Castle, PA 16105. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R016. Hanson Aggregates Pennsylvania, Inc.,** P. O. Box 231, Easton, PA 18044-0231. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction

material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R017. Golden Eagle Construction Company,** P. O. Box 945, Uniontown, PA 15473. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R018. Department of Transportation,** 400 North Street, Keystone Building, Harrisburg, PA 17105-2957. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R019. Swatara Township Board of Commissioners,** 599 Eisenhower Boulevard, Harrisburg, PA 17111. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R020. Keystone Lime Co., Inc.,** P. O. Box 278, Springs, PA 15562. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R021. Valley Quarries, Inc.,** 297 Quarry Road, Chambersburg, PA 17201-0809. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

**Registration under General Permit No. WMGR090R022. New Enterprise Stone & Lime Co., Inc.,** 110 Church Street, New Enterprise, PA 15139. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to: (1) incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit; and (2) approve additional plants, that are owned and operated by New Enterprise Stone & Lime Co., Inc., to be covered under this general permit as requested.

**Registration under General Permit No. WMGR090R023. Martin Limestone, Inc.**, 3580 Division Highway, Blue Ball, PA 17519. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. This general permit was modified to incorporate the changes that the Department made to Conditions 25, 26 and Appendix A of the general permit. The Central Office modified this registration for coverage under the general permit on April 12, 2004.

Persons interested in obtaining more information or obtaining copies of a general permit should contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

**Registration Approved under the Solid Waste Management Act, the Residual Waste Planning, Recycling and Waste Reduction Act and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**Registration under General Permit No. WMGR090R025. T. D. P. S. Materials**, 1750 Walton Road, Blue Bell, PA 19422. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. The Central Office approved this registration for coverage under the general permit on April 7, 2004.

**Registration under General Permit No. WMGR090R026. Highway Materials, Inc.**, 1750 Walton Road, Blue Bell, PA 19422. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. The Central Office approved this registration for coverage under the general permit on April 7, 2004.

**Registration under General Permit No. WMGR090R027. McMinn's Asphalt Company, Inc.**, 2743 Lancaster Road, Lancaster, PA 17604-4688. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. The Central Office approved this registration for coverage under the general permit on April 7, 2004.

**Registration under General Permit No. WMGR090R030. Ryan Township Board of Supervisors**, 36 N. 5th Avenue, Barnesville, PA 18214. General Permit No. WMGR090 authorizes the processing and beneficial use of RAP materials as a roadway construction material. The Central Office approved this registration for coverage under the general permit on April 7, 2004.

Persons interested in obtaining more information or obtaining copies of a general permit should contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904)**

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

**Permit No. 101631. Eldredge Inc.**, 898 Fern Hill Road, West Chester, PA 19380-4202, West Goshen Township, **Chester County**. This amended waste management permit is to bring the Eldredge Transfer Station into compliance with the radiation protection action plan requirement. The permit was issued by the Southeast Regional Office on April 7, 2004.

**Permit No. 101076. Lower Merion Township**, 75 E. Lancaster Avenue, Ardmore, PA 19003-2323, Lower Merion Township, **Montgomery County**. This amended waste management permit is to bring the Lower Merion Transfer Station into compliance with the radiation protection action plan requirement. The permit was issued by the Southeast Regional Office on April 7, 2004.

**Permit No. 100817. Eastern Montgomery County, Waste System Authority**, Suite 300, One Lafayette Place, Norristown, PA 19401, Upper Dublin Township, **Montgomery County**. This amended waste management permit is to bring the Abington Transfer Station into compliance with the radiation protection action plan requirement. The permit was issued by the Southeast Regional Office on April 7, 2004.

## AIR QUALITY

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

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

**GP3-22-03061: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) on April 6, 2004, for Portable Nonmetallic Mineral Processing Plants under GP3 in Lower Swatara Township, **Dauphin County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

**09-0105B: Naceville Materials** (483 Springfield Street, Coopersburg, PA 19474) on April 6, 2004, for operation of a 20,000-gallon storage tank in Springfield Township, **Bucks County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

**03-00197A: Nature's Blend Wood Products, Inc.** (P. O. Box 392, 202 First Avenue, Ford City, PA 16226) on April 8, 2004, to install a new flat line and door line spray coating application system in Ford City, **Armstrong County**. This plan approval was extended.

**32-00238A: Weimer's Iron and Scrapmetal** (5639 Tunnelton Road, Saltsburg, PA 15681) on April 8, 2004, to install an aluminum melting furnace in Conemaugh Township, **Indiana County**. This plan approval was extended.

**63-307-027: American Iron Oxide Production** (Foster Plaza, No. 7, 661 Andersen Drive, Pittsburgh, PA 15220) on April 12, 2004, to install a baghouse and scrubbers in Allenport Borough, **Washington County**. This plan approval was extended.

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

**33-033B: Owens Brockway Glass Container—Plant 18** (Cherry Street, Brockway, PA 15824) on April 15, 2004, to construct an applied ceramic labeling process in Brockway, **Jefferson County**.

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**Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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

**22-05026: Eldorado Properties Corp.** (P. O. Box 2621, Harrisburg, PA 17105) on April 8, 2004, to operate a loading rack for bulk petroleum product loading at their Lucknow Terminal in the City of Harrisburg, **Dauphin County**. This is a renewal of the Title V operating permit.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

**46-00084: Pilgrim's Pride Corp.** (471 Harleysville Pike, P. O. Box 8, Franconia, PA 18924) on April 6, 2004, for operation of a natural minor operating permit in Franconia Township, **Montgomery County**.

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

**36-03007: F. L. Smidth, Inc.** (236 South Cherry Street, Manheim, PA 17545) on April 8, 2004, to operate their two natural gas boilers, two metal build-up lathes, shotblast booth and degreasing units in Manheim Borough, **Lancaster County**.

**38-03015: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) on April 6, 2004, to operate their crushing operation at the Fontana Quarry in South Annville Township, **Lebanon County**.

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

**33-00147: Dominion Transmission, Inc.—Big Run Station** (Township Road 628, Luthersburg, PA 15848) on April 5, 2004, for a Natural Minor Operating Permit for emissions from a natural gas compressor station in Gaskill Township, **Jefferson County**.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

**01-03010: Dal-Tile Corp.** (211 North Fourth Street, Gettysburg, PA 17325) on March 31, 2004, to operate their ceramic floor and wall tile products facility in Gettysburg Borough, **Adams County**. The State-only operating permit was administratively amended to revise the Tax Identification Number only. This is Revision No. 1 of the Operating Permit.

**01-03011: Dal-Tile Corp.** (283 South Main Street, Bendersville, PA 17306) on March 31, 2004, to operate their ceramic floor and wall tile products facility in Bendersville Borough, **Adams County**. The State-only operating permit was administratively amended to revise the Tax Identification Number only. This is Revision No. 1 of the Operating Permit.

**01-03016: Dal-Tile Corp.** (2938 York Road, Gettysburg, PA 17325) on April 1, 2004, to operate their ceramic floor and wall tile products facility in Straban Township, **Adams County**. The State-only operating permit was administratively amended to revise the Tax Identification Number only. This is Revision No. 1 of the Operating Permit.

**36-03121: Cadmus Journal Services, Inc.** (P. O. Box 3657, Lancaster, PA 17604) on April 7, 2004, for installation of one web press at their Lancaster Press facility in West Hempfield Township, **Lancaster County**. The State-only operating permit was administratively amended to incorporate the plan approval into the existing permit. This is Revision No. 1 of the operating permit.

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

**41-0001A: Stroehmann Bakeries, LC** (3375 Lycoming Creek Road, Williamsport, PA 17701) on April 6, 2004, to administratively amend the respective operating permit to incorporate conditions established in Plan Approval 41-0001B authorizing the installation of a replacement catalytic oxidizer to control VOC emissions from two bread ovens in Old Lycoming Township, **Lycoming County**.

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

**04-00044: Horsehead Corp.** (300 Frankfort Road, Monaca, PA 15061) on April 5, 2004, for change of ownership from Zinc Corporation of America to Horsehead Corporation in Potter Township, **Beaver County**.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### Coal Permit Actions

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**54861303R3. R & D Coal Company** (214 Vaux Avenue, Tremont, PA 17981), renewal of an existing underground mine operation in Tremont Township, **Schuylkill County**, affecting 7.8 acres. Receiving streams: Rowe Tunnel. Application received February 26, 2002. Renewal issued April 7, 2004.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**16920107 and NPDES Permit No. PA0211435. RFI Energy, Inc.** (555 Philadelphia Street, Indiana, PA 15701), transfer of an existing bituminous strip, tippel refuse disposal and beneficial use of coal ash operation in Perry and Licking Townships, **Clarion County**, affecting 547.0 acres. This permit has been transferred from C & K Coal Company. Receiving streams: unnamed tributaries to Cherry Run. Application received January 13, 2004. Permit issued April 5, 2004.

**33850123. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830), revision to an existing bituminous strip operation to change the post-mining land use from pastureland and land occasionally cut for hay to industrial/commercial on the Ivan D. Jr. and Beverly Starr property in Washington Township, **Jefferson County**. Receiving streams: unnamed tributary to Mill Creek and unnamed tributary to Rattlesnake Run. Application received October 10, 2003. Permit issued April 7, 2004.

**33813012 and NPDES Permit No. PA0603210. P. and N. Coal Co., Inc.** (P. O. Box 332, Punxsutawney, PA 15767), renewal of an existing bituminous strip and auger operation in Gaskill Township, **Jefferson County**, affecting 598.0 acres. Receiving streams: unnamed tributary to Clover Run and unnamed tributaries to East Branch Mahoning Creek. This renewal is issued for reclamation only. Application received February 9, 2004. Permit issued April 7, 2004.

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

**56030102 and NPDES Permit No. PA0249424. Mountaineer Mining Corporation** (1010 Garrett

Shortcut Road, Berlin, PA 15530), commencement, operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 29.6 acres. Receiving streams: unnamed tributary to and Hays Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 3, 2003. Permit issued April 8, 2004.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**65030103 and NPDES Permit No. PA0250481. Sosko Coal Co., Inc.** (R. R. 3, Box 330, Mt. Pleasant, PA 15666), permit issued for commencement, operation and reclamation of a bituminous surface/auger mining site in East Huntingdon Township, **Westmoreland County**, affecting 79.9 acres. Receiving streams: unnamed tributary to Stauffer Run and Stauffer Run. Application received November 21, 2003. Permit issued April 7, 2004

**63980101 and NPDES Permit No. PA0202151. Twilight Industries, Division of U. S. Natural Resources, Inc.** (212 State Street, Belle Vernon, PA 15012), transfer of permit formerly issued to David Breeden Enterprises for continued operation and reclamation of a bituminous surface mining site in Somerset Township, **Washington County**, affecting 173.0 acres. Receiving streams: unnamed tributaries to North Branch of Pigeon Creek to Pigeon Creek to Monongahela River. Application received November 17, 2003. Transfer permit issued April 7, 2004.

**03030103 and NPDES Permit No. PA0250384. AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650), permit issued for commencement, operation and reclamation of a bituminous surface mine in Sugarcreek Township, **Armstrong County**, affecting 130.2 acres. Receiving streams: unnamed tributary to Huling Run. Application received April 10, 2003. Permit issued April 8, 2004.

### Noncoal Permit Actions

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**58032811. Timber Lane Stone, Inc.** (1903 Timber Lane, Clarks Summit, PA 18411), commencement, operation and restoration of a quarry operation in Lenox Township, **Susquehanna County**, affecting 5.0 acres. Receiving streams: Tunkhannock Creek. Application received October 28, 2003. Permit issued April 2, 2004.

**58040807. Lindley L. Rood** (R. R. 1, Box 1289, Hop Bottom, PA 18824), commencement, operation and restoration of a quarry operation in Lenox Township, **Susquehanna County**, affecting 5.0 acres. Receiving streams: Utley Brook and Tunkhannock Creek. Application received February 5, 2004. Permit issued April 2, 2004.

**58040806. DeWitt C. Porter** (R. R. 1 Box 1595, Hallstead, PA 18822), commencement, operation and restoration of a quarry operation in Liberty Township, **Susquehanna County**, affecting 5.0 acres. Receiving streams: Rhiney Creek. Application received January 30, 2004. Permit issued April 5, 2004.

**7574SM1A1C6 and NPDES Permit No. PA0594300. Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage in Silver Spring Township, **Cumberland County**. Receiving streams: Conodoguinet Creek. Application received February 17, 2004. Permit issued April 5, 2004.

**28010301 and NPDES Permit No. PA0123811.** Myron A. Young (5043 Fort McCord Road, Chambersburg, PA 17201), commencement, operation and restoration of a quarry operation and discharge of treated mine drainage in Hamilton Township, **Franklin County**, affecting 31.54 acres. Receiving streams: unnamed tributary to Conococheague Creek. Application received January 31, 2001. Permit issued April 7, 2004.

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

**14022801. Raducz Stone Corporation** (284 Rockdale Road, Butler, PA 16002), transfer of an existing small industrial minerals (sandstone) permit from Two Rock Stone Company. The permit is in Howard Township, **Centre County** and affects 5 acres permitted for mineral extraction. Receiving streams: Lick Run and Bald Eagle Creek (Howard Dam), tributary to Bald Eagle Creek (Howard Dam). Application received February 27, 2004. Permit issued April 6, 2004.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**21044012. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Brook Meadow in Silver Spring Township, **Cumberland County**, with an expiration date of March 31, 2005. Permit issued April 6, 2004.

**15044010. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting at St. Basil Church Sanitary Sewer Line in East Pikeland Township, **Chester County**, with an expiration date of April 26, 2005. Permit issued April 6, 2004.

**22044006. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Apple Creek Farms in Susquehanna Township, **Dauphin County**, with an expiration date of December 31, 2005. Permit issued April 6, 2004.

**21044013. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Golden Triangle in Silver Spring Township, **Cumberland County**, with an expiration date of March 31, 2005. Permit issued April 6, 2004.

**06044013. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Rockledge in Ontelaunee Township, **Berks County**, with an expiration date of December 31, 2005. Permit issued April 7, 2004.

**36044025. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Running Park Business Center in Hempfield Township, **Lancaster County**, with an expiration date of December 31, 2005. Permit issued April 7, 2004.

**21044014. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Woods Drive Industrial Park in Silver Spring Township, **Cumberland County**, with an expiration date of March 31, 2005. Permit issued April 7, 2004.

**36044027. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting at

John Stoltzfus, 233 Peters Road, Earl Township, **Lancaster County**, with an expiration date of July 29, 2004. Permit issued April 7, 2004.

**21044015. R & M Excavating** (403 Hilltop Road, Newburg, PA 17240), construction blasting at Brian Franklin Basement in West Pennsboro Township, **Cumberland County**, with an expiration date of July 31, 2004. Permit issued April 7, 2004.

**45044016. Austin Powder Company** (P. O. Box 289, Northampton, PA 18067), construction blasting at Aventis Pasteur Parking Lot and Building Addition in Pocono Township, **Monroe County**, with an expiration date of May 1, 2005. Permit issued April 7, 2004.

**45044017. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Alpine Lake Lot Owners Association in Pocono Township, **Monroe County**, with an expiration date of March 20, 2005. Permit issued April 7, 2004.

**45044018. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Blue Mountain Lake-Marsh Road in Stroud Township, **Monroe County**, with an expiration date of March 22, 2005. Permit issued April 7, 2004.

**21044016. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Rolling Green Memorial Garden in Lower Allen Township, **Cumberland County**, with an expiration date of April 30, 2006. Permit issued April 7, 2004.

**52044003. Holbert Explosives, Inc.** (237 Masthope Plank Road, Lackawaxen, PA 18435), construction blasting in Lackawaxen Township, **Pike County**, with an expiration date of November 7, 2004. Permit issued April 7, 2004.

**67044016. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Ruters Store in Newberry Township, **York County**, with an expiration date of April 30, 2005. Permit issued April 7, 2004.

**09044007. Eastern Blasting Company, Inc.** (1292 Street Road, New Hope, PA 18938), construction blasting at Summerhill in Doylestown Township, **Bucks County**, with an expiration date of May 30, 2004. Permit issued April 8, 2004.

**21044017. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in North Middleton Township, **Cumberland County**, with an expiration date of April 30, 2005. Permit issued April 8, 2004.

**45044019. Austin Powder Company** (P. O. Box 289, Northampton, PA 18067), construction blasting at Sullivan Trail Junior High School in Tobyhanna Township, **Monroe County**, with an expiration date of May 6, 2005. Permit issued April 8, 2004.

**35044004. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting at Stephen Hrobuchak Project in North Abington Township, **Lackawanna County**, with an expiration date of March 25, 2005. Permit issued April 8, 2004.

**67044017. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for sanitary sewer trenches and a pump station on East Springfield Road, Springfield Township, **York County**, with an expiration date of April 30, 2005. Permit issued April 8, 2004.

**15044011. Allan A. Myers, Inc.** (P. O. Box 98, Worcester, PA 19490), construction blasting for Town Square Plaza commercial site in North Coventry Township, **Chester County**, with an expiration date of April 5, 2005. Permit issued April 8, 2004.

**15044012. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for the Schiffe Publishing Warehouse in Sadsbury Township, **Chester County**, with an expiration date of April 5, 2005. Permit issued April 8, 2004.

**67044019. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting for the Summer Glenn Development in New Freedom Borough, **York County**, with an expiration date of April 30, 2005. Permit issued April 9, 2004.

**67044018. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Stone Gate Commons Development in Conewago Township, **York County**, with an expiration date of April 30, 2005. Permit issued April 9, 2004.

**28044014. Fayetteville Contractors, Inc.** (P. O. Box FCI, Fayetteville, PA 17222), construction blasting at Hawkstone Development in Washington Township, **Franklin County**, with an expiration date of April 30, 2005. Permit issued April 9, 2004.

**28044015. David H. Martin, Inc.** (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at CCX Service Center in Antrim Township, **Franklin County**, with an expiration date of April 30, 2005. Permit issued April 9, 2004.

**28044016. David H. Martin, Inc.** (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at Route 11 South Corridor in the Borough of Chambersburg, **Franklin County**, with an expiration date of April 30, 2005. Permit issued April 9, 2004.

**45044020. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Leisure Lands Development in Middle Smithfield Township, **Monroe County**, with an expiration date of March 29, 2005. Permit issued April 9, 2004.

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

**11044002. New Enterprise Stone & Lime Company** (P. O. Box 77, New Enterprise, PA 16664), road construction—SR 0022(005), **Cambria County**, PennDOT Contract 22414, Jackson Township, Cambria County. Duration approximately 1,200 days. Permit issued April 6, 2004.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**63044001. Ortin Contracting, LLC** (140 Eberle Road, Hickory, PA 15340), blasting activity permit for construction to an abandon mine discharge project in Smith Township, **Washington County**, with an expected duration of 1 year. Permit issued April 7, 2004.

**04045002. Precision Blasting, Inc.** (P. O. Box 7815, Flatwoods, KY 41139), blasting activity permits-by-rule for demolition project in Shippingport Borough, **Beaver County**, with an expected duration of 1 year. Permit issued April 8, 2004.

**30045001. Precision Blasting, Inc.** (P. O. Box 7815, Flatwoods, KY 41139), blasting activity permits-by-rule

for demolition project in Cumberlin Township, **Greene County**, with an expected duration of 1 year. Permit issued April 8, 2004.

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

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

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

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E64-245. Roche Supply, Inc.**, P. O. Box 30, Honesdale, PA 18431. Texas Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To place fill in 0.30 acre of PEM wetlands for the purpose of expanding the outdoor storage area of an existing business. A portion of the proposed fill (approximately 150 linear feet, with an average depth of 0.5 foot) is within the floodway along the right bank of a tributary to the Lackawaxen River (HQ-CWF). The permittee is required to provide for 0.30 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is along the east side of SR 0191, approximately 0.1 mile south of the intersection of SR 0191 and T-484 (Shady Lane) (Honesdale, PA Quadrangle N: 8.5 inches; W: 0.0 inch) (Subbasin: 1B).

**E64-246. Game Commission**, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. Lake Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an 18-foot long, 9-foot 7-inch by 4-foot 1-inch aluminum box culvert across a tributary to Silkman's Swamp Run (HQ-CWF) for the purpose of harvesting timber. The project is on State Game Lands No. 310, approximately 2,400 feet southwest of the intersection of SR 3032 and T 372 (Lake Ariel, PA Quadrangle N: 11.55 inches; W: 5.95 inches) (Subbasin: 1C).

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

**E21-360: Southampton Township**, 200 Airport Road, Shippensburg, PA 17257 in Southampton Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain: (1) a 4-foot wide pedestrian footbridge to completely span the channel of Thompson Creek (CWF); and (2) a 4-foot wide pedestrian footbridge to completely span the channel of Reservoir Hollow Run (CWF), both tributaries to the Conodoguinet Creek, for the purpose of connecting a trail around the proposed Township park, at a point on the west side of Hershey Road (T-316) just north of the Hershey Road (T-316) and Airport Road (LR 21050) intersection and just west of the Southampton Township Municipal Building (Walnut Bottom, PA Quadrangle N: 9.65 inches; W: 14.85 inches) in Southampton Township, Cumberland County.

**E21-361: Cumberland-Franklin Joint Municipal Authority**, 715 Municipal Drive, Shippensburg, PA 17257 in Shippensburg Township, **Cumberland County**, ACOE Baltimore District.

To install and maintain a ten-inch diameter PVC gravity sanitary sewer line with Reno Mattress gabions for scour protection across Burd Run (CWF), for the purpose of connecting the existing sewer main in Shippensburg Mobile Estates to the trunk line on the west side of Burd Run to discontinue use of the aging sewage pumping station (9A). The site is approximately 500 feet upstream of the US Route 11 bridge (Shippensburg, PA Quadrangle N: 10.8 inches; W: 1.3 inches) in Shippensburg Township, Cumberland County.

**E67-753: Hopewell Township Supervisors**, P. O. Box 429, Stewartstown, PA 17762 in Hopewell Township, **York County**, ACOE Baltimore District.

To resolve a violation by constructing and maintaining: (1) a 48-inch by 40.75-foot long corrugated plastic pipe with a 12-inch depression; (2) a 48-inch by 41.10-foot corrugated plastic pipe with a 12-inch depression and 45 linear feet of riprap protection on the downstream left bank (looking upstream); and (3) a 30-inch by 40-foot long corrugated plastic pipe with a 6-inch depression in a tributary to Ebaugh's Creek (CWF) on Shaw Road (Stewartstown, PA Quadrangle N: 1.8 inches; W: 17.5 inches) in Hopewell Township, York County.

**E28-314: Texas Eastern Transmission, L. P.**, 5400 Westheimer Court, Houston, TX 77056 in Ayr Township, **Fulton County** and Peters Township, **Franklin County**, ACOE Baltimore District.

To replace a 24-inch natural gas transmission by constructing and maintaining a 36-inch natural gas transmission line under Buck Run and two unnamed tributaries to Buck Run (HQ-CWF-MF), an unnamed tributary to West Branch of the Conococheague Creek (TSF-MF), several ephemeral drains and six wetlands. The project begins in Fulton County and ends in Peters Township, Franklin County (McConnellsburg, PA Quadrangle N: 7.0 inches; W: 11.5 inches), Peters Township, Franklin County. The pipeline will temporarily impact 1.05 acres of palustrine emergent and scrub/shrub EV wetlands (0.931 acre PEM and 0.121 acre PSS).

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

**E02-1444. Chris Castagnari**, 357 Goldsmith Road, Pittsburgh, PA 15237. Castagnari building in Ross Township, **Allegheny County**, Pittsburgh ACOE District (Glenshaw, PA Quadrangle N: 2.3 inches; W: 17.1 inches) (Latitude: 40° 30' 46" and Longitude: 79° 59' 53"). To construct and maintain a 15,000 square foot building on the left bank within the floodway of Girty's Run (WWF). The building is approximately 250 feet long. This project also includes construction of a stormwater outfall to the same stream. The building will be on the south side of Babcock Boulevard, approximately 0.5 mile east of its intersection with McKnight Road.

**E04-298. Alrich Construction Conway**, 2684 Ridge Road Extension, Baden, PA 15005. Valley Brook Plan of Lots culvert and wetland fill in Economy Borough, **Beaver County**, Pittsburgh ACOE District (Baden, PA Quadrangle N: 7.3 inches; W: 4.8 inches) (Latitude: 40° 39' 56" and Longitude: 8° 09' 37"). To construct and maintain a 72.0-foot long con-span concrete culvert having a span of 12.0 feet with an underclearance of 3.0 feet in an unnamed tributary to North Fork Big Sewickley Creek

(WWF), to place and maintain fill in a de minimis area of wetlands and to relocate and maintain approximately 160.0 feet of the channel of the stream for the purpose of constructing the Valley Brook Plan of Lots. The project is just east from the intersection of Parkhill Road and Valley Brook Drive. It will impact a de minimis area of wetlands and 200.0 linear feet of stream channel.

#### ENVIRONMENTAL ASSESSMENTS

*Cambria District: Environmental Program Manager,  
286 Industrial Pk. Rd., Ebensburg, PA 15931-4119.*

**EA1109-001. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA**

15931. Abandoned Mine Land Reclamation Project in Barr Township, **Cambria County**, Baltimore ACOE District (Colver Quadrangle N: 21.62 inches; W: 1.62 inches). The applicant proposes to remove an abandoned 17.4-acre refuse pile adjacent to the West Branch Susquehanna River. The project will include encroachment along 1,700 feet of stream channel during removal of refuse from the floodplain. The project will encroach upon 1,700 feet of the West Branch Susquehanna River. The project will restore a 50-foot floodplain along 1,700 feet of the West Branch Susquehanna River. Completion of the project will also stop the ongoing discharge of refuse into the river and stop the production and subsequent discharge of acid mine drainage from the site into the river.

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### SPECIAL NOTICES

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#### Proposed Permit Transfers for Facilities

The Department of Environmental Protection (Department) proposes to transfer certain permits, licenses and approvals previously issued to various water utility companies with the current Department database client name of Philadelphia Suburban Water Company or Pennsylvania Suburban Water Company to Aqua Pennsylvania, Inc. The list of affected facilities and counties follows. A detailed list of the affected permits, licenses and approvals is available on the Department's website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: Aqua Pennsylvania permit transfer).

Questions on this proposed permit transfer should be directed to the appropriate Department Regional Office:

<i>Regional Office</i>	<i>Contact</i>	<i>Telephone</i>	<i>e-mail</i>
Southeast	John Kennedy	(610) 832-6028	johkennedy@state.pa.us
Southcentral	Mike Sherman	(717) 705-4704	msherman@state.pa.us
Northcentral	Gary Byron	(570) 327-3320	gbyron@state.pa.us
Northwest	Jim Rozakis	(814) 332-6816	jrozakis@state.pa.us
Northeast	Dave Lamereaux	(570) 826-2511	dlamereaux@state.pa.us

Persons wishing to comment on the proposed permit transfers are invited to submit comments to the relevant contact person within 30 days from the date of this public notice.

Comments received within this 30-day period will be considered in the formulation of the final determination regarding the proposed transfers. 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 the comment and the relevant facts upon which it is based. A public hearing may be held if the Department considers the public response significant.

Following the 30-day comment period, the Department will make a final decision concerning the permit, license and approval transfers. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

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

<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Bradford	NC	SDW	VEDA Booster Pump Station and Booster Chlorination Station		Public Water Supply (PWS) Permit	800501
Bradford	NC	SDW	Construction of a new well, well pump, well housing, disinfection and fluoridation facilities. Water from this well will connect to existing Well No. 19 system. Well No. 20 will serve as a redundant source along with Well No. 19. Construction Issued July 11, 2001, and operational issued February 20, 2002.	346303	PWS Permit	801501



<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Bradford	NC	SDW	Minor amendment for improvements to well 19. Construction approval on September 19, 2000, and operational approval on April 18, 2000.	320605	PWS Permit	801501
Bradford	NC	SDW	Well House No. 8 and 19 Abandon Corrosion Control		PWS Permit Minor Amendment Construction	0868501-T2 (MA1), 087501-T2 (MA1), 0873501-T1 (MA1)
Bradford	NC	SDW	Distribution System		PWS Permit	7966-T2
Bradford	NC	SDW	The West Side Water Tank and Booster Chlorination Station and Wilawana Road Water Extension		PWS Permit Minor Amendment Construction	
Columbia	NC	SDW	Aristes Tank Rehabilitation		PWS Permit Minor Amendment Construction	
Columbia and Northumberland	NC	SDW	Modification of Lead and Copper Corrosion Control Systems at Bear Gap Filtration Plant and Brush Valley Treatment Building.		PWS Permit Minor Amendment Construction	
Columbia and Northumberland	NC	SDW	Natalie Tank Bypass and Aristes Tank Bypass Line		PWS Permit Minor Amendment Construction	
Northumberland	NC	SDW	Aristes Standpipe		PWS Permit	63087
Northumberland	NC	SDW	Bunker Hill Pump Station		PWS Permit	70693
Northumberland	NC	SDW	Natalie Standpipe		PWS Permit	93088
Northumberland	NC	SDW	South Branch Roaring Creek Bear Gap Reservoirs 1, 2 and 6—Brush Valley Wells 1 and 2		PWS Permit	4991502
Northumberland	NC	SDW	Treverton Distribution System		PWS Permit	6185-T3
Northumberland	NC	SDW	Brush Valley Wells No. 1 and 2; Bear Gap Reservoirs No. 1, 2 and 6; Shamokin Equalizing Reservoirs.		PWS Permit	665-W-013-T2
Northumberland	NC	SDW	Distribution System and Storage		PWS Permit	1082-T2
Northumberland	NC	SDW	Transmission Lines		PWS Permit	112388-T2
Northumberland	NC	SDW	Distribution System		PWS Permit	4984501-T2
Northumberland	NC	SDW	Transmission Line Cleaning and Dam Safety Work		PWS Permit	4984502-T2
Northumberland	NC	SDW	Disinfection at Bear Gap Reservoirs No. 1 and 6 and Disinfection for Brush Valley Wells No. 1 and 2		PWS Permit	4984503-T2
Northumberland	NC	SDW	Chlorine Dioxide at Bear Gap Reservoir No. 6		PWS Permit	4987503-T1
Northumberland	NC	SDW	Village of Excelsior		PWS Permit	4990502-T1
Northumberland	NC	SDW	Physical Disconnect of Treverton Well No. 1		PWS Permit Minor Amendment	

## NOTICES

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<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Northumberland	NC	SDW	Springfield Tank and Booster Pump Station		PWS Permit Minor Amendment	
Northumberland	NC	SDW	Bear Gap Pumping Station (Reservoir No. 1)		PWS Permit Minor Amendment Construction	
Northumberland	NC	SDW	Modification of Lime Feed at Bear Gap Filtration Plant		PWS Permit Minor Amendment Construction	
Northumberland	NC	SDW	Replacement of Ralpho Storage Tank		PWS Permit Minor Amendment Construction	
Northumberland	NC	SDW	Modification of the Bear Gap Raw Water Pump Station and the Filter Plant Finished Water Pump Station		PWS Permit Minor Amendment Construction	
Northumberland	NC	SDW	The Ferndale Storage Tank and Booster Pump Station		PWS Permit Minor Amendment Construction	
Northumberland	NC	SDW	Treverton Pump Station		PWS Permit Minor Amendment Construction	
Snyder	NC	SDW	PA Suburban Monroe Manor	509084	PWS Permit Community Water System Construction	5503501
Snyder	NC	SDW	PA Suburban Monroe Manor	474721	PWS Permit Community Water System Operations	5569501-T1
Snyder	NC	SDW	PA Suburban Monroe Manor	474680	PWS Permit Community Water System Operations	5576501-T1
Snyder	NC	SDW	PA Suburban Monroe Manor	474712	PWS Permit Community Water System Operations	5580503-T1
Snyder	NC	SDW	PA Suburban Monroe Manor	474710	PWS Permit Community Water System Operations	5581502-T1
Snyder	NC	SDW	PA Suburban Monroe Manor	474723	PWS Permit Community Water System Operations	5587501-T1
Snyder	NC	SDW	PA Suburban Monroe Manor	474709	PWS Permit Community Water System Operations	5590505-T1
Snyder	NC	SDW	PA Suburban Monroe Manor	486749	PWS Permit Community Water System Operations	MA-OPER
Snyder	NC	SDW	PA Suburban Monroe Manor	474676	PWS Permit Community Water System Operations	MA-T1
Snyder	NC	SDW	PA Suburban Monroe Manor	477858	PWS Permit Community Water System Construction	Minor Amendment
Snyder	NC	SDW	PA Suburban Monroe Manor	474673	PWS Permit Community Water System Operations	Minor Amend-T1
Northumberland	NC	WPCNP	Consumers PA Roaring Creek Division		NPDES Permit	PA0114740
Northumberland	NC	WPCWP	Roaring Creek Division Bear Gap Raw Water Pump Station		Water Quality Management Permit	4996402
Northumberland	NC	WRWA	Roaring Creek Water Company		Water Allocation Permit	WA-81A
Snyder	NC	WRWA	PA Suburban Monroe Manor	474686	Water Allocation Permit	55-1001 WA
Carbon	NE	SDW	Golden Oaks Village	460276	PWS Permit Community Water System Construction	1399502-T1

<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Lackawanna	NE	SDW	Consumers PA Water White Haven Div. Glenburn	459575	PWS Permit Community Water System Construction	2350025
Lackawanna	NE	SDW	Moscow Water Sys.	459577	PWS Permit Community Water System Construction	2350027
Lackawanna	NE	SDW	Sunset Hills Dev.	459579	PWS Permit Community Water System Construction	2350029
Lackawanna	NE	SDW	Elmbrook Public Svc.	459582	PWS Permit Community Water System Construction	2350034
Lackawanna	NE	SDW	Consumers PA Water White Haven Div. Chinchilla I	459584	PWS Permit Community Water System Construction	2350037
Lackawanna	NE	SDW	Consumers PA Water White Haven Div. Edgewood	459724	PWS Permit Community Water System Construction	2350055
Lackawanna	NE	SDW	Jefferson Heights Development		PWS Permit	2350057
Lackawanna	NE	SDW	Mt. Cobb Water Distr. Sys.	376166	PWS Permit Community Water System Construction	3502501
Lackawanna	NE	SDW	Additional Well Site at Edgewood			3503502
Lackawanna	NE	SDW	Moscow Water Sys.—Relocation of Pump Station		PWS Permit	3503503
Lackawanna	NE	SDW	Moscow Water Sys.	459559	PWS Permit Community Water System Construction	3590503T1
Lackawanna	NE	SDW	Consumers PA Water White Haven Div. Edgewood	459723	PWS Permit Community Water System Construction	3590507-T1
Luzerne	NE	SDW	Maple Crest Water Company, Well No. 1		PWS Permit	2400018
Luzerne	NE	SDW	Shickshinny Lake Assoc.	476472	PWS Permit Community Water System Construction	2400029
Luzerne	NE	SDW	Wapwallopen Water Sys.	381379	PWS Permit Community Water System Construction	2400066
Luzerne	NE	SDW	Wapwallopen Water Sys.	476558	PWS Permit Community Water System Construction	2400066
Luzerne	NE	SDW	Oakhill Water Supply	459586	PWS Permit Community Water System Construction	2400095
Luzerne	NE	SDW	Rhodes Terrace Water Supply	459590	PWS Permit Community Water System Construction	2400101
Luzerne	NE	SDW	Warden Place Water Supply	459591	PWS Permit Community Water System Construction	2400102
Luzerne	NE	SDW	Midway Manor Harris Hill Water	459647	PWS Permit Community Water System Construction	2400104

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<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Luzerne	NE	SDW	Midway Manor Harris Hill Water	498234	PWS Permit Community Water System Construction	2400104
Luzerne	NE	SDW	Midway Manor Water Supply	459650	PWS Permit Community Water System Construction	2400105
Luzerne	NE	SDW	White Haven Muni. Auth. Water Sys.	381372	PWS Permit Community Water System Construction	2400108
Luzerne	NE	SDW	Sunrise Estates Water Company		PWS Permit Community Water System Construction	2400125
Luzerne	NE	SDW	Sunrise Estates Water Company		PWS Permit Community Water System Operations	2400125
Luzerne	NE	SDW	Cedar Lane Water System/Kingston Township		PWS Permit Community Water System Operations	2400135
Luzerne	NE	SDW	Shickshinny Lake Assoc.	460161	PWS Permit Community Water System Construction	4002502
Luzerne	NE	SDW	Shickshinny Lake Assoc.	472808	PWS Permit Community Water System Construction	4002503
Luzerne	NE	SDW	Wapwallopen Water Sys.	473661	PWS Permit Community Water System Construction	4002504
Luzerne	NE	SDW	Sunrise Estates Water Company		PWS Permit Community Water System Construction	4090519
Luzerne	NE	SDW	Sunrise Estates Water Company		PWS Permit Community Water System	4090519
Luzerne	NE	SDW	Sunrise Estates Water Company		PWS Permit Community Water System Construction	4091501
Luzerne	NE	SDW	Sunrise Estates Water Company		PWS Permit Community Water System	4091501
Luzerne	NE	SDW	Cedar Lane Well No. 1, Kingston Township		PWS Permit Community Water System Operations	4090508-T1
Luzerne	NE	SDW	Midway Manor Harris Hill Water	459653	PWS Permit Community Water System Construction	Minor
Luzerne	NE	SDW	Shickshinny Lake Assoc.	384677	PWS Permit Community Water System Construction	Minor 2400029
Luzerne	NE	SDW	Shickshinny Lake Assoc.	384679	PWS Permit Community Water System Construction	Minor 2400045
Luzerne	NE	SDW	Sunrise Estates Water Company		PWS Permit Community Water System Construction	Minor 4091501
Luzerne	NE	SDW	Sunrise Estates Water Company		PWS Permit Community Water System	Minor 4091501
Luzerne	NE	SDW	PWS No. 2400018 Kingston Township		PWS Permit Community Water System Operations	
Monroe	NE	SDW	Mountainhome Water Sys.	459655	PWS Permit Community Water System Construction	2450039

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Monroe	NE	SDW	Hamilton Water	459714	PWS Permit Community Water System Construction	2450044
Monroe	NE	SDW	Pinecrest Development Corporation—Well No. 1 (Phases 1 and 2); Includes facilities approved under Construction Permits 4599504 and 4599504.		PWS Permit	2450141
Monroe	NE	SDW	Pinecrest Lake Trust Water Company, Approved under Construction Permit 5486503		PWS Permit Community Water System Operations	2450086
Monroe	NE	SDW	Pinecrest Development Corporation—Phases 5 and 6 Distribution Facility and Transmission Line Improvements		PWS Permit Community Water System Construction	APS No. 505271
Northampton	NE	SDW	Consumers PA Water Evanwood Acres Sys.	475579	PWS Permit Community Water System Operations	3480029
Pike	NE	SDW	Tanglewood Lakes Water Sys.	379169	PWS Permit Community Water System Operations	2520012
Pike	NE	SDW	Tanglewood Motor Ldg. Water Sys.	379158	PWS Permit Community Water System Operations	2520043
Pike	NE	SDW	Tanglewood Lakes Water Sys.	379156	PWS Permit Community Water System Operations	2520065
Pike	NE	SDW	Tanglewood North Dev.	379168	PWS Permit Community Water System Operations	2520066
Pike	NE	SDW	Woodlock Springs	497199	PWS Permit Community Water System Construction	2520203
Pike	NE	SDW	Fawn Lake Forest Water Company Wells No. 5, 6 and 9		PWS Permit	2520203
Pike	NE	SDW	Tafton Water Sys.	373276	PWS Permit Community Water System Construction	5202501
Pike	NE	SDW	Fawn Lake Forest Water Company Wells No. 2 and 3		PWS Permit	5270501
Pike	NE	SDW	Fawn Lake Forest Water Company Well No. 4		PWS Permit	5277501
Pike	NE	SDW	Fawn Lake Forest Water Company Wells No. 1 and 5		PWS Permit	5281504
Pike	NE	SDW	Tanglewood Motor Ldg. Water Sys.	378391	PWS Permit Community Water System Construction	5289518T1
Pike	NE	SDW	Tanglewood Lakes Water Sys.	378398	PWS Permit Community Water System Construction	5289519T1
Pike	NE	SDW	Tanglewood Lakes Water Sys.	378388	PWS Permit Community Water System Construction	5289520T1
Pike	NE	SDW	Tanglewood North Dev.	378400	PWS Permit Community Water System Construction	5289521T1

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Pike	NE	SDW	Fawn Lake Forest Water Sys.	373371	PWS Permit Community Water System Construction	Minor 2520037
Schuylkill	NE	SDW	The Pines (DLWB)	488409	PWS Permit Community Water System Operations	3540069
Schuylkill	NE	SDW	The Pines (DLWB)	488415	PWS Permit Community Water System Construction	5495502-T2
Susquehanna	NE	SDW	Consumers PA Water White Haven Div./Brooklyn	459716	PWS Permit Community Water System Construction	2580010
Susquehanna	NE	SDW	Consumers PA Water White Haven Div./Brooklyn	498195	PWS Permit Community Water System Construction	2580010
Susquehanna	NE	SDW	Consumers PA Water White Haven Div./Hop Bottom	459718	PWS Permit Community Water System Construction	2580012
Wayne	NE	SDW	Waymart SCI	510264	PWS Permit Community Water System Operations	2640020
Wayne	NE	SDW	Waymart Water Company Well No. 4		PWS Permit	6475501
Wayne	NE	SDW	Waymart Water Company		Water Works Permit	163W4
Wayne	NE	SDW	Waymart SCI	373362	PWS Permit Community Water System Construction	Minor 2640020
Wyoming	NE	SDW	Rivercrest Dev. Water Sys.	459720	PWS Permit Community Water System Construction	2660017
Wyoming	NE	SDW	Factoryville Water Sys.	459721	PWS Permit Community Water System Construction	2660036
Pike	NE	WPCNP	Woodloch Pines, Lackawaxen Township		NPDES Permit Sewage Discharges Nonmunicipal—Minor	
Pike	NE	WPCWP	Woodloch Pines—Sewage Treatment Plant		Water Quality Management Permit	5286401
Forest	NW	SDW	PA Suburban Water Jenks Township	377327	PWS Permit Community Water System Construction	2702501
Forest	NW	SDW	PA Suburban Water Jenks Township	475865	PWS Permit Community Water System Operations	2702501
Lawrence	NW	SDW	Mahoning Township Consecutive Supply to Consumers Ohio		PWS Permit	3799503-T1
Lawrence	NW	SDW	Pulaski Township Connection to Shenango Valley Water Co.		PWS Permit	3777501-T1
Lawrence	NW	SDW	Mahoning Township Waterline Project, Phase II		PWS Permit	3799503-T1-MA1
Mercer	NW	SDW	16-Inch Main Across Shenango River from Pumping Station		PWS Permit Construction	5724
Mercer	NW	SDW	16-Inch Main under Shenango River		PWS Permit Construction	8043
Mercer	NW	SDW	Intake and Steel Sheet Piling Retaining Wall		PWS Permit Construction	9292

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Mercer	NW	SDW	24-Inch River Crossing Below Shenango Valley Water Co. Dam		PWS Permit Construction	10514
Mercer	NW	SDW	24-Inch River Crossing Opposite Plant		PWS Permit Construction	12554
Mercer	NW	SDW	Boyd and Mitchell Road Pump Stations		PWS Permit	4300503
Mercer	NW	SDW	Consumers PA Water Shenango Valley Div.	382898	PWS Permit Community Water System Construction	4302501
Mercer	NW	SDW	Consumers PA Water Shenango Valley Div.	477249	PWS Permit Community Water System Operations	4302501
Mercer	NW	SDW	Shenango River as Source		PWS Permit	4375501
Mercer	NW	SDW	Solids Contact Clarifier		PWS Permit	4375501
Mercer	NW	SDW	2-Inch Main under and Across Channel Hogback Creek		PWS Permit Construction	4379710
Mercer	NW	SDW	Pump Stations		PWS Permit	4391502
Mercer	NW	SDW	Lakewood Booster Station		PWS Permit	4391505
Mercer	NW	SDW	New 16.0 MGD Water Treatment Plant		PWS Permit	4397502
Mercer	NW	SDW	Seig Hill Booster Pump Station		PWS Permit	4397503
Mercer	NW	SDW	Hermitage Distribution Storage		PWS Permit	4391502-MA1
Mercer	NW	SDW	Lakewood Booster Station		PWS Permit	4391505-T1
Mercer	NW	SDW	Lunn Blvd. (0.48 MG) Distribution Storage		PWS Permit	8217-W-T1
Mercer	NW	SDW			PWS Permit	8722-W-T1
Mercer	NW	SDW	Shenango River Source of Supply		PWS Permit	3342-T1
Mercer	NW	SDW	Lake Latonka Wells No. 1 and 2		PWS Permit	366W013-T1
Mercer	NW	SDW	Lake Latonka 250,000-Gallon Elevated Storage Tank		PWS Permit	366W013-T1-MA1
Mercer	NW	SDW	Lake Latonka Approximately 8,550 feet of 6-Inch Pipe		PWS Permit	366W013-T1-MA2
Mercer	NW	SDW	Construction of Dam Across Shenango River		PWS Permit Construction	43-23
Mercer	NW	SDW	City of Sharon—Coagulation/Flocculation		PWS Permit	4370501-MA1-T1
Mercer	NW	SDW	City of Sharon—Fluoridation		PWS Permit	4370501-T1
Mercer	NW	SDW	Change from Virchem 932 to Aqua Mag. Meter		PWS Permit	4384501-MA1-T1
Mercer	NW	SDW	Change from Aqua Mag. Meter to Calciquest		PWS Permit	4384501-MA2-T1
Mercer	NW	SDW	Distribution System Pulaski Township		PWS Permit	4389502-MA1
Mercer	NW	SDW	Mercer Pump Station		PWS Permit	4389502-T1
Mercer	NW	SDW	Mercer Distribution System		PWS Permit	4390502-MA1-T1

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Mercer	NW	SDW	Mercer Distribution System		PWS Permit	4390502-T1
Mercer	NW	SDW	Hermitage Distribution Storage		PWS Permit	4391501-MA1
Mercer	NW	SDW	Gail Drive (1.25 MG) Distribution Storage		PWS Permit	4391502-MA1
Mercer	NW	SDW	Rehabilitation of Boyd and Keel Ridge Pump Stations		PWS Permit	4391502-T1
Mercer	NW	SDW	Filter Media		PWS Permit	4397502-MA1
Mercer	NW	SDW	0.235 MG Standpipe		PWS Permit	7113-T1
Mercer	NW	SDW	0.235 MG Standpipe No. 2		PWS Permit	8134-T1
Mercer	NW	SDW	0.55 MG Clear Well and Additional Filters		PWS Permit	8769-W-T1
Mercer and Lawrence	NW	SDW	Disinfection, Pump Stations and Distribution Systems		PWS Permit	4389502
Mercer	NW	WPCNP	Discharge Into Shenango River		NPDES Permit	PA0000809
Mercer	NW	WPCWP	Consumers PA Shenango		Water Quality Management Permit	4397203
Mercer	NW	WPCWP	Consumers PA Shenango		Water Quality Management Permit	4383202-T1
Mercer	NW	WRWA	Shanango Valley Water Authority		Water Allocation Permit	WA-61B
Forest	NW	WRWOB	PA Suburban Water Jenks Township	380022	Water Obstruction and Encroachment Permit	E27-067
Mercer	NW	WRWOB	Raw Water Intake		Water Obstruction and Encroachment Permit	E43-257
Berks	SC	SDW	PSWC East Point Business Park	376405	PWS Permit Community Water System Construction	0601521
Berks	SC	SDW	PSWC Flying Hills Div. Water Sys.	482905	PWS Permit Community Water System Operations	3060018
Berks	SC	SDW	PSWC Flying Hills Div. Water Sys.	495024	PWS Permit Community Water System Operations	3060018
Berks	SC	SDW	Robeson Township Geigertown Water System		PWS Permit	3060030
Berks	SC	SDW	Hill Crest Estates II		PWS Permit Community Water System Operations	3060133
Cumberland	SC	SDW	White Rock Water System		PWS Permit Community Water System Construction	2103504E
Cumberland	SC	SDW	PA Suburban Water White Rock Sys.	493973	PWS Permit Community Water System Operations	7210048
Montgomery	SE	RPNAR	Bryn Mawr Laboratory	275408	Radioactive Material License for a Client	PA-0580
Bucks	SE	SDW	Philadelphia Suburban Water Bristol Sys.	368941	PWS Permit Community Water System Construction	0901515
Bucks	SE	SDW	Chalfont Water Dept.	377033	PWS Permit Community Water System Construction	0902502
Bucks	SE	SDW	Chalfont Water Dept.	485294	PWS Permit Community Water System Operations	0902502



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Bucks	SE	SDW	Chalfont Borough Well No. 8A		PWS Permit	973502
Bucks	SE	SDW	Peddler's View—Wells No. 1 and 3		PWS Permit	993503
Bucks	SE	SDW	Chalfont Borough Well No. 14		PWS Permit	993510
Bucks	SE	SDW	Chalfont Borough		PWS Permit	995514
Bucks	SE	SDW	Chalfont Borough Interconnect w/North Wales Water		PWS Permit	995518
Bucks	SE	SDW	Neshaminy Cr. Water Filt. Plt.	22811	PWS Permit Community Water System Construction	0998503
Bucks	SE	SDW	Neshaminy Cr. Water Filt. Plt.	498223	PWS Permit Community Water System Operations	0998503
Bucks	SE	SDW	Philadelphia Suburban Water Bristol Sys.	37149	PWS Permit Community Water System Construction	0999501
Bucks	SE	SDW	Philadelphia Suburban Water Bristol Sys.	356270	PWS Permit Community Water System Operations	0999501
Bucks	SE	SDW	New Britain Township		PWS Permit	999503
Bucks	SE	SDW	Chalfont Borough Well No. 12 Additional Source of Supply		Water Works Permit	765W11
Bucks	SE	SDW	Bristol Borough and Township Edgely Well Field Wells 5—9 and Water Treatment Plant		PWS Permit	0974502-T1
Bucks	SE	SDW	Bristol Borough and Township Edgely Well Field Well 8		PWS Permit	0978507-T1
Bucks	SE	SDW	Delaware River Rerating—4.5 MGD Filtration Plant to 9.455 MGD		PWS Permit	0988520-T1
Bucks	SE	SDW	Rehabilitation of the Bristol Water Treatment Plant, Addition of Aqua-Ammonia at Bristol Storage Tanks and Edgely Well-Field		PWS Permit	0999501-T1
Bucks	SE	SDW	Chalfont Borough Well No. 13		PWS Permit	767W022
Bucks	SE	SDW	Extension and Improvements at the Radcliffe Street Filter Plant		PWS Permit	8803-W-T1
Bucks	SE	SDW	Chalfont Borough Wells No. 8, 9 and 11—Source of Supply and Steel Standpipe		Water Works Permit	8909-W
Bucks	SE	SDW	Philadelphia Suburban Water Bristol Sys.	460461	PWS Permit Community Water System Operations	
Bucks, Chester, Delaware, Montgomery	SE	SDW	50 Townships and Boroughs in Chester, Delaware and Montgomery Counties.		Water Works Permit	766017

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Chester	SE	SDW	Philadelphia Suburban Water Spring Run Sys.	320611	PWS Permit Community Water System Construction	1500501
Chester	SE	SDW	Philadelphia Suburban Water Spring Run Sys.	370652	PWS Permit Community Water System Operations	1500501
Chester	SE	SDW	Philadelphia Suburban Water Honeybrook Sys.	323467	PWS Permit Community Water System Construction	1500502
Chester	SE	SDW	Philadelphia Suburban Water Honeybrook Sys.	480467	PWS Permit Community Water System Operations	1500502
Chester	SE	SDW	Coatesville Hosp.	336467	PWS Permit Community Water System Construction	1500503
Chester	SE	SDW	Brandywine Hospital Addition of Ortho-Phosphate Corrosion Control		PWS Permit	1500503
Chester	SE	SDW	Philadelphia Suburban Water West Chester	339782	PWS Permit Community Water System Construction	1500509
Chester	SE	SDW	Renovations to Booster Pump, West Chester		PWS Permit	1500509
Chester	SE	SDW	Philadelphia Suburban Water West Chester	346148	PWS Permit Community Water System Construction	1501502
Chester	SE	SDW	Modifications to Water Treatment Plant and relocation of raw water intake West Chester		PWS Permit	1501502
Chester	SE	SDW	Philadelphia Suburban Water Uwchlan Sys.	349319	PWS Permit Community Water System Construction	1501503
Chester	SE	SDW	Uwchlan System		PWS Permit	1501503
Chester	SE	SDW	Philadelphia Suburban Water West Chester	368940	PWS Permit Community Water System Construction	1501506
Chester	SE	SDW	Painted Hoopes Storage Tank		PWS Permit	1501506
Chester	SE	SDW	PSW Willowdale Crossing Dev.	377739	PWS Permit Community Water System Construction	1502503
Chester	SE	SDW	PSW Willowdale Crossing Dev.	498999	PWS Permit Community Water System Operations	1502503
Chester	SE	SDW	Pickering West WTP—Chemical Feed System	517408	PWS Permit Community Water System Operations	1502506
Chester	SE	SDW	Pickering West WTP—Two Lime Silos	517404	PWS Permit Community Water System Operations	1503501
Chester	SE	SDW	Operations of facilities approved under Construction Permit 1503501, PWS ID 1460073.		PWS Permit Community Water System Operations	1503501
Chester	SE	SDW	Philadelphia Suburban Water Franklin Sys.	501749	PWS Permit Community Water System Construction	1503502
Chester	SE	SDW	Philadelphia Suburban Water Franklin Sys.	501768	PWS Permit Community Water System Construction	1503503

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Chester	SE	SDW	Chester Valley Well		PWS Permit	1585505
Chester	SE	SDW	Chester Valley Booster Station		PWS Permit	1586514
Chester	SE	SDW	Pickering Creek East Water Treatment Plant construct, then operate at 10 MGD in addition to the 34 MGD Pickering West Plant		PWS Permit	1588501
Chester	SE	SDW	Uwchlan and West Whiteland Transfers		PWS Permit	1593502
Chester	SE	SDW	Philadelphia Suburban Water Uwchlan Sys.	22813	PWS Permit Community Water System Construction	1598504
Chester	SE	SDW	Uwchlan System		PWS Permit	1598504
Chester	SE	SDW	Philadelphia Suburban Water Friendship Sys.	24151	PWS Permit Community Water System Construction	1598505
Chester	SE	SDW	Philadelphia Suburban Water Friendship Sys.	328664	PWS Permit Community Water System Operations	1598505
Chester	SE	SDW	PSW Lareserve	24166	PWS Permit Community Water System Construction	1598506
Chester	SE	SDW	PSW Lareserve	328403	PWS Permit Community Water System Operations	1598506
Chester	SE	SDW	Philadelphia Suburban Water Manorwood Sys.	24219	PWS Permit Community Water System Construction	1598507
Chester	SE	SDW	Philadelphia Suburban Water Manorwood Sys.	37178	PWS Permit Community Water System Operations	1598507
Chester	SE	SDW	Locust Knoll Water Sys.	24234	PWS Permit Community Water System Construction	1598508
Chester	SE	SDW	Locust Knoll Water Sys.	37179	PWS Permit Community Water System Operations	1598508
Chester	SE	SDW	PSW Culbertson Run	24248	PWS Permit Community Water System Construction	1598509
Chester	SE	SDW	PSW Culbertson Run	37181	PWS Permit Community Water System Operations	1598509
Chester	SE	SDW	Philadelphia Suburban Water Spring Run Sys.	24283	PWS Permit Community Water System Construction	1598510
Chester	SE	SDW	Philadelphia Suburban Water Spring Run Sys.	328661	PWS Permit Community Water System Operations	1598510
Chester	SE	SDW	Philadelphia Suburban Water Uwchlan Sys.	28344	PWS Permit Community Water System Construction	1598514
Chester	SE	SDW	Philadelphia Suburban Water Uwchlan Sys.	37177	PWS Permit Community Water System Operations	1598514
Chester	SE	SDW	Philadelphia Suburban Water West Chester	30677	PWS Permit Community Water System Construction	1598515
Chester	SE	SDW	Addition of carbon treating to existing water treatment plant—Chester		PWS Permit	1598515

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Chester	SE	SDW	Philadelphia Suburban Water Uwchlan Sys.	46863	PWS Permit Community Water System Construction	1599510
Chester	SE	SDW	Uwchlan System		PWS Permit	1599510
Chester	SE	SDW	Philadelphia Suburban Water West Chester	317421	PWS Permit Community Water System Construction	1599516
Chester	SE	SDW	Construction of new water storage tank West Chester		PWS Permit	1599516
Chester	SE	SDW	Friendship Water Company Permit and application Well 1 and new Water Works System		Water Works Permit	763W10
Chester	SE	SDW	East Branch Brandywine Creek Water Treatment Plant		PWS Permit	1571501-T1
Chester	SE	SDW	Franklin Township Well No. 1		PWS Permit	1571503 (T1)
Chester	SE	SDW	East Bradford Wells No. 1 and 2		PWS Permit	1573501-T1
Chester	SE	SDW	Little Washington Water Company Well No. 1		PWS Permit	1574502-T1
Chester	SE	SDW	Well No. 1 (Kimberwick)		PWS Permit	1574502-T1
Chester	SE	SDW	Spring Run Water Company Well Nos. 1 and 2		PWS Permit	1574509-T1
Chester	SE	SDW	Spring Run Water Company Well Nos. 1 and 2—Clairmont Development		PWS Permit	1574510-T1
Chester	SE	SDW	Locust Knoll Well No. 1		PWS Permit	1574512-T1
Chester	SE	SDW	High Rate Purification Process—West Chester		PWS Permit	1574514-T1
Chester	SE	SDW	Chlorination Facilities, Valve Chamber and instrumentation at Fern Hill Reservoir and Booster Station		PWS Permit	1575505-T1
Chester	SE	SDW	White Wells No. 4 and 5 in East Bradford		PWS Permit	1576503-T1
Chester	SE	SDW	Locust Knoll Water Company—Cross Keys Pumping Station		PWS Permit	1577505-T1
Chester	SE	SDW	Rerating of Ingrams Mill Water Filtration Plant to 6 MGD		PWS Permit	157902-T1
Chester	SE	SDW	Fluoridation at Ingrams Mill and White Well Booster Station		PWS Permit	1587513-T1
Chester	SE	SDW	Little Washington Water Company Well Nos. 3 and 5		PWS Permit	1589501-T1
Chester	SE	SDW	Well Nos. 3 and 4		PWS Permit	1589501-T1

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Chester	SE	SDW	UG-10, UG12, UG 13-17, UG19—Amended to consolidate Permit Nos. 1577507, 1579504, 1574510, 1574504, 1577506, 1572503, 1573503, 1572502		PWS Permit	1589521 Amendment No. 1-T1
Chester	SE	SDW	Willowdale Crossing Wells No. 2 and 5		PWS Permit	1592504-T1
Chester	SE	SDW	2.0 MGD Fern Hill Water Treatment Plant		PWS Permit	1595507-T1
Chester	SE	SDW	White Well Station—MIOX System		PWS Permit	1596503-T1
Chester	SE	SDW	Raw Water Storage Reservoir at Township Line Rd. on East Branch of Chester Creek and distribution system extensions		PWS Permit	4982-T2
Chester	SE	SDW	Embreeville State Hospital installation of water system and filtration permit and application		Water Works Permit	8889-W
Chester	SE	SDW	Philadelphia Suburban Water West Chester	370695	PWS Permit Community Water System Operations	
Delaware	SE	SDW	Ridley Creek PLT	323445	PWS Permit Community Water System Construction	2300501
Delaware	SE	SDW	Ridley Creek PLT	506110	PWS Permit Community Water System Operations	2300501
Delaware	SE	SDW	Primos Tank and Booster addition of Disinfection Facilities		PWS Permit	2385501
Delaware	SE	SDW	Ridley Township Interconnection		PWS Permit	2385504
Delaware and Montgomery	SE	SDW	Crum Creek Pumping Station, Hall Road Well, Interconnection with CWA		Water Works Permit	8676-W
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	382920	PWS Permit Community Water System Construction	0902504
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	23638	PWS Permit Community Water System Construction	0998505
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	16792	PWS Permit Community Water System Operations	1460073
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	328677	PWS Permit Community Water System Construction	1500505
Montgomery	SE	SDW	Replacement of an existing concrete storage tank		PWS Permit	1500505
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	337620	PWS Permit Community Water System Construction	1500510
Montgomery	SE	SDW	Construction of a 5 MG steel storage tank		PWS Permit	1500510
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	357218	PWS Permit Community Water System Construction	1501504

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Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	460982	PWS Permit Community Water System Construction	1502506
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	494068	PWS Permit Community Water System Construction	1503501
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	348784	PWS Permit Community Water System Construction	2300504
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	383785	PWS Permit Community Water System Operations	2300504
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	476216	PWS Permit Community Water System Construction	2302502
Montgomery	SE	SDW	Philadelphia Suburban Water Perkiomen Township Sys.	366630	PWS Permit Community Water System Construction	4601510
Montgomery	SE	SDW	Construction of a 178-gallon per minute well to serve Meyers Tract System		PWS Permit	4601510
Montgomery	SE	SDW	Philadelphia Suburban Water Perkiomen Township Sys.	495112	PWS Permit Community Water System Construction	4603502
Montgomery	SE	SDW	Upper Merion Reservoir (Bridgeport Quarry) Air Stripping Towers		PWS Permit	4683501
Montgomery	SE	SDW	North Hills Well (Air Stripper)		PWS Permit	4684503
Montgomery	SE	SDW	Flourtown Well (Air Stripper)		PWS Permit	4686512
Montgomery	SE	SDW	Upper Merion Water Treatment Plant		PWS Permit	4692501
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	37416	PWS Permit Community Water System Construction	4699502
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	501250	PWS Permit Community Water System Construction	4699502
Montgomery	SE	SDW	Interconnection with Schwenksville		PWS Permit	4699502
Montgomery	SE	SDW	Philadelphia Suburban Water Perkiomen Township Sys.	41168	PWS Permit Community Water System Construction	4699505
Montgomery	SE	SDW	Philadelphia Suburban Water Perkiomen Township Sys.	337194	PWS Permit Community Water System Operations	4699505
Montgomery	SE	SDW	Rahns Well No. 2		PWS Permit	4699505
Montgomery	SE	SDW	Karrs Lane Well		PWS Permit	766W002
Montgomery	SE	SDW	Construction and use of Well No. 8		Water Works Permit	8312-W
Montgomery	SE	SDW	Construction and use of Well No. 9		Water Works Permit	8407-W
Montgomery	SE	SDW	Hatboro Well No. 17		PWS Permit	4669508-T1
Montgomery	SE	SDW	Hatboro Well Nos. 19 and 21		PWS Permit	4674502-T1
Montgomery	SE	SDW	Hatboro Well No. 20		PWS Permit	4674502-T1

<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Montgomery	SE	SDW	Construction and use of Well Nos. 14 and 15		Water Works Permit	764W10
Montgomery	SE	SDW	Oreland Well		Water Works Permit	764W15
Montgomery	SE	SDW	Upper Merion Well No. 1		Water Works Permit	764W19
Montgomery	SE	SDW	Upper Merion Well No. 2		Water Works Permit	765W23
Montgomery	SE	SDW	Aidan Lair Well		PWS Permit	766W004
Montgomery	SE	SDW	Plymouth Well No. 1 (Hallowell and Sandy Hills Roads Well)		Water Works Permit	8902-W
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	370873	PWS Permit Community Water System Operations	
Montgomery	SE	SDW	Philadelphia Suburban Water Main Sys.	473299	PWS Permit Community Water System Operations	
Montgomery	SE	SDW	4 BG reservoir Green Lane		Water Works Permit	
Montgomery	SE	SDW	Myers Tract Well B	517397	PWS Permit Community Water System Operations	
Montgomery	SE	SDW	Hatboro Well Nos. 20		PWS Permit	4674502-T1
Montgomery	SE	SDW	Hatboro Well Nos. 19 and 21		PWS Permit	4674502-T1
Montgomery	SE	SDW	Hatboro Well No. 17		PWS Permit	4669508-T1
Montgomery	SE	SDW	Perkiomen Township—Install arsenic removal facilities		PWS Permit	4604502
Montgomery	SE	SDW	Construction and use of Well No. 9		Water Works Permit	8407-W
Montgomery	SE	SDW	Upper Merion Well No. 2		Water Works Permit	765W23
Montgomery	SE	SDW	Upper Merion Well No. 1		Water Works Permit	764W19
Montgomery	SE	SDW	Oreland Well		Water Works Permit	764W15
Montgomery	SE	SDW	4 BG reservoir Green Lane		Water Works Permit	
Montgomery	SE	SDW	Construction and use of Well No. 8		Water Works Permit	8312-W
Montgomery	SE	SDW	Construction and use of Well Nos. 14 and 15		Water Works Permit	764W10
Montgomery and Chester	SE	SDW	Pickering West, Church Road Well, Thomas Road (gone), A well in Whitemarsh, A well in East Whiteland		Water Works Permit	8642-W
Montgomery and Chester	SE	SDW	Pickering West, Church Road Well, Thomas Road (gone), A well in Whitemarsh, A well in East Whiteland		Water Works Permit	8642-W
Bucks	SE	STSTA	Neshaminy Creek Pumping	389487	Storage Tank Registration/Permitting	32247
Bucks	SE	STSTA	Iron Works Reservoir	388475	Storage Tank Registration/Permitting	32248
Bucks	SE	STSTA	Croydon Pump Sta.	388491	Storage Tank Registration/Permitting	166347
Bucks	SE	STSTA	Philadelphia Suburban Water Bristol Sys.	388180	Storage Tank Registration/Permitting	209003
Bucks	SE	STSTA	Pickering Creek WTP	423306	Storage Tank Registration/Permitting	209004
Bucks	SE	STSTA	Bristol Township Water Dept.	426236	Storage Tank Registration/Permitting	210671

## NOTICES

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<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Bucks	SE	STSTA	Edgely Well Sta.	426237	Storage Tank Registration/Permitting	210672
Chester	SE	STSTA	North Wayne Booster Sta.	418917	Storage Tank Registration/Permitting	166350
Chester	SE	STSTA	Pickering Creek Plt.	418981	Storage Tank Registration/Permitting	208925
Chester	SE	STSTA	Great Valley Div.	419265	Storage Tank Registration/Permitting	208926
Chester	SE	STSTA	Ingrams Mill	423239	Storage Tank Registration/Permitting	208927
Chester	SE	STSTA	Fern Hill WTP	427866	Storage Tank Registration/Permitting	209005
Chester	SE	STSTA	Ingrams Mill	479930	Storage Tank Registration/Permitting	15-43356
Chester	SE	STSTA	Ingrams Mill	484366	Storage Tank Registration/Permitting	15-43356
Chester	SE	STSTA	Birnham Road Well	427522	Storage Tank Registration/Permitting	
Chester	SE	STSTA	Ingrams Mill	458847	Storage Tank Registration/Permitting	
Chester	SE	STSTA	Ingrams Mill	460460	Storage Tank Registration/Permitting	
Delaware	SE	STSTA	Sproul Road Booster Sta.	420151	Storage Tank Registration/Permitting	59350
Delaware	SE	STSTA	Springton Reservoir	420039	Storage Tank Registration/Permitting	98966
Delaware	SE	STSTA	Philadelphia Sub. Water Springfield Opr. Ctr.	423341	Storage Tank Registration/Permitting	208928
Delaware	SE	STSTA	Crum Creek Pumping Sta.	420128	Storage Tank Registration/Permitting	208929
Delaware	SE	STSTA	Ridley Creek Plt.	429699	Storage Tank Registration/Permitting	209006
Delaware	SE	STSTA	Crum Creek Pumping Sta.	475670	Storage Tank Registration/Permitting	23-07279
Delaware	SE	STSTA	Ridley Creek Plt.	484139	Storage Tank Registration/Permitting	23-45126
Montgomery	SE	STSTA	Philadelphia Sub. Water Jenkintown	419561	Storage Tank Registration/Permitting	111914
Montgomery	SE	STSTA	Green Lane Reservoir	435177	Storage Tank Registration/Permitting	133951
Montgomery	SE	STSTA	Barron Hill Booster Sta.	419564	Storage Tank Registration/Permitting	166446
Montgomery	SE	STSTA	Montgomery Avenue Booster	422870	Storage Tank Registration/Permitting	166448
Montgomery	SE	STSTA	PSW Hatboro	423137	Storage Tank Registration/Permitting	195110
Montgomery	SE	STSTA	Philadelphia Suburban Water Main Sys.	435176	Storage Tank Registration/Permitting	208934
Montgomery	SE	STSTA	Upper Merion Trmt. Plt.	435892	Storage Tank Registration/Permitting	209007
Chester	SE	WMMW	Pickering Creek WTP	12853	Landfill Permit	301299
	SE	WMMW		491716	MW/RW Transporter Interim Authorization	WH2227



<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Delaware	SE	WMRW	Foxcroft Quarry	270585	Commercial Landfill—Class I, II or III Permit	300997
Montgomery	SE	WMRW	Philadelphia Suburban Water Main Sys.	270462	Land Application Permit Agricultural Utilization	300598
Montgomery	SE	WMRW	Philadelphia Suburban Water Main Sys.	270463	Land Application Permit Agricultural Utilization	300599
Montgomery	SE	WMRW	Philadelphia Suburban Water Main Sys.	270499	Commercial Landfill—Class I, II or III Permit	300725
Bucks	SE	WPCNP	Neshaminy Cr. Water Filt. Plt.	275875	NPDES Permit Industrial Wastewater Discharge Minor	PA0011274
Bucks	SE	WPCNP	Neshaminy Cr. Water Filt. Plt.	4095	NPDES Permit Industrial Wastewater Discharge Minor	
Chester	SE	WPCNP	Pickering Creek WTP	486207	NPDES Permit Industrial Wastewater Discharge Minor	PA0013285
Chester	SE	WPCNP	Philadelphia Suburban Water West Chester	346597	NPDES Permit Industrial Wastewater Discharge Minor	PA0051365
Chester	SE	WPCNP	Philadelphia Suburban Water Uwchlan Sys.	326142	NPDES Permit Industrial Wastewater Discharge Minor	PA0052949
Delaware	SE	WPCNP	PA Suburban Water Crum Creek Sys.	385476	NPDES Permit Industrial Wastewater Discharge Minor	PA0011282
Delaware	SE	WPCNP	Ridley Creek Plt.	385480	NPDES Permit Industrial Wastewater Discharge Minor	PA0052159
Chester	SE	WPCWP	Pickering Creek Quarry No. 2 for Settling of Filter Backwash and Sludge		Water Quality Management Permit	1583202
Chester	SE	WPCWP	Pickering Creek Water Treatment Plant Sludge Lagoon		Water Quality Management Permit	1589201
Chester	SE	WPCWP	Pickering Creek WTP	7235	Water Quality Management Part II, Industrial Wastewater Fac.	1597201
Delaware	SE	WPCWP	Ridley Creek PLT	382563	Water Quality Management Part II, Industrial Wastewater Fac.	2302201
Delaware	SE	WPCWP	Crum Creek (Nether Providence Township)		IW Permit	2371204
Delaware	SE	WPCWP	Crum Creek		IW Permit	767I002
Bucks	SE	WRWA	Right to Withdraw 11 MGD from the Delaware River		Water Allocation Permit	WA 9-346B

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<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Bucks, Chester, Delaware, Montgomery	SE	WRWA	Pickering Creek, Crum Creek, Perkiomen Creek, Neshaminy Creek, Reservoir at Ironworks Creek (allows PSW appropriate entire flow Neshaminy Creek) and incorporation of all owned water companies.		Water Allocation Permit	WA-67
Chester	SE	WRWA	20 MGD from Bridgeport Quarry		Water Allocation Permit	WA-67-B
Chester	SE	WRWA	Schuylkill River Allocation of 30 MGD (revokes WA 67 for Schuylkill at 20 MGD)		Water Allocation Permit	WA 46-67E
Chester	SE	WRWA	Right to withdraw water at airport road reservoir on East Branch of Brandywine Creek.		Water Allocation Permit	WA-239D (w/WA-15-239D DER File)
Delaware	SE	WRWA	Right to Withdraw Maximum of 6 MGD from Chester Creek and Maximum of 3 MGD from Ridley Creek		Water Allocation Permit	WA 46-67F
Montgomery	SE	WRWA	Philadelphia Suburban Water Main Sys.	316446	Water Allocation Permit	
Bucks	SE	WRWOB	Philadelphia Suburban Water Bristol Sys.	36596	Water Obstruction and Encroachment Permit, Small Proj.	E09-782
Bucks	SE	WRWOB	Philadelphia Suburban Water Main Sys. Warwick Water Line	23647	GP-05 Utility Line Stream Crossings	GP050998313
Bucks	SE	WRWOB	Philadelphia Suburban Water Main Sys. Warwick Water Line	25903	GP-05 Utility Line Stream Crossings	GP050998323
Bucks	SE	WRWOB	Philadelphia Suburban Water Main Sys. Warwick Water Line	25902	GP-05 Utility Line Stream Crossings	GP050998324
Bucks	SE	WRWOB	Philadelphia Suburban Water Bristol Sys.	37848	GP-05 Utility Line Stream Crossings	GP050999302
Chester	SE	WRWOB	Intake Structure (Pickering Creek) Stream crossings (Schuylkill)		Water Resources and Power Board Permit	14146
Chester	SE	WRWOB	Outfall along Schuylkill Creek		Water Obstruction and Encroachment Permit	E 15-71
Chester	SE	WRWOB	Philadelphia Suburban Water West Chester	346375	Water Obstruction and Encroachment Permit	E15-658
Chester	SE	WRWOB	Unnamed tributary to Valley Creek	375932	Water Obstruction and Encroachment Permit	E15-682
Chester	SE	WRWOB	Pickering Creek WTP	494921	Water Obstruction and Encroachment Permit	E15-703
Chester	SE	WRWOB	Philadelphia Suburban Water Main Sys. Pickering Creek Crossings	311656	GP-05 Utility Line Stream Crossings	GP051499337
Chester	SE	WRWOB	Philadelphia Suburban Water Main Sys. Valley Creek Crossings	36761	GP-05 Utility Line Stream Crossings	GP051598362

<i>Primary County Name</i>	<i>Region</i>	<i>Program Shortname</i>	<i>Site Name</i>	<i>Auth. ID</i>	<i>Auth. Type Description</i>	<i>Prog. Specific ID</i>
Chester	SE	WRWOB	Philadelphia Suburban Water Main Sys. Valley Creek Crossings	36758	GP-05 Utility Line Stream Crossings	GP051598363
Chester	SE	WRWOB	Pickering Creek Crossings		GP-05 Utility Stream Line Crossings Permit	GP051599322
Chester	SE	WRWOB	Philadelphia Suburban Water Spring Run Sys.	46153	GP-05 Utility Line Stream Crossings	GP051599323
Chester	SE	WRWOB	Philadelphia Suburban Water West Chester	315532	GP-05 Utility Line Stream Crossings	GP051599346
Chester	SE	WRWOB	Philadelphia Suburban Water Spring Run Sys.	46155	GP-08 Temporary Road Crossings	GP081599314
Delaware	SE	WRWOB	Liberty Power Plant		Water Obstruction and Encroachment Permit	E23-405
Delaware	SE	WRWOB	Crum Creek WTP	476037	Water Obstruction and Encroachment Permit	E23-427
Delaware	SE	WRWOB	Philadelphia Suburban Water Main Sys. Darby Creek Crossings	323449	GP-05 Utility Line Stream Crossings	GP051500303
Delaware	SE	WRWOB	Philadelphia Suburban Water Main Sys. Ridley Creek Crossings	31512	GP-05 Utility Line Stream Crossings	GP051598304
Delaware	SE	WRWOB	Little Crum Creek Crossings		GP-05 Utility Stream Line Crossings Permit	GP051598322
Delaware	SE	WRWOB	Philadelphia Suburban Water Main Sys. Darby Creek Crossings	44428	GP-05 Utility Line Stream Crossings	GP051599319
Delaware	SE	WRWOB	Ridley Park Lake	23188	GP-05 Utility Line Stream Crossings	GP052398313
Delaware	SE	WRWOB	Philadelphia Suburban Water Main Sys. Darby Creek Crossings	44432	GP-08 Temporary Road Crossings	GP081599308
Montgomery	SE	WRWOB	Philadelphia Suburban Water Main Sys.	340653	Water Obstruction and Encroachment Permit	E23-405
Montgomery	SE	WRWOB	Philadelphia Suburban Water Main Sys.	44279	GP-05 Utility Line Stream Crossings	GP051599314
Montgomery	SE	WRWOB	Philadelphia Suburban Water Main Sys.	47071	GP-05 Utility Line Stream Crossings	GP051599322
Montgomery	SE	WRWOB	Philadelphia Suburban Water Main Sys.	32613	GP-05 Utility Line Stream Crossings	GP052398322
Montgomery	SE	WRWOB	Philadelphia Suburban Water Main Sys.	23491	GP-05 Utility Line Stream Crossings	GP054696374
Montgomery	SE	WRWOB	Philadelphia Suburban Water Perkiomen Township Sys.	37849	GP-05 Utility Line Stream Crossings	GP054699303
Montgomery	SE	WRWOB	Philadelphia Suburban Water Main Sys.	43853	GP-05 Utility Line Stream Crossings	GP054699321
Montgomery	SE	WRWOB	Philadelphia Suburban Water Main Sys.	321545	GP-05 Utility Line Stream Crossings	GP054699378
Montgomery	SE	WRWOB	General Permits		GP-05 Utility Stream Line Crossings Permit	GP0554699303
Montgomery	SE	WRWOB	Philadelphia Suburban Water Main Sys.	23492	GP-08 Temporary Road Crossings	GP084696319

[Pa.B. Doc. No. 04-690. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Availability of Pennsylvania General Permit for Processing/Beneficial Use of Residual Waste (WMGR096)

The Department of Environmental Protection (Department) authorizes General Permit WMGR096 for the beneficial use of regulated fill when moved offsite or received onsite. Under this General Permit, regulated fill may only be moved to a property that is approved for construction and that is zoned and used exclusively for commercial and industrial uses or that is unzoned but is exclusively used for commercial and industrial uses (excluding parks, playgrounds, nursing homes, child care facilities, schools or other residential-style facilities or recreation areas). This General Permit does not authorize blending or processing of material to meet concentration limits specified in Table GP-1 of the General Permit. This General Permit is issued under the authority of the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Pennsylvania Used Oil Recycling Act (58 P.S. §§ 471—480), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904).

Notice for public comment on proposed General Permit WMGR096 was published at 33 Pa.B. 5573 (November 8, 2003) with provision for a 62-day public comment period, which concluded on January 9, 2004.

This General Permit begins on April 13, 2004, and will expire at 12 a.m. on April 13, 2009.

A copy of General Permit WMGR096, including the comment and response document, is available from the Bureau of Land Recycling and Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 783-7509, [tfidler@state.pa.us](mailto:tfidler@state.pa.us). A copy of General Permit WMGR096 is also available on the Department's website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: DEP Waste Management; select "Management of Fill Policy").

Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-691. Filed for public inspection April 23, 2004, 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](http://www.dep.state.pa.us)) at the Public Participation Center page. The "Current 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 2004.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view guidance documents. When this option is not avail-

able, 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*

DEP ID: 012-0501-002. Title: Environmental Justice Public Participation Policy. Description: This policy implements the public participation recommendations of the Environmental Justice Work Group June 2001 report. It provides direction and guidance to Department staff on how to identify an Environmental Justice Area, based on proximity to the site of a proposed facility in a permit application as well as on demographic data. The policy enables the Department to design a public participation strategy for permit applications within those areas. Effective Date: April 24, 2004. Contact: Marcus Kohl, (717) 783-5630, [mkohl@state.pa.us](mailto:mkohl@state.pa.us).

DEP ID: 258-2182-773. Title: Management of Fill. Description: This policy, which replaces the Department's existing Clean Fill Policy dated February 29, 1996, provides the Department's procedures for determining whether material is clean fill or regulated fill. Under the policy, regulated fill may not be used unless the activity involving the regulated fill is covered by a general permit issued by the Department under the authority of the Solid Waste Management Act (SWMA). The policy does not apply to mine land reclamation activities subject to a permit. The excavation, movement or reuse of fill material within a project area or right-of-way of a project is not an activity that requires an SWMA permit. Effective Date: April 24, 2004. Contact: Tom Fidler, (717) 783-7816, [tfidler@state.pa.us](mailto:tfidler@state.pa.us).

#### *Draft Technical Guidance—Substantive Revision*

DEP ID: 012-0200-002. Title: Policy for Consideration of Comprehensive Plans and Zoning Ordinances in DEP Review of Grants and Funding for Facilities and Infrastructure. Description: On October 14, 2000, this guidance was published as an Interim Policy at 30 Pa.B. 5336 (October 14, 2000) with a 30-day public comment period. Under comments received, the Department revised the policy and is seeking additional comments on the proposed revisions. The revised guidance provides direction to Department staff for the implementation of Acts 67 and 68 of 2000 in the administration of current Department grants and funding decisions to avoid or minimize conflicts with local land use decisions. The revised guidance addresses how the Department will consider comprehensive plans and generally consistent zoning ordinances when reviewing grant applications for facilities or infrastructure development. Written Comments: Interested persons may submit written comments on draft technical guidance document #012-0200-002 by May 24, 2004. Comments submitted by facsimile will not be accepted; however, the Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Julia Anastasio, Executive Policy Specialist,

Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, janastasio@state.pa.us. Questions regarding the draft technical guidance document should be directed to Julia Anastasio, (717) 783-8727.

#### *Draft Technical Guidance*

DEP ID: 012-0200-004. Title: Policy for Applications for Technical or Financial Assistance Proposals Consistent with Multi-Municipal Planning Under Acts 67 and 68. Description: This draft guidance addresses how the Department will consider multi-municipal planning efforts in the awarding of financial or technical assistance by the Department. The policy is intended to encourage multi-municipal planning by giving priority in the ranking or scoring of applications originating from areas of this Commonwealth that have undertaken planning on a regional basis. The draft guidance document applies only to applications for proposed projects in counties and local municipalities covered under the Pennsylvania Municipalities Planning Code (MPC), 53 P. S. §§ 10101—11202, as amended by Acts 67 and 68 of 2000. The MPC does not apply to first and second class cities (Philadelphia and Pittsburgh) or first class counties (Philadelphia). Written Comments: Interested persons may submit written comments on draft technical guidance document #012-0200-004 by May 24, 2004. Comments submitted by facsimile will not be accepted; however, the Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Julia Anastasio, Executive Policy Specialist, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, janastasio@state.pa.us. Questions regarding the draft technical guidance document should be directed to Julia Anastasio at (717) 783-8727.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-692. Filed for public inspection April 23, 2004, 9:00 a.m.]

### **Pennsylvania Energy Harvest Grant Program Applications**

The Department of Environmental Protection (Department) announces the availability of \$5 million in the second year of the Commonwealth's Energy Harvest Grant Program for innovative energy projects addressing the concerns of air quality protection or improvement and watershed protection or improvement.

Grants will fund projects that promote awareness and build markets for cleaner or renewable energy technologies. Proposals should manage this Commonwealth's energy resources in a way that also improves the environment, supports economic development and enhances quality of life.

Eligible proposals include: renewable energy deployment, including biomass energy; waste coal reclamation for energy; demonstration of innovative energy efficiency technologies; and distributed generation projects. Special consideration will be given to proposals that assist farmers and reclaim waste coal.

Applications are available by contacting the Department of Environmental Protection, Office of Energy and Technology Development, 15th Floor, Rachel Carson

State Office Building, 400 Market Street, P. O. Box 8772, Harrisburg, PA 17105-8772, (717) 783-8411. Applications are also available on the Department's website: www.dep.state.pa.us (DEP Keyword DEP Energy Harvest). The application package contains the materials and instructions necessary for applying for a grant.

Applications must be postmarked or received by 4 p.m. on July 23, 2004. Faxes will not be accepted. Use staples only, no binding or cover pages.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-693. Filed for public inspection April 23, 2004, 9:00 a.m.]

## **DEPARTMENT OF HEALTH**

### **Application of St. Luke's Hospital Allentown and St. Luke's Hospital Bethlehem for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital Allentown and St. Luke's Hospital Bethlehem have requested an exception to the requirements of 28 Pa. Code § 107.64 (relating to administration of drugs).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previous address or telephone number, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-694. Filed for public inspection April 23, 2004, 9:00 a.m.]

### **Application of The Washington Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Washington Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards in the *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from

the following standards in this publication: 10.2.B, 10.15.B8, 10.6.A, 10.15.A5, 10.15.B16 and 10.15.C.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previous address or telephone number, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-695. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on June 9, 2004, from 10 a.m. to 2 p.m. in Room 812, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA.

For additional information, contact William J. Neil, Manager, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention, Room 1000, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-5900.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William J. Neil at (717) 787-5900, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-696. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Phoebe Home  
1925 Turner Street  
Allentown, PA 18104

Arbutus Park Manor  
207 Ottawa Street  
Johnstown, PA 15904  
FAC ID 012002

Beacon Ridge, A Choice Community  
1515 Wayne Avenue  
Indiana, PA 15701  
FAC ID 033102

The Communities at Indian Haven  
1675 Saltsburg Avenue  
Indiana, PA 15701  
FAC ID 090102

Christ The King Manor  
1100 West Long Avenue  
DuBois, PA 15801  
FAC ID 290102

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Homewood at Martinsburg, PA, Inc.  
430 South Market Street  
Martinsburg, PA 16662  
SAIS 340402

Manor Care Health Services—Allentown  
1265 South Cedar Crest Boulevard  
Allentown, PA 18103

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.37(d) (relating to equipment for bathrooms):

Shenango Presbyterian Home  
238 South Market Street  
New Wilmington, PA 16142

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the previous address, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 04-697. Filed for public inspection April 23, 2004, 9:00 a.m.]

# DEPARTMENT OF LABOR AND INDUSTRY

## Application for Plan Approval and Permit for a Liquefied Petroleum Gas Facility

The Department of Labor and Industry (Department) publishes this notice of application under section 10 of the Propane and Liquefied Petroleum Gas Act (35 P.S. § 1329.10). The Department received an application for plan approval and permit from the following liquefied petroleum gas (LPG) facility: UGI Energy, Franklin Street, Steelton, PA 17113.

The application is for adding 12 additional 30,000-gallon LPG storage tanks to the location. The addition of the 12 tanks would make a total of 24 30,000-gallon LPG storage tanks at the location. According to the application, the facility will have railway offloading capability as well as loading and offloading of transports and bobtails.

The due date for protests or comments concerning this application is 45 days after the date of this published notice. A party that fails to file a timely protest will be barred from participation in the application process. However, a municipality or county may submit written comments within 45 days after the date of publication of this notice.

Written protests or comments should be sent to Charles J. Sludden, Jr., Director, Bureau of Occupational and Industrial Safety, Department of Labor and Industry, 1629 Labor and Industry Building, Harrisburg, PA 17120.

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 04-698. Filed for public inspection April 23, 2004, 9:00 a.m.]

# DEPARTMENT OF REVENUE

## Pennsylvania Dough in a Row Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Dough in a Row.

2. *Price:* The price of a Pennsylvania Dough in a Row instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Dough in a Row instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE) and a Bank Roll Symbol (BKROLL).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$5, \$10, \$20, \$40, \$80 and \$2,000.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 9,360,000 tickets will be printed for the Pennsylvania Dough in a Row instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of Bank Roll (BKROLL) in a left to right diagonal in the play area, and a prize amount of \$2,000 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$2,000.

(b) Holders of tickets with three matching play symbols of Bank Roll (BKROLL) in a right to left diagonal in the play area, and a prize amount of \$80 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$80.

(c) Holders of tickets with three matching play symbols of Bank Roll (BKROLL) in the right column in the play area, and a prize amount of \$40 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$40.

(d) Holders of tickets with three matching play symbols of Bank Roll (BKROLL) in the bottom row in the play area, and a prize amount of \$20 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$20.

(e) Holders of tickets with three matching play symbols of Bank Roll (BKROLL) in the middle row in the play area, and a prize amount of \$10 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$10.

(f) Holders of tickets with three matching play symbols of Bank Roll (BKROLL) in the left column in the play area, and a prize amount of \$5 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$5.

(g) Holders of tickets with three matching play symbols of Bank Roll (BKROLL) in the top row in the play area, and a prize amount of \$2 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$2.

(h) Holders of tickets with three matching play symbols of Bank Roll (BKROLL) in the middle column in the play area, and a prize amount of \$1 in the corresponding prize arrow, on a single ticket, shall be entitled to a prize of \$1.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Get</i>	<i>Win:</i>	<i>Approximate Odds 1 In:</i>	<i>Approximate No. of Winners Per 9,360,000 Tickets</i>
Middle Column	\$1	9.84	951,600
Top Row	\$2	15	24,000
Left Column	\$5	46.15	202,800
Middle Row	\$10	75	124,800

<i>Get</i>	<i>Win:</i>	<i>Approximate Odds 1 In:</i>	<i>Approximate No. of Winners Per 9,360,000 Tickets</i>
Bottom Row	\$20	300	31,200
Right Column	\$40	1,200	7,800
Right Diagonal	\$80	12,000	780
Left Diagonal	\$2,000	120,000	78

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Dough in a Row instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Dough in a Row, prize money from winning Pennsylvania Dough in a Row instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Dough in a Row instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Dough in a Row or through normal communications methods.

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 04-699. Filed for public inspection April 23, 2004, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 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>
2-145	Department of Agriculture Food Employer Certification (34 Pa.B. 831 (February 14, 2004))	3/15/04	4/14/04
11-217	Insurance Department Annual Audited Insurers' Financial Report Required (34 Pa.B. 844 (February 14, 2004))	3/15/04	4/14/04
17-65	Pennsylvania State Police Use of Unmarked Vehicles (34 Pa.B. 853 (February 14, 2004))	3/15/04	4/14/04
16A-5118	State Board of Nursing Approval of Diploma Programs in Transition to Degree-Granting Status (34 Pa.B. 851 (February 14, 2004))	3/15/04	4/14/04



**Department of Agriculture Regulation No. 2-145**  
**Food Employee Certification**  
**April 14, 2004**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Department of Agriculture (Department) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 15, 2004. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

**1. Section 76.7. Certification training programs: Food safety protection and training standards and § 76.12. Renewal of certificate.—Statutory authority.**

The Food Employee Certification Act (act) requires the Department to establish in regulations “[T]he number of hours necessary to prepare employees for safe food handling due to the food establishment’s scope of business” (3 P. S. § 6504(g)(1)(iii)). The act’s requirement is met by existing § 76.7(a) which requires “at least 15 hours of instruction” and existing § 76.12(a) which requires “at least 7.5 hours of approved continuing education.” However, this rulemaking deletes the number of hours from §§ 76.7(a) and 76.12(a). If the Department deletes these provisions, how will the regulation be in compliance with the act?

**2. Miscellaneous clarity issues.**

a) The following terms are being deleted from § 76.2. However, these terms continue to be used in the regulation as follows. The Department should either retain these definitions or explain why they are no longer needed.

<i>Term</i>	<i>Used</i>
Food contact surface	Definition of “sanitizing”
HACCP	§ 76.8(1)—(3)
Retail food store	Definition of “food establishment”
Water activity	Definition of “potentially hazardous food”

b) We were unable to find the term “food code” used in the regulation. It should be deleted from § 76.2 or the Department should explain the need for it.

c) Section 76.3(b) states “The certificate shall be in the general category unless one of the following is *accurate*: . . .” (Emphasis added.) It would be clearer to state “. . . unless one of the following applies: . . .”

d) Section 76.5(b)(2)(iii) ends with the phrase “are accurate.” This phrase should be replaced with “apply.”

e) Section 76.5(b)(2)(iv)(B), which addresses programs administered by an entity other than the Department, ends with the phrase “. . . and meets the requirements referenced in clause (A).” The dependence of clause (B) on requirements in clause (A) gives the appearance that entities other than the Department fall “under section 4(g)(2) of the act.” Is the intent for programs in clause (B) to only meet “the course content requirements in § 76.7(b)”?

f) Section 76.8(1)—(3) makes a general cross reference to § 76.5(b)(2). More specific cross references should be used since there are specific subparagraphs in § 76.5(b)(2) that directly correspond to each certificate

category. For example, § 76.8(3) describes a “modified” certificate and should therefore cross reference § 76.5(b)(2)(iii).

**Insurance Department Regulation No. 11-217**  
**Annual Audited Insurers’ Financial Report**  
**Required**  
**April 14, 2004**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Insurance Department must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 15, 2004. 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.

**Section 147.8. Scope of audit and report of independent certified public accountant.—Clarity.**

Subsection (d) states “The Commissioner may from time to time prescribe that additional auditing procedures be observed by the independent certified public accountant in the audit of the financial statements of insurers under this chapter.” The phrase “from time to time” is vague and should be deleted. Also, the final-form regulation should identify under what circumstances additional auditing procedures may be required.

**Pennsylvania State Police Regulation No. 17-65**  
**Use of Unmarked Vehicles**  
**April 14, 2004**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Pennsylvania State Police (State Police) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 15, 2004. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

**1. Section 42.1. Purpose.—Clarity; Implementation procedures.**

This section states the following: “This chapter governs the use of unmarked vehicles. It is necessary to establish uniformity in the use of unmarked vehicles for the purpose of law enforcement.” Under 75 Pa.C.S. § 3328, regarding unmarked police vehicles, the State Police is directed to “. . . promulgate regulations for the use of unmarked vehicles by police officers.” More specifically, subsection (a)(1) directs the State Police to “establish the procedure to be used by a police officer in an unmarked vehicle when stopping a motorist.”

Does this regulation apply to stops or pursuits regarding traffic violations or all stops or pursuits that involve unmarked vehicles? In the final-form rulemaking, the State Police should clearly indicate the scope of the requirement in its preamble and in § 42.1.

We note the phrase “permit the use of unmarked vehicles for law enforcement” also appears in § 42.2. If any changes are made to § 42.1, a similar change should be made to § 42.2.

**2. Section 42.2. Policy and effect.—Statutory authority; Legislative intent; Conflict with statute; Policy decision requiring legislative review.**

This section includes the following: “Failure to comply with this chapter does not affect the legality of any arrest or citation, nor will it be grounds for the suppression of evidence.” We have several concerns with this statement.

First, we question whether there is a statutory or constitutional basis for this provision. As regulations have the force and affect of law, a police officer’s failure to comply may raise a question as to the legality of the arrest. Is it the intent of the regulation to prevent a judge from considering the arresting officer’s compliance with the regulations in deciding a suppression motion or allowing a defense to the prosecution?

Second, we believe that § 42.2 conflicts with Act 75’s amendment to 75 Pa.C.S. § 3733(c). As amended, 75 Pa.C.S. § 3733(c) authorizes a defense to a prosecution based on, among other things, recognition of the police officer’s vehicle, the ability to identify the police officer because of his uniform or badge and “*any other factor considered relevant by the court.*” (Emphasis added.) Therefore, a court is authorized by law to consider a police officer’s “failure to comply” with regulations addressing vehicle identification and uniform requirements.

Third, we question whether § 42.2 belongs in the regulation. We believe it represents a policy decision of such substantial nature that it requires legislative review. There is nothing in the previously cited statutory provisions regarding unmarked cars that indicates the legislative intent to restrict what may or what may not be entered into evidence. In contrast, whenever the General Assembly intended to address what a court may consider, it did so in clear and unmistakable terms. For instance, 75 Pa.C.S. § 1547(c), regarding chemical testing to determine sobriety, clearly establishes what may be entered into evidence. Likewise, 18 Pa.C.S. § 5721.1(b) explicitly establishes what nonconstitutional violations a court may consider in deciding a suppression motion.

**3. Section 42.3. Definitions.—Conflict with existing regulations; Clarity.**

*Light bar assembly*

The definition of “light bar assembly” differs from that of the Department of Transportation in 67 Pa. Code § 173.2. Section 42.22(b) states that 67 Pa. Code § 173, regarding flashing or revolving lights on emergency and authorized vehicles, shall be utilized when officers stop suspected violators. To avoid confusion, we recommend that the definition of “light bar assembly” be amended to be consistent with the definition in 67 Pa. Code § 173.2.

*Marked police vehicle and unmarked police vehicle*

This section defines the terms “marked police vehicle” and “unmarked police vehicle.” However, these terms are not used in the body of the regulation. Instead, the terms “marked unit” and “unmarked vehicle” are used throughout the regulation. We recommend using the defined terms “marked police vehicle” and “unmarked police vehicle” in the regulation.

“Unmarked police vehicle” is defined as “A police vehicle not equipped with a roof mounted light-bar assembly. The vehicle may display graphics, markings or decals identifying the agency or department.” The second sentence creates ambiguity in the definition and should be deleted.

*Police officer*

The term “police officer” is used in 75 Pa.C.S. § 3328. This rulemaking uses the term “officer.” The preamble to the final-form rulemaking should explain the reason for using the term “officer” instead of “police officer” and note who would fall under the definition of “officer.” We also recommend defining the term “officer” and using it throughout the regulation.

**4. Section 42.21. Identification and uniform requirements.—Clarity.**

*Identification*

Subsection (a) establishes the procedures to be used by officers when identifying themselves. It states, in part: “If the officer does not carry official identification, the officer *should* not attempt to stop traffic law violators, unless there is immediate threat to public safety.” (Emphasis added.) The term “should” is nonregulatory language, which indicates that this provision is optional. It is inappropriate to include optional provisions in a regulation. We recommend that the term “should” be replaced with the word “shall.”

*Uniforms*

Subsection (b) establishes uniform requirements for officers using unmarked vehicles. It states, in part: “Markings on alternative attire *should* be visible from the front and back.” (Emphasis added.) Similar to our previous comment, we recommend that the term “should” be replaced with the word “shall.”

**5. Section 42.22. Vehicle stops and pursuits.—Implementation procedures.**

Subsection (b) relates to the use of audible and visual signals while operating an unmarked vehicle. It states that the requirements and standards in 67 Pa. Code § 173 shall be used when officers stop suspected violators. Under 75 Pa.C.S. § 3328(a)(2), the regulations shall “require the use of audible and visual signals which meet the requirements and standards set forth in this title and in regulations adopted by the department.”

Section 173 of 67 Pa. Code does not address audible signal requirements. What audible standards are the State Police required to use when stopping suspected violators? We recommend the State Police add a citation to the specific regulations governing audible requirements in this section.

**State Board of Nursing Regulation No. 16A-5118**

**Approval of Diploma Programs in Transition to Degree-Granting Status**

**April 14, 2004**

We submit for consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The State Board of Nursing (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on March 15, 2004. 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.

**Section 21.51. Establishment.—Reasonableness; Implementation procedures; Need; Clarity.**

*Subsection (a)—accreditation agencies and leadership*

Subsection (a) states that a nursing program shall be developed at a regionally accredited university or college, or a hospital approved by the Joint Commission on Accreditation of Hospitals (JCAHO), and under the leadership of a registered nurse. There are two areas of concern.

The House Professional Licensure Committee (House Committee) in its comments questioned whether a program transitioning from a hospital-based nursing education program would be required to be under the leadership of a registered nurse. This question relates both to the existing structure of subsection (a) and the use of the phrase “except as follows” in the proposed regulation. According to the Board counsel, the intent is that all nursing education programs be under the leadership of a registered nurse. This is consistent with existing §§ 21.71(b) and 21.74(b) which require advanced degrees in nursing and nursing experience for directors of both diploma and degree programs.

Since the requirement is in place elsewhere in existing regulations, inclusion of the phrase “under the leadership of a registered nurse” in subsection (a) may be duplicative and unnecessary. To avoid confusion, the Board should consider amending the regulation in the final-form version by deleting this phrase or moving it to a separate subsection that states it is a requirement for all programs including ones in transition from diploma-granting to degree-granting status.

Second, a commentator suggested that the subsection identify both the JCAHO and the Healthcare Facilities Accreditation Program (HFAP) as agencies that can approve hospitals. The commentator noted that the Federal government has approved both the HFAP and the JCAHO for hospital accreditation.

The shortage of nursing staff is a recognized and well documented concern. The existence of more nursing education programs could stimulate greater entry by qualified people into the profession. Therefore, the Board should review the need to limit diploma programs to hospitals accredited by the JCAHO when hospitals may receive accreditation from other organizations.

*Subsection (a)(1)—approval status*

Subsection (a)(1)(iii) states that a hospital-based nursing program must maintain “full approval status under § 21.33 (relating to types of approval) for at least 3 years prior to the transition.” The process for accreditation and final approval for degree-granting status may take 6 years after an institution first receives initial approval by the Department of Education (Department). It is our understanding that the Board will require programs to achieve “full approval status” for 3 years before they start the transition. In the final-form regulation, the Board should amend § 21.51(a)(1)(iii) to specify that programs need to have 3 years of “full approval status” before they apply to the Board to start the transition process.

*Subsection (a)(2)(ii) and (iii)—transition requirements*

Subsection (a)(2) sets forth requirements for programs in transition to degree-granting status. There are two concerns with these subsections.

First, subsection (a)(2)(ii) requires programs in transition to submit annual progress reports. Existing § 21.124 already requires schools of nursing to file annual reports

with the Board. To avoid duplicative language, we recommend that the final-form regulation be amended to delete the annual report requirement in subsection (a)(2)(ii).

Second, subsection (a)(2)(iii) states that the program shall be reviewed onsite, but does not identify what entity will do the review. It is also unclear when the review will take place. The final-form regulation should clearly state that the Board will perform the review. It should also reference section 6.1 of the Professional Nursing Law (act) (63 P. S. § 216.1) that requires a site visit to a nursing education program at least once every 3 years.

*Subsection (a)(2)(iv)—time period for transition*

This subsection requires programs in transition to continue on initial approval under § 21.33 until the university or college achieves full approval status from the Department or for 6 years, whichever occurs first. There are two concerns with this subsection.

First, the House Committee questions the intent of this subsection and what happens after 6 years if the program does not obtain full approval from the Department. We share the House Committee’s concern and note that § 21.33(a) does not include a specific time limit for initial approval.

If the program does not obtain full approval from the Department within 6 years, the next step is unclear. What happens to the program and its students? Will the program in transition be required to follow the provisions in § 21.41, regarding discontinuance of a school of nursing, or will it revert back to a hospital-based program? The final-form regulation should specify the consequences of not meeting the 6-year time limit.

Second, the preamble indicates that it may take up to 6 years for a college or university to obtain “full approval for regional accreditation.” However, it is our understanding that 6 years is the approximate time it takes. It could take less or more time for a legitimate institution to achieve accreditation. The 6-year time frame is an estimate. Is it necessary to use 6 years as a time limit? The programs are already required to file annual reports with the Board and the Board is required to do onsite reviews at least once every 3 years. Therefore, the Board should be able to monitor their progress. Retaining the 6-year time frame could force the Board to close an educational program that was actually on the verge of receiving accreditation.

*Subsections (a)—(e)—nursing education programs, procedures and requirements*

In the existing regulation, subsection (a) states that colleges, universities and hospitals must be accredited to establish nursing education programs. Subsections (b)—(e) set forth procedures and requirements for these programs. The proposed regulation adds a new nursing education program option and its procedures and requirements to subsection (a). We have three concerns.

First, the new language in subsection (a) identifies the programs in transition as an exception. In contrast, the act includes these programs in its list of “approved programs” for nursing education. The last sentence of section 6(a) of the act (63 P. S. § 216(a)) reads:

Approved programs shall include baccalaureate degree, associate degree, diploma nursing programs and programs in transition from approved diploma-to-degree-granting programs when all other requirements of the Board have been met.

Hence, the diploma programs in transition are not an exception in the act. They are approved programs. Sub-

section (a) should reflect the act by listing the different types of approved nursing education programs.

Second, subsection (a)(1) begins with a lengthy and complex sentence followed by a list of requirements. The long sentence seeks to describe programs in transition by using numerous modifiers. If the basic definition of the programs in transition is moved to subsection (a), then the standards and requirements for these programs could be a separate provision. The unique content of subsection (a)(1) and (2) could be set forth in a separate subsection in the same way that requirements for the existing programs are contained in subsections (b)—(e).

Third, it is unclear whether the existing requirements in subsections (b)—(e) will also apply to programs in transition since they are identified as exceptions. The final-form regulation should specify whether these programs must also comply with subsections (b)—(e).

#### *Miscellaneous clarity*

In the course of our review, we identified the following issues regarding clarity.

The first paragraph of § 21.51(a) uses the term “nursing program” and this term is also used in existing § 21.51(b)(1)(ii) and (iii). Section 21.51(a)(1) and (2) uses the term “nursing education program.” If “nursing program” and “nursing education program” are the same type of program, then the regulation should use just one of the two terms.

Second, the word “wishing” is not standard regulatory language. It is used in subsection (a)(1) and (2) in the proposed regulation. The final-form regulation should state that diploma-granting programs may be modified into degree-granting programs if they meet the specified requirements.

Third, § 21.51(a)(1)(iii) refers to “full approval status” under § 21.33. There are three different types of approval identified in existing § 21.33. Full approval is described in § 21.33(b). Section 21.51(a)(1)(iii) should identify the specific subsection (§ 21.33(b)) that defines full approval for nursing education programs. In addition, the reference in § 21.51(a)(2)(iv) to “initial approval” under § 21.33 should specifically refer to § 21.33(a).

Fourth, subsection (a)(2)(i) refers to “all other Board regulations pertaining to nursing education programs.” Would this provision be necessary if these programs were considered another version of an approved nursing education program rather than an exception? If it is necessary, then it should reference Chapter 21, Subchapter A.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 04-700. Filed for public inspection April 23, 2004, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of American Transinsurance Group, Inc.; Evanston Insurance Co. and Shand Morahan & Co., Inc.; Doc. No. FC04-04-001

Under 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), a hearing is scheduled for Monday, April 12, 2004, at 1 p.m. in Room

200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-701. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Application for Domestic Certificate of Authority

Keystone National Insurance Company has applied for a Certificate of Authority to operate as a domestic stock property insurance company in this Commonwealth. The filing was made under The Insurance Company Law of 1921 (40 P. S. §§ 341—991). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statements must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-702. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Farmers New Century Insurance Company; Homeowners Program; Rate Filing

On April 6, 2004, the Insurance Department (Department) received from Farmers New Century Insurance Company a filing for a rate level change for the Homeowners Program.

The company requests an overall 23.8% increase amounting to \$4.847 million annually, to be effective July 16, 2004, for new business and renewal business.

Unless formal administrative action is taken prior to June 5, 2004, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website: [www.ins.state.pa.us](http://www.ins.state.pa.us). To access the filing, select “Consumer Information” on the left side. Under “General Information,” click on “Notices.” The PDF copy is at the “Filing.pdf” link following the name of the filing.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional offices in Harrisburg, Philadelphia and Pittsburgh.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 04-703. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Highmark Blue Cross Blue Shield; Medically Underwritten Direct Pay PPO Filing; Rate Filing

On April 9, 2004, the Insurance Department (Department) received from Highmark Blue Cross Blue Shield filing no. 1-DPPPO-04-HBCBS for a rate increase of 6.8% and to modify the benefit level for the medically underwritten direct pay PPO Plan in the Western Region. The following changes to the benefit design are being requested:

#### *DirectBlue PPO (Comprehensive Major Medical Preferred Provider)*

<i>Benefit Provision</i>	<i>Before July 1, 2004</i>	<i>July 1, 2004 through December 31, 2004</i>	<i>January 1, 2005</i>
Contract Year Maximum for Medical	—None for Medical	—\$1 million for Medical per Individual combined for In-Network and Out-of-Network; part of lifetime maximum	—Same
Medical Deductible In-Network	—None	—\$250 Medical Deductible In-Network for Individual and \$750 for Family	—Same
Prescription Drug Deductible	—\$50 Prescription Drug Deductible per Calendar Year per Individual	—Same	—\$100 Prescription Drug Deductible per Calendar Year per Individual. No 4th quarter carryover.
Prescription Drug Calendar Year Maximum	—No Calendar Year Maximum for Prescription Drug.	—Same	—\$50,000 Maximum per Calendar Year per Individual for Prescription Drugs; separate from lifetime maximum.
	—\$3,000 in Coinsurance Expense for Covered Prescription Drugs per Member per Calendar Year.		—Remove \$3,000 Out-of-Pocket maximum.

The company requests an overall 6.8% increase amounting to \$1.15 million annually and will impact approximately 5,800 contracts. The requested effective date is July 1, 2004.

Unless formal administrative action is taken prior to July 7, 2004, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website: [www.ins.state.pa.us](http://www.ins.state.pa.us). To access the filing, select "Consumer Information" on the left side. Under "General Information," click on "Notices." The PDF copy is at the "Filing.pdf" link following the name of the filing.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 04-704. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Officers Required to Certify Financial Statements; Notice 2004-03

All Pennsylvania domiciled insurers (Life, Accident & Health, Property & Casualty, Title, Financial Guaranty, Mortgage Guaranty, Surety, Pennsylvania Fair Plan, State Workmen's Insurance Fund, Employers' Mutual

Liability Association, Coal and Clay Mine Subsidence Insurance Fund, Joint Underwriting Association, Health Maintenance Organization, Health Plan Corporation, Hospital Plan Corporation, Professional Health Service Plan, Preferred Provider Organization, Fraternal Benefit Society or Beneficial Association; whether organized for profit or non-profit as a corporation, association, ex-

change, reciprocal or interinsurance exchange) are required to adhere to various Laws, Regulations, Financial Statement Filing Instructions/Checklists, NAIC's Accounting Practices and Procedures Manual and NAIC's Quarterly and Annual Statement Instructions when preparing and filing financial statements. Pursuant to various statutes and regulations (40 P.S. §§ 443(a)(1), 443(a)(2), 910.54(2), 991.2452(b), 991.2452(d), 1556.1 and 1561; 40 Pa.C.S. §§ 6125(a) and 6331; 31 Pa. Code §§ 152.21 and 301.81) Commissioner Koken issues Financial Statement Filing Instructions/Checklists, usually in December of each year. These Filing Instructions/Checklists are available on the Pennsylvania Insurance Department's Internet site at: [www.ins.state.pa.us](http://www.ins.state.pa.us).

During October 2003, the NAIC's Blanks (E) Task Force adopted changes to the Jurat Page by removing specified titles. It now allows insurers to add titles of Officers signing the Jurat Page of financial statements based on requirements of the State of Domicile. Concurrent with this change and as outlined under section "New for 2004" of the Filing Instructions/Checklist issued by Commissioner Koken on December 1, 2003, the following three Officers, or a person(s) performing similar functions, of Pennsylvania domiciled insurers are required to certify, on the Jurat Page, Quarterly and Annual Financial Statements filed with Pennsylvania Insurance Department, NAIC and other states.

- 1) Chief Executive Officer
- 2) Chief Financial Officer
- 3) Corporate Secretary

This requirement is effective with all future Quarterly and Annual Financial Statements filed beginning with the filing of March 31, 2004 Quarterly Financial Statements.

Questions concerning this notice may be directed to Kaushik K. Patel, Chief, Financial Analysis Division, Bureau of Company Licensing and Financial Analysis, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-5890, fax (717) 787-8557, e-mail [ra-in-analysis@state.pa.us](mailto:ra-in-analysis@state.pa.us).

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-705. Filed for public inspection April 23, 2004, 9:00 a.m.]

### **Penn Treaty Network America Insurance Company; Rate Increase Filing for Long Term Care Series LTCTP-6000; Rate Filing**

Penn Treaty Network America Insurance Company is requesting approval to increase the premium 23% for the Long Term Care Forms LTCTP-6000(PA)-N, LTCTP-6000(PA)-P and the associated riders. The average premium will increase from \$1,749 to \$2,151 and will affect 963 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 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-706. Filed for public inspection April 23, 2004, 9:00 a.m.]

### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to 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 hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Brian Buckson; file no. 04-215-00296; AIG Insurance Company; doc. no. PH04-03-025; May 12, 2004, 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. 04-707. Filed for public inspection April 23, 2004, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board leases will expire:

Luzerne County, Wine & Spirits Shoppe #4026, Gateway Shopping Ctr., Edwardsville, PA 18704.

*Lease Expiration Date:* March 31, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,000 to 6,000 net useable square feet of new or existing retail commercial space within the vicinity of the intersection of U. S. Route 11 and Northampton Street, Edwardsville Borough or Kingston Borough.

*Proposals due:* May 14, 2004, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

Northampton County, Wine & Spirits Shoppe #4810, Bethlehem Square S. Ctr., Linden Street, Bethlehem, PA 18020.

*Lease Expiration Date:* March 31, 2005

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 net useable square feet of new or existing retail commercial space within 1 1/2 miles of the intersection of Nazareth Pike (Route 191) and Oakland Road, Bethlehem Township.

*Proposals due:* May 14, 2004, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228

JONATHAN H. NEWMAN,  
*Chairperson*

[Pa.B. Doc. No. 04-708. Filed for public inspection April 23, 2004, 9:00 a.m.]

## MILK MARKETING BOARD

### Sunshine Meeting Dates for 2004-2005

In accordance with 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act), the Milk Marketing Board has established the following meeting dates for Fiscal Year 2004-2005:

<i>Date</i>	<i>Location</i>	<i>Time</i>
July 7, 2004	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
August 4, 2004	Room 309, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
September 1, 2004	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
October 6, 2004	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
November 3, 2004	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
December 1, 2004	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
January 5, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
February 2, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
March 2, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
April 6, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
May 4, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.
June 1, 2005	Room 202, Agriculture Building Harrisburg, PA 17110-9408	8 a.m. to 4 p.m.

TIMOTHY A. MOYER,  
*Acting Secretary*

[Pa.B. Doc. No. 04-709. Filed for public inspection April 23, 2004, 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, will hold a meeting of the Authority's 11 member board on Monday, May 3, 2004, 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 Authority at (717) 346-0469.

ALAN B.K. RABINOWITZ,  
*Administrator*

[Pa.B. Doc. No. 04-710. Filed for public inspection April 23, 2004, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Atlanta New York Warehouse Outlets  
(2003.0264.00); C-20031967; A-310739*

## Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Atlanta New York Warehouse Outlets (the Respondent), an interexchange reseller certificated at A-310739. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 25, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Atlanta New York Warehouse Outlets' certificate of public convenience is in the public interest.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Atlanta New York Warehouse Outlets immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Atlanta New York Warehouse Outlets at A-310739 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-711. Filed for public inspection April 23, 2004, 9:00 a.m.]

## Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. BCGI Communications Corp.  
(2003.0264.00); C-20031968; A-310890*

## Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against BCGI Communications Corp. (the Respondent), an interexchange reseller certificated at A-310890. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior



written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on December 1, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of BCGI Communications Corp.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. BCGI Communications Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by BCGI Communications Corp. at A-310890 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-712. Filed for public inspection April 23, 2004, 9:00 a.m.]

## Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Cable & Wireless USA, Inc.  
(2003.0264.00); C-20031969; A-310002*

## Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Cable & Wireless USA, Inc. (the Respondent), a competitive access provider/other and a reseller of local services carrier certificated at A-310002. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Cable & Wireless USA, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Cable & Wireless USA, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the

notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Cable & Wireless USA, Inc. at A-310002 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 04-713. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Choctaw Communications, Inc.  
(2003.0264.00); C-20031971; A-310883*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Choctaw Communications, Inc. (the Respondent), a reseller of local services carrier and an interexchange reseller certificated at A-310883. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because there was no forwarding order. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Choctaw Communications, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66

Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Choctaw Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Choctaw Communications, Inc. at A-310883 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 04-714. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Cogent Comm. of Pennsylvania, Inc.  
(2003.0264.00); C-20031973; A-310842*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Cogent Comm. of Pennsylvania, Inc. (the Respondent), an interexchange reseller and a competitive access provider/other certificated at A-310842. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint

charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because the forwarding order had expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Cogent Comm. of Pennsylvania, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Cogent Comm. of Pennsylvania, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Cogent Comm. of Pennsylvania, Inc. at A-310842 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-715. Filed for public inspection April 23, 2004, 9:00 a.m.]

## Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Coleman Enterprises, Inc.  
(2003.0264.00); C-20031974; A-310572*

## Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Coleman Enterprises, Inc. (the Respondent), an interexchange reseller certificated at A-310572. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Coleman Enterprises, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Coleman Enterprises, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Coleman Enterprises, Inc. at A-310572 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-716. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Cybertel Communications Corp.  
(2003.0264.00); C-20031983; A-310988*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Cybertel Communications Corp. (the Respondent), an interexchange reseller certificated at A-310988. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 25, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Cybertel Communications Corp.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Cybertel Communications Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Cybertel Communications Corp. at A-310988 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-717. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Digitran Corporation (2003.0264.00);  
C-20031984; A-310105*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Digitran Corporation (the Respondent), an interexchange reseller certificated at A-310105. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on December 5, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Digitran Corporation's certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Digitran Corporation immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Digitran Corporation at A-310105 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-718. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Direct One LLC (2003.0264.00);  
C-20031985; A-310797*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Direct One LLC (the Respondent), an interexchange reseller certificated at

A-310797. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because the address was unknown. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Direct One LLC's certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Direct One LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Direct One LLC at A-310797 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-719. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Eastern Telecommunications, Inc.  
(2003.0264.00); C-20031986; A-310394*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Eastern Telecommunications, Inc. (the Respondent), an interexchange reseller and a reseller of local services carrier certificated at A-310394. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Eastern Telecommunications, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Eastern Telecommunications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of

the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Eastern Telecommunications Inc. at A-310394 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-720. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Equal Access Comm., LLC  
(2003.0264.00); C-20031952; A-311199*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Equal Access Comm., LLC (the Respondent), an interexchange reseller certificated at A-311199. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Equal Access Comm., LLC's certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S.

§§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Equal Access Comm., LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Equal Access Comm., LLC at A-311199 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-721. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Giantloop Telecom, Inc.  
(2003.0264.00); C-20031954; A-311134*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Giantloop Telecom, Inc. (the Respondent), a facilities based competitive local exchange carrier, a competitive access provider/other, and a facilities based interexchange carrier, an interexchange reseller certificated at A-311134. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66

Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Giantloop Telecom, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Giantloop Telecom, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Giantloop Telecom, Inc. at A-311134 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-722. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Helicon Telephone Co. (2003.0264.00);  
C-20031948; A-310351*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Helicon Telephone Co. (the Respondent), an interexchange reseller certificated at A-310351. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Helicon Telephone Co.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Helicon Telephone Co. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day

time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Helicon Telephone Co. at A-310351 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-723. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Helicon Telephone Pennsylvania, LLC  
(2003.0264.00); C-20031949; A-310519*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Helicon Telephone Pennsylvania, LLC (the Respondent), a facilities based competitive local exchange carrier, an interexchange reseller, and a facilities based interexchange carrier certificated at A-310519. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Helicon Telephone Pennsylvania, LLC's certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, in-



cluding the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Helicon Telephone Pennsylvania, LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Helicon Telephone Pennsylvania, LLC at A-310519 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-724. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Ironton Telephone Co. (2003.0264.00);  
C-20031929; A-311650*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Ironton Telephone Co. (the Respondent), a facilities based competitive local exchange carrier certificated at A-311650. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certifi-

cate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 21, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Ironton Telephone Co.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Ironton Telephone Co. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Ironton Telephone Co. at A-311650 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-725. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Log On America, Inc. (2003.0264.00);  
C-20031957; A-311036*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Log On America, Inc. (the Respondent), a switched access carrier, an interexchange reseller, and a facilities based competitive local exchange carrier certificated at A-311036. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Log On America, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Log On America, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice.

The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Log On America, Inc. at A-311036 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-726. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Logix Communications Corp.  
(2003.0264.00); C-20031945; A-310825*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Logix Communications Corp. (the Respondent), an interexchange reseller certificated at A-310825. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Logix Communications Corp.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S.

§§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Logix Communications Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Logix Communications Corp. at A-310825 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-727. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Mercury Long Distance, Inc.  
(2003.0264.00); C-20031958; A-311048*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Mercury Long Distance, Inc. (the Respondent), a reseller of local services carrier certificated at A-311048. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report.

The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Mercury Long Distance, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Mercury Long Distance, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Mercury Long Distance, Inc. at A-311048 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-728. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. North American Comm. Control, Inc.  
(2003.0264.00); C-20031943; A-310393*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against North American Comm. Control, Inc. (the Respondent), an interexchange reseller certificated at A-310393. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of North American Comm. Control, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. North American Comm. Control, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by North American Comm. Control, Inc. at A-310393 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-729. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Northwestern Digital Company  
(2003.0264.00); C-20031960; A-310958*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Northwestern Digital Company (the Respondent), an interexchange reseller certificated at A-310958. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because the post office was unable to forward. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Northwestern Digital Company's certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Northwestern Digital Company immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Northwestern Digital Company at A-310958 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-730. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Ntera, Inc. (2003.0264.00);  
C-20031961; A-311126*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Ntera, Inc. (the Respondent), a switched access carrier, a reseller of local services carrier, and an interexchange reseller certificated at A-311126. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 25, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Ntera, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Ntera, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Ntera, Inc. at A-311126 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-731. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Pennsylvania Shared Comm. Services  
(2003.0264.00); C-20031941; A-310311*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Pennsylvania Shared Comm. Services (the Respondent), an interexchange reseller certificated at A-310311. In the Complaint,

Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Pennsylvania Shared Comm. Services' certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Pennsylvania Shared Comm. Services immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Pennsylvania Shared Comm. Services at A-310311 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-732. Filed for public inspection April 23, 2004, 9:00 a.m.]

## Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Power-Finder West Comm., LLC  
(2003.0264.00); C-20031964; A-311112*

## Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Power-Finder West Comm., LLC (the Respondent), an interexchange reseller certificated at A-311112. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Power-Finder West Comm., LLC's certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Power-Finder West Comm., LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Power-Finder West Comm., LLC at A-311112 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 04-733. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Stormtel, Inc. (2003.0264.00);  
C-20031938; A-310586*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Stormtel, Inc. (the Respondent), an interexchange reseller certificated at A-310586. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was presumably not served but the post office did not return a green card. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Stormtel, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Stormtel, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Stormtel, Inc. at A-310586 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 04-734. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Telec, Inc. (2003.0264.00);  
C-20031934; A-310446*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Telec, Inc. (the Respondent), an interexchange reseller certificated at A-310446. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Telec, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Telec, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Telec, Inc. at A-310446 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-735. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Ton Services, Inc. (2003.0264.00);  
C-20031931; A-310859*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Ton Services, Inc. (the Respondent), an interexchange reseller certificated at A-310859. In the Complaint, Prosecutory Staff alleged

that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Ton Services, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore*,

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Ton Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Ton Services, Inc. at A-310859 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-736. Filed for public inspection April 23, 2004, 9:00 a.m.]



**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Transbeam, Inc. (2003.0264.00);  
C-20031978; A-310955*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Transbeam, Inc. (the Respondent), a facilities based competitive local exchange carrier, a facilities based interexchange carrier, and a switched access carrier certificated at A-310955. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on November 24, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Transbeam, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Transbeam, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The

notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Transbeam, Inc. at A-310955 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-737. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Transnet Connect Inc. (2003.0264.00);  
C-20031977; A-310849*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Transnet Connect Inc. (the Respondent), an interexchange reseller certificated at A-310849. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was served on December 2, 2003. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file an answer to the Complaint or file its 2002 Annual Report, we conclude that revocation of Transnet Connect Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506

and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Transnet Connect Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Transnet Connect Inc. at A-310849 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-738. Filed for public inspection April 23, 2004, 9:00 a.m.]

### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. U. S. Long Distance, Inc.  
(2003.0264.00); C-20031976; A-310093*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against U. S. Long Distance, Inc. (the Respondent), an interexchange reseller certificated at A-310093. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling

the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because the address was unknown. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of U. S. Long Distance, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. U. S. Long Distance, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by U. S. Long Distance, Inc. at A-310093 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-739. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Winstar Of Penna., LLC  
(2003.0264.00); C-20031991; A-311171*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Winstar Of Penna., LLC (the Respondent), an interexchange reseller, a competitive access provider/other, a switched access carrier, and a facilities based competitive local exchange carrier certificated at A-311171. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Winstar Of Penna., LLC's certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Winstar Of Penna., LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Winstar Of Penna., LLC at A-311171 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-740. Filed for public inspection April 23, 2004, 9:00 a.m.]

**Default Order**

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzingrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. World Communications Satellite  
Systems (2003.0264.00); C-20031990; A-311119*

**Default Order**

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against World Communications Satellite Systems (the Respondent), an interexchange reseller certificated at A-311119. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of World Communications Satellite Systems' certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. World Communications Satellite Systems immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by World Communications Satellite Systems at A-311119 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-741. Filed for public inspection April 23, 2004, 9:00 a.m.]

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### Default Order

Public Meeting held  
April 1, 2004

*Commissioners Present:* Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Glen R. Thomas; Kim Pizzigrilli; Wendell F. Holland

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Zenex Long Distance, Inc.  
(2003.0264.00); C-20031987; A-310429*

### Default Order

*By the Commission:*

On October 17, 2003, the Law Bureau Prosecutory Staff filed a Formal Complaint against Zenex Long Distance, Inc. (the Respondent), an interexchange reseller certificated at A-310429. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that under 66 Pa.C.S. § 504 its 2002 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2002 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2002 Annual Report.

According to the United States Postal Service return receipt, the Complaint was refused. To date, more than 20

days later, no answer has been filed to the Complaint and the 2002 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in this Commonwealth, and Respondent was never assigned any NXX codes.

Based on Respondent's failure to file its 2002 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Zenex Long Distance, Inc.'s certificate of public convenience is in the public interest. The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of another remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, instead of cancellation, if Respondent seeks relief from this Default Order; *Therefore,*

*It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Zenex Long Distance, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. The notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Zenex Long Distance, Inc. at A-310429 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-742. Filed for public inspection April 23, 2004, 9:00 a.m.]

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### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the perma-

ment authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by May 17, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.***

**A-00120615. *Shipe, Inc. t/d/b/a Checker Cab*** (P. O. Box 60402, Harrisburg, Dauphin County, PA 17106-0402), a Pennsylvania corporation—persons upon call or demand in the Counties of Cumberland, Dauphin and York.

**Complaint**

*Pennsylvania Public Utility Commission Bureau of Transportation and Safety v. Shirley Wilson t/a Wilson, S & W Trucking Co.; Doc. No. A-00113990C; A-00113990*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Shirley Wilson, t/a Wilson, S & W Wilson Trucking, respondent, maintains her principal place of business at 25 Oak Forest Drive, Tunkhannock, PA 18657.
2. That respondent was issued a certificate of public convenience by this Commission on August 19, 1997, at Application Docket No. A-00113990.
3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 2001, 2002 and 2003.
4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00113990.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowl-

edge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: \_\_\_\_\_  
Wendy J. Keezel, Chief of Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1168.

**Complaint**

*Pennsylvania Public Utility Commission Bureau of Transportation and Safety v. Richard Bauman; Doc. No. A-00116017C; A-00116017*

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Richard Bauman, respondent, maintains his principal place of business at P. O. Box 99, Gilbertsville, PA 19525-0099.
2. That respondent was issued a certificate of public convenience by this Commission on August 6, 1999, at Application Docket No. A-00116017.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 2001, 2002 and 2003.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00116017.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: \_\_\_\_\_  
Wendy J. Keezel, Chief of Enforcement

#### NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1168.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-743. Filed for public inspection April 23, 2004, 9:00 a.m.]

#### Telecommunications

**A-310433F7001. Verizon North Inc. and PNG Telecommunications, Inc. d/b/a PowerNet Global Communications.** Joint petition of Verizon North Inc. and PNG Telecommunications, Inc. d/b/a PowerNet Global Communications for approval of an interconnection agreement and amendment no. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and PNG Telecommunications, Inc. d/b/a PowerNet Global Communications, by its counsel, filed on April 5, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and PNG Telecommunications, Inc. d/b/a PowerNet Global Communications joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-744. Filed for public inspection April 23, 2004, 9:00 a.m.]

#### Telecommunications

**A-311140F7000. Verizon Pennsylvania Inc. and Comcast Phone of Pennsylvania, LLC f/k/a AT&T Broadband Phone of Pennsylvania, LLC.** Joint petition of Verizon Pennsylvania Inc. and Comcast Phone of Pennsylvania, LLC for approval of amendment no. 1 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania and Comcast Phone of Pennsylvania, LLC f/k/a AT&T Broadband Phone of Pennsylvania, LLC, by its counsel, filed on April 9, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 1 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Comcast Phone of Pennsylvania, LLC f/k/a AT&T Broadband Phone of Pennsylvania, LLC f/k/a AT&T Broadband Phone of Pennsylvania, LLC

nia, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-745. Filed for public inspection April 23, 2004, 9:00 a.m.]

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### Telecommunications

**A-310433F7000. Verizon Pennsylvania Inc. and PNG Telecommunications, Inc. d/b/a PowerNet Global Communications.** Joint petition of Verizon Pennsylvania Inc. and PNG Telecommunications, Inc. d/b/a PowerNet Global Communications for approval of a replacement interconnection agreement and amendment no. 1 under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and PNG Telecommunications, Inc. d/b/a PowerNet Global Communications, by its counsel, filed on April 5, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a replacement interconnection agreement and amendment no. 1 under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and PNG Telecommunications, Inc. d/b/a PowerNet Global Communications joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-746. Filed for public inspection April 23, 2004, 9:00 a.m.]

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### Telecommunications

**A-311297F7000. Verizon Pennsylvania Inc. and Volo Communications of Pennsylvania, Inc.** Joint petition of Verizon Pennsylvania Inc. and Volo Communications of Pennsylvania, Inc. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Volo Communications of Pennsylvania, Inc., by its counsel, filed on April 1, 2004, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Volo Communications of

Pennsylvania, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-747. Filed for public inspection April 23, 2004, 9:00 a.m.]

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### Transfer of Electric Facilities

**A-111250F0099. West Penn Power Company.** Application of West Penn Power Company for approval of the transfer of certain electric facilities to a third party, Greene Energy, LLC located in Greene County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before May 10, 2004. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* West Penn Power Company

*Through and By Counsel:* John L. Munsch, Attorney, 800 Cabin Hill Drive, Greensburg, PA 15601-1689.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-748. Filed for public inspection April 23, 2004, 9:00 a.m.]

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## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #04-050.4, Enhancement to Access, Lighting & Barriers for Security at Packer Avenue Marine Terminal (PAMT), until 2 p.m. on Thursday, May 13, 2004. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available April 27, 2004. Additional information and project listings can be found at [www.philaport.com](http://www.philaport.com). The cost of the bid document is \$35 (includes 7% Pennsylvania sales tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations.

A mandatory prebid job site meeting will be held on May 6, 2004, at 11 a.m. at the South Guard House, 3201 S. Columbus Blvd. (PAMT Service Road), Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 04-749. Filed for public inspection April 23, 2004, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

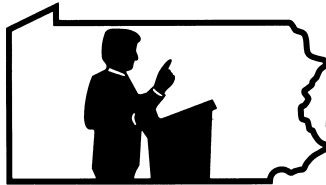
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:  
 The payment date specified in the contract.  
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.  
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.  
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705



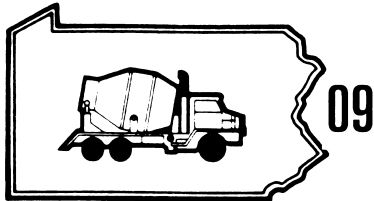
## PA TREASURY BUSINESS OUTLET—PLUG INTO IT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure explains how to take advantage of available services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room 201 Finance Building  
 Harrisburg, PA 17120  
 717-787-4586  
 1-800-252-4700  
 BizOutlet@patreasury.org

BARBARA HAFER,  
*State Treasurer*

## SERVICES



### Construction & Construction Maintenance

**SU-2002-11** SU-2202/11.1: Stewart Hall Reroofing and Exterior Restorations. Shippensburg University of the State System of Higher Education invites General Contractors to request bid documents for this project. Work includes work necessary for synthetic slate re-roofing, masonry restoration, painting and incidental related construction. Prospective Bidders may obtain project plans for a non refundable fee of \$25, plus \$10 shipping if applicable, by contacting W2A Design Group, Wallace & Watson Associates, PC, 609 Hamilton Street, Suite 200, Allentown, PA 18101. Phone: 610-437-4450 Fax: 610-437-2817. Pre-Bid Meeting with site visit immediately to follow will be held on April 19, 2004 at 10 a.m. in Reed Operations Center Conference Room. Bids Due: May 4, 2004 at 4 p.m. Old Main Room 300. Public Bid Opening: May 5, 2004 at 2 p.m., Old Main Room 203A. Contracts, MBE/WBE and Prevailing Wages apply. Non-Discrimination and Equal Opportunity are the policies of the Commonwealth and of the PA State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Shippensburg University, Shippensburg, PA  
**Duration:** 75 Days after receipt of Notice to Proceed  
**Contact:** Deborah K. Martin, (717) 477-1121

**CPC 03.079 Capital Maintenance** Capitol Maintenance of Finishes & Fixtures: Five year renewable cyclical maintenance contract for the Main Capitol Building, Harrisburg, PA. Contract work includes, but is not limited to, dusting and general cleaning of plaster and marble, walls, beam drops, soffits, moldings, bronze and marble railings, bronze and marble sculpture, gilded surfaces, finished woodwork, painted art work and miscellaneous architectural materials and finishes. The work also includes, repair, preparation and refinishing of historic plaster, marble and wood and touch-in of gilded surfaces by qualified artisans. Project documents will be available for pick up on Monday, April 19, 2004 from the Capitol Preservation Committee Office: Room 6630 Main Capitol Building. A \$100 deposit is required. A MANDATORY pre-proposal meeting and site review is scheduled for Wednesday, April 28, 2004 at 2 p.m. Proposals are due on Tuesday, May 11, 2004 at 2 p.m.

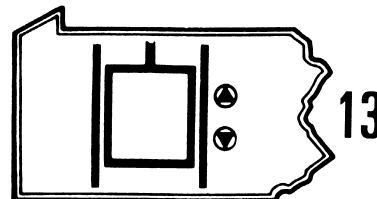
**Department:** PA Capitol Preservation Committee  
**Location:** Room 630, Main Capitol Building, Harrisburg, PA 17120  
**Duration:** July 5, 2004—May 31, 2009  
**Contact:** Chris Ellis, (717) 238-5521

**IN-861 Construct/Replace Wyant/Doerr-Armstrong** Project Title is IN-861 Construction/Replacement Facility for Wyant/Doerr - Armstrong Campus. Work under this project is to construct a new academic building including all site work, utility work, etc. that is associated with the new building. Work includes furnishing of all labor, superintendence, materials, tools and equipment and performing all work necessary to complete the project at the satisfaction of, and subject to approval by IUP Engineering & Construction Group and the Pennsylvania State System of Higher Education. See IUP website at [www.iup.edu/engconstruction/list.shtml](http://www.iup.edu/engconstruction/list.shtml).

**Department:** State System of Higher Education  
**Location:** Northpointe Industrial Park, Freeport, PA (Slate Lick exit of Route 28 and east on SR3017)  
**Duration:** Pre-Bid is April 13, 2004 at 10:00. Bid date is April 30, 2004 at 2:00 p.m., IUP anticipates issuance of Notice to Proceed around June 15, 2004. Length of time to complete the project is 400 days.  
**Contact:** Ronald E. Wolf, (724) 357-2289

**SU-2002-16** SU-2002/16.1: Henderson Gymnasium Exterior Restorations. Shippensburg University of the State System of Higher Education invites General Contractors to request bid documents for this project. Work includes work necessary for concrete patio installation, brick wall installation, and masonry restoration. Prospective Bidders may obtain project plans for a non refundable fee of \$25, plus \$10 shipping if applicable, by contacting W2A Design Group, Wallace & Watson Associates, PC, 609 Hamilton Street, Suite 200, Allentown, PA 18101. Phone: 610-437-4450 Fax: 610-437-2817. Pre-Bid Meeting with site visit immediately to follow will be held on April 19, 2004 at 10 a.m. in Reed Operations Center Conference Room. Bids Due: May 4, 2004 at 4 p.m. Old Main Room 300. Public Bid Opening: May 5, 2004 at 2 p.m., Old Main Room 203A. Contracts, MBE/WBE and Prevailing Wages apply. Non-Discrimination and Equal Opportunity are the policies of the Commonwealth and of the PA State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Shippensburg University, Shippensburg, PA  
**Duration:** 60 Days after receipt of Notice to Proceed  
**Contact:** Deborah K. Martin, (717) 477-1121



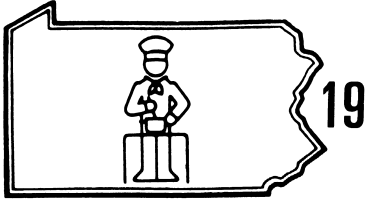
### Elevator Maintenance

**CN0008369** Contractor will provide for the maintenance and repair of 5 hydraulic elevators at SCI—Chester. The contractor will inspect, lubricate, adjust and clean and repair/replace components on the elevator whenever needed. More detailed information can be obtained from the Institution.

**Department:** Corrections  
**Location:** SCI—Chester, 500 E. 4th Street, Chester, PA 19013  
**Duration:** July 1, 2004 to June 30, 2007  
**Contact:** Jacqueline Newson, Purchasing Agent, (610) 490-4370

**CN0008428** Elevator Maintenance Service.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411  
**Duration:** July 1, 2004 through June 30, 2009  
**Contact:** Stanley Rygelski, PA, (570) 587-7291



## Food

**M-903** Fresh/frozen/chilled meat & meat products; poultry & poultry products; fish; and, cheeses, to be delivered only at request of facility.

**Department:** Labor and Industry

**Location:** Hiram G. Andrews Center (FOB Shipping Platform), 727 Goucher St., Johnstown, PA 15905

**Duration:** July, August, September, 2004

**Contact:** Christine A. Sloan, Pur. Agt., (814) 255-8228

**MILK 2004--05** Milk - To be delivered three (3) times weekly during yearly contract period.

**Department:** Military Affairs

**Location:** Southeastern Veterans' Center, One Veterans' Drive, Spring City, PA 19475

**Duration:** July 1, 2004 through June 30, 2005

**Contact:** Patricia M. Urban, (610) 948-2448

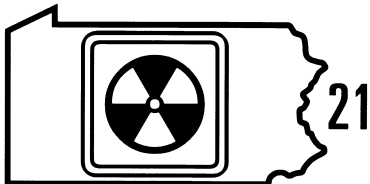
**CN00008412** Coffee, Frozen, Liquid Concentrate, Decaffeinated.

**Department:** Public Welfare

**Location:** Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821

**Duration:** July 1, 2004—June 30, 2005

**Contact:** Tina Robbins, (570) 271-4578



## Hazardous Material Services

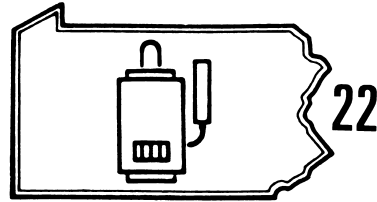
**FM 8765** Pick up and disposal of bio-medical, infectious/pathological waste material. Vendor must furnish all labor, equipment, and materials for safe and lawful packaging, labeling for transportation, and disposal. All applicable state and federal laws and regulations regarding the receipt, transportation, and disposal of bio-medical waste materials must be complied with. Service to be provided to seven (7) Pennsylvania State Police Crime Laboratories statewide, on an as needed basis.

**Department:** State Police

**Location:** Pennsylvania State Police, Harrisburg Lab, Hershey Lab, Bethlehem Lab, Erie Lab, Greensburg Lab, Wyoming Lab and Lima Lab.

**Duration:** July 1, 2004 through June 30, 2007

**Contact:** Helen Fuhrman, (717) 705-5952



## HVAC Services

**FM 8750** Provide emergency and routine repair work for the heating, air-conditioning, electrical, and plumbing systems. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to guarantee manufacturer's warranty of parts, where applicable, and further agree to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remark: Bidding to be done on labor rate per hour for Mechanic and Helper plus travel.

**Department:** State Police

**Location:** Pennsylvania State Police, Wyoming Headquarters, Garage and Lab, 475 Wyoming Avenue, Wyoming, PA 18644

**Duration:** July 1, 2004 through June 30, 2007

**Contact:** Helen Fuhrman, (717) 705-5952

**FM 8774** Provide emergency and routine repair work for the Boiler Proper as needed. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty of parts, where applicable, and further agree to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remarks: bidding to be done on labor rate per hour for Mechanic and Helper plus travel. Parts are to be billed at vendor's net cost.

**Department:** State Police

**Location:** Pennsylvania State Police, Troop F, Montoursville Headquarters, 899 Cherry Street, Montoursville, PA 17754

**Duration:** July 1, 2004 through June 30, 2007

**Contact:** Helen Fuhrman, (717) 705-5952

**FM 8817** Provide emergency and routine repair work for the heating, air-conditioning, electrical, and plumbing systems. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty of parts, where applicable, and further agrees to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remarks: Bidding to be done on labor rate per hour for Mechanic and Helper plus travel.

**Department:** State Police

**Location:** Pennsylvania State Police, Troop C Punxsuatawney Headquarters, 445 N. Findley Street, Punxsuatawney, PA 15767

**Duration:** July 1, 2004 through June 30, 2007

**Contact:** Helen Fuhrman, (717) 705-5952

**FM 8766** Provide emergency and routine repair work for the heating, air-conditioning, electrical, and plumbing systems. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty of parts, where applicable, and further agree to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remarks: bidding to be done on labor rate per hour for Mechanic and Helper plus travel.

**Department:** State Police

**Location:** Pennsylvania State Police, Greensburg Headquarters, 100 N. Westmoreland Avenue, Greensburg, PA 15601

**Duration:** July 1, 2004 through June 30 2007

**Contact:** Helen Fuhrman, (717) 705-5952

**FM 8768** Provide emergency and routine repair work for the heating, air-conditioning, electrical, and plumbing systems. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty of parts, where applicable, and further agree to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remarks: bidding to be done on labor rate per hour for Mechanic and Helper plus travel.

**Department:** State Police

**Location:** Pennsylvania State Police, Washington Headquarters, 83 Murtland Avenue, Washington, PA 15301

**Duration:** July 1, 2004 through June 30, 2007

**Contact:** Helen Fuhrman, (717) 705-5952

**FM 8755** Provide emergency and routine repair work for the heating, air-conditioning, electrical, and plumbing systems. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty of parts, where applicable, and further agree to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remark: Bidding to be done on labor rate per hour for Mechanic and Helper plus travel.

**Department:** State Police

**Location:** Pennsylvania State Police, Reading Headquarter, 600 Kenhorst Blvd., Reading, PA 19611

**Duration:** July 1, 2004 through June 30, 2007

**Contact:** Helen Fuhrman, (717) 705-5952

**CN00008349** Vendor to provide Parvus Wall Hung Prison Lavatory Model 1604 and Crane Penaware Replace-ware Blowout Jet Toilet Model 3331-W-1 or approved substitutes for each model.

**Department:** Corrections  
**Location:** State Correctional Institution Albion, 10745 Route 18, Albion, PA 16475-0001  
**Duration:** One Time Delivery  
**Contact:** Terri Bortles, (814) 756-5778

**FM 8771** Provide emergency and routine repair work for the heating, air-conditioning, electrical, and plumbing systems. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty of parts, where applicable, and further agree to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remarks: bidding to be done on labor rate per hour for Mechanic and Helper plus travel.

**Department:** State Police  
**Location:** Pennsylvania State Police, Montoursville Headquarters, 899 Cherry Street, Montoursville, PA 17754  
**Duration:** July 1, 2004 through June 30, 2007  
**Contact:** Helen Fuhrman, (717) 705-5952

**FM 8814** Provide emergency and routine repair work for the heating, air-conditioning, and electrical systems. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty of parts, where applicable, and further agree to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remarks: bidding to be done on labor rate per hour for Mechanic and Helper plus travel.

**Department:** State Police  
**Location:** Pennsylvania State Police, Troop E, Erie Regional Lab, 4310 Iroquois Avenue, Erie, PA 16511  
**Duration:** July 1, 2004 through June 30, 2007  
**Contact:** Helen Fuhrman, (717) 705-5952

**FM 8769** Provide emergency and routine repair work for the heating, air-conditioning, electrical and plumbing systems. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty of parts, where applicable, and further agree to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remarks: bidding to be done on labor rate per hour for Mechanic and Helper plus travel.

**Department:** State Police  
**Location:** Pennsylvania State Police, Troop E, Erie Headquarters, 4320 Iroquois Avenue, Erie, PA 16511  
**Duration:** July 1, 2004 through June 30, 2007  
**Contact:** Helen Fuhrman, (717) 705-5952

**FM 8770** Provide emergency and routine repair work for the plumbing system. Contractor to respond to call within four (4) hours of receipt, either directly or via a recording device. Replacement parts must be as originally installed or of equal quality and function. The contractor must agree to redeem manufacturer's warranty of parts, where applicable, and further agree to guarantee workmanship and replacement parts provided by their firm for ninety (90) days. Materials and parts are to be billed at cost. Remarks: bidding to be done on labor rate per hour for Mechanic and Helper plus travel.

**Department:** State Police  
**Location:** Pennsylvania State Police, Troop E, Erie Regional Lab, 4310 Iroquois Avenue, Erie, PA 16511  
**Duration:** July 1, 2004 through June 30, 2007  
**Contact:** Helen Fuhrman, (717) 705-5952



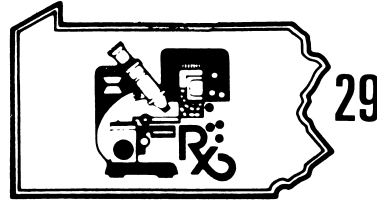
### Janitorial Services

**FM 8762** Furnish materials, equipment, and labor to perform janitorial services two (2) visits per week at location listed below. The detailed work schedule and Bid Specification must be obtained from the Facility Management Division at (717) 705-5952.

**Department:** State Police  
**Location:** Pennsylvania State Police, Harrisburg Headquarters, 8000 Bretz Drive, Harrisburg, PA 17112  
**Duration:** July 1, 2004 through June 30, 2007  
**Contact:** Helen Fuhrman, (717) 705-5952

**FM 8747** Furnish materials, equipment, and labor to perform janitorial services three (3) visits per week at the location listed below. The detailed work schedule and bid Specifications must be obtained from the Facility Management Division at (717) 705-5952.

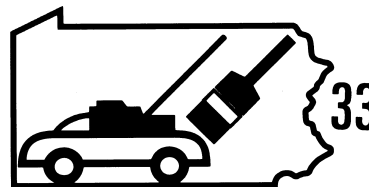
**Department:** State Police  
**Location:** Pennsylvania State Police, Troop A, Kiski Valley Station, 471 Route 66, Apollo, PA 15613  
**Duration:** July 1, 2004, through June 30, 2007  
**Contact:** Helen Fuhrman, (717) 705-5952



### Medical Services

**SPC-04-011** To provide alternate Registered Pharmacist services on an "as-needed" basis. For detailed specifications please fax request to (570) 961-4400, Attn. Purchasing Department, or e-mail to bpartyka@state.pa.us.

**Department:** Military Affairs  
**Location:** Gino J. Merli Veterans Center, 401 Penn Avenue, Scranton, PA 18503  
**Duration:** July 1, 2004 through June 30, 2007 with 1 renewal option.  
**Contact:** Barbara J. Partyka, PA, (570) 961-4354



### Property Maintenance

**SU-03-20** Shippensburg University is seeking vendors who are interested in providing professional services for tree pruning, trimming, pest control and stump removal for trees at various locations on campus. Bids will be due NLT 4 p.m. on June 21, 2004. Interested vendors may request a bid package by sending a fax to (717) 477-1350 or email to kmmsmit@wharf.ship.edu.

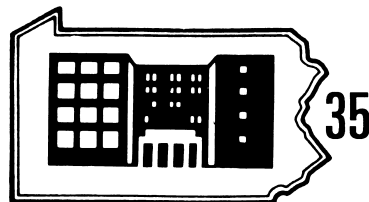
**Department:** State System of Higher Education  
**Location:** Shippensburg University, 1871 Old Main Drive, Shippensburg, PA 17257  
**Duration:** One year from date of award  
**Contact:** Karen Smith, (717) 477-1386

**CN00008436** Contractor shall supply all labor, materials, tools, and equipment to remove the existing roofing materials from designated portions of a roof structure and reinstall new roofing materials.

**Department:** Public Welfare  
**Location:** Loysville Youth Development Center, R. D. #2, Box 365B, Loysville, PA 17047  
**Duration:** Unknown  
**Contact:** Dee Kuhn, Purchasing Agent, (717) 789-5509

**CN00008437** Provide sewage line, water line, and fire hydrant for the a training building and maintenance/warehouse building.

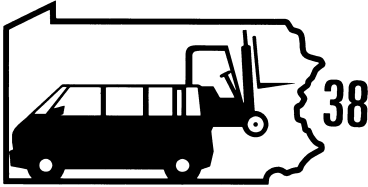
**Department:** Public Welfare  
**Location:** Loysville Youth Development Center, R. D. #2, Box 365B, Loysville, PA 17047  
**Duration:** Unknown  
**Contact:** Dee Kuhn, Purchasing Agent, (717) 789-5509



### Real Estate Services

**93679** LEASE OFFICE SPACE TO THE COMMONWEALTH OF PA. Proposals are invited to provide the Department of Labor and Industry with 72,179 useable square feet of office space within the City Limits of Greensburg, Westmoreland County, PA. Downtown locations will be considered. For more information on SFP #93679 which is due on June 7, 2004, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) and click on "Real Estate" to download an SFP package or call (717) 787-7412.

**Department:** Labor and Industry  
**Location:** 505 North Office Building, Harrisburg, PA 17125  
**Contact:** Jennings K. Ward, (717) 787-7412



### Vehicle, Heavy Equipment and Powered Machinery Services

**012051** Sandblast and paint snow plows and wing plows.

**Department:** Transportation  
**Location:** PennDoT—Erie County, 9031 Peach Street, Waterford, PA 16441  
**Duration:** Complete work by September 30, 2004  
**Contact:** William Sachse, (814) 871-4411

**012050** Supply seven salt brine pre-wet kits for use in winter services.

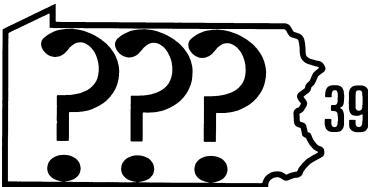
**Department:** Transportation  
**Location:** PennDoT—Erie County, 9031 Peach Street, Waterford, PA 16441  
**Duration:** Delivery by September 30, 2004  
**Contact:** William Sachse, (814) 871-4411

The Commonwealth is seeking price quotations for tire repairs or replacements in county facility District 12-5, Westmoreland County Penn DOT office in Greensburg PA. The contract will be for three renewals; contract will run from July 1 to June 30 yearly. Vendor must be able to supply 24 hour road service with maximum response time of 45 minutes from time to call. Yearly renewals will be agreeable by both parties by letter.

**Department:** Transportation  
**Location:** Penn DOT 12-5 Maintenance District 12-5, P. O. Box 189, Greensburg, PA 15601  
**Duration:** One Year with option of three renewals by letter on yearly basis  
**Contact:** Keith Howard, (724) 832-5387, ext. 220

**012049** Road service calls and routine mount/dismount for construction equipment tires in and around Erie County, PA.

**Department:** Transportation  
**Location:** PennDoT—Erie County, 9031 Peach Street, Waterford, PA 16441  
**Duration:** One year with 3 renewals  
**Contact:** William Sachse, (814) 871-4411



### Miscellaneous

**CN00008338** Roof Repair Project - Housing Unit "B": Vendor will remove all existing gravel membrane roofing, all insulation, flashings, pitch pockets, roof edge gravel stops, scuppers, downspouts, splash blocks and fascia sumps. Install all new roofing components including membrane roofing and flashing, insulations, aluminum gravel stops, scuppers and to reinstall existing fascia sumps. Any questions or to schedule visit contact David Schultz, Facility Manager I, at the State Correctional Institution at Pittsburgh, (412) 761-1955 ext. 396.

**Department:** Corrections  
**Location:** State Correctional Institution at Pittsburgh, 3001 Beaver Avenue, P. O. Box 99901, Pittsburgh, PA 15233.  
**Duration:** Approximately four week project starting upon approval of service  
**Contact:** Carol Schaeffer/Purchasing Agent, (412) 761-1955, ext. 291

**1141149001** Contractor to provide dental laboratory service and prescribed dental prostheses to inmate population at State Correctional Institution Greene, 7/01/04 - 6/30/06.

**Department:** Corrections  
**Location:** SCI Greene, 169 Progress Dr., Waynesburg, PA 15370  
**Duration:** 7/01/04—6/30/06  
**Contact:** Laura Mohr, Purchasing Agent, (724) 852-5534

**21100** Radio Equipment - Contractor shall be qualified to perform the work necessary to properly maintain the radio equipment at SCI—Chester at all times. More detailed information can be obtained from the Institution.

**Department:** Corrections  
**Location:** SCI—Chester, 500 E. 4th Street, Chester, PA 19013  
**Duration:** July 1, 2004—June 30, 2007  
**Contact:** Jacqueline Newson, Purchasing Agent, (610) 490-4370

**21099** Radio Equipment - Contractor shall be qualified to perform the work necessary to properly maintain the radio equipment at SCI—Chester at all times. More detailed information can be obtained from the Institution.

**Department:** Corrections  
**Location:** SCI—Chester, 500 E. 4th Street, Chester, PA 19013  
**Duration:** July 1, 2004—June 30, 2007  
**Contact:** Jacqueline Newson, Purchasing Agent, (610) 490-4370

**CN00008348** Radio Equipment - Contractor shall be qualified to perform the work necessary to properly maintain the radio equipment at SCI—Chester at all times. More detailed information can be obtained from the Institution.

**Department:** Corrections  
**Location:** SCI—Chester, 500 E. 4th Street, Chester, PA 19013  
**Duration:** July 1, 2004—June 30, 2007  
**Contact:** Jacqueline Newson, Purchasing Agent, (610) 490-4370

**CN00008368** To provide non-emergency transport services as required by the Hollidaysburg Veterans Home, to and from hospitals, clinics, and physician offices, within a 20 mile radius of the Hollidaysburg Veterans Home, on a 24 hour per day, 365 days per year basis. The contractor will also provide transportation services beyond the 20 miles in accordance with the fee schedule if and when necessary. This contract will be used for non-routine runs after hours and on weekends when our staff is unavailable and when our specialized equipment is not available. We currently own only 1 stretcher van. We are a 514 bed facility. The contractor must be registered with the Commonwealth. In order to do so, please visit [www.vendorregistration.state.pa.us/](http://www.vendorregistration.state.pa.us/). If you would like a bid packet, please either e-mail to [bcclapper@state.pa.us](mailto:bcclapper@state.pa.us) or fax your request, along with your Vendor Registration Number, to the information below.

**Department:** Military Affairs  
**Location:** Hollidaysburg Veterans Home, P. O. Box 319, RT 220 & Meadows Intersection, Hollidaysburg, PA 16648-0319  
**Duration:** 01 July 2004 through 30 June 2005 with renewal options  
**Contact:** Becky J. Clapper, FAX: (814) 696-5395

**CN00008079** The Pennsylvania Commission on Crime and Delinquency (PCCD) is soliciting bids for a contractor to organize, plan, implement and present the 2004 PCCD Crime Prevention Conference in the Harrisburg area. The conference fulfills an important training need and must meet the following goals. Enhance crime prevention through education and training. Strengthen the crime prevention practitioner network in Pennsylvania. Illustrate workable strategies that deter crime and improve personal safety and property protection. Highlight innovative and successful crime prevention strategies. Units of local government, universities, colleges, associations or private nonprofit organizations may bid. Bidders must have at least 15 years of experience in providing training and education to a range of Pennsylvania criminal justice personnel, such as: police, deputy sheriffs, probation and parole, and victim services workers. Due to the nature of this conference, significant experience with criminal justice issues is necessary from a training perspective and significant knowledge of the population to be served, both of which come from extensive, long-term training experience. Bidders must have past experience in implementing at least four conferences of similar size and successfully providing similar requested services i.e. contractual with hotels for meeting space, meals, audio visual equipment, securing presenters, mailings, registrations, conference improvements and registrations of attendees and preparation of a summary reports in a CD format.

**Department:** Commission on Crime and Delinquency  
**Location:** 25 mile radius of Harrisburg, PA  
**Duration:** Conference lasts 2 days  
**Contact:** Marybeth Kauffman, (717) 787-8077, ext. 3038

**GIRFP-2004** The Pennsylvania Department of Education (PDE) seeks to identify a Pennsylvania intermediate unit, a Pennsylvania institution of higher education or private not-for-profit entity in Pennsylvania to host the Governor's Institute for Parental Involvement. The Governor's Institute for Parental Involvement will serve educators who demonstrate a strong interest in life-long academic content learning and research-based instructional practices. The educators, with like-minded peers and parents, will participate in intensive activities designed to stimulate and improve their creativity, critical thinking and problem-solving skills. PDE representatives, the contractor's designee, and a volunteer steering committee will jointly plan these multi-weekend, (30 clock hours +) summer residential programs for selected educators and parents from across the state.

**Department:** Education  
**Location:** Pennsylvania  
**Duration:** July 1, 2004 to June 30, 2005  
**Contact:** Lois Novak, (717) 772-3817

[Pa.B. Doc. No. 04-750. Filed for public inspection April 23, 2004, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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DONALD T. CUNNINGHAM, Jr.  
*Secretary*