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# PENNSYLVANIA BULLETIN

Volume 34

Number 19

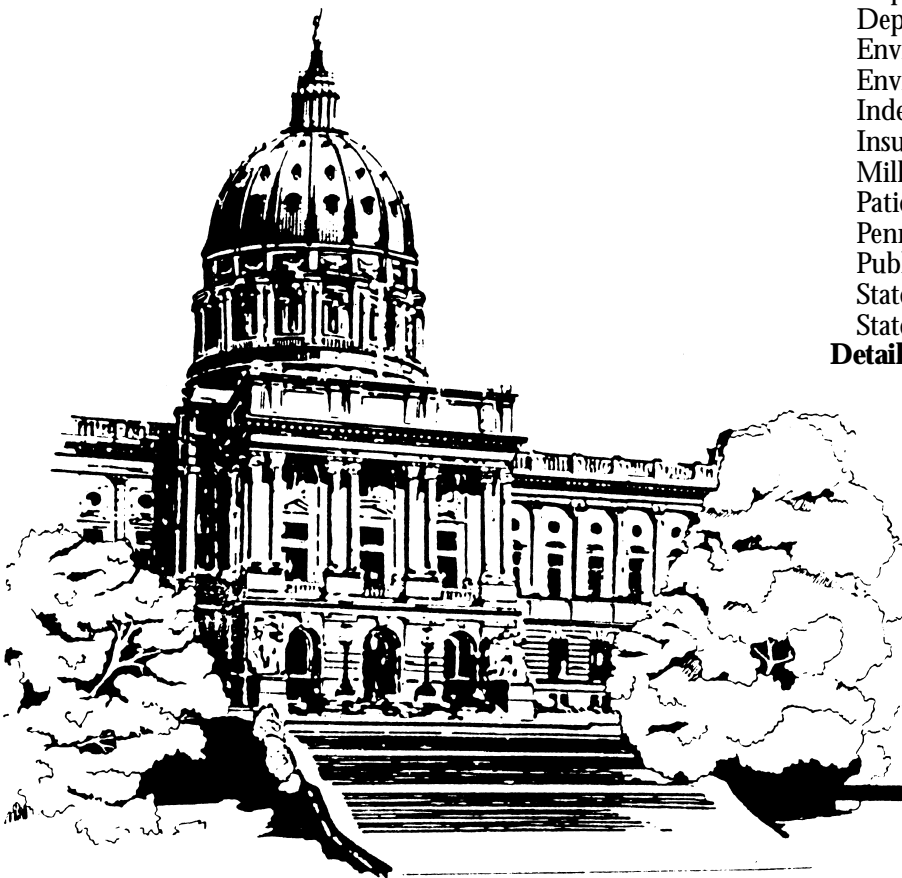
Saturday, May 8, 2004 • Harrisburg, Pa.

Pages 2457—2528

**Agencies in this issue:**

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Department of Banking  
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Department of Health  
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Department of Transportation  
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Insurance Department  
Milk Marketing Board  
Patient Safety Authority  
Pennsylvania Public Utility Commission  
Public School Employees' Retirement Board  
State Board of Cosmetology  
State Conservation Commission

**Detailed list of contents appears inside.**



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**No. 354, May 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 COURTS

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

[246 PA. CODE CH. 300]

#### Order Amending Rule 314 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices; No. 207 Magisterial Doc. No. 1

The Minor Court Rules Committee has prepared a Final Report explaining the amendments to Rule 314 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices, effective July 1, 2004. These rule changes provide clarification regarding the costs for reinstating a civil complaint. The changes also provide for technical or "housekeeping" amendments to the rule. The Final Report follows the Court's Order.

#### Order

*Per Curiam:*

And Now, this 22nd day of April, 2004, upon the recommendation of the Minor Court Rules Committee; the proposal having been published before adoption at 32 Pa.B. 4032 (August 17, 2002), and a Final Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pa. R.C.P.D.J. No. 314 is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective July 1, 2004.

#### Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 300. CIVIL ACTION

#### Rule 314. Return, Waiver and Failure of Service; Reinstatement.

A. The person serving the complaint shall, at or before the time of the hearing, make proof of service [ **on the form provided,** ] which shall show [ **the manner of service, the day, hour and place thereof, and the name and relationship or title, if any, of the person on whom the copy of the complaint was served** ] (1) **the manner of service,** (2) **the date, time, and place of service and,** (3) **the name and relationship or title, if any, of the person on whom the complaint was served.** The proof of service shall be [ **attached to** ] **filed with** the original complaint [ **form** ].

B. When service is made by registered or certified mail, the return receipt shall be [ **attached to** ] **filed with** the original complaint [ **form** ].

\* \* \* \* \*

#### Official Note:

\* \* \* \* \*

Subdivision E provides for the reinstatement, upon written request of the plaintiff, of a complaint that has been dismissed without prejudice for failure to make service under subdivision D. Compare Pa. R.C.P. No.

401(b). The written request for reinstatement may be in any form and may consist of a notation on the permanent copy of the complaint form, "Reinstatement of complaint requested," subscribed by the plaintiff. The district justice shall mark all copies of the reinstated complaint, "Complaint reinstated. Request for reinstatement filed on \_\_\_\_\_ (date)." If it is necessary to use a new form for the reinstated complaint, the reinstated complaint, except for service portions thereof, shall be an exact copy of the original complaint, although signatures may be typed or printed with the mark "/s/" indicating an actual signature. The language in subdivision E that a complaint may be reinstated "at any time" will permit reinstatement after a faulty service without waiting for further proceedings in the case. Reinstatement must occur within the period of the statute of limitations from the date of the last filing or reinstatement. [ **Since a reinstated complaint is merely a continuation of the original action, there is no filing fee for reinstating a complaint. However** ] **The cost for reinstating a complaint is specified in Section 1725.1 of the Judicial Code, 42 Pa.C.S. § 1725.1. In addition,** there may be additional server costs for service of the reinstated complaint.

#### FINAL REPORT<sup>1</sup>

#### Amendment to Pa. R.C.P.D.J. No. 314

#### Clarification Regarding Costs for Reinstating a Complaint; Technical Amendments

On April 22, 2004, effective July 1, 2004, upon recommendation of the Minor Court Rules Committee,<sup>2</sup> the Supreme Court of Pennsylvania amended Rule 314 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices.<sup>3</sup>

The Committee reviewed the Note to Pa. R.C.P.D.J. No. 314 in response to an inquiry. It was reported to the Committee that there may be confusion among the district justice courts as to what costs, if any, are to be charged when a civil complaint is reinstated pursuant to Rule 314E. The Committee recognized that the Official Note to Rule 314, prior to this amendment, provided that, "[s]ince a reinstated complaint is merely a continuation of the original action, there is no filing fee for reinstating a complaint." Pa. R.C.P.D.J. No. 314, Official Note. While this statement is technically correct, the Committee further recognized that Section 1725.1(a)(10) of the Judicial Code, 42 Pa.C.S. § 1725.1(a)(10), specifies costs for the reinstatement of a complaint.<sup>4</sup>

Accordingly, the Committee recommended that the Official Note to Rule 314 be revised to remove any confusion about the costs for reinstatement of a civil complaint. The revised Official Note will now read, in pertinent part, "[t]he cost for reinstating a complaint is specified in Section 1725.1 of the Judicial Code, 42 Pa.C.S. § 1725.1."

In addition, the Committee recommended several technical or "housekeeping" amendments to subdivisions A and B of the rule. Specifically, in subdivision A, the Committee recommended that the list of contents of the return of service be enumerated to enhance readability.

<sup>1</sup> The Committee's Final Report should not be confused with the Official Notes to the Rules. Also, the Supreme Court of Pennsylvania does not adopt the Committee's Official Notes or the contents of the explanatory Final Reports.

<sup>2</sup> Recommendation No. 5 Minor Court Rules 2003.

<sup>3</sup> Supreme Court of Pennsylvania Order No. 207, Magisterial Docket No. 1, (April 22, 2004).

<sup>4</sup> The cost for reinstating a complaint is currently \$7.00. Under current law, the costs are adjusted annually pursuant to Section 1725.1(f) of the Judicial Code, 42 Pa.C.S. § 1725.1(f).

Also, in subdivisions A and B, the Committee recommended that the requirement that items be "attached to" the original complaint be deleted. This requirement is unnecessary and not in keeping with actual practice in the district justice courts.

[Pa.B. Doc. No. 04-804. Filed for public inspection May 7, 2004, 9:00 a.m.]

[246 PA. CODE CH. 400]

**Order Amending Rule 420 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices; No. 208 Magisterial Doc. No. 1**

The Minor Court Rules Committee has prepared a Final Report explaining the amendments to Rule 420 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices, effective July 1, 2004. These rule changes provide clarification regarding the relief a district justice may grant in connection with obligations to levy. The changes also provide for technical or "house-keeping" amendments to the rule. The Final Report follows the Court's Order.

**Order**

*Per Curiam:*

And Now, this 22nd day of April, 2004, upon the recommendation of the Minor Court Rules Committee; the proposal having been published before adoption at 32 Pa.B. 5046 (October 12, 2002), and a Final Report to be published with this *Order*:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pa. R.C.P.D.J. No. 420 is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective July 1, 2004.

**Annex A**

**TITLE 246. MINOR COURT CIVIL RULES**

**PART I. GENERAL**

**CHAPTER 400. EXECUTION OF JUDGMENTS FOR THE PAYMENT OF MONEY**

**Rule 420. Determination of Property Claims and Disputes.**

\* \* \* \* \*

B. In acting under subdivision A of this rule, the district justice may:

(1) Reappraise or redesignate property appraised or designated by the executing officer, or order inclusion in the levy of property set aside by that officer.

(2) **[Stay or order] Order** the abandonment of the levy in whole or part, or release property from the levy.

\* \* \* \* \*

**Official Note:** [Subdivisions] Subdivision A [and B] of this rule [set] sets forth the various disputes concerning the execution [which] that, along with property claims, [the district justice is to hear and determine and what he may do in connection therewith] may be brought before the district justice. Subdivision B sets forth the relief that the district justice may grant in connection with these disputes. The [subsections of A and B should] provi-

sions of this rule can be compared with the Pennsylvania Rules of Civil Procedure as follows:

\* \* \* \* \*

This rule does not provide for a preliminary determination by the executing officer as to the merits of a property claim by a third party (see Pa. R.C.P. Nos. 3206, 3207), for it was considered that the district justice should be readily available for this purpose and that it would not be desirable to allow constables to make any such determination. Also, it was thought to be permissible to require the district justice to make the determinations and to take the actions mentioned in this rule as an exercise of power ancillary to [his] the district justice's general power to order execution of the judgment. Subdivision C of the rule is based on Pa. R.C.P. No. 3132.

**FINAL REPORT<sup>1</sup>**

**Amendment to Pa. R.C.P.D.J. No. 420**

**Clarification Regarding the Relief a District Justice May Grant in Connection with Objections to Levy**

On April 22, 2004, effective July 1, 2004, upon recommendation of the Minor Court Rules Committee,<sup>2</sup> the Supreme Court of Pennsylvania amended Rule 420 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices.<sup>3</sup>

The Committee reviewed Pa. R.C.P.D.J. No. 420 when, in the course of designing and revising forms relating to other rule changes, it was brought to the Committee's attention that the language in Rule 420B(2) was causing confusion about the relief that a district justice may grant in connection with an objection to levy. Specifically, Rule 420B(2), prior to this amendment, referred to a "[s]tay . . . of the levy . . ." The Committee noted that a stay issued in accordance with Rule 410, a supersedeas, or a bankruptcy stay, will stay the entire execution. And, the Committee further noted that such a stay may take effect prior to the executing officer making a levy upon the defendant's property. However, the Committee could not contemplate any procedural occurrence in which the limited relief of staying the levy itself would be necessary or appropriate. The Committee also noted that, as a form of relief in connection with an objection to levy, a stay of the levy is procedurally impossible. In order for an objection to a levy to be raised, the levy must necessarily have already occurred. In such a situation, the appropriate relief may be a stay of the sale, which is provided for in Rule 420B(3).

Accordingly, the Committee recommended that Rule 420B(2) be amended to delete the reference to a stay, and thus remove any confusion about the relief that a district justice may grant in connection with an objection to levy.

In addition, the Committee recommended other minor revisions to the Official Note to address gender neutrality issues and to enhance clarity.

[Pa.B. Doc. No. 04-805. Filed for public inspection May 7, 2004, 9:00 a.m.]

<sup>1</sup> The Committee's Final Report should not be confused with the Official Notes to the Rules. Also, the Supreme Court of Pennsylvania does not adopt the Committee's Official Notes or the contents of the explanatory Final Reports.

<sup>2</sup> Recommendation No. 6 Minor Court Rules 2003.

<sup>3</sup> Supreme Court of Pennsylvania Order No. 208, Magisterial Docket No. 1, (April 22, 2004).

## COMMONWEALTH COURT

Regular Sessions of the Commonwealth Court for  
the Year 2005; 126 M.D. No. 3

### Order

*And Now*, this 27th day of April 2004, it is ordered that the argument sessions of the Commonwealth Court of Pennsylvania shall be held in the year 2005 as follows:

<i>Session</i>	<i>Situs</i>
January 31-Feb 4	Pittsburgh
February 28-March 4	Philadelphia
April 4-8	Harrisburg
May 2-6	Pittsburgh
June 6-10	Philadelphia
July 12	Administrative Video Conference
September 12-16	Harrisburg
October 17-21	Pittsburgh
November 14-18	Philadelphia
December 12-16	Harrisburg

JAMES GARDNER COLINS,  
*President Judge*

[Pa.B. Doc. No. 04-806. Filed for public inspection May 7, 2004, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Arthur C. Kellum having been disbarred from the practice of law in the State of Missouri by Order dated September 23, 2003, the Supreme Court of Pennsylvania issued an Order on April 20, 2004, disbaring Arthur C. Kellum from the Bar of this Commonwealth, effective May 20, 2004. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 04-807. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Notice of Disbarment

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated April 20, 2004, Leon Lewis Vinokur is Disbarred on Consent from the practice of law in this Commonwealth, retroactive to January 24, 2003. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 04-808. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Notice of Suspension

Notice is hereby given that G. Jeffrey Moeller having been suspended from the practice of law in the State of New Jersey by Order dated September 4, 2003, the Supreme Court of Pennsylvania issued an Order on April 23, 2004, suspending G. Jeffrey Moeller from the Bar of this Commonwealth for a period of one year, effective May 23, 2004. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 04-809. Filed for public inspection May 7, 2004, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

### STATE BOARD OF COSMETOLOGY [49 PA. CODE CH. 7]

#### Deletion of Examination Fees

The State Board of Cosmetology (Board) amends §§ 7.2, 7.31, 7.32a and 7.32g to read as set forth in Annex A.

#### A. *Effective Date*

The final-form rulemaking is effective upon final-form publication in the *Pennsylvania Bulletin*.

#### B. *Statutory Authority*

Section 11 of the act of May 3, 1933 (P. L. 242, No. 86) (Act 86) (63 P. S. § 517) authorizes the Board to promulgate regulations for “the examination and licensing of applicants to practice or teach cosmetology . . . and generally for the conduct of persons, copartnerships, associations or corporations” affected by Act 86.

Section 12 of Act 86 (63 P. S. § 518) prescribes the time, place and materials for examinations for licensure. Section 13(b) of Act 86 (63 P. S. § 519(b)) requires the Bureau of Professional and Occupational Affairs to contract with a professional testing organization to prepare and administer examinations in accordance with section 812.1(a) of The Administrative Code of 1929 (71 P. S. § 279.3a(a)). Under section 812.1(b) of The Administrative Code of 1929, each board has the discretionary power to charge a fee for the administration of and cost of each examination. Section 812.1(c) of The Administrative Code of 1929 defines cost as “all contractual charges relating to the preparation, administration, preparing, administering, grading and recording of the examination.”

#### C. *Background and Need for the Final-Form Rulemaking*

The final-form rulemaking deletes references to the fees for the theory and performance examination for cosmetologists, cosmeticians, manicurists and teachers and the theory examination for managers. These fees are set by the administrators of the examinations, not by the Board. To avoid the necessity of amending the regulations whenever the examination administrator changes the fees, the Board is deleting the examination fees from its schedule of fees. In addition, references to the examination fees contained in other sections were amended to clarify that applicants are still required to submit the examination fees set by the professional testing organization with their applications.

#### D. *Description of Amendments*

Section 7.2 (relating to fees) has been amended to delete references to the fees for the theory and performance examination for cosmetologists, cosmeticians, manicurists and teachers and the theory examination for managers. These fees are set by the professional testing organizations.

Section 7.31 (relating to examination prerequisite for licensure; exception) has been amended to clarify that applicants are required to pass the examination required by the Board, rather than given by the Board. The Board

contracts with a professional testing organization to give the various licensure examinations.

Sections 7.32a and 7.32g (relating to contents of examination application; and issuance of temporary licenses to qualified examination applicants) have been amended to make it clear that the applications are to be accompanied by the examination fee set by the professional testing organization.

#### E. *Comment and Regulatory Review of the Proposed Rulemaking*

Publication of proposed rulemaking at 31 Pa.B. 5713 (October 13, 2001) was followed by a 30-day public comment period during which the Board received no public comments. One public comment supporting the proposed rulemaking was received during the pre-draft period.

Following the close of the public comment period, the Board received comments from the Independent Regulatory Review Commission (IRRC). The Board did not receive comments from the Senate Consumer Protection and Professional Licensure Committee or the House Professional Licensure Committee.

The following are the Board’s responses to the comments submitted by IRRC.

1. IRRC pointed out that § 7.32a requires applications to include the examination fees prescribed by § 7.2. In response to IRRC’s comment, the Board has amended this section to eliminate the cross reference to the examination fees in § 7.2 and to require the application to include the examination fee set by the professional testing organization. Applicants will continue to submit the examination fees to the Board with their applications.

2. Section 7.32g(a) requires payment of the examination and license fees prescribed in § 7.2. This section has been amended to eliminate the cross reference to the examination fees in § 7.2 and to clarify that the applicant needs to pay the examination fee set by the professional testing organization. IRRC suggested that the Board delete the references to examination fees throughout the entire chapter. However, the Board believes it is necessary to clarify through regulation that satisfaction of the examination fee is still required before a license may be issued.

3. IRRC also noted that § 7.31(a) requires applicants to “pass the examination given by the Board for that license.” IRRC suggested that, as the professional testing organization gives the examination and charges the fees for that service, that the subsection should be rewritten to read “. . . shall pass the examination required by the Board for that license.” The Board agrees and has amended the subsection as suggested.

#### F. *Fiscal Impact and Paperwork Requirements*

The final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

#### G. *Sunset Date*

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

H. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 27, 2001, the Board submitted a copy of the notice of proposed rulemaking, published at 31 Pa.B. 5713, to IRRC and the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on December 16, 2003, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on December 18, 2003, and approved the final-form rulemaking.

I. *Contact Person*

Further information may be obtained by contacting Sara Sulpizio, Board Administrator, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649, ssulpizio@state.pa.us.

J. *Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) This final-form rulemaking does not enlarge the purpose of proposed rulemaking published at 31 Pa.B. 5713.

(4) This final-form rulemaking is necessary and appropriate for administering and enforcing the authorizing act identified in Part B of this preamble.

K. *Order*

The Board, acting under its authorizing statutes, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 7, are amended by amending §§ 7.2, 7.31, 7.32a and 7.32g to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of General Counsel and to the Office of Attorney General as required by law.

(c) The Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on publication in the *Pennsylvania Bulletin*.

FRANKLIN K. SCHOENEMAN,  
*Chairperson*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 34 Pa.B. 134 (January 3, 2004).)*

**Fiscal Note:** Fiscal Note 16A-4510 remains valid for the final adoption of the subject regulations.

Annex A

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**  
**PART I. DEPARTMENT OF STATE**  
**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 7. STATE BOARD OF COSMETOLOGY**  
**GENERAL PROVISIONS**

§ 7.2. **Fees.**

Fees charged by the Board are as follows:

Licensure of cosmetologist, manicurist or cosmetician .....	\$10
Licensure of cosmetology shop manager or cosmetology teacher .....	\$10
Licensure of cosmetology shop, manicurist shop or cosmetician shop .....	\$55
Licensure of cosmetology school .....	\$160
Licensure by reciprocity .....	\$20
Registration of cosmetology apprentice .....	\$70
Biennial renewal of manicurist's license .....	\$21
Biennial renewal of cosmetician's license .....	\$21
Biennial renewal of cosmetologist's license .....	\$23
Biennial renewal of cosmetology shop manager's or cosmetology teacher's license .....	\$36
Biennial renewal of cosmetology shop's license ..	\$41
Biennial renewal of cosmetician or manicurist shop's license .....	\$25
Biennial renewal of cosmetology school's license .	\$66
Approval of cosmetology school supervisor .....	\$20
Change in cosmetology, cosmetician or manicurist shop (inspection required) .....	\$55
Change in cosmetology, cosmetician or manicurist shop (no inspection required) .....	\$15
Reinspection of cosmetology, cosmetician or manicurist shop or cosmetology school .....	\$40
Certification of student or apprentice training hours .....	\$30
Verification of license, registration, permit or approval .....	\$15

**EXAMINATIONS**

§ 7.31. **Examination prerequisite for licensure; exception.**

(a) Except as provided in subsection (b), an individual who wants to obtain a teacher's, manager's, cosmetologist's, cosmetician's or manicurist's license listed in §§ 7.12—7.15 shall pass the examination required by the Board for that license.

(b) An individual who meets the criteria for licensure by reciprocity under section 9 of the act (63 P. S. § 515) may obtain a license without examination.

§ 7.32a. **Contents of examination application.**

(a) The application of a first-time examinee shall include the following:

(1) Proof of having met the requirements for the examination applied for as set forth in §§ 7.32b—7.32f.

(2) A physician's certification that the applicant is free from contagious, communicable or infectious diseases.

(3) The examination fee set by the professional testing organization and the license fee prescribed in § 7.2 (relating to fees).

(b) The application of a reexaminee shall be accompanied by the examination fee set by the professional testing organization.

**§ 7.32g. Issuance of temporary licenses to qualified examination applicants.**

(a) A temporary license may be issued to an applicant who is eligible for admission to the cosmetologist's or manicurist's examination and who pays the examination fee set by the professional testing organization and the

license fee prescribed in § 7.2 (relating to fees). The purpose of a temporary license is to allow an otherwise qualified applicant to practice pending the applicant's scoring a passing grade on the examination.

(b) A temporary license is valid for 9 months or until the next examination, whichever comes first.

(c) The holder of a temporary cosmetologist's license shall practice under the supervision of a licensed teacher, manager or cosmetologist. The holder of a temporary manicurist's license shall practice under the supervision of a licensed teacher, manager or cosmetologist.

[Pa.B. Doc. No. 04-810. Filed for public inspection May 7, 2004, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Plum Pox Virus Voluntary Commercial Orchard Fruit Tree Indemnity Program

The Department of Agriculture (Department) establishes the procedures and requirements under which it awards grants under the Plum Pox Virus Voluntary Commercial Orchard Fruit Tree Indemnity Program (program). This new program is similar to the Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program; however: (1) participation is completely voluntary on the part of the participant; and (2) the amount of the Department's indemnity payment for lost fruit production differs.

#### *Authority and Funding*

The program will be funded through annual appropriations of funds to the Department for fruit tree indemnity payments related to the Plum Pox Virus (PPV) and costs related to disease eradication and other prevention and control measures, as well as through authorizations to retain and spend previously appropriated funds for this same purpose.

#### *Background*

PPV is a serious plant pest that injures and damages stone fruits such as peaches, nectarines, cherries, plums and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point it is unmarketable. PPV has the potential to cause serious damage to the stone fruit production and stone fruit nursery industries in this Commonwealth. PPV is transmitted from infected trees by aphids and by budding or grafting with PPV-infected plant material. There is no known control for PPV other than the destruction of infected trees. PPV is not known to exist anywhere in the United States except in parts of Adams, Cumberland, Franklin and York Counties.

The Plant Pest Act (act) (3 P.S. §§ 258.1—258.27) provides the Department broad authority with respect to the identification, containment and eradication of plant pests in this Commonwealth. Under authority of the act, the Department has established PPV-related quarantines in parts of Adams, Cumberland, Franklin and York Counties. There are a number of commercial stone fruit production orchards within the quarantined area. Where PPV has been detected in a commercial stone fruit orchard or where the orchard is near a location where PPV is known to be present, the Department has ordered the destruction and removal of the stone fruit trees and prohibited replanting of stone fruit trees until the quarantine is rescinded.

From 2000 to 2003, staff from the Department and the United States Department of Agriculture (USDA) have conducted extensive surveys for the virus throughout this Commonwealth and in particular in the four counties currently under the PPV quarantine. The aggressive nature of the eradication program has drastically decreased the amount of virus present in the quarantine area. A small amount of PPV remains in the quarantine area, though. This fact, coupled with the latent nature of the virus, has compelled the Department to seek avenues

to speed up the eradication program and bring it to a timely and successful conclusion.

The Department feels that another program is needed to increase the opportunity to eradicate the virus in that portion of the PPV quarantine area where the greatest number of PPV-infected commercial stone fruit trees have been found (the core area). The core area consists of the following contiguous townships in Adams, Cumberland and York Counties:

*Adams County:* Huntington, Latimore, Menallen and Tyrone Townships

*Cumberland County:* Dickinson and South Middleton Townships

*York County:* Franklin and Washington Townships.

Approximately 225 acres of commercial stone fruit trees remain in the core area, including 75 acres that are 15 years of age or older. According to information furnished by the National Plum Pox Virus Science Issues Working Group (SIWG), these blocks constitute a serious threat to the stone fruit industry because of their old age and declining vigor. The SIWG has stated that, based on the best scientific information available, PPV is more difficult to detect in older trees due to the slower growth rate of these trees. The presence of these older trees will prolong or thwart the PPV eradication program. Trees that are younger than 15 years, but that are commingled among the older trees, are considered a part of the condemned block, since they must be considered to have been exposed to trees that may already be infected with PPV.

Unlike other programs administered by the Department to address the current PPV outbreak, this program does not have USDA partnership or financial assistance. The Department's obligations for this voluntary program, reimbursement for costs associated with removal and destruction, replanting, vector control and herbicide application shall be identical to those outlined in the program. Other costs shall include payment for up to 3 years of indemnities for lost fruit production at the rate of 70% of the value of that lost fruit production, as listed in the following chart.

The program's reimbursement formula assumes that affected commercial stone fruit orchards cannot be replanted with stone fruit trees for a minimum of 1 year after removal and destruction of the trees at the order of the Department. Growers will have the option of choosing to receive an indemnity payment for 1, 2 or 3 years of lost fruit production at the rate of 70% of the value of that lost fruit production, as listed in the following chart.

The remaining, younger stone fruit trees in the core area also represent a threat to a timely conclusion to the eradication program. The Department will make a one-time offer for voluntary removal and destruction of trees younger than 15 years of age. The compensation rate for these trees shall be a 15% indemnity payment for 3 years of lost fruit production. Reimbursement for costs associated with removal and destruction, replanting, vector control and herbicide application shall be identical to those outlined in the program.

#### *Reimbursement Formula*

The following table shall be used to compute the value of the indemnity payment:

*Plum Pox Virus Program  
Indemnity for 1-3 Year Fallow Period (12.5% Discount  
Rate)*

<i>Age of Trees</i>	<i>Net Present Value (NPV)—1 Year</i>	<i>NPV—2 Years</i>	<i>NPV—3 Years</i>
1	\$3,324	\$4,557	\$5,654
2	\$6,369	\$7,602	\$8,698
3	\$8,764	\$9,997	\$9,997
4	\$12,104	\$13,337	\$14,433
5	\$14,736	\$15,969	\$17,065
6	\$15,221	\$16,455	\$17,551
7	\$15,318	\$16,551	\$17,647
8	\$14,976	\$16,209	\$17,305
9	\$14,592	\$15,825	\$16,921
10	\$14,159	\$15,392	\$16,488
11	\$13,673	\$14,906	\$16,002
12	\$13,125	\$14,358	\$15,454
13	\$12,509	\$13,742	\$14,838
14	\$11,817	\$13,050	\$14,146
15	\$11,037	\$12,270	\$13,366
16	\$10,160	\$11,393	\$12,490
17	\$9,264	\$10,497	\$11,593
18	\$8,346	\$9,579	\$10,675
19	\$7,402	\$8,635	\$9,731
20	\$6,431	\$7,664	\$8,760
21	\$5,429	\$6,662	\$7,758
22	\$4,481	\$5,714	\$6,810
23	\$3,595	\$4,828	\$5,924
24	\$2,778	\$4,011	\$5,107
25	\$2,039	\$3,272	\$4,368

*Obtaining an Application*

A person seeking a grant under the new program for voluntary removal and destruction of these older trees shall apply for the grant using an application/agreement form provided by the Department.

*Contents of Application*

An application for a reimbursement grant for economic losses relating to the voluntary removal of the blocks containing older trees will require the following information of an applicant:

1. The name, address and Federal tax identification number (or Social Security number) of the applicant.
2. Verification that the applicant is an owner of the destroyed stone fruit orchard.

3. A listing of the block numbers of the destroyed stone fruit orchard with respect to which a grant is sought.

4. The stone fruit tree acreage figures described in paragraph 3.

5. A signature acknowledging that representations made in the application are true, and further acknowledging that the criminal punishments and penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) apply to any false statement made in the application.

*Review of Applications*

The Department will review and approve or disapprove complete, timely grant applications within 30 days of receipt. The Department will stamp or otherwise identify each grant application to record the date and the order in which the applications are received. The Department will consider grant applications in the order they are received. The Department will approve a grant application if the following criteria are met:

1. The application is complete and provides the Department all the information necessary to a reasoned review of the document.

2. There are sufficient unencumbered funds available for fruit tree indemnity payments regarding PPV and costs related to disease eradication and other prevention and control measures to fund the grant amount sought in the reimbursement grant application.

*Notice of Decision*

The Department will, within 10 days of completing its review, inform (whether by mail or other means) a grant applicant of whether the grant application is approved or disapproved. If the application is disapproved, the written notice will specify the basis for disapproval.

*No Right or Entitlement to Funds*

The appropriation or availability of funds for fruit tree indemnity payments regarding PPV and costs regarding disease eradication and other prevention and control measures does not create in a person a right or entitlement to a grant from these funds. Departmental approval of a grant application is the event that establishes entitlement of the applicant to the grant funds sought, provided appropriated funds are available in an amount adequate to fund the grant.

*Additional Information/Contact Person*

Applications and further information can be obtained by contacting the Department of Agriculture, Attn: Karl Valley, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5226.

This order is effective as of April 16, 2004.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 04-811. Filed for public inspection May 7, 2004, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

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



**BANKING INSTITUTIONS**  
**Holding Company Acquisitions**

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-14-04	Harleysville National Corporation, Harleysville, to acquire 100% of the voting shares of Millennium Bank, Malvern, by means of a merger of Millennium Bank with and into The Harleysville National Bank and Trust Company, a wholly owned subsidiary of Harleysville National Corporation	Harleysville	Approved
4-14-04	Susquehanna Bancshares, Inc., Lititz, to acquire 100% of voting shares of Patriot Bank Corp., Pottstown, and so indirectly acquire Patriot Bank, Pottstown	Lititz	Approved

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-15-04	Mid Penn Bank Millersburg Dauphin County  Purchase of certain assets/ assumption of certain liabilities of one branch office of Vartan National Bank, Dauphin  Located at: Allegheny and Swatara Streets Dauphin Dauphin County	Millersburg	Approved

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-12-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Citizens Bank Park One Citizens Bank Way Philadelphia Philadelphia County (Limited Service Facility)	Opened
4-15-04	Bank of Hanover and Trust Company Hanover York County	8-12 Locust Lane Westminster Carroll County, MD	Filed

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-14-04	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	<i>To:</i> Southwest Corner of Township Line Road and Peach Lane Drexel Hill Delaware County  <i>From:</i> 1230 Township Line Road Drexel Hill Delaware County	Approved
4-15-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 11361 Route 30 North Huntingdon Westmoreland County  <i>From:</i> 12120 Route 30 North Huntingdon Westmoreland County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-14-04	The Legacy Bank Harrisburg Dauphin County	304 Main Street Towanda Bradford County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-14-04	The Legacy Bank Harrisburg Dauphin County	422 North Elmira Street Sayre Bradford County	Approved

**SAVINGS INSTITUTIONS****Main Office Relocation**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
4-9-04	ESSA Bank & Trust Stroudsburg Monroe County	<i>To:</i> 200 Palmer Street Stroudsburg Monroe County  <i>From:</i> 744 Main Street Stroudsburg Monroe County	Effective

*Note:* Office at 744 Main Street will continue to be operated as a branch of ESSA Bank & Trust.

**CREDIT UNIONS**

No activity.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 04-812. Filed for public inspection May 7, 2004, 9:00 a.m.]

**Action on Applications**

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending April 27, 2004.

**BANKING INSTITUTIONS****Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-20-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	North Versailles Giant Eagle 1701 Lincoln Highway North Versailles Allegheny County	Opened
4-22-04	Stonebridge Bank Exton Chester County	600 West Germantown Pike Plymouth Meeting Montgomery County	Filed
4-22-04	Stonebridge Bank Exton Chester County	408 Lakeside Drive Southampton Bucks County	Filed
4-22-04	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	237 North Pottstown Pike Exton West Whiteland Township Chester County	Filed
4-23-04	1st Summit Bank Johnstown Cambria County	Wal-Mart Store 150 Town Centre Drive Johnstown Richland Township Cambria County	Filed
4-26-04	Orrstown Bank Shippensburg Cumberland County	One Giant Lane Carlisle Cumberland County	Opened

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-22-04	Farmers First Bank Lititz Lancaster County	<i>To:</i> One East Market Street York York County  <i>From:</i> 49 East Market Street York York County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-20-04	Farmers First Bank Lititz Lancaster County	985 Park Plaza Lancaster Lancaster County (Drive-Up Facility)	Effective

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 04-813. Filed for public inspection May 7, 2004, 9:00 a.m.]

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

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

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0062961 IW	Laminations, Inc. 1008 S. Irving Avenue Scranton, PA 18505	Lackawanna County Scranton	Meadow Brook 5A	Y

*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>
PA0080799 SEW	Newburg-Hopewell Joint Authority P. O. Box 128 Newburg, PA 17240	Hopewell Township Cumberland County	Newburg Run 7B	Y
PA0085367 SEW	Sill's Family Campground Russell South P. O. Box 566 Adamstown, PA 19501-0566	Brecknock Township Lancaster County	UNT Little Muddy Creek 7J	Y
PA0080926 SEW	Robert Schroeder 205 Sleepy Hollow Road Lititz, PA 17543	Elizabeth Township Lancaster County	UNT Hammer Creek 7J	Y
PA0081515 SEW	Lancaster County Career & Technology Center Brownstown Campus 1730 Hans Herr Drive Willow Street, PA 17584	West Earl Township Lancaster County	Conestoga River 7J	Y
PA0080489 SEW	New Buffalo Restaurant Inc. George Lowe R. D. 4 Box 4940 Duncannon, PA 17020-9409	Watts Township Perry County	Conestoga River 7J	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0209708 CAFO	Sullivan Farms R. D. 1, Box 49-C Covington, PA 16917	Sullivan Township Tioga County	Unnamed tributary to Canoe Camp Creek SWP 4A	Y
PA0112020 (4952)	Brookside Manor Associates 215 West Church Road King of Prussia, PA 19406	Columbia County North Centre Township	West Branch Briar Creek 5D	Y
PA0228044 Sewerage	Bradford Heights Woodland Properties Management LLC 19 Birch Street Great Neck, NY 11023	Bradford Township Clearfield County	UNT Abes Run 8-C	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>
PA0101800	Lord Corporation Chemical Products Division 601 South Street P. O. Box 1050 Saegertown, PA 16433	Saegertown Borough Crawford County	French and Woodcock Creeks 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.*

**PA0247138, CAFO, Hillandale Gettysburg, LP (Pine Tree Farm),** 370 Spicer Road, Gettysburg, PA 17325. Hillandale Gettysburg, LP has submitted an application for an individual NPDES permit for a proposed CAFO known as Pine Tree Farm to be located off of Pine Tree Road, Straban Township, **Adams County**.

The CAFO is situated near unnamed tributaries of Beaverdam Creek in Watershed 7-F (WWF). The CAFO will be designed to maintain an animal population of approximately 3,575 AEUs consisting of 1.1 million laying hens. A total of eight poultry houses and one egg processing building are proposed. Each poultry house will include an enclosed dry manure storage area at the end of the building. "Fan chimneys" will be constructed to capture particulate emissions from each ventilation fan at the facility. Dry poultry manure will be transferred to a broker who will, in turn, transfer manure to local farmers and mushroom farms. Egg washwater will be stored in a 750,000-gallon storage tank with an alarm, secondary containment and leak detection and will be land applied using tank spreader equipment to crop fields at the farm site. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected if permit compliance is achieved. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

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

**PA0246964, CAFO, Kenneth R. Martin (Ken Martin Farm),** 1397 Robert Fulton Highway, Quarryville, PA 17566. Kenneth R. Martin has submitted an application for an individual NPDES permit for an existing CAFO known as Ken Martin Farm, 1397 Robert Fulton Highway, East Drumore Township, **Lancaster County**.

The CAFO is situated near an unnamed tributary to West Branch Octoraro Creek in Watershed 7-K (HQ-CWF; MF). The CAFO is designed to maintain an animal population of approximately 1,046 AEUs consisting of 105 dairy cows, 6,600 swine and 86,000 pullets. The animals will be housed in two swine barns, one pullet barn and one dairy barn. Manure storage for the swine barns are underhouse storage with a total capacity of approximately 1.38 million gallons. Manure storage for the pullet barn is in house and has a capacity of approximately 437 tons. Manure storage for the dairy barn consists of an existing earthen lagoon with a capacity of 1 million gallons. This structure will be replaced with a concrete manure structure with a capacity of approximately 0.782 million gallons. Prior to operation of the dairy manure storage facility, the design engineer will be required to submit certification that the facility was constructed in accordance with appropriate PA Technical Guide Standards. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in

formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

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

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

**PA0247464**, Sewage, **East Hanover Township Board of Supervisors**, 8848 Jonestown Road, R. D. 2, P. O. Box 4323, Grantville, PA 17028-8650. This facility is in East Hanover Township, **Dauphin County**.

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

The receiving stream, Bow 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 Pennsylvania American Water Company is on the Swatara Creek, approximately 4 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.25 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	6.5		13.0
(11-1 to 4-30)	19.5		38.0
Total Phosphorus	2.0		4.0
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		4,900/100 ml as a geometric average	

This new facility is proposed to replace the existing East Hanover Township constructed wetland wastewater treatment system.

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.

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

**PA0063045**, Industrial Waste, SIC 2013, NAICS 311612, **Polarized Meat Company, Inc.**, 107 Keystone Industrial Park, Dunmore, PA 18512-0172. This proposed facility is in Scott Township, **Lackawanna County**.

Description of Proposed Activity: Application to renew permit to discharge treated wastewater from a combined meat processing cleanup water and sewage.

The receiving stream, South Branch Tunkhannock Creek, is in the State Water Plan watershed no. 4F and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Danville Borough Water Authority is on the Susquehanna River, approximately 80 river miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.008.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
BOD <sub>5</sub>	4.5	9.0		
TSS	5.4	10.8		
Oil and Grease			15.0	30.0
pH		6.0 to 9.0 standard units at all times		
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	400/100 ml as a geometric mean			

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

**PA206101**, Industrial Waste, SIC, 3499, **Dynamic Materials Corporation**, 1138 Industrial Park Drive, P. O. Box 317, Mount Braddock, PA 15465. This application is for an issuance of an NPDES permit to discharge stormwater from Dynamic Materials Corporation in Dunbar Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Dunbar Creek, classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation.

*Outfalls 001 and 002:* existing discharge, design flow of N/A mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)					Monitor and Report
Total Suspended Solids					Monitor and Report
BOD <sub>5</sub>					Monitor and Report
NO <sub>2</sub> -NO <sub>3</sub>					Monitor and Report
Aluminum					Monitor and Report
Zinc					Monitor and Report
Iron					Monitor and Report
Oil and Grease					Monitor and Report

The previous requirement will be in effect during the period from effective date through 18 months after the effective date.

*Outfalls 001 and 002:* existing discharge, design flow of N/A mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)					
Total Suspended Solids			30		60
BOD <sub>5</sub>					Monitor and Report
NO <sub>2</sub> -NO <sub>3</sub>					Monitor and Report
Aluminum			0.75		1.5
Zinc			0.117		0.234
Iron			1.0		2.0
Oil and Grease			15		30

The previous limits will be in effect during the period from 18 months after effective date through expiration date.

The EPA waiver is in effect.

**PAS806104**, Industrial Waste, SIC, 4213, **Con-Way Central Express**, 736 Cooper Avenue, Johnstown, PA 15906. This application is for renewal of an NPDES permit to discharge untreated stormwater from the Johnstown Facility, West Taylor Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Wildcat Run and Laurel Run, classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Cokesburg Borough Water Department at the Cokesburg Reservoir, 4.5 miles below the discharge point.

*Outfall 001:* existing discharge to Wildcat Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

The discharge from this outfall shall consist of uncontaminated stormwater runoff only.

*Outfall 002:* existing discharge to Wildcat Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

The discharge from this outfall shall consist of uncontaminated stormwater runoff only.

*Outfall 003:* existing discharge to Laurel Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

The discharge from this outfall shall consist of uncontaminated stormwater runoff only.

The EPA waiver is in effect.

**PA0110922**, Sewage, **Camp Allegheny, Inc.**, 100 Camp Allegheny Drive, Stoystown, PA 15563. This application is for renewal of an NPDES permit to discharge treated sewage from the Camp Allegheny STP in Stonycreek Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Calendars Run, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Hooversville Municipal Authority on Stony Creek.

*Outfall 001*: existing discharge, design flow of 0.015 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	20			40
Suspended Solids	20			40
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Phosphorus	2.0			4.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.18
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA0239348**, Sewage, **Calfin's Place Restaurant/Tavern**, 7495 Route 6N, Edinboro, PA 16412. This proposed facility is in Elk Creek Township, **Erie County**.

Description of Proposed Activity: New NPDES permit to discharge treated sewage from a nonmunicipal sewage treatment plant serving an existing restaurant/tavern.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing downstream potable water supply considered during the evaluation is the Emlenton Municipal Authority intake on the Allegheny River, approximately 115 miles below the point of discharge.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0017 MGD.

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

The EPA waiver is in effect.

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

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

**WQM Permit No. 0904404**, Sewerage, **Bucks County Water and Sewer Authority**, 1275 Almhouse Road, Warrington, PA 18976. This proposed facility is in Bensalem Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a sanitary sewer pumping station.



**WQM Permit No. 1504405**, Sewerage, **Westtown Township**, P. O. Box 79, Westtown, PA 19395. This proposed facility is in Westtown Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a new 675 GPM sewage pump station and a 10-inch force main.

**WQM Permit No. 0904406**, Sewerage, **Courtney G. Keep**, 932 Beck Road, Quakertown, PA 18951. This proposed facility is in Haycock Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a 500 gpd small flow wastewater facility to serve existing residence.

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

**WQM Permit No. 3504401**, Sewerage, **The Sewer Authority of the City of Scranton**, 453 Boot Road, Downingtown, PA 19355. This proposed facility is in City of Scranton, **Lackawanna County**.

Description of Proposed Action/Activity: This project involves improvements and modifications to the Scranton Wastewater Treatment Plant to allow for greater treatment of wet weather flows.

**WQM Permit No. 1303201**, Industrial Waste, **Assad S. Malaty d/b/a Rex's Markets, Inc.**, 2807 Denbeigh Street, Hatfield, PA 19440. This proposed facility is in East Penn Township, **Carbon County**.

Description of Proposed Action/Activity: This project consists of a groundwater remediation system that will recover petroleum-impacted groundwater, treat the water by airstripping and granular activated carbon and discharge the water to the site subsurface by means of an infiltration gallery.

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

**WQM Permit No. 2104405**, **Borough of Shippensburg Sewer Authority**, 111 North Fayette Street, P. O. Box 129, Shippensburg, PA 17257-0129. This proposed facility is in Southampton Township, **Franklin County**.

Description of Proposed Action/Activity: Modification to activated sludge process to incorporate biological nutrient removal.

**WQM Permit No. 2180402, Amendment 04-1**, Sewerage, **Hampden Township Sewer Authority**, 230 South Sporting Hill Road, Mechanicsburg, PA 17055. This proposed facility is in Hampden Township, **Cumberland County**.

Description of Proposed Action/Activity: Phase 1 solids handling improvements at the Roth Lane Wastewater Treatment Plant.

**WQM Permit No. 0604404**, Sewerage, **Birdsboro Municipal Authority**, 202 East Main Street, Birdsboro, PA 19508. This proposed facility is in Birdsboro Borough, **Berks County**.

Description of Proposed Action/Activity: Replacement of old pneumatic ejector station with new 100 gpm submersible pump station (River Road Pump Station).

**WQM Permit No. 0104401**, Sewerage, **Appalachian Realty Corporation**, 102 Locust Street, P. O. Box 180, East Berlin, PA 17316. This proposed facility is in Hamilton Township, **Adams County**.

Description of Proposed Action/Activity: Construction of a private wastewater treatment plant to serve a combination of residential, industrial and commercial use of 126 acres.

**WQM Permit No. 2204402**, Sewerage, **Swatara Township Authority**, 599 Eisenhower Boulevard, Harrisburg, PA 17111. This proposed facility is in Swatara Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction of sanitary sewer lines and pumping station to serve the Hoffman Heights Subdivision.

**WQM Permit No. 0604201**, Industrial Waste, **Western Berks Water Authority**, 91 Water Road, Sinking Spring, PA 19608-9633. This proposed facility is in Lower Heidelberg Township, **Berks County**.

Description of Proposed Action/Activity: Update on process wastewater treatment facilities at the water treatment plant.

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

**WQM Permit No. 0404401**, Sewerage, **Big Beaver Municipal Authority**, 114 Forest Drive, Darlington, PA 16115. This proposed facility is in Big Beaver Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of the Stockman Run Sanitary Sewer Extension.

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 facility's plan revision has not identified any significant environmental impacts resulting from this proposal.

**WQM Permit No. 6304404**, Sewerage, **Washington East Washington Joint Authority**, P. O. Box 510, 66 East Beau Street, Washington, PA 15301-4514. This proposed facility is in Canton Township, **Washington County**.

Description of Proposed Action/Activity: Application for the construction and operation of the Chartiers Creek Interceptor Sewer.

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

**WQM Permit No. 1001413**, Sewerage Amendment No. 1, **Brandy One LLC**, P. O. Box 449, Mars, PA 16046. This proposed facility is in Connoquenessing Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the upgrade and expansion of an existing sewage treatment facility to serve a residential site containing condominiums and single family residences.

**WQM Permit No. 3704405**, Sewerage, **North Beaver Township Municipal Authority**, 861 Mount Jackson Road, New Castle, PA 16102. This proposed facility is in North Beaver Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for force main and grinder pumps to serve the William Gwin five-lot subdivision which will convey sewage to the New Castle Wastewater Treatment Plant.

#### 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>
PAI011504020	Stephen Cushman Hillvellyn Subdivision 403 West Lincoln Highway Exton, PA 19341	Chester	West Caln Township	Two Log Run HQ-TSF-MF
PAI011504023	East Vincent Township Community Park on the Ridge 262 Ridge Road Spring City, PA 19475	Chester	East Vincent Township	French Creek HQ-TSF-MF
PAI012304003	Glenn White 4 Zachary Drive West Chester, PA 19382	Delaware	Edgmont Township	Ridley Creek HQ

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

*Carbon County Conservation District: 5664 Interchange Rd., Lehighon, PA 18235-5114, (610) 377-4894.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021304002	Blue Ridge Real Estate P. O. Box 707 Blakeslee, PA 18610	Carbon	Kidder Township	Porter Run HQ Tobyhanna Creek HQ Lehigh River HQ

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904015	2204 Rt. 100 Professional Office Campus, LLC Suite 212, Zack Bldg. 6235 Hamilton Blvd. Allentown, PA 18106	Lehigh	Lower Macungie Township	Little Lehigh 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>
PAI024804013	John Cancelliere Michelman-Cancelliere Iron Works, Inc. 7230 Bath Pike Bath, PA 18014	Northampton	East Allen 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>
PAI025204003	John J. Schneider Preserve at Milford Hills 104 West High St. Milford, PA 18337	Pike	Dingman Township	Sawkill Creek EV

*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>
PAI0050004001	Department of Transportation District 8-0 2140 Herr Street Harrisburg, PA 17103	Perry	Saville	UNT to Buffalo Creek HQ-CWF

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

*Washington County Conservation District: 602 Courthouse Square, Washington, PA 15301, (724) 228-6774.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056304003	Theodore Taylor 608 E. McMurray Road McMurray, PA 15317 and Rolen Ferris 6305 Carlisle Pike Mechanicsburg, PA 17055	Washington	North Strabane Township	Tributary to Little Chartiers Creek 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**

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

<b>Permit No. 1504503</b> , Public Water Supply.	
Applicant	<b>Pennsylvania American Water Company</b>
Township	Valley
Responsible Official	William C. Kelvington 800 W. Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	Scott M. Thomas Pennsylvania American Water Company 800 W. Hersheypark Drive Hershey, PA 17033
Application Received Date	April 19, 2004
Description of Action	Blasting and painting of the interior and exterior of the 500,000-gallon ground storage tank know as North Hill Tank.

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

**Permit No. 3204503**, Public Water Supply.  
 Applicant **Crystal Waters, Inc.**  
 4639 Route 119 North  
 Home, PA 15747  
 Township or Borough Rayne Township  
 Responsible Official Thomas Loughry, President  
 Crystal Waters, Inc.  
 4639 Route 119 North  
 Home, PA 15747  
 Type of Facility Personal Care Home  
 Consulting Engineer Musser Engineering, Inc.  
 7785 Lincoln Highway  
 Central City, PA 15926  
 Application Received Date April 15, 2004  
 Description of Action Crystal Waters Personal Care Home now serves over 25 residents and staff. An application for a new community water system has been submitted.

**MINOR AMENDMENT**

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

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

**Application No. Minor Amendment.**  
 Applicant **Pennsylvania American Water Company**  
 Township or Borough Clarks Green Borough,  
**Lackawanna County**  
 Responsible Official William C. Kelvington, V. P.  
 Operations  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 Type of Facility Community Water System  
 Consulting Engineer Scott M. Thomas, P. E.  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 Application Received Date April 19, 2004  
 Description of Action Maintenance and modification activities at the 300,000-gallon Clarks Green No. 1 Tank.

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

**Application No. 1191503-A2**, Minor Amendment.  
 Applicant **Glendale Yearound Water Company**  
 P. O. Box 89  
 Flinton, PA 16640  
 Township or Borough White Township

Responsible Official Ludwig Rudel, President  
 Glendale Yearound Water Company  
 P. O. Box 89  
 Flinton, PA 16640  
 Type of Facility Water storage tank  
 Consulting Engineer Dakota Engineering Associates, Inc.  
 Etna Technical Center, Suite 200  
 35 Wilson Street  
 Pittsburgh, PA 15223  
 Application Received Date April 16, 2004  
 Description of Action Cleaning and refinishing the interior/exterior surface of the existing 200,000-gallon finished water storage tank.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 1**

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

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

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

within 30 days of the date specified. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

**Schulmerich Carillons, Inc.**, Sellersville Borough, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Rd., Pennsburg, PA 18073, on behalf of Bern Deichmann, Schulmerich Carillons, Inc., 1 Carillon Hill, P. O. Box 903, Sellersville, PA 18960-0903, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with no. 2 fuel oil. The intended future use of the property is commercial.

**Center Square Towers**, Doylestown Borough, **Bucks County**. Drew A. Gould, P. G., National Assessment Corp., 701 N. Pennsylvania Ave., Morrisville, PA 19067, on behalf of Center Square Towers, Jodi Goldstein, Mgr., 555 N. Broad St., Doylestown, PA 18901, has submitted a Notice of Intent to Remediate. Site contamination of no. 2 fuel oil resulted from the removal of deteriorated USTs. It is proposed that the areas of concern have a further evaluation to determine standard attainment. The property will continue to be used as residential senior citizen apartments.

**Ten Tower Bridge**, Conshohocken Borough, **Montgomery County**. Michael Edelman, P. G., Roux Associates, Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066, on behalf of Inter Pack Corp., Richard Hayes, 51 Washington St., Conshohocken, PA 19420, has submitted a Notice of Intent to Remediate. The site was part of a large steel manufacturing facility. Historic fill material is present at the site. Evaluation has included collection of soil and groundwater samples across the site. Detected compounds in soil include VOCs, PAHs and metals. Detected compounds in groundwater include VOCs and metals. The site has been used for industrial operations since the 1800s.

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

**Wire-Coe-Dowdy Property**, Manheim Township, **Lancaster County**. Skelly & Loy, Inc., 2601 North Front Street, Harrisburg, PA 17110, on behalf of Elizabeth Wire, 246 West Ridge Road, Dillsburg, PA 17109, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with fuel oil no. 2. The applicant proposes to remediate the site to meet a combination of the requirements for Statewide Health and Background Standards.

**Frog Switch and Manufacturing Co.**, Carlisle Borough, **Cumberland County**. RETTEW Associates, 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Frog Switch and Manufacturing Co., 600 East High Street,

Carlisle, PA 17013, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PHCs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Carlisle Sentinel* on April 16, 2004.

**Former Phillips Office Equipment**, Hampden Township, **Cumberland County**. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Ephrata, PA 17522, on behalf of The Phillips Group, 501 Fulling Mill Road, Middletown, PA 17057, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with no. 2 fuel oil. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Sentinel* on April 6, 2004.

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

**PPL Sunbury Steam Electric Station**, Shamokin Dam Borough and Monroe Township, **Snyder County**. Penn Environmental & Remediation, Inc. on behalf of PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Notice of Intent to Remediate groundwater contaminated with diesel fuel. The applicant proposed to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on March 22, 2004. See other information in the Actions section of this *Pennsylvania Bulletin*.

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

**Former Cohen/A1 Auto Property**, City of Erie, **Erie County**. Pat Pontoriero, P. G., MACTEC Eng. & Consulting, 700 N. Bell Ave., Pittsburgh, PA 15106 (on behalf of Robert Grice, Greater Erie Ind. Development Corp., 5240 Knowledge Pkwy., Erie, PA 16510) has submitted a Notice of Intent to Remediate soil contaminated with lead. The applicant proposes to remediate the site to meet the Statewide Health Special Industrial Area Requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Erie Times* on March 31, 2004.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

#### PLAN APPROVALS

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

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

**40-305-024: Northampton Fuel Supply Co., Inc.** (7500 Old Georgetown Road, Suite 13, Bethesda, MD 20814) for construction of an anthracite culm processing plant at their Loomis Bank in Hanover Township, **Luzerne County**.

**13-399-008B: Horsehead Corp.** (900 Delaware Avenue, Palmerton, PA 18071) for modification of the calcine kiln feed receiving bin at their facility in Palmerton, **Carbon County**.

**40-305-025: Stockton Anthracite LP** (P. O. Box 546, Hazleton, PA 18201-0039) for construction of a coal processing plant and associated air cleaning device at their Stockton Anthracite Preparation facility in Hazle Township, **Luzerne County**.

**45-317-001A: Horizon Milling LLC** (P. O. Box 147, Harvest Lane, Route 940, Mount Pocono, PA 18344) for modification of a flour milling operation and associated air cleaning devices at their facility in Tobyhanna Township, Pocono Township and Mt. Pocono Borough, **Monroe County**.

**39-304-026: Ransom Industries LP—Tyler Pipe—Penn Division** (101 North Church Street, Macungie, PA 18062) for construction of a thermal sand reclamation system and associated air cleaning device at their facility in Macungie Borough, **Lehigh County**.

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

**36-03019A: Flury Foundry Co.** (1160 Elizabeth Avenue, Lancaster, PA 17601) for construction of a new molding line in Manheim Township, **Lancaster County**.

**36-03092B: Donegal Rock Products, LLC** (P. O. Box 10, Rheems, PA 17570) for installation of a triple deck screen and conveyors at their existing crushing plant in West Donegal Township, **Lancaster County**. The screen and conveyors are subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

**17-302-010A: West Branch Area School District** (356 Allport Cutoff, Morrisdale, PA 16858) for construction of two 9.834 million Btu per hour no. 6 fuel oil-fired boilers in their West Branch High School in Morris Township, **Clearfield County**.

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

**11-00051A: Quaker Sales Corp.** (P. O. Box 880, Johnstown, PA 15907) for modification of a hot mix asphalt plant in West Taylor Township, **Cambria County**.

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

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

**46-0035C: SmithKline Beecham Pharmaceuticals d/b/a GlaxoSmithKline Pharmaceuticals** (709 Swedeland Road, King of Prussia, PA 19462) for increased usage of no. 2 fuel oil in boilers 14 and 15 at an existing facility in Upper Merion Township, **Montgomery County**. This facility is a Title V facility. The Plan Approval will subsequently be incorporated into the company's Title V Operating permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. The Plan Approval will include operating and recordkeeping conditions to keep the facility operating within the allowable emission limits and all applicable air quality requirements.

**15-0025A: Fibre-Metal Products Co.** (U. S. Route 1 at Brinkton Lake Road, Concordville, PA 19331-0248) for modification of an air control device at Fibre-Metal's facility in Concord Township, **Delaware County**. The modification is to the control device for Source ID No. 108, a paint booth and drying oven, by replacing the water curtain with paint filters. This facility is a Title V facility. The Plan Approval will subsequently be incorporated into the company's Title V Operating permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. The Plan Approval will include operating and recordkeeping conditions to keep the facility operating within the allowable emission limits and all applicable air quality requirements.

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

**40-309-037B: Polyglass USA, Inc.** (555 Oak Ridge Drive, Hazleton, PA 18201) for construction of a second asphalt roofing production line at their facility in Hazle Township, **Luzerne County**. The facility is not a Title V facility. The construction of the asphalt roofing line consists of a granular silo with a binvent baghouse, two primary mixers, two secondary mixers and a dip coater. VOCs from the sources will be controlled by an existing thermal oxidizer and will result in a potential VOC emission increase of 1.79 tons per year. Additionally, the asphalt roofing line is subject to Subpart UU of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.470–60.474. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

**06-03117C: Custom Processing Services, Inc.** (2 Birchmont Drive, Reading, PA 19606-3266) for construction of a milling machine controlled by a fabric collector in Exeter Township, **Berks County**. The milling facility is a non-Title V (State-only) facility. This construction will result in the emission of 2.4 tons per year of particulate. The approval will include emission limits, monitoring, recordkeeping, work practices and reporting requirements designed to keep the source operating within all applicable air quality requirements.

**21-05012A: M. H. Technologies, LLC** (1 Mountain Street, P. O. Box C, Mt. Holly Springs, PA 17065) for restarting a 13 million Btu/hr boiler. M. H. Technologies, Inc. produces electrical insulation paper at their production facility in Mt. Holly Springs Borough, **Cumberland County**. This boiler has a potential to emit 21 tons per year of NO<sub>x</sub>, 30 tons per year of SO<sub>x</sub> and 5 tons per year of CO. Actual emissions are expected to be less than 3 tons per year of each pollutant. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources 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.*

**49-00054A: Meckley's Limestone Products, Inc.** (R. R. 1, Box 1682, Herndon, PA 17830) for installation of an air cleaning device, a fabric collector, on an existing "dust bunker" incorporated in a limestone pulverizing plant in Lower Mahanoy Township, **Northumberland County**.

The "dust bunker" is a roofed 20-foot by 20-foot square concrete block structure into which dust is deposited by various pieces of process equipment and air cleaning devices. The applicant proposes to ventilate the dust bunker through a new fabric collector to control the emission of fugitive particulate matter which heretofore have periodically been observed emanating from the dust bunker. The fugitive particulate matter emissions from the dust bunker are expected to decrease by an unknown amount as a result of the collector's installation and the particulate matter emissions from the collector exhaust are expected to be no greater than .2 pound per hour.

The applicant also proposes to divert a portion of the dust now entering the dust bunker into a different bin

and will install a diverter valve and cyclone separator to accomplish this. The particulate matter emissions from the bin to which the dust will be diverted are currently controlled by, and will continue to be controlled by, a fabric collector. No change is expected in the particulate matter emission rate from this bin or the associated fabric collector.

The Department's review of the information submitted by Meckley's Limestone Products, Inc. indicates that the installation of the fabric collector on the dust bunker will meet applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants as will the installation of the diverter valve and cyclone separator. This includes 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. Additionally, if plan approval is issued and the dust bunker, and the like, is found to be operating in compliance with all conditions of the plan approval as well as all applicable regulatory requirements, the conditions of the plan approval will be incorporated into Operating Permit 49-00054 by means of an administrative amendment in accordance with 25 Pa. Code § 127.450.

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

1. All material deposited in the dust bunker shall be wetted in a pug mill or mixer.
2. Whenever material is being deposited in the dust bunker, the dust bunker shall be ventilated through a C. P. E. Filters Model 84 BF 042 C fabric collector. The particulate matter concentration in the exhaust of the collector shall not exceed .01 grain per dry standard cubic foot and there shall be no visible air contaminant emissions other than water vapor or steam.
3. The air compressor used to supply air to the C. P. E. Filters Model 84 BF 042 C fabric collector shall be equipped with an air dryer and an oil trap.
4. The C. P. E. Filters Model 84 BF 042 C fabric collector shall be equipped with instrumentation to continuously monitor the pressure differential across the collector.
5. Spare bags shall be kept onsite for the C. P. E. Filters Model 84 BF 042 C fabric collector.
6. The access doors to the dust bunker shall be kept closed at all times except when removing material from the dust bunker with a front-end loader.
7. The cyclone separator shall be exhausted into stone bin no. 2.
8. The Eastern Control Systems, Inc. Model 315-10 fabric collector used to control the particulate matter emissions from stone bin no. 2 shall continue to be subject to all of the requirements to which it is currently subject to under Operating Permit 49-00054.

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

**10-340B: Eagle Printing Co., Inc.** (514 West Wayne Street, Butler, PA 16001) to increase VOC emissions from the web-offset lithography printing press in the City of Butler, **Butler County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan

approval to modify Plan Approval 10-340A. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date. Issuance of the plan approval is recommended with the appropriate conditions in the plan approval.

#### OPERATING PERMITS

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

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

**06-05007B: Carpenter Technology Corp.** (P. O. Box 14662, Reading, PA 19612) for modification of the D-VIM furnace and various fugitive sources within the VIM furnace building controlled by a fabric collector in the City of Reading, **Berks County**. The modification will result in an increase in particulate emissions of 15.5 tons per year. The approval will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility is presently covered by Title V Operating Permit 06-05007. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450.

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

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

**23-00064: Lawn Croft Cemetery** (1000 Ridge Road, Linwood, PA 19061) for operation of human crematory in Lower Chichester Township, **Delaware County**. The permit is for a non-Title V (State-only) facility. The major source of air emissions is one natural gas-fired incinerator, with an afterburner. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00008: TAVO Packaging, Inc.** (2 Canal Road, Fairless Hills, PA 19030) for operation of flexographic printing presses at the packaging plant in Falls Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. The facility has the potential to emit less than 25 tons of VOCs and less than 25 tons per year of NOx; therefore, the facility is a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00099: Keystone Screw Corp.**, 535 Davisville Road, Willow Grove, PA 19090, Upper Moreland Township, **Montgomery County**. The permit is for a non-Title V (State-only Synthetic Minor) facility. The facility's sources include tumbling screws/cleaning operation. The permittee has elected to take an emission restriction including 24.9 tons/year for VOC to be compliant with synthetic minor requirements. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00143: King of Prussia Crematory** (805 Dekalb Street, Bridgeport, PA 19405) for operation of an incinerator

at a crematory in Bridgeport Borough, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The facility has the potential to emit less than 25 tons of VOCs and less than 25 tons per year of NOx; therefore, the facility is a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00167: Montgomery County Geriatric and Rehabilitation Center** (1600 Black Rock Road, Royersford, PA 19468) for a non-Title V, State-only, Synthetic Minor Operating Permit in Upper Providence Township, **Montgomery County**. The Center provides health care and living facilities for the elderly and special needs people. The main sources of emissions from this facility are 3 14.7 million Btu/hour boilers, 1 2.9 million Btu/hour boiler, 3 natural gas fired emergency generators, 3 natural gas fired laundry dryers and 17 unit heaters. The facility has the potential to produce 18.8 tons of NOx per year, 23.7 tons of SOx per year, 1.41 tons of PM per year, 9.3 tons of CO per year and 3.57 tons of VOCs per year. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

**46-00177: Mass Lamination** (2280-A Amber Drive, PA 19440) the permit is for a non-Title V (State-only Natural Minor) facility in Hatfield Township, **Montgomery County**. The facility's source includes one boiler and glass fabric coating operation. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00131: Pyramid Graphics, Inc.** (1021 Washington Avenue, Croydon, PA 19021) for operation of a printing facility in Bristol Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. Major sources of air emissions include four printing lines and one catalytic oxidizer. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**17-00043: Kitko Wood Products** (P. O. Box 3, Glen Hope, PA 16645) for their wood working facility in Glen Hope Borough, **Clearfield County**. The facility's main source is a wood fired boiler. The facility is classified as a natural minor facility since its potential emissions for PM-PM10, CO, VOCs, NOx, SOx and HAPs are below the major emission thresholds. The proposed State-only operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

**10-00326: Oesterling Sandblasting and Painting, Inc.** (686 Glenwood Way, Butler, PA 16001) for a Natural Minor operating permit for emissions from shot blasting and surface coating in Center Township, **Butler County**.

**10-00171: Butler Color Press, Inc.** (119 Bonnie Dr., Butler, PA 16003) for reissuance of the Synthetic Minor Operating Permit previously issued to their facility in Butler and Summit Townships, **Butler County**. The facility has previously accepted limitations on its poten-



tial to emit VOCs to escape the Title V Operating Permit requirements. All of the limitations of the previously issued permit continue in this reissuance.

**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: and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

\*The parameter is applicable at all times.

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

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

**54040102. Neumeister Coal Co.** (28 Frank Lane, Ashland, PA 17921), commencement, operation and restoration of an anthracite surface mine operation in Foster and Reilly Townships, **Schuylkill County**, affecting 23.0 acres. Receiving streams: None. Application received April 13, 2004.

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

**17921603. NPDES Permit No. PA0214612, Hepburnia Coal Company** (P.O. Box I, Grampan, PA 16838), to renew the permit for the Bells Landing Tipple in Greenwood Township, **Clearfield County** and related NPDES Permit. No additional discharges. Application received March 5, 2004.

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

**16030101 and NPDES Permit No. PA0242349. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127), revision to add blasting to an existing bituminous surface strip and coal ash placement operation in Redbank and Limestone Townships, **Clarion County**, affecting 75.2 acres. Receiving streams: unnamed tribu-

taries to Pine Creek, Poe Run and Town Creek (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received April 19, 2004.

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

**11960105 and NPDES Permit No. PA0234141. E. P. Bender Coal Company** (P. O. Box 594, Carrolltown, PA 15722), surface mining permit revision in Reade and Beccarria Townships, **Cambria and Clearfield Counties**, affecting 440 acres. Receiving streams: Turner Run and Clear Creek, Clearfield Creek (CWF, WWF). There are no potable water supply intakes within 10 miles downstream. Application received April 9, 2004.

**56813050 and NPDES Permit No. PA0605891. Shade Mining Company** (P. O. Box 130, 118 Runway Road, Friedens, PA 15541), surface mining permit renewal for reclamation only in Quemahoning, Shade and Stonycreek Townships, **Somerset County**, affecting 150.7 acres. Receiving streams: unnamed tributaries to Oven Run and to unnamed tributary to Lamberts Run. The first downstream potable water supply intake from the point of discharge is the Hooversville Borough Municipal Authority Stonycreek surface water withdrawal. Application received March 30, 2004.

**56803093 and NPDES Permit No. PA124656. Croner, Inc.** (P. O. Box 260, Friedens, PA 15541), surface mine renewal for reclamation only in Brothersvalley Township, **Somerset County**, affecting 79.6 acres. Receiving streams: unnamed tributaries to Buffalo Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 12, 2004.

**56930113 and NPDES Permit No. PA212644. Croner, Inc.** (P. O. Box 260, Friedens, PA 15541), surface mine renewal for reclamation only in Brothersvalley Township, **Somerset County**, affecting 52.7 acres. Receiving streams: unnamed tributaries to Laurel Run and Tubs Run (WWF). There are no potable water supply intakes within 10 miles downstream. Application received March 12, 2004.

**11940103 and NPDES Permit No. PA0212733. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701), surface mine renewal for reclamation only in Jackson Township, **Cambria County**, affecting 227.3 acres. Receiving streams: Laurel Run and tributaries to Laurel Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received April 13, 2004.

**32880108 and NPDES Permit No. PA0598313. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), surface mine renewal for reclamation only in Brushvalley Township, **Indiana County**, affecting 133.2 acres. Receiving streams: unnamed tributary to Brush Creek (CWF) and unnamed tributary to Yellow Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received April 13, 2004.

**32990102 and NPDES Permit No. PA0235024. M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717-7960), surface mine for reclamation only in Brushvalley Township, **Indiana County**, affecting 407.0 acres. Receiving streams: Yellow Creek, unnamed tributary to Yellow Creek (TSF, CWF). There are no potable water supply intakes within 10 miles downstream. Application received April 13, 2004.

**32803048 and NPDES Permit No. PA0124711. Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728), surface mining permit renewal for reclamation only in Cherryhill Township, **Indiana County**, affecting 437 acres. Receiving streams: unnamed tributaries to Penn Run (CWF) and Rose Run (CWF) and to Penn Run (CWF) and Rose Run (CWF). The first downstream potable water supply intake from the point of discharge is the Pennsylvania American Water Company Two Lick Creek surface water withdrawal. Application received March 15, 2004.

**11940102 and NPDES Permit No. PA0212725. E. P. Bender Coal Company, Main and Lehmier Streets** (P. O. Box 594, Carrolltown, PA 15722), surface mine renewal for reclamation in Reade Township, **Cambria County**, affecting 133 acres. Receiving streams: unnamed tributaries to Powell Run, Powell Run and an unnamed tributary to Clearfield Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 18, 2004.

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

**03030105 and NPDES Permit No. PA0250562. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774), application for commencement, operation and reclamation of a bituminous surface mine in Mahoning Township, **Armstrong County**, affecting 154.4 acres. Receiving streams: Cathcart Run and unnamed tributaries to Cathcart Run (CWF). There is no potable water supply intake within 10 miles from the point of discharge. Application received April 15, 2004.

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

**17990124 and NPDES Permit No. PA0242802. River Hill Coal Company, 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.

*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.

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

**14032801 and NPDES Permit No. PA0243736. Raducz Stone Corporation** (284 Rockdale Road, Butler, PA 16002), revision to an existing small industrial minerals (sandstone) permit application to add an NPDES permit. The site is in Howard Township, **Centre County** and affects 7 acres for mineral extraction. Receiving streams: Bald Eagle Creek (WWF). Application received April 21, 2004.

*Noncoal Applications Returned*

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

**08030810. Jeffrey K. Sechrist** (R. D. 1, Box 46, Canton, PA 17724), commencement, operation and restoration of a small industrial minerals (gravel and sand) permit in Canton Township, **Bradford County**, affecting 5 acres. Receiving streams: Towanda Creek, tributary to Susquehanna River. Application received October 28, 2003. Application returned: April 19, 2004.

*Noncoal Applications Withdrawn*

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

**18030802. Sam W. Probst Excavation, LLC** (124 Probst Lane, Lock Haven, PA 17745), commencement, operation and restoration of a small industrial minerals (topsoil) permit in Dunnstable Township, **Clinton County**, affecting 5 acres. Receiving streams: Susquehanna River, tributary to Chesapeake Bay. Application received September 10, 2003. Application withdrawn: April 14, 2004.

**08040801. Walter Flagstone, Inc.** (R. R. 1, Box 40, Sugar Run, PA 18846), commencement, operation and restoration of a small industrial minerals (flagstone and shale) permit in Stevens Township, **Bradford County**, affecting 3 acres. Receiving streams: unnamed tributary to Cold Creek, Cold Creek, Wyalusing Creek. Application received February 2, 2004. Application withdrawn: April 15, 2004.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

**E09-874. Lower Makefield Township**, 1100 Edgewood Road, Yardley, PA 19067, Lower Makefield Township, **Bucks County**, ACOE Philadelphia District.

To stabilize and maintain a 1,200 linear foot reach of Brock Creek (WWF-MF) stream bank at Yardley Meadows by regrading the stream banks; providing vegetative plantings, J-hook vanes, root-wads and rock cross-vane structures. Temporary cofferdams, temporary dewatering of the stream and temporary stream crossings will be utilized to facilitate construction at the site. The site is approximately 1,200 feet north of the intersection of Heacock Road and Oxford Valley Road (Trenton West, NJ-PA USGS Quadrangle N: 15.5 inches; W: 15.5 inches).

**E15-717. Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, West Bradford Township, **Chester County**, ACOE Philadelphia District.

To remove an existing single span stone masonry arch bridge and to construct and maintain in its place, a single span precast concrete arch bridge across Broad Run (EV) impacting 0.062 acre of wetlands (PEM). The proposed bridge will have a clear span of 48.0 feet and a minimum underclearance of approximately 12.0 feet. This work also includes placement and maintenance of associated riprap protection at the abutments and temporary stream crossings. The site is just southwest of the intersection of Broad Run Road and Telegraph Road (SR 0162) (Unionville, PA USGS Quadrangle N: 12.7 inches; W: 11.0 inches).

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

**E48-344. Columbia Gas Transmission Corporation**, 1700 MacCorkle Avenue, S. E., Charleston, WV 25314 in Forks Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing 14-inch diameter natural gas transmission line and to construct and maintain 44 utility line wetland crossings temporarily impacting approximately 10.6 acres of wetlands and 27 utility line stream crossings, including cathodic protection measures, associated with the installation of a 20-inch natural gas transmission line along a 13.7-mile segment of existing pipeline 1,278 right-of-way. The purpose of the project is to upgrade the aged and deteriorated existing 14-inch diameter transmission line and work will occur in the existing 50-foot right-of-way with the possibility of an additional 25-foot right-of-way, resulting in a 75-foot construction right-of-way. The project begins just south of an existing compressor station in Forks Township and continues north to the Northampton County/Monroe County boundary (Bangor, PA-NJ Quadrangle N: 2.9 inches; W: 13.7 inches).

**E45-465. Columbia Gas Transmission Corporation**, 1700 MacCorkle Avenue, S. E., Charleston, WV 25314 in **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing 14-inch diameter natural gas transmission line and to construct and maintain 27 utility line wetland crossings temporarily impacting approximately 4.0 acres of wetlands and 27 utility line stream crossings, including cathodic protection measures, associated with the installation of a 20-inch natural gas transmission line along a 13.4-mile segment of existing pipeline 1,278 right-of-way. The purpose of the project is to upgrade the aged and deteriorated existing 14-inch diameter transmission line and work will occur in the existing 50-foot right-of-way with the possibility of an additional 25-foot right-of-way, resulting in a 75-foot construction right-of-way. The project begins at the Northampton County/Monroe County boundary and continues north to the Monroe County/Pike County boundary (Stroudsburg, PA-NJ Quadrangle N: 13.3 inches; W: 4.4 inches).

**E52-196. Columbia Gas Transmission Corporation**, 1700 MacCorkle Avenue, S. E., Charleston, WV 25314 in **Pike County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing 14-inch diameter natural gas transmission line and to construct and maintain 53 utility line wetland crossings temporarily impacting approximately 13.3 acres of wetlands and 29 utility line stream crossings, including cathodic protection measures, associated with the installation of a 20-inch natural gas transmission line along a 13.3-mile segment of existing pipeline 1,278 right-of-way. The purpose of the project is to upgrade the aged and deteriorated existing 14-inch diameter transmission line and work will occur in the existing 50-foot right-of-way with the possibility of an additional 25-foot right-of-way, resulting in a 75-foot construction right-of-way. The project begins at the Mon-

roe County/Pike County boundary and ends at Weber Road in Dingmans Township (Bushkill, PA-NJ Quadrangle N: 15.1 inches; W: 4.3 inches).

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

**E03-423. Department of Transportation**, P. O. Box 429, Indiana, PA 15701. East Brady bridge replacement in Brady's Bend Township, **Armstrong County** and East Brady Borough in **Clarion County**, Pittsburgh ACOE District. The applicant proposes to remove the existing structures and: (1) to construct and maintain a continuous composite multigirder steel bridge having four spans at 78.0 meters, 96.0 meters, 78.0 meters and 63.0 meters and an underclearance of 9.74 meters over the Allegheny River (WWF). The bridge is at the navigation pool above dock and dam no. 9 and tow of the new bridge piers will be within the normal pool (East Brady, PA Quadrangle N: 21.0 inches; W: 15.7 inches) (Latitude: 40° 59' 26"—Longitude: 79° 36' 50") in Brady Bend Township, Armstrong County and East Brady Borough, Clarion County; and (2) to construct and maintain a prestressed concrete spread box beam bridge having a normal span of 17.16 meters and an underclearance of 7.79 meters over Sugar Creek (WWF). The bridge is on SR 0068 approximately 600 feet west of the Allegheny River (East Brady, PA Quadrangle N: 21.2 inches; W: 16.1 inches) (Latitude: 40° 59' 30"—Longitude: 79° 36' 60") in Brady's Bend Township, Armstrong County. The project proposes to directly offset, through bridge construction, 150 linear feet of river and stream. No vegetated wetlands will be impacted.

**E04-303. Rochester Borough**, 300 West Park, Rochester, PA 15074. Rochester Borough Riverfront Park in Rochester Borough, **Beaver County**, Pittsburgh ACOE District. The applicant proposes to construct and maintain a boat dock along the left bank side of the Beaver River (WWF) (Beaver, PA Quadrangle N: 14.7 inches; W: 5.6 inches; Latitude: 40° 42' 21"—Longitude: 80° 17' 25") and a 28-foot wide by 80-foot long pole building in the left bank floodway of the Beaver River (Beaver, PA Quadrangle N: 14.8 inches; W: 5.6 inches; Latitude: 40° 42' 23"—Longitude: 80° 17' 25"). The boat dock and pole building are on the west side of Water Street between the Bridgewater and Route 68/51 bridges. The applicant also proposes to construct and maintain a 40-foot by 40-foot stage along the right bank floodway of the Ohio River (WWF) (Beaver, PA Quadrangle N: 13.3 inches; W: 4.6 inches; Latitude: 40° 41' 54"—Longitude: 80° 16' 59"). The stage is near River Mile 25.3 on the east side of the Monaca/Rochester Bridge. All three sites are in Rochester Borough, Beaver County. The total stream impact is 300 square feet to the Beaver River for the boat docks, 28 feet by 80 feet of fill in the floodway of the Beaver River for the pole building and 40 feet by 40 feet of fill in the floodway of the Ohio River for the stage.

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## ACTIONS

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

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and

92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

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

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

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

### **I. NPDES Renewal Permit Actions**

*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>
PA0228095 Industrial Waste	Tulpehocken Spring Water Co., Inc. R. R. 1, Box 114T Northumberland, PA 17857	Northumberland County Point Township	UNT to Lithia Spring Creek 5E	Y
PA0208825 Sewerage Public	Austin Borough Box 297 Austin, PA 16720	Potter County Portage Township	Freeman Run 8A	Y
PA0111830 Industrial Waste	Emporium Specialties Company, Inc. P. O. Box 65 Austin, PA 16720	Potter County Austin Borough	Freeman Run 8A	Y
PA0021814 Sewerage	Mansfield Municipal Authority 19 East Wellsboro Ave. Mansfield, PA 16933	Borough of Mansfield Tioga County	Tioga River 4A	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>
PA0020125	Borough of Monaca 928 Pennsylvania Avenue Monaca, PA 15061	Beaver County Borough of Monaca	Ohio River	N
PA0031488	Yough School District 99 Lowber Road Herminie, PA 15637	Westmoreland County Sewickley Township	Little Sewickley Creek	Y

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0041441	Somerset Township Municipal Authority P. O. Box 247 Somerset, PA 15501	Somerset County Somerset Township	Wells Creek	Y
PA0091791	Joseph Argiro R. D. 2, Box 368 Connellsville, PA 15425	Fayette County Bullskin Township	Breakneck Run	Y
PA0092517	Allegheny Plaza Associates I c/o Rosen Associates Management Corp. 33 South Service Road Jericho, NY 11753-1006	Westmoreland County Allegheny Township	UNT of Pine Run	Y
PA0094382	Greensburg Salem School District 1 Academy Hill Place Greensburg, PA 15601	Westmoreland County Salem Township	Loyalhanna Lake	Y
PA0217611	City of Pittsburgh 301 City-County Building 414 Grant Street Pittsburgh, PA 15219 and The Pittsburgh Water and Sewer Authority 441 Smithfield Street Pittsburgh, PA 15222	Allegheny County City of Pittsburgh	Waters identified in Part A pages 2a—2m	N
PA0217964	Keith Vay Box 204 Lowbar, PA 15660	Westmoreland County Sewickley Township	Unnamed tributary of Little Sewickley Creek	Y

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

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

**NPDES Permit No. PA0052906**, Industrial Waste, **Montenay Montgomery Ltd. Partnership**, 1155 Conshohocken Road, Conshohocken, PA 19428-1028. This proposed facility is in Plymouth Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into an unnamed tributary to Plymouth Creek in Watershed 3F.

**NPDES Permit No. PA0058769**, Industrial Waste, **Wawa, Inc.**, 260 West Baltimore Pike, Wawa, PA 19063. This proposed facility is in Middletown Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for a new discharge into an unnamed tributary to Rocky Run in Watershed 3G.

**NPDES Permit No. PA0043982**, Sewage, **Utilities, Incl. of Maryland**, 3311 Village Drive North, Upper Marlboro, MD 20772. This proposed facility is in West Bradford Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into unnamed tributary to East Branch Brandywine Creek in Watershed 3H.

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

**NPDES Permit No. PA0053708**, Sewage, **Hawk Mountain Bed and Breakfast**, 223 Stony Run Valley

Road, Kempton, PA 19529. This proposed facility is in Albany Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Stony Run in Watershed 3-B.

**NPDES Permit No. PA0080519, Amendment No. 3**, Sewage, **Antrim Township**, 10655 Antrim Church Road, P. O. Box 130, Greencastle, PA 17225. This proposed facility is in Antrim Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to Conococheague Creek in Watershed 13-C.

**NPDES Permit No. PA0070122**, Sewage, **United Mobile Homes, Inc., Highland Estates MHP STP**, Juniper Business Plaza, 3499 Route 9 North, Suite 3C, Freehold, NJ 07728. This proposed facility is in Greenwich Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary Mill Creek in Watershed 3-B.

**NPDES Permit No. PA0008761**, Industrial Waste, **Armstrong World Industries, Marietta Ceiling Plant**, 1507 River Road, Marietta, PA 17547. This proposed facility is in East Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Susquehanna River in Watershed 7-G.

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

**PA0228729**, CAFO, **Hostetter Management Company**, P. O. Box 526, Ephrata, PA 17522. This existing facility is in Cleveland Township, **Columbia County**.

Description of Existing Activity: The farm comprises 725 sows housed in a swine confinement barn, with liquid

manure temporarily collected in shallow pits beneath the barn's slatted floors and periodically released to an outside, HDPE-lined manure storage, with approximately 750,000 gallons of storage. All manure is typically land applied on the James Mack farm acreage (owner of property), with some occasionally exported to a neighboring farm. Animals onsite include sows with litter, nursery pigs and boars. Total AEU's is 362.9.

The receiving stream, unnamed tributary to South Branch Roaring Creek, is in the State Water Plan watershed 6B and is classified for HQ-CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The permit requires no other numeric effluent limitations and compliance with Pennsylvania Nutrient Management Act and The Clean Streams Law constitutes compliance with the State narrative water quality standards.

**PAS804803**, Industrial Stormwater SIC 4922, **Dominion Transmission, Inc.**, 1001 Pleasant Valley Road, Harrison Valley, PA 16927. This existing facility is in Harrison Township, **Potter County**.

Description of Proposed Activity: This proposed action is for issuance of an NPDES permit for an existing discharge of industrial stormwater.

The receiving stream, North Branch Cowanesque River, is in the State Water Plan Lycoming watershed 10-A and is classified for CWF. The nearest downstream public water supply intake is the PA/NY border. The proposed effluent limits are based on Best Management Practices.

Other Conditions: Monitoring for ethylene glycol.

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

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

**WQM Permit No. 1503431**, Sewerage, **Penn Township**, 260 Lewis Road, P. O. Box 39, West Grove, PA 19390. This proposed facility is in Penn Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a pump station for a single family homes.

**WQM Permit No. 0904401**, Sewerage, **Bucks County Water and Sewer Authority**, 1275 Almhouse Road, Warrington, PA 18976. This proposed facility is in Richland Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a sewage pumping station for a 134-unit community building.

**WQM Permit No. 1503432**, Sewerage, **London Grove Township Municipal Authority**, 372 Rosehill Road, Suite 300, West Grove, PA 19390. This proposed facility is in London Grove Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of additional wetwell storage volume at Clay Creek Pump Station.

**WQM Permit No. 4604402**, Sewerage, **Skippack Township**, 4089 Heckler Road, Skippack, PA 19474-0164. This proposed facility is in Skippack Township, **Montgomery County**.

Description of Proposed Action/Activity: Upgrading Route 73 pump station and force main to handle increasing sewage flow.

**WQM Permit No. 1503409, Amendment**, Sewerage, **East Fallowfield Township**, 2264 Strasburg Road, East Fallowfield, PA 19320. This proposed facility is in East Fallowfield Township, **Chester County**.

Description of Proposed Action/Activity: Increasing operating capacity of flowage per day.

**WQM Permit No. 2303406**, Sewerage, **Middletown Township Sewer Authority**, 27 N. Pennell Road, Lima, PA 19037. This proposed facility is in Middletown Township, **Delaware County**.

Description of Proposed Action/Activity: Construction and operation of an eight-lot subdivision that will generate 2,800 gpd sewage, also grinder pumps and a force main.

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

**WQM Permit No. 2294402, Amendment No. 02-1**, Sewerage, **Charles Laudenslager, Washington Township Authority**, 185 Manors Road, Elizabethtown, PA 17023. This proposed facility is in Washington Township, **Dauphin County**.

Description of Proposed Action/Activity: Re-rating of organic capacity to 160 pounds BOD<sub>5</sub> per day.

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

**WQM Permit No. 1403405**, Sewerage 4952, **Moshannon Valley Joint Sewer Authority**, P. O. Box 581, 829 North Ninth Street, Philipsburg, PA 16866-0581. This existing facility is in Rush Township, **Centre County**.

Description of Proposed Action/Activity: Issuance of a WQM Part II Permit for renovation of existing biological treatment units and construction of two aerobic digesters, equipment building, three blowers, centrifuge and related piping at the Wastewater Treatment Plant.

**WQM Permit No. 1798410-T1**, Sewerage 4952, **Bradford Heights Woodland Properties Management LLC**, 19 Birch Street, Great Neck, NY 11023. This existing facility is in Bradford Township, **Clearfield County**.

Description of Proposed Action/Activity: Issuance of a WQM Part II Permit for the sewage treatment plant serving the Bradford Heights MHP. This permit is being transferred due to a change in ownership.

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

**WQM Permit No. 3204401**, Sewage, **William F., Sr. and Loretta J. Lange**, P. O. Box 3041, Sportsman Road, Apollo, PA 15613. This proposed facility is in Young Township, **Indiana County**.

Description of Proposed Action/Activity: William and Loretta Lange single residence sewage treatment plant.

**WQM Permit No. 5603406**, Sewerage, **Roy and Eleanor L. Cellich**, 2484 Country Line Road, Champion, PA 15688. This proposed facility is in Middlecreek Township, **Somerset County**.

Description of Proposed Action/Activity: Construction of small flow sewage treatment plant with discharge to an at-grade bed.

**IV. NPDES Stormwater Discharges from MS4 Permit Actions****V. NPDES Waiver Stormwater Discharges from MS4 Actions****VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

*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>
PAS10G466	Orleans Corporation Dupont Property 3333 Street Road, Suite 101 Bensalem, PA 19020	Chester	West Bradford and East Fallowfield Townships	West Branch Brandywine Creek WWF Broad Run EV
PAS10G547	Orleans Corporation Dupont Property WWTF 3333 Street Road, Suite 101 Bensalem, PA 19020	Chester	West Bradford Township	West Branch Brandywine Creek WWF Broad Run EV
PAI010904002	Bernard and Valerie Berlinger Property 2132 Sugarbottom Road Furlong, PA 18925-1500	Bucks	Solebury Township	Paunacussing Creek HQ-CWF
PAI011504005	McIntyre & Fleming Partnership MAF Homes, Inc. 206 Peck Road Downingtown, PA 19335	Chester	Uwchlan Township	East Branch Brandywine Creek HQ-WWF-MF
PAI012303005	Department of Transportation SR 0352, Section DGS 7000 Geerdes Boulevard King of Prussia, PA 19406	Delaware	Middletown Township	Rocky Run HQ-CWF-MF
PAI012303008	Rose Tree Soccer Club Springton Lake Middle School Soccer Fields 24 West Street Media, PA 19063	Delaware	Upper Providence Township	Unnamed tributary Ridley Creek HQ-TSF

*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>
PAI023904006	CCC One, LP c/o Somerset Properties 768 N. Bethlehem Pike, Suite 203 Lower Gwynedd, PA 19002	Lehigh	Upper Macungie Township	Cedar Creek HQ-CWF
PAI023903031	K & M Associates P. O. Box 332 Trexlerstown, PA 18087	Lehigh	City of Allentown	Trout Creek HQ-CWF
PAI024803031	Aaron Homes, Inc. 3245 Chestnut Hill Rd. Center Valley, PA 18034	Northampton	Bethlehem Township	Bushkill Creek HQ-CWF
PAI024804001	Forks Center, LLC c/o Posh Properties Real Estate 2216 Willow Park Rd. Bethlehem, PA 18020-4250	Northampton	Forks Township	Bushkill Creek 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>
PAI044104002	Palmer T. Wetzel 36 Hughes Road Trout Run, PA 17771	Lycoming	Pine Township	Lick Run HQ-CWF



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


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

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


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

*General Permit Type—PAG-2*

<i>Facility Location 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>
Whitemarsh and Upper Dublin Townships Montgomery County	PAR10T918	Department of Transportation SR 0309, Section 103 7000 Geerdes Boulevard King of Prussia, PA 19406	Sandy Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Moreland Township Montgomery County	PAG2004603245	EF Precision Development 2301 Computer Avenue Willow Grove, PA 19090	UNT Pennypack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Salford Township Montgomery County	PAG2004603181	Salford Mennonite Church Development 480 Groff's Mill Road Harleysville, PA 19438	UNT East Branch Perkiomen Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Montgomery County	PAG2004603127	Cammerata Land Holdings 317 Old State Road Development 642 Cowpath Road, Box 194 Lansdale, PA 19440	Schuylkill River TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Perkiomen Township Montgomery County	PAG2004603207	Perkiomen Valley School District Perkiomen Valley High School 3 Iron Bridge Drive Collegeville, PA 19426	Perkiomen and Lodal Creeks TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Skippack Township Montgomery County	PAG200460321	Haines and Kibblehouse, Inc. Quarry Building/Barn Renovation 2052 Lucon Road P. O. Box 196 Skippack, PA 19474	Unnamed tributary Skippack Creek TSF	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>
Lower Moreland Township Montgomery County	PAG2004604020	Art Scena Construction Scott and Maria Marlow Ed Chadrow 3338 Pine Road Huntingdon Valley, PA 19006	Huntingdon Valley Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Merion Township Montgomery County	PAG2004603206	750 Moore Road Associates 750 Moore Road Development 700 South Henderson Road King of Prussia, PA 19406	Trout Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Skippack Township Montgomery County	PAG2004603197	TH Properties Monroe Court Development 345 Main Street Harylesville, PA 19438	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Gwynedd Township Montgomery County	PAG2004604028	Gioliotte Group, Inc. Wrenfield at Lower Gwynedd Summit Square Center Suite 2 G/H Langhorne, PA 19047	Trewellyn Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Horsham Township Montgomery County	PAG2004603129	Cutler Group Hidden Pond Development 5 Sentry Parkway West Suite 100 Blue Bell, PA 19422	Horsham Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2004604004	Valley Forge Distribution Center Development 300 Center Square West 1500 Market Street Philadelphia, PA 19102	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Montgomery County	PAG2004604039	Bysher Associates, LLC Black Horse Village Dev. 725 Oak Springs Road Bryn Mawr, PA 19010	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
South Abington Township Lackawanna County	PAG2003504011	Mike Noto P. O. Box 716 Waverly, PA 18471	Summit Lake Creek TSF	Lackawanna County Conservation District (570) 281-9495
South Abington Township Lackawanna County	PAG2003504015	Gary Toth 412 Griffin Pond Rd. Clarks Summit, PA 18411	Leggetts Creek CWF	Lackawanna County Conservation District (570) 281-9495
Dickson City Borough Lackawanna County	PAG2003504012	Scott Williams P. O. Box 3655 Scranton, PA 18505	Lackawanna River WWF	Lackawanna County Conservation District (570) 281-9495
Whitehall Township Lehigh County	PAG2003904017	Whitehall Township 3219 Macarthur Rd. Whitehall, PA 18052	Coplay Creek CWF	Lehigh County Conservation District (610) 391-9583
Upper Mt. Bethel Township Northampton County	PAG2004804010	Tarrenz Brzezinski 495 Laurel Hill Rd. Bangor, PA 18013	Jacoby Creek CWF	Northampton County Conservation District (610) 746-1971
Lehigh Township Northampton County	PAG2004804006	Sal Melo 870 W. Stagecoach Rd. Lehighton, PA 18235	Lehigh River WWF	Northampton County Conservation District (610) 746-1971
Allen Township Northampton County	PAG2004804008	David Jandl Jandl Land Co. 3150 Coffeetown Rd. Orefield, PA 18069	Dry Run CWF	Northampton County Conservation District (610) 746-1971
City of Pottsville Schuylkill County	PAG2005404005	James L. Miller MBC Development L. P. P. O. Box 472 Schuylkill Haven, PA 17972	West Branch of Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742

<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>
West Hanover and Lower Paxton Townships Dauphin County	PAR10I3141	Central Dauphin School District 600 Rutherford Rd. Harrisburg, PA 17109	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
West Hanover Township Dauphin County	PAG2002204010	Hershey-Harrisburg Hospitality, LLC 4114 Green Court Harrisburg, PA 17110	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Wayne Township Dauphin County	PAG2002204022	Carmine Mutarelli 291 Dimpsey Road Halifax, PA 17032	Powell Creek TSF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Hopewell Township York County	PAR10Y480	Ruby Tuesday—Stonebridge Bob Bob Associates 110 N. Hartley Street York, PA 17405	Deer Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
North Codorus Township York County	PAR10Y511	Cornerstone Development Group 1 Marketway East York, PA 17401	UNT to North Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview and Newberry Townships Lewisberry Borough York County	PAG2006703108	Department of Transportation District 8-0 2140 Herr Street Harrisburg, PA 17103	Bennett Run/Susquehanna River Basin WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Hopewell Township York County	PAG20066703077	Stewartstown Borough Authority 6 North Main Street Stewartstown, PA 17363	Ebaughs Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAG2006703124	Penntown Properties 118 Carlisle Street Hanover, PA 17331	Gitts Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Monaghan Township York County	PAG2006703151	Forevergreen Farms Dennis L. Burd 51 Old Gettysburg Pike Mechanicsburg, PA 17055	Fisher's Run CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Jackson Township York County	PAG2006703127	R & D Partnership 302 Forge Court Spring Grove, PA 17362	UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

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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 Chippewa Township	PAG2000404001	Louis Pappan Fourway Properties Limited Partnership 1198 Mulberry Street Bridgewater, PA 15009	Brady's Run North Branch TSF	Beaver County Conservation District (724) 774-7090
Cambria County Northern Cambria Borough Susquehanna Township	PAG2001103021	Northern Cambria Municipal Authority 1202 Philadelphia St. Northern Cambria, PA 15714	West Branch Susquehanna River CWF Walnut Run CWF Porter Run CWF	Cambria County Conservation District (814) 472-2120
Westmoreland County Hempfield Township	PAG2006504001	Hempfield Township Municipal Authority R. D. 6, Woodward Drive Greensburg, PA 15601	Little Sewickley Creek WWF	Westmoreland County Conservation District (724) 837-5271
Westmoreland County South Huntingdon Township	PAG2006504016	Dick's Sporting Goods 159 Painter Road Smithton, PA 15479	Unnamed tributary to Youghiogheny River	Westmoreland County Conservation District (724) 837-5271
Butler County Forward Township	PAG2001004006	Meadow Ridge Partners 241 Emmett Rd. Wexford, PA 15090-8803	Connoquenessing Creek WWF	Butler County Conservation District (724) 285-5515
Erie County Fairview Township	PAG2002504007	John Smeeding 5000 Uhlman Rd. Fairview, PA 16415	Bear Run CWF; MF	Erie County Conservation District (724) 285-5271
Erie County Millcreek Township	PAG2002504008	Millcreek Township Sewer Authority 3608 W. Ridge Rd. Erie, PA 16506	Tributary to Walnut Creek CWF	Erie County Conservation District (724) 285-5271
Erie County Edinboro Borough	PAG2002504010	Our Lady of The Lake Church 128 Sunset Drive Edinboro, PA 16412	Edinboro Lake WWF	Erie County Conservation District (724) 285-5271
Mercer County Hempfield Township	PAG2004304001	Department of Transportation 255 Elm Street Oil City, PA 16301	Little Shenango River TSF	Mercer County Conservation District (724) 662-2242
Mercer County Pine Township	PAG2004304002	Tri-County Industries Inc. 159 TCI Park Dr. Grove City, PA 16127	Black Run Tributary CWF	Mercer County Conservation District (724) 662-2242
Mercer County City of Hermitage	PAG2004304003	St. John the Baptist Carpatho-Russian Greek Orthodox 3056 Morefield Rd. Hermitage, PA 16148	Pine Hollow Run WWF	Mercer County Conservation District (724) 662-2242
St. Clair Borough Blyth, East Norwegian and New Castle Townships Schuylkill 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

This notice corrects PAG2115404001 as published at 34 Pa.B. 2201 (April 24, 2004). The municipality and county have been corrected.

*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>
Scranton City Lackawanna County	PAR602224	Morgan Highway Auto Parts 108 Squirrel Run Clarks Summit, PA 18411	Leggetts Creek CWF	NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Snyder County McClure Borough	PAR204805	Lozier Corporation 48 East Ohio Street McClure, PA 17841	Unnamed tributary to South Branch Middle Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Mifflin Township Columbia County	PAR804871	Brennan's Truck Plaza P. O. Box 262 Mifflinville, PA 18631	Tenmile Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Orwell Township Bradford County	PAR604839	Philip Jewett Jewett's Auto Parts R. R. 3, Box 3137 Rome, PA 18837	Wysox Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

*General Permit Type—PAG-4*

<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>
Worth Township Centre County	PAG045082	Gerlad and Mary Wilson 137 Wilson Lane Port Matilda, PA 16870	Laurel Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Bradford Township Clearfield County	PAG045175	Darrin Graham 158 Als Road Woodland, PA 16881	UNT Susquehanna River CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
E. Huntingdon Township Westmoreland County	PAG046191	Charles L. Mayers R. R. 1 Box 234A Scottdale, PA 15683	Anderson Run Tributary to Jacobs Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Young Township Indiana County	PAG046280	Loretta J. and William F. Lange, Sr. P. O. Box 3041 Sportsman Road Apollo, PA 15613	UNT of Gobblers 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>
Smithfield Township Huntingdon County	PAG083536	Borough of Huntingdon 530 Washington St. Huntingdon, PA 16652-0592	Elwood Kyper 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>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
Leamer Farm Biosolids Site Greene Township Indiana County	City of Johnstown WWTP 241 Asphalt Road Johnstown, PA 15906	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*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>
Perry County Tyrone Township	PAG123506	Mark E. Leinbach 105 Hoover Lane Loysville, PA 17047	Muddy Run/UNT Shermans Creek WWF	SCRO 909 Elmerton Avenue 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.**

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

**Operations Permit** issued to **Conemaugh Township Municipal Authority**, P. O. Box 429, Davidsville, PA 15928, PWS ID 4560048, Conemaugh Township, **Somerset County** on April 23, 2004, for the operation of facilities approved under Construction Permit No. 5692520-A1.

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

**Operations Permit** issued to **Brockway Borough Municipal Authority**, 501 Main Street, Brockway, PA 15824, PWS ID 6330002, Horton Township, **Elk County**, on March 4, 2004, for the operation of the pump station, storage tank and distribution lines to serve the Villages of Elbon and Brandy Camp, as approved under Construction Permit No. 2402502.

**Permit No. 2592503MA6, Minor Amendment**, Public Water Supply

Applicant **Erie City Water Authority**  
 Borough or Township City of Erie  
 County **Erie County**  
 Type of Facility PWS  
 Consulting Engineer KLH Engineers, Inc.  
 5173 Campbells Run Rd.  
 Pittsburgh, PA 15205  
 Permit to Construct April 27, 2004  
 Issued

## HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

### Prompt Interim Response

#### Reading Industrial Scrap, Inc. Site, Reading City, Muhlenberg Township, Berks County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has initiated a prompt interim response at Reading Industrial Scrap, Inc. (RISCO). This response has been initiated under sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)).

The RISCO Site is off Route 61 along Berks Street in the City of Reading and Muhlenberg Township, Berks County. The address of the property is listed as 2001 Centre Avenue, Reading, PA 19605. The RISCO Site can be found on the USGS Elverson Pennsylvania Quadrangle map at north 40° 22' 6.3" latitude and west 75° 55' 48.3" longitude. The RISCO Site is in an industrialized area. The original property was 26 acres in size. The current disposal area covers approximately 3 acres.

Access to the RISCO Site is currently unrestricted. Several area major roadways frame the RISCO Site, including Route 61 to the west and Route 222 to the north. A set of railroad tracks lies along the eastern perimeter, a commercial building along the western perimeter, an industrial building along the southern perimeter and a large excavated pit is inside the northern perimeter of the RISCO Site. A large pile of heavily damaged drums containing a tar-like substance, exposed waste, soil, rock and contaminated debris is in the center of the RISCO Site. The material in this pile was previously determined to be characteristically hazardous for lead.

Lead is a hazardous waste as defined under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and a hazardous substance as defined under section 103 of the HSCA (35 P. S. § 6020.103). Lead is an inorganic compound that is listed as a probable carcinogen. Lead is toxic by ingestion and inhalation and chronic cumulative effects of lead are exhibited in the body's nervous system.

Based on the past history of disposal activities at the RISCO Site, it is anticipated that the remaining unexcavated area contains waste with similar hazardous substances. The RISCO Site is not secure and is open to trespass. The waste in the open pit and the surface piles of waste, contain hazardous substances that pose a direct contact threat. The excavated areas pose a safety risk and the remaining buried waste containing hazardous substances creates a possible threat to the groundwater. An initial response by the Department is deemed appropriate to secure the RISCO Site to prevent direct contact health

threats to the public and promote public safety by preventing unrestricted access to the RISCO Site.

The Department proposes a prompt interim response at the RISCO Site to protect public health and safety or the environment. This determination is based upon the following conditions that exist at the RISCO Site: (a) the actual or potential exposure by means of inhalation, ingestion and dermal contact to hazardous substances; and (b) public safety issues relative to an open excavation approximately 30 feet in depth.

A prompt interim action is justified to remove the current exposure risks posed through releases of hazardous substances and contaminants and to prevent unrestricted access to excavated areas at the RISCO Site. This response should not be delayed for the length of time that it would take to develop and close an administrative record. This response will cost less than \$2 million and take less than 1 year to implement.

This response is not a final remedial response under section 504 of the HSCA (35 P. S. § 6020.504) and therefore is not required to meet the cleanup standards that apply to final responses. Additional response action may be needed to achieve a complete and final cleanup for the RISCO Site.

The Department considered two alternatives:

1. No action for the contaminated soil or waste and would involve no action by the Department at the RISCO Site and is retained as a baseline for comparison with other alternatives. Under this alternative, the Department would take no further action at the RISCO Site. The RISCO Site would not be secured to prevent unrestricted access. Surface stockpiled waste and soil containing hazardous substances and contaminants would not be removed. This alternative would not remove the actual or potential exposure threat posed by the contaminated media and waste and would not be protective of the public health and safety. This alternative would not comply with ARARs and not be protective of human health and the environment. The present cost of this alternative is \$0.

2. Secure the RISCO Site with fencing and remove stockpiled hazardous waste and contaminated media. This alternative will comply with ARARs and is protective of human health and safety and the environment. The estimated cost of implementing this alternative is \$417,165.08.

The Department has selected Alternative 2 because it is protective, cost effective and meets substantive regulatory requirements. The proposed response is necessary based on current RISCO Site conditions.

The Department is providing this notice under section 505(b) of the HSCA and section 506(b) of the HSCA (35 P. S. § 6020.506(b) and the publication of this notice in the *Pennsylvania Bulletin* starts the administrative record period under the HSCA. The Administrative Record, which contains information about the RISCO Site and supports the Department's decision to perform this action at the RISCO Site, is available for public review and comment. The Administrative Record can be examined Monday through Friday from 8 a.m. to 4 p.m. at the Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 by contacting David Hrobuchak, (717) 705-4843. The Administrative Record can also be reviewed from 8 a.m. to 4 p.m. at the Reading District Office, 1050 Crossroads Boulevard, Reading, PA by contacting Thomas Grubb at (610) 916-0100.

The Administrative Record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before August 9, 2004, by sending them to David Hrobuchak, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing scheduled for June 9, 2004, at 7 p.m. at the Reading District Office. Persons wishing to present formal oral comment at the hearing should register before 4 p.m. on June 4, 2004, by calling Sandra Roderick, (717) 705-4931.

If no person registers to present oral comments by June 4, 2004, the hearing will not be held, but will be replaced with an informational meeting. Persons interested in finding out if anyone has registered and if the hearing will be held should contact Sandra Roderick.

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

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

**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.*

**Schulmerich Carillons, Inc.**, Sellersville Borough, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Rd., Pennsburg, PA 18073, on behalf of Bern Deichmann, Schulmerich Carillons, Inc., 1 Carillon Hill, P. O. Box 903, Sellersville, PA 18960-0903, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Center Square Towers**, Doylestown Borough, **Bucks County**. Drew A. Gould, P. G., National Assessment Corp., 701 N. Pennsylvania Ave., Morrisville, PA 19067, on behalf of Center Square Towers, Jodi Goldstein, Mgr., 555 N. Broad St., Doylestown, PA 18901, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Macclesfield Park Site**, Yardley Borough, **Bucks County**. Ann Logue, Schoor DePalma, Inc., 200 State Highway Nine, P. O. Box 900, Manalapan, NJ 07726-0900, on behalf of Township of Lower Makefield, Terry Fedorchak, 1100 Edgewood Rd., Yardley, PA 19067-1696, has submitted a Remedial Investigation Report concerning soil and groundwater contaminated with inorganics and lead.

**Sunroc Corporation Facility**, Middletown Township, **Delaware County**. Donald A. Coleman, P. G., Penn Environmental & Remediation, Inc., 2755 Bergey Rd., Hatfield, PA 19440, on behalf of Sunroc Corp., Mark Whitaker, 60 Starlifter Ave., Dover, DE 19903, has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents, inorganics, lead and other organics; and site groundwater contaminated with chlorinated solvents. The Report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

**Former Sunoco Station No. 0363-0761**, Lower Providence Township, **Montgomery County**. Jennifer L. O'Reilly, P. G., Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Peskin Realty & Construction Co., Joel Peskin, P. O. Box 176, 333 E. Lancaster Ave., Wynnewood, PA 19096, has submitted a combined Remedial Investigation/Risk Assessment/Cleanup Plan/Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

**North Keim Street Property**, Lower Pottsgrove Township, **Montgomery County**. Justin Lauterbach, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Sukonik Building Co., Susan Viscuso, 1250 Germantown Pike, Suite 100, Plymouth Meeting, PA 19462, has submitted a Final Report concerning the remediation of site soil contami-



nated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**President Apartments, City of Philadelphia, Philadelphia County.** J. Jeffrey Grant, GAC Associates, Inc., P. O. Box 625, Ardmore, PA 19003-0625, has submitted a Final Report concerning the 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 Standard.

**Former AAA Mid-Atlantic Office Building, City of Philadelphia, Philadelphia County.** Samuel J. Kucia, Environmental Consulting, Inc., 500 E. Washington St., Suite 375, Norristown, PA 19401, on behalf of AAA Mid-Atlantic, Ray Surette, Managing Director, 2040 Market St., Philadelphia, PA 19103, has submitted a Final Report concerning the remediation of site groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet Background Standards.

**Vacant Parcel—Germantown Avenue, City of Philadelphia, Philadelphia County.** Keith T. D'Ambrosio, P. E., Whitestone Associates, Inc., 1120 Welsh Rd., Suite 100, North Wales, PA 19454, on behalf of Michael Young, 229 W. Upsal St., Philadelphia, PA 19119, has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with lead and PAH. The report is intended to document remediation of the site to meet Site-Specific Standards.

**Broad and Washington Property, City of Philadelphia, Philadelphia County.** William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Suite 200, Philadelphia, PA 19104-2897, on behalf of Michael Fluehr, Broad & Washington Corp., 101 S. King St., Gloucester City, NJ 08030, has submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with inorganics and PAH; and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet Site-Specific Standards.

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

**Former Envirotest Site, City of Lebanon, Lebanon County.** Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, on behalf of Environmental Systems Products, Inc., 11 Kripes Road, East Granby, CT 06026, submitted a combined Remedial Investigation Report/Cleanup Plan concerning remediation of site soils and groundwater contaminated with inorganics, lead and PAHs. The applicant proposes to remediate the site to the Site-Specific Standard.

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

**PPL Sunbury Steam Electric Station, Shamokin Dam Borough and Monroe Township, Snyder County.** Penn Environmental & Remediation, Inc. on behalf of PPL Electric Utilities Corporation, Two North Ninth Street, Allentown, PA 18101-1179, has submitted a Final Report concerning groundwater contaminated with diesel fuel. This Final Report is intended to demonstrate remediation of groundwater to meet the Statewide Health Standard. See additional information in the Applications section of this *Pennsylvania Bulletin*.

## 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.*

**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 the remediation of site soil contaminated with no. 2 fuel oil. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 12, 2004.

**Towne Center Cleaner, Whiteland Associates, LTD Property**, West Whiteland Township, **Chester County**. Craig Hopkins, RT Environmental Services, Inc., 510 Heron Dr., Suite 306, P. O. Box 521, Bridgeport, NJ 08014, on behalf of Whiteland Associates, LTD, c/o Daniel M. DuPree, 4393 Sentinel Post Rd. NW, Atlanta, GA 30327, has submitted a Final Report concerning the remediation of site groundwater contaminated with solvents. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 9, 2004.

**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 the remediation of site soil contaminated with no. 2 fuel oil. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 20, 2004.

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

**Xylene Area, CNH America, LLC**, New Holland Borough, **Lancaster County**. RMT, Inc., 527 Plymouth Road, Plymouth Meeting, PA 19462, on behalf of CNH America, LLC, submitted a Final Report concerning remediation of site soils contaminated with xylene. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 20, 2004.

**Former Myers and List Site**, Wrightsville Borough, **York County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Glenn Myers, P. O. Box 303, Wrightsville, PA 17368, submitted a Remedial Investigation Report concerning the remediation of site soils and groundwater contaminated with leaded gasoline, unleaded gasoline and MTBE. The applicant proposes to remediate the site to meet a combination of the requirements for the Statewide Health and Site-Specific Standards. The report was approved by the Department on April 23, 2004.

*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 demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 22, 2004.

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

**Former Pitt-Des Moines (PDM) Property**, City of Warren, **Warren County**. Jeffrey P. Walentosky, Moody & Assoc. Inc., 11548 Cotton Rd., Meadville, PA 16335 (on behalf of James Haber, Ironbridge Corp., 950 Third Ave., 23rd Floor, New York, NY 10022) has submitted a Baseline Environmental Report concerning the remediation of site soil contaminated with chlorinated solvents, diesel fuel, inorganics, lead, other organics, PAHs, PCBs

and unleaded gasoline. Groundwater contaminated with chlorinated solvents, diesel fuel, inorganics, lead, MTBE, other organics, PAHs and unleaded gasoline. The Report was approved. The Report demonstrated attainment of the special industrial area requirements and was approved by the Department on April 23, 2004.

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

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

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

**Permit No. 101376. Forge Inc.**, 5245 Bleigh Ave., Philadelphia, PA 19136-4225, City of Philadelphia. This waste management permit is being issued to Waste Management of Pennsylvania, Inc. for the renewal of waste transfer/processing operations at the Forge Recycling and Resource Recovery Facility in the City of Philadelphia. The permit was issued by the Southeast Regional Office on April 26, 2004.

**Permit No. 101376. Forge Inc.**, 5245 Bleigh Ave., Philadelphia, PA 19136-4225, City of Philadelphia. This amended waste management permit is to bring the Forge Recycling and Resource Recovery Facility into compliance with radiation protection action plan requirements. The permit was issued by the Southeast Regional Office on April 26, 2004.

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Permit No. 100933. Alliance Sanitary Landfill, Inc.**, 398 South Keyser Ave., Taylor, PA 18517. A Major Permit Modification approving the Vegetative Cover Demonstration Project at this municipal waste landfill in Taylor Borough, Old Forge Borough and Ransom Township, **Lackawanna County**. The permit was issued by the Regional Office on April 15, 2004.

**Permit No. 101600. Waste Reduction and Recycling Center**, 1200 Sans Souci Parkway, Wilkes-Barre, PA 18702. A Major Permit Modification approving the Radiation Protection Action Plan (RPAP) at this municipal waste transfer and processing facility in Hanover Township, **Luzerne County**. The permit was issued by the Regional Office on March 23, 2004.

**Permit No. 101392. Lehigh Valley Recycling, Inc.**, 320 Godshall Drive, Harleysville, PA 19438. A Major Permit Modification approving the RPAP at this municipal waste transfer facility in North Whitehall Township, **Lehigh County**. The permit was issued by the Regional Office on March 15, 2004.

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

**Permit No. 101449. Waste Management of Greenville**, 88 Ohl Street, P. O. Box 609, Greenville, PA 16125-0609, Greenville Borough, **Mercer County**. Major modification for Radiation Protection Plan at the municipal waste transfer facility. The permit was issued by the Northwest Regional Office on April 21, 2004.

**Permit No. 100691. Waste Management of PA, Inc.**, 1154 West 16th Street, Erie, PA 16502, **Erie County**. Major Modification for Radiation Protection Plan at the

Greater Erie Transfer Station. The permit was issued by the Northwest Regional Office on April 21, 2004.

**Permits revoked under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate solid waste processing or disposal area or site.**

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

**Permit No. 603392. Philadelphia Water Department, Biosolids Recycling Center,** 7800 Pennrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Dorothy Testerman Farm, Drumore Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on April 20, 2004.

**Permit No. 603354. Philadelphia Water Department, Biosolids Recycling Center,** 7800 Pennrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Elam Lapp Farm, East Drumore Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on April 20, 2004.

**Permit No. 603353. Philadelphia Water Department, Biosolids Recycling Center,** 7800 Pennrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Hannum Farm 1, Fulton Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on April 20, 2004.

**Permit No. 603435. Philadelphia Water Department, Biosolids Recycling Center,** 7800 Pennrose Ferry Road, Philadelphia, PA 19153. The permit was revoked at the request of the permittee for the Charlesie Coates Farm, Little Britain Township, **Lancaster County**. The permit was revoked by the Southcentral Regional Office on April 20, 2004.

Persons interested in reviewing a general permit should contact Cynthia Wolfe, File Review Coordinator, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4732. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

## AIR QUALITY

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

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

**46-302-224GP: Gudebrod, Inc.** (274 Shoemaker Road, Pottstown, PA 19464) on April 20, 2004, a no. 2 fuel oil fired boiler in Pottstown Borough, **Montgomery County**.

**09-320-057GP: Klearfold, Inc.** (364 Valley Road, Warrington, PA 18976) on April 20, 2004, sheet-fed offset lithographic press in Warrington Township, **Bucks County**.

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

**64-310-015GP3: Haines and Kibblehouse, Inc.** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on April 23, 2004, for construction and operation of a portable stone crushing plant and associated air cleaning device at their facility in Damascus Township, **Wayne County**.

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

**GP3-22-03062: Penny Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) on April 21, 2004, for Portable Nonmetallic Mineral Processing Plants under GP3 in South Hanover Township, **Dauphin County**.

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

**62-172: Glenn O. Hawbaker, Inc.** (Route 6 West, Pittsfield, PA 16340) on April 14, 2004, to operate a portable mineral processing plant in Pittsfield Township, **Warren County**.

**62-172: Glenn O. Hawbaker, Inc.** (Route 6 West, Pittsfield, PA 16340) on April 14, 2004, to operate a second portable mineral processing plant in Pittsfield Township, **Warren 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, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.*

**23-0024C: Hanson Aggregates PA, Inc.** (523 West Forge Road, Glen Mills, PA 19342) on April 22, 2004, to operate a two-screen and ten conveyors in Middletown Township, **Delaware County**.

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

**40-305-023: Northampton Fuel Supply Co., Inc.** (7600 Wisconsin Avenue, Bethesda, MD 20814) on April 16, 2004, to construct silt dry coal screening operations and associated air cleaning device at their Prospect Bank Facility in Plains Township, **Luzerne County**.

**40-303-022: Penny Supply, Inc.** (1001 Paxton Street, Harrisburg, PA 17104) on April 19, 2004, for construction of a batch asphalt plant and associated air cleaning device at their facility in Jenkins Township, **Luzerne County**.

**39-304-025: Howmet Aluminum Castings—Bethlehem** (Alcoa Incorporated, 2175 Avenue C, Bethlehem, PA 18017) on April 12, 2004, for installation of three air cleaning devices to control the atmospheric emissions from three preheat/burnout ovens at their facility in Bethlehem, **Lehigh County**.

**39-00064A: Howmet Aluminum Castings—Bethlehem** (Alcoa Incorporated, 2175 Avenue C, Bethlehem, PA 18017) for modification of the shell room and the associated air cleaning device at their facility in Bethlehem, **Lehigh County**.

**39-321-012: HAB Industries, Inc.** (15 South Albert Street, Allentown, PA 18103) on April 20, 2004, for replacement of air cleaning devices to control the atmo-

spheric emissions from four existing textile dryers at the facility in Allentown, **Lehigh County**.

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

**10-079C: BNZ Materials, Inc.** (191 Front Street, Zelenople, PA 16063) on April 12, 2004, to modify kiln 1 to support plans to produce two new types of cast insulating fire brick in Zelenople Borough, **Butler County**. This is a Title V facility.

**16-141A: Kahle's Kitchens, Inc.** (7488 Route 36, Leeper, PA 16233) on April 12, 2004, for post construction of spray booths for a wood furniture manufacturing process in Farmington Township, **Clarion County**.

**25-006A: Russell Standard Corporation—Wheelerstown Road** (Wheelerstown Road, Union City, PA 16438) on April 13, 2004, to replace an existing asphalt plant in Leboeuf Township, **Erie County**.

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**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.**

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

**09-0127: Bracalente Manufacturing Co., Inc.** (20 West Creamery Road, Trumbauersville, PA 18970) on April 20, 2004, to operate a solvent recovery system in Trumbauersville Borough, **Bucks County**.

**46-0108B: Highway Materials, Inc.** (1750 Walton Road, Blue Bell, PA 19422) on April 22, 2004, to operate a crusher and screen in Marlborough Township, **Montgomery County**.

**46-0025I: Lonza, Inc.** (900 River Road, Conshohocken, PA 19428) on April 20, 2004, to operate a solvent recovery system in Upper Merion Township, **Montgomery County**.

**46-313-146: Penn Color, Inc.** (2755 Bergey Road, Hatfield, PA 19440) on April 23, 2004, to operate a base pigment dispersion facility in Hatfield Township, **Montgomery County**.

**46-0035B: SmithKline Beecham d/b/a Glaxo-SmithKline** (1250 South Collegeville Road, Collegeville, PA 19426) on April 26, 2004, to operate an emergency electric generator in Upper Merion Township, **Montgomery County**.

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

**01-05029: Reliant Energy Hunterstown LLC** (121 Champion Way, Canonsburg, PA 15317) on April 21, 2004, to construct a natural gas fired electric generating facility at their Hunterstown Station in Straban Township, **Adams County**. This plan approval was extended.

**07-03045A: Cargill Animal Nutrition** (392 Frederick Road, Martinsburg, PA 16662) on April 11, 2004, for construction of high efficiency cyclones in Taylor Township, **Blair County**. This plan approval was extended.

**22-05046A: Haines and Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474-0196) on February 22, 2004, to construct a fabric filter at their Handwerk Materials asphalt plant in Lower Swatara Township, **Dauphin County**. This plan approval was extended.

**28-03044: Tarco Roofing Materials, Inc.** (8650 Molly Pitcher Highway North, Antrim, PA 17225) on April 17, 2004, for construction of an asphalt coater and associated storage tanks in Antrim Township, **Franklin County**. This plan approval was extended. This plan approval was extended.

**31-05011C: U. S. Silica Co.** (P. O. Box 187, Berkeley Springs, WV 25411) on April 25, 2004, to modify an existing fluidized bed dryer to use additional fuels of no. 4 oil, no. 6 oil and recycled oil at their Mapleton Depot Plant in Brady Township, **Huntingdon County**.

**36-05117: Dart Container Corp. of PA** (60 East Main Street, P. O. Box 546, Leola, PA 17540-0546) on April 20, 2004, to construct an expandable polystyrene container molding facility in East Lampeter Township, **Lancaster County**. This plan approval was extended.

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

**8-310-004: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on April 16, 2004, to operate a sand and gravel processing plant and associated air cleaning device (a water spray dust suppression system) on a temporary basis, until August 14, 2004, in Canton Township, **Bradford County**. The plan approval has been extended.

**55-00002A: Department of Public Welfare** (Selingsgrove Center, 1000 US Highway 522, Selingsgrove, PA 17870) on April 16, 2004, to operate three coal-fired boilers and associated air cleaning device (a core separator) on a temporary basis, to August 14, 2004, at their Selingsgrove Center in Penn Township, **Snyder County**. The plan approval has been extended.

**08-318-027C: Mill's Pride—Pennsylvania** (100 Lamoka Road, Sayre, PA 18840) on April 22, 2004, to extend the plan approval, as well as the authorization to operate two 28.7 million Btu per hour natural gas/woodwaste-fired boilers and associated air cleaning devices (a dual set of multiclones on each boiler in series with an electrostatic precipitator common to both) on a temporary basis, to August 20, 2004, in Athens Township, **Bradford County**.

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

**32-00365B: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) on April 23, 2004, to construct a coal preparation plant and air jig at Dutch Run Deep/Parker Mine in Washington Township, **Indiana County**. This plan approval was extended.

**04-00059C: Koppel Steel Corp.** (P. O. Box 750, Beaver Falls, PA 15010) on April 23, 2004, to construct a melt shop in Koppel Borough, **Beaver County**. This plan approval was extended.

**04-00695A: Norfolk Southern Railway Co.** (425 Holiday Drive, Pittsburgh, PA 15220) on April 21, 2004, to install fuel boilers in Conway Borough, **Beaver County**. This plan approval was extended.

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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.*

**46-00050: Rohm and Haas Co.** (200 Route 413, Bristol, PA 19007) on April 23, 2004, to operate a synthetic minor operating permit in Lower Gwynedd Township, **Montgomery County**.

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

**01-03030: Cooperative Milling, Inc.** (1892 York Road, Gettysburg, PA 17325) on April 26, 2004, for operation of their feed mill in Straban Township, **Adams County**.

**22-03049: Chromalloy Turbine—Airfoils Division** (1400 North Cameron Street, Harrisburg, PA 17105) on April 20, 2004, to operate a turbine parts manufacturing facility in the City of Harrisburg, **Dauphin County**.

**36-03054: Esbenshade's Greenhouses, Inc.** (546 East 28th Division Highway, Lititz, PA 17543) on April 19, 2004, for a Natural Minor Operating Permit for greenhouse production of plants and vegetables in Elizabeth Township, **Lancaster County**.

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

**11-00052: Hiram B. Andrews Center** (300 North Center Avenue, Johnstown, PA 15901) on April 22, 2004, for the Hiram Andrews Center, **Cambria County**. The facility's sources of emissions include two natural gas/oil-fired boilers and various small generators.

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

**33-00148: Brockway Mould** (Route 219 North, Brockport, PA 15823) on April 5, 2004, to issue a Natural Minor operating permit for emissions from their operation of mold making for the glass bottle industry in Snyder Township, **Jefferson County**.

**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.**

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

**67-03110: Govesan Manufacturing, Inc.** (939 Monocacy Road, York, PA 17404) on April 19, 2004, to operate a powder coating manufacturing facility in the City of York, **York County**. The State-only operating permit was administratively amended to incorporate the installation of a third powder coating line under Plan Approval 67-03110A. This is Revision No. 1.

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

**18-313-018B: Avery Dennison Performance Polymers** (171 Draketown Road, Mill Hall, PA 17751) on April 19, 2004, to administratively amend the operating permit to incorporate conditions established in Plan Approval 18-313-018C for a new chemical reactor system (R-800) and an existing chemical reactor system (R-700) in Bald Eagle Township, **Clinton County**.

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

**63-00015: Flexsys America LP** (829 Route 481, Monongahela, PA 15063) on April 22, 2004, for their Monongahela Plant in Carrol Township, **Washington County**. This TV permit revision is for an Administrative Amendment to incorporate the applicable requirements of Plan Approval PA 63-013B and to correct the permit contact person.

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

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

**32-00055: EME Homer City Generation LP** (1750 Power Plant Road, Homer City, PA 15748) for temporary installation of auxiliary boilers in Center Township, **Indiana County**. The TV permit restricts NOx emissions by 1.0 tpy, CO emissions by 4.0 tpy, SOx emissions by 0.60 tpy, PM10 emissions by 0.60 tpy and VOC emissions by 1.0 tpy from these units. These emissions meet the de minimis emissions increases, provided under 25 Pa. Code § 127.449.

## 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.*

**35840203R4. CSY, Inc.** (400 Mill Street, Dunmore, PA 18512), renewal of an existing coal refuse reprocessing operation in the City of Scranton and Taylor Borough, **Lackawanna County**, affecting 61.5 acres. Receiving streams: None. Application received March 25, 2004. Renewal issued April 19, 2004.

**54860204R3 and NPDES Permit No. PA0593486. Premium Fine Coal, Inc.** (72 Lafayette Avenue, Tamaqua, PA 18252), renewal of an existing coal refuse reprocessing operation and for discharge of treated mine drainage in Walker Township, **Schuylkill County**, affecting 57.0 acres. Receiving streams: Little Schuylkill River. Application received March 5, 2004. Renewal issued April 20, 2004.

**54030103 and NPDES Permit No. PA0224367. Jett Contracting Company** (P. O. Box 243, Brockton, PA 17925), commencement, operation and restoration of an anthracite surface mine operation in Blythe Township,

**Schuylkill County**, affecting 116.0 acres. Receiving streams: Morgan's Run. Application received August 8, 2003. Permit issued April 21, 2004.

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

**30810703. NPDES Permit No. PA0092894, Consol Pennsylvania Coal Company** (1800 Washington Road, Pittsburgh, PA 15241-1421), to revise the permit for the Bailey Central Mine Complex Coal Refuse Disposal Area No. 1 in Richhill Township, **Greene County**, to add acreage for the conveyor system. CRDP Support Acres Proposed 8.0. No additional discharges. Permit issued April 22, 2004.

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

**56663069 and NPDES Permit No. PA0120944. Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552-7228), surface mine application permit renewal in Elk Lick and Summit Townships, **Somerset County**, affecting 3,040 acres. Receiving streams: unnamed tributary of and Casselman River (CWF), unnamed tributary of and Elk Lick Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received January 26, 2004. Permit issued April 21, 2004.

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

**26980103 and NPDES Permit No. PA0212312. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001), permit revised to add mining area at an existing bituminous surface mining site in Wharton and Stewart Townships, **Fayette County**, affecting 211.0 acres. Receiving streams: unnamed tributary to Meadow Run. Application received March 10, 2004. Permit revision issued April 23, 2004.

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

**17980117 and NPDES Permit No. PA0238104. Junior Coal Contracting, Inc.** (R. R. 3, Box 225-A, Philipsburg, PA 16866), renewal of an existing bituminous surface mine permit in Decatur Township, **Clearfield County**, affecting 75.6 acres. Receiving streams: Laurel Run and Little Laurel Run to Laurel Run, Laurel Run to Moshannon Creek, Moshannon Creek to West Branch Susquehanna River. Application received January 22, 2004. Permit issued April 8, 2004.

**17813091 and NPDES Permit No. PA0127230. Sky Haven Coal, Inc.** (R. R. 1, Box 180, Penfield, PA 15849), renewal of an existing bituminous surface mine-auger permit in Graham Township, **Clearfield County**, affecting 196.3 acres. Receiving streams: two unnamed tributaries to and Alder Run to West Branch Susquehanna River. Application received January 16, 2004. Permit issued April 8, 2004.

**17753180 and NPDES Permit No. PA0609439. Penn Coal Land, Inc.** (P. O. Box 68, Boswell, PA 15531), renewal of an existing bituminous surface mine permit in Boggs Township, **Clearfield County**, affecting 140 acres. Receiving streams: Laurel Run to Moshannon Creek to West Branch Susquehanna River to Susquehanna River. Application received January 30, 2004. Permit issued April 8, 2004.

**17-01-01. A. W. Long Coal Co.** (1203 Presqueisle Street, Philipsburg, PA 16866), revision to an existing

Government Financed Construction Contract to authorize land application of biosolids. Treated wastewater biosolids will be used as a soil amendment on the Long Reclamation Job to enhance establishment and growth of vegetation on an abandoned surface mine site in Morris Township, **Clearfield County**. Application received December 26, 2003. Permit issued April 13, 2004.

#### *Noncoal Permit Actions*

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

**58040802. KZ Stone, Inc.** (R. R. 1 1 Box 186, Kingsley, PA 18826), commencement, operation and restoration of a quarry operation in Harford Township, **Susquehanna County**, affecting 5.0 acres. Receiving streams: Butler Creek and Nine Partners Creek. Application received January 6, 2004. Permit issued April 20, 2004.

**58040804. Edward Greene, III** (R. D. 3 Box 217A-3, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation in Harmony Township, **Susquehanna County**, affecting 5.0 acres. Receiving streams: Canawacta Creek. Application received February 5, 2004. Permit issued April 20, 2004.

**58040810. Clyde Very** (R. R. 3, Box 3574, Nicholson, PA 18446), commencement, operation and restoration of a quarry operation in Lathrop Township, **Susquehanna County**, affecting 2.0 acres. Receiving streams: None. Application received February 25, 2004. Permit issued April 21, 2004.

**64030811. Johnston & Rhodes Bluestone Company** (P. O. Box 130, East Branch, NY 13756), commencement, operation and restoration of a quarry operation in Scott Township, **Wayne County**, affecting 5.0 acres. Receiving streams: None. Application received November 21, 2003. Permit issued April 21, 2004.

**44930301C4 and NPDES Permit No. PA0595985. Eastern Industries, Inc.** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES Permit for discharge of treated mine drainage in Armagh Township, **Mifflin County**. Receiving streams: Laurel Creek. Application received March 3, 2004. Renewal issued April 22, 2004.

**8074SM3C8 and NPDES Permit No. PA0118443. M & M Stone Company** (2840 West Clymer Avenue, P. O. Box 189, Telford, PA 18969), renewal of NPDES Permit for discharge of treated mine drainage in Lower Salford Township, **Montgomery County**. Receiving streams: East Branch Perkiomen Creek. Application received March 8, 2004. Renewal issued April 22, 2004.

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

**59041001. Terry Jacobson** (P. O. Box 32, Sabinsville, PA 16943), authorization to extract noncoal (industrial minerals) in Nelson Township, **Tioga County**, to supply fill material for the Route 49 Corridor—Waste Water Collection project. Receiving streams: Cowanesque River, tributary to Chemung River. Authorization approved: April 19, 2004.

**08030812. Clifford C. Davis, Jr.** (14 Newland Drive, Troy, PA 16947), commencement, operation and restoration of a small industrial minerals (sand and gravel) permit in Troy Township, **Bradford County**, affecting 1 acre. Receiving streams: unnamed tributary, tributary to Fall Brook. Application received December 2, 2003. Permit issued April 8, 2004.

**08030806. Ralph Newton** (R. R. 2, Box 50A, Wyalusing, PA 18853), commencement, operation and restoration of a small industrial minerals (bluestone) permit in Terry Township, **Bradford County**, affecting 3 acres. Receiving streams: unnamed tributary, tributary to Susquehanna River. Application received August 26, 2003. Permit issued April 8, 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.*

**39044002. Schlouch, Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), blasting for construction of Allentown Teachers' Credit Union commercial site in South Whitehall Township, **Lehigh County**, with an expiration date of May 13, 2004. Permit issued April 16, 2004, and expires on May 13, 2005.

**36044028. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), blasting for construction of The Falls at Olde Mill project south of the intersection of Strasburg Pike and Millport Road in East Lampeter Township, **Lancaster County**, with an expiration date of December 31, 2004. Permit issued April 16, 2004.

**28044017. Charles E. Brake Co., Inc.** (6450 Lincoln Way West, St. Thomas, PA 17252), blasting for construction of a residential foundation at 14854 Ridge Road, Waynesboro in Antrim Township, **Franklin County**, with an expiration date of July 31, 2004. Permit issued April 16, 2004.

**22044009. Cumberland Valley Drilling and Blasting** (6820 Wertzville Road, Enola, PA 17025), construction blasting at George Park in Lower Paxton Township, **Dauphin County**, with an expiration date of May 13, 2005. Permit issued April 20, 2004.

**21044019. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting at Plainfield Sewer Hookups in West Pennsboro Township, **Cumberland County**, with an expiration date of April 30, 2005. Permit issued April 20, 2004.

**35044005. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting at the Tom Allardyce Foundation in Moosic Township, **Lackawanna County**, with an expiration date of July 2, 2004. Permit issued April 20, 2004.

**21044020. Cumberland County Landfill** (135 Vaughn Road, Shippensburg, PA 17257) and **Senex Explosives, Inc.** (710 Millers Run Road, Cuddy, PA 15031), construction blasting in North Newton and Hopewell Townships, **Cumberland County**, with an expiration date of April 30, 2005. Permit issued April 22, 2004.

**28044020. Geological Technologies, Inc.** (715 Baltimore St., Martinsburg, WV 25401), construction blasting at Nottingham Meadows Development in Antrim Township, **Franklin County**, with an expiration date of November 30, 2004. Permit issued April 23, 2004.

**64044002. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at MC Bodick

Excavating, Cricket Hill Road in Berlin Township, **Wayne County**, with an expiration date of April 5, 2005. Permit issued April 23, 2004.

**35044006. E. R. Linde Construction Corp.** (9 Collin Park, Honesdale, PA 18431), construction blasting at Jefferson Township Sewer Authority in Jefferson Township, **Lackawanna County**, with an expiration date of May 19, 2005. Permit issued April 23, 2004.

**45044021. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting at Greenwood Acres in Tobyhanna Township, **Monroe County**, with an expiration date of April 6, 2005. Permit issued April 23, 2004.

**39044003. Amroc, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting at SR 222 in Upper Macungie Township, **Lehigh County**, with an expiration date of May 20, 2005. Permit issued April 23, 2004.

**48044013. Amroc, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting at Morgan Hill III in Williams Township, **Northampton County**, with an expiration date of May 20, 2005. Permit issued April 23, 2004.

**06044014. Reading Site Contractors** (P. O. Box 13877, Reading, PA 19612) and **Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866), construction blasting at Traprock Industrial Park in Douglas Township, **Berks County**, with an expiration date of May 14, 2005. Permit issued April 23, 2004.

**22044010. Womex, Inc.** (P. O. Box 337, Grantham, PA 17027) and **John W. Gleim, Jr., Inc.** (625 Hamilton Street, Carlisle, PA 17013), construction blasting at Old Iron Estates in Lower Paxton Township, **Dauphin County**, with an expiration date of August 14, 2004. Permit issued April 23, 2004.

**21044022. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Liberty Excavators, Inc., Damon's Grill in Hampden Township, **Cumberland County**, with an expiration date of October 31, 2004. Permit issued April 23, 2004.

**28044018. David H. Martin, Inc.** (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting at Sam Miller Project, Melrose Meadows in Antrim Township, **Franklin County**, with an expiration date of April 30, 2005. Permit issued April 23, 2004.

**40044003. Holbert Explosives, Inc.** (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting at Orchard Hill Estates in Black Creek Township, **Luzerne County**, with an expiration date of June 30, 2004. Permit issued April 23, 2004.

**67044021. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Larry Ward Excavating, 50 Old Orchard Rd., Dillsburg in Warrington Township, **York County**, with an expiration date of January 31, 2005. Permit issued April 23, 2004.

**36044029. Brubacher Excavating, Inc.** (P. O. Box 528, 825 Reading Rd., Bowmansville, PA 17507), construction blasting for Village Grande in East Hempfield Township, **Lancaster County**, with an expiration date of May 19, 2005. Permit issued April 23, 2004.

**46044015. Blooming Glen Contractors** (P. O. Box 391, Blooming Glen, PA 18911) and **Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866), blasting for construction site work and trenches at Perkiomen Valley

High School in Lower Frederick Township, **Montgomery County**, with an expiration date of May 19, 2005. Permit issued April 23, 2004.

**22044011. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), blasting for construction of Bradford Estates Development in West Hanover Township, **Dauphin County**, with an expiration date of May 19, 2005. Permit issued April 23, 2004.

**67044022. Keystone Blasting Service** (381 Reifsnnyder Road, Lititz, PA 17543), blasting for construction of Orchard Hills Development in Springettsbury Township, **York County**, with an expiration date of April 30, 2005. Permit issued April 23, 2004.

**45044022. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting at Lot No. 4 Young Road in Hamilton Township, **Monroe County**, with an expiration date of April 12, 2005. Permit issued April 23, 2004.

**21044023. M & J Explosives, Inc.** (P. O. Box 608, Carlisle, PA 17013), construction blasting at Claridon Development in Dickinson Township, **Cumberland County**, with an expiration date of April 30, 2005. Permit issued April 23, 2004.

**36044032. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting at Springdale Manor in Manor Township, **Lancaster County**, with an expiration date of May 20, 2005. Permit issued April 23, 2004.

**36044030. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting at Manor Oaks in Manor Township, **Lancaster County**, with an expiration date of May 19, 2005. Permit issued April 23, 2004.

**36044031. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting at Sunset Ridge in Manheim Township, **Lancaster County**, with an expiration date of May 20, 2005. Permit issued April 23, 2004.

**06044015. Schlouch, Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Exeter Golf Club Estates Housing Phase 5 in Exeter Township, **Berks County**, with an expiration date of May 20, 2005. Permit issued April 23, 2004.

**28044019. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Greencastle Crossing in Antrim Township, **Franklin County**, with an expiration date of April 30, 2005. Permit issued April 23, 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

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



**E46-932. Lower Pottsgrove Township**, 2199 Buchert Road, Pottstown, PA 19464, Lower Pottsgrove Township, **Montgomery County**, ACOE Philadelphia District.

To replace the existing bridge and appurtenant structures and: (1) to construct and maintain a single span open bottom box culvert with a 24-foot span and 6.51-foot high waterway opening and 34.5-foot roadway width; (2) place 40 linear feet of R-5 riprap for scour protection along the footers of the proposed bridge; (3) to place temporary cofferdam and pipes to dewater 115 linear feet of the stream bed and to convey flows around the proposed footer work; (4) to place fill on both left and right floodplain and floodway with an average dimension of 13 feet wide by 72.5 feet long by 2.5 feet high associated with widening of the roadway approach to the bridge; and (5) to realign approximately 45 linear feet of Hartenstine Creek (WWF, perennial), a tributary of the Sanatoga Creek. The project proposes to temporarily affect 115 and directly affect a total of 55 linear feet of stream channel. The project site is approximately 1,830 feet north of the intersection of Ridge Pike and SR 0422 ramp in Lower Pottsgrove Township, Montgomery County (Phoenixville, PA Quadrangle N: 22.44 inches; W: 10.10 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act.

**E09-867. Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, New Britain Township, **Bucks County**, ACOE Philadelphia District.

To remove an existing single span reinforced concrete arch bridge and to construct and maintain, in its place, a single span prestressed concrete spread box beam bridge across North Branch of Neshaminy Creek (WWF) associated with the roadway improvements for Callowhill Road. The proposed bridge will have a clear span of 65.0 feet and a minimum underclearance of approximately 5.9 feet. This work also includes placement and maintenance of associated riprap protection at the abutments and temporary stream crossings. The site is approximately 800 feet northwest of the intersection of Callowhill Road (SR 4003, Section 83S) and Creek Road (Doylestown, PA USGS Quadrangle N: 11.3 inches; W: 11.5 inches).

**E15-715. Louise McIlvaine**, 107 South Whitford Road, Exton, PA 19341, West Whiteland Township, **Chester County**, ACOE Philadelphia District.

To perform the following activities associated with the proposed relocation of an unnamed tributary to West Valley Creek Stream Relocation along Whitford Road:

1. To relocate 526 linear feet of the unnamed tributary to West Valley Creek (CWF, MF) impacting 0.17 acre of wetlands (PFO/PEM).
2. To place fill in 45 linear feet of the channel abandoned by the previous stream relocation work.
3. To restore and modify 170 linear feet of the unnamed tributary to West Valley Creek.
4. To construct and maintain a temporary access road across an unnamed tributary to West Valley Creek.
5. To construct and maintain temporary cofferdams.

The project proposes to impact a total of 526 linear feet of watercourse and 0.17 acre of wetlands. The site is just southeast of the intersection of West Lincoln Highway (SR 0030) and Whitford Road (Downingtown, PA USGS

Quadrangle N: 4.4 inches; W: 2.6 inches) in West Whiteland Township, Chester County.

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act.

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

**E50-215. Dr. Robert Matsko**, 16 Dickens Drive, Marysville, PA 17053 in Rye Township, **Perry County**, ACOE Baltimore District.

To construct and maintain a bridge having a 20-foot span and a 5-foot rise to cross an unnamed tributary to Fishing Creek (CWF), locally known as Trout Run, approximately 2.4 miles west of Marysville Borough along SR 850, about 700 feet above the confluence of Trout Run and Fishing Creek (Wertzville, PA Quadrangle N: 13.5 inches; W: 1.0 inch) in Rye Township, Perry County.

**E36-764. David Smucker**, 927 Bartville Road, Christiana, PA 17509 in Bart Township, **Lancaster County**, ACOE Baltimore District.

To: (1) maintain fill material placed within the 100-year floodway of Ball Run (TSF, MF) for an access roadway along a barn to facilitate the movement of agricultural equipment; and (2) remove, reinstall and extend a 6-foot diameter corrugated metal pipe on the north side of Bartville Road approximately 800 feet east of Bells Road (Gap, PA Quadrangle N: 3.1 inches; W: 3.7 inches) in Bart Township, Lancaster County.

**E36-754. Lititz Run Watershed Alliance**, 315 Clay Road, Lititz, PA 17543 in Warwick Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a stream restoration project (approximately 2,200 feet) within Lititz Run (WWF) for the purposes of: stream bank stabilization, improved sediment transport, establishment of riparian buffers and improved aquatic habitat while implementing a natural stream channel design approach consisting of the following construction activities: channel relocation, stream and floodway excavation and filling, installation of rock vanes, cross vanes and J-hooks, riprap, root wad and log spur placement and to place fill in 0.70 acre of PEM and 0.07 acre of PSS wetlands, beginning at a point approximately 200 feet north of SR 772 crossing and continuing approximately 2,200 feet northeast towards the Borough of Lititz (Lititz, PA Quadrangle N: 4.0 inches; W: 3.5 inches) in Warwick Township, Lancaster County. The permittee is required to provide 1.04 acres of PEM and 0.117 acre of PSS replacement wetlands.

**E05-303. H. Richard Wolf**, Five Dogwood Lane, Mann's Choice, PA 15550 in Harrison and Napier Townships, **Bedford County**, ACOE Baltimore District.

To construct and maintain a bridge having a span of 100 feet across the channel of the Raystown Branch of the Juniata River (WWF) at a point at Chestnut Street (Bedford, PA Quadrangle N: 1.2 inches; W: 13.7 inches) in Harrison and Napier Townships, Bedford County, ACOE Baltimore District.

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

**E08-408. West Burlington Township**, R. R. 2, Box 206, Columbia Cross Roads, PA 16914. Culvert maintenance in West Burlington Township, **Bradford County**, ACOE Baltimore District (East Troy, PA Quadrangle N: 4.0 inches; W: 8.9 inches).

To maintain an 8-foot by 60-foot long steel pipe culvert with R-8 riprap covering about 450 square feet at the culvert inlet and 700 square feet at the culvert outlet in an unnamed tributary to Sugar Creek (TSF) on TR 548 approximately 90 feet of waterway. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E14-451. Moshannon Valley Joint Sewer Authority**, P. O. Box 581, 829 North Ninth Street, Phillipsburg, PA 16866-0581. Regional water pollution facility in Rush Township, **Centre County**, ACOE Baltimore District (Phillipsburg, PA Quadrangle N: 5.9 inches; W: 13.7 inches).

To construct and maintain: (1) a reinforced cement concrete aerobic digester about 74 feet wide, 146 feet long and 17 feet deep; and (2) a 50-foot wide by 60-foot long masonry equipment building on the right hand side and in the floodplain of Moshannon Creek (TSF) about 650 feet from the top of the creek bank. The project is at 829 North Ninth Street, Phillipsburg, Rush Township, Centre County. The project will permanently impact approximately 0.046 acre of palustrine forested wetlands and temporarily impact approximately 0.02 acre of palustrine forested wetlands. Approximately 0.5 acre of earth will be disturbed by the project.

**E59-454. Rutland Township**, R. R. 2, Box 1462, Mansfield, PA 16933. Relocation and extension of T-790 culvert in Painter Run in Rutland Township, **Tioga County**, ACOE Baltimore District (Jackson Summit, PA Quadrangle N: 0.8 inch; W: 6.0 inches).

To modify, operate and maintain an existing single cell culvert that carries T-790 across Painter Run. Modifications of Rutland Township Road No. 790 crossing Painter Run shall be modified by removal of the existing 8-foot diameter steel culvert pipe, extending that culvert by 25 feet and relocating the extended culvert pipe to provide an approved stream approach at the inlet. Additional modifications to the road crossing Painter Run shall include construction of stone headwalls and the installation of rock outlet protection. All road crossing modifications and future repair work shall be completed during stream low flow. Stream bank disturbances during construction and repair work shall be kept to a minimum with vegetative stabilization being applied within 20 days of final earthmoving. The project is along the northern right-of-way of SR 1004 approximately 1.7 miles north of the T-790 and SR 1004 intersection.

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

**E02-1450. Allegheny County Department of Public Works**, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219. Campbells Run channels in Robinson Township, **Allegheny County**, Pittsburgh ACOE District (Pittsburgh West, PA Quadrangle N: 7.3 inches; W: 13.4 inches) (Latitude: 40° 24' 55"—Longitude: 80° 5' 55"). To relocate and maintain approximately 260 feet of Campbells Run (WWF) within a new channel approximately 250 feet long, within a 15 foot wide channel and an 8 foot wide low flow channel. This permit also authorizes the construction and maintenance of extensions to two stormwater outfalls and a temporary stream crossing in the same stream. The stream channel relocation is needed to stabilize the stream bank along Campbells Run Road. The project is along the east side of Campbells Run Road approximately 3,000 feet south of where it goes under the Parkway (SR 279).

**E02-1453. Borough of Plum**, 4575 New Texas Road, Pittsburgh, PA 15239-1197. Mary Street Bridge in the Borough of Plum and the Municipality of Penn Hills, **Allegheny County**, Pittsburgh ACOE District (Brad-dock, PA Quadrangle N: 22.3 inches; W: 5.5 inches) (Latitude: 40° 29' 52"—Longitude: 79° 47' 21"). To remove the deck and super structure of the existing bridge, to construct and maintain a new deck and super structure, to refurbish and maintain the existing bridge abutments, to place and maintain rip-rap bank stabilization on the upstream right bank side of the bridge for approximately 20 feet, to operate and maintain the existing bridge having a span of approximately 32 feet and underclearance of approximately 10.5 feet and to construct and maintain a temporary stream crossing over/in and along Plum Creek (WWF). The bridge is on Mary Street, approximately 1,500 feet east of its intersection with Hulton Road.

**E63-555. Chad and Michelle Subrick**, 455 Lively Road, Eighty-Four, PA 15330-2121. Subrick residential minor road crossing in Somerset Township, **Washington County**, Pittsburgh ACOE District (Hackett, PA Quadrangle N: 8.9 inches; W: 6.8 inches) (Latitude: 40° 10' 26"—Longitude: 80° 2' 55"). To construct and maintain a 30-foot long 60-inch diameter culvert (depressed 8 inches) for a minor road crossing to provide access to a proposed residence across a tributary to the North Branch of Pigeon Creek (WWF). This permit approved the environmental assessment for the construction of a non-jurisdictional dam in another tributary to the North Branch of Pigeon Creek. The project is on the east side of TR 802 (Sumney Road) approximately 3,000 feet south of its intersection with SR 136.

**E65-830. Department of Transportation, Engineering District 12-0**, P. O. Box 459, Uniontown, PA 15401. Belson Run pipe culvert replacement in East Huntingdon Township, **Westmoreland County**, Pittsburgh ACOE District (Mt. Pleasant, PA Quadrangle N: 11.8 inches; W: 12.2 inches). To extend and maintain an existing 72-foot long, 36-inch reinforced concrete pipe culvert in kind for a distance of 30 feet on the downstream end and 45 feet on the upstream end in Belson Run (WWF) (Latitude: 40° 11' 24"—Longitude: 79° 35' 14") as part of the relocation of SR 3093 and the construction of 1.9 miles of roadway along an existing railway corridor. This permit also authorizes the extension and maintenance of an existing 60-foot long, 48-inch corrugated metal pipe for a distance of 35.0 feet on the downstream end in an unnamed tributary to Belson Run (WWF) (Latitude: 40° 11' 30"—Longitude: 79° 35' 15"), the placement and maintenance of fill in 0.276 acre of PEM wetland (Latitude: 40° 11' 24"—Longitude: 79° 35' 14"), the temporary placement and maintenance of fill in 0.199 acre of PEM/PFO wetland (Latitude: 40° 11' 24"—Longitude: 79° 35' 14") and the construction and maintenance of a temporary wetland crossing consisting of one 12-inch diameter pipe (Latitude: 40° 11' 22"—Longitude: 79° 35' 12"). To compensate for wetland impacts, the applicant shall create 0.276 acre of replacement wetland onsite (Latitude: 40° 11' 22"—Longitude: 79° 35' 12").

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## SPECIAL NOTICES

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### BUREAU OF DEEP MINE SAFETY REQUEST FOR VARIANCE

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (Bureau), has received a request for variance from AMFIRE Mining

Company, LLC. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida, (724) 439-7469 or from the Bureau website: [www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm](http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm).

The Department is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. Comments should be addressed to Joseph A. Scaffoni, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (act) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face are to the main air current.

*Summary of the Request:* AMFIRE Mining Company, LLC requests a variance to use point carbon monoxide early warning fire detection system and entries in common with the belt conveyor entry at the Madison Mine.

[Pa.B. Doc. No. 04-814. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Acceptance of Applications for New or Innovative Water/Wastewater Technology Grants Through the Growing Greener Program

As part of the Department of Environmental Protection's (Department) Growing Greener Program (program), applications are now being accepted for new or innovative water/wastewater technology grants. The Environmental Stewardship and Watershed Protection Act authorizes the Department to make these grants available to municipalities, municipal authorities, counties and school districts that are making improvements to existing drinking water or sewage treatment facilities using new or innovative technology. Grants for individual projects will be available up to \$500,000 under this program.

Preference will be given to the following new or innovative projects: treatment of groundwater under the direct influence of surface water; holistic approaches to treatment of drinking water for nitrates and other mobile contaminants to ensure safety with respect to potential current and future risks; innovative construction methods and materials to correct infiltration and inflow problems in sanitary and combined sewer collection and conveyance systems; and advance wastewater treatment for nutrient removal in watersheds where nutrient removal has been identified by the Department as a priority.

The deadline for submitting grant applications to the Department Growing Greener Grants Center is July 30, 2004. The grant application form is available on the Department's website: [www.dep.state.pa.us/eps/](http://www.dep.state.pa.us/eps/) (select "Forms," "Bureau of Water Supply and Wastewater Man-

agement" then "Application for Growing Greener Grant Assistance New or Innovative Water Wastewater Technology, 3800-FM-WSWM0271").

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-815. Filed for public inspection May 7, 2004, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENVIRONMENTAL QUALITY BOARD

### Availability of Draft Hazardous Waste Facilities Plan

The Department of Environmental Protection (Department) and the Environmental Quality Board (Board) will hold a public information meeting and a public hearing regarding the Department's draft Hazardous Waste Facilities Plan (plan). On April 20, 2004, the Board accepted the draft plan under the Solid Waste Management Act (act) (35 P. S. §§ 6018.101—6018.1003).

The plan is a requirement of the act and must be updated no less than every 5 years. Upon the Board's final approval, this version of the plan will update and replace the plan adopted by the Board on July 21, 1998. The objective of the plan is to determine whether additional treatment and disposal capacity is needed to properly manage hazardous waste generated in this Commonwealth. As such, the plan addresses: criteria and standards for siting hazardous waste treatment and disposal facilities, which were established in 25 Pa. Code Chapter 269 in 1986; sources of hazardous waste concentration and current hazardous waste practices; future hazardous waste facility needs; source reduction; and identification of additional hazardous waste treatment and disposal facilities and their locations, if needed. The first plan was developed in 1986, followed by updates in 1992 and 1998.

The plan is one of the factors that the Board would evaluate in determining whether a Certificate of Public Necessity (CPN) can be issued. If the plan finds that new hazardous waste management capacity is needed, and the other factors of public participation and impact are addressed, the act empowers the Board to issue a CPN, which overrides local zoning and other restrictions. The amount of hazardous waste sent to commercial facilities from generators in this Commonwealth has been steadily declining since 1989, and that trend is expected to continue. In addition, generators have adequate access to technology that reduces or eliminates hazardous waste generation, and there is adequate commercial treatment and disposal capacity available. As a result, the plan concludes that the issuance of a CPN to provide additional hazardous waste management options to genera-

tors in this Commonwealth is not necessary. The CPN regulations are in 25 Pa. Code Chapter 269a, Subchapter B (relating to certificates of public necessity).

#### *Public Information Meeting*

The Department will hold a public information meeting for the purpose of discussing the draft plan and answering questions. No formal record of questions or comments will be kept at this public information meeting. The public information meeting will be held at 7 p.m. on Monday, June 14, 2004, in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

#### *Public Hearing*

The Board will hold a public hearing for the purpose of accepting comments on the draft plan. The hearing will be held at 7 p.m. on Wednesday, June 16, 2004, in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Individuals wishing to present testimony at the hearing are asked to reserve a time to present testimony at least 1 week in advance of the hearing by contacting Donna Beer, Environmental Quality Board, P. O. Box 8477, Harrisburg, PA, 17105-8477, (717) 787-4526. Oral testimony will be limited to 10 minutes for each witness. Witnesses are requested to submit three written copies of their statement at the hearing. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to attend the public information meeting or hearing and require an auxiliary aid, service or other accommodation to participate should contact Donna Beer at (717) 787-4526 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how their needs may be accommodated.

#### *Written Comments*

Instead of or in addition to presenting oral testimony at a hearing, interested persons may submit written comments, suggestions or objections regarding the proposed plan to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. The Board must receive comments by July 7, 2004. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by July 7, 2004. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final plan will be considered.

#### *Electronic Comments*

Comments may be submitted electronically to the Board at RegComments@state.pa.us. A subject heading of the draft plan and a return name and address must be included in each transmission. The Board must also receive comments submitted electronically by July 7, 2004.

#### *Copies of the Draft Plan*

Copies of the draft plan may be obtained from the Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-2063, (717) 787-7382. The draft plan is also on the Department's website: www.dep.state.pa.us (choose "Public Participation Center" then "Proposals Open for Comment"). Additional information regard-

ing this draft plan can be obtained by contacting Tom Hyatt, (717) 787-7382.

KATHLEEN A. MCGINTY,  
Secretary  
Department of Environmental Protection  
and  
Chairperson  
Environmental Quality Board

[Pa.B. Doc. No. 04-816. Filed for public inspection May 7, 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) 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 available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have any 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: 362-2208-003. Title: Technical Decision Making and the Use of Conventional Technology, Alternate Technology, Experimental Technology and Best Technical Guidance (BTG) in Onlot Sewage System Repair Situations. Description: The purpose of this guidance is to establish a recommended decision process for use by Department staff, municipal officials and sewage enforcement officers (SEOs) when resolving repair of malfunctioning individual and community onlot sewage systems. This guidance will assist regional staff in the Act 537 program, municipal officials responsible for implementing sewage programs within their municipalities and SEOs responsible for permitting decisions within their service areas to provide better service when resolving onlot sewage system repair situations. Notice for public comment on the draft of this technical guidance was published at 33 Pa.B. 4630 (September 13, 2003) with provision for a 45-day comment period. Inadvertently, this notice was published with an incorrect identification number (#362-2208-002) for the draft document. The correct identification number for the document is #362-

2208-003. Effective Date: May 8, 2004. Contact: James Novinger, (717) 772-5157, jnovinger@state.pa.us.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-817. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Statewide Water Resources Committee Meeting

The Statewide Water Resources Committee (Committee) has scheduled a meeting for Monday, May 10, 2004, from 10 a.m. to 3 p.m. in the First Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

The Committee was created under 27 Pa.C.S. Chapter 31 (relating to water resources planning). The purpose of the Committee is to coordinate the development of the State Water Plan (Plan) and to recommend policies and guidelines for and oversee the development of the Plan. In addition to these responsibilities, the Committee, in consultation and collaboration with the regional water resources committees and the Department of Environmental Protection (Department), and with the full opportunity for public review and comment, approves and recommends to the Secretary of the Department the approval and adoption of the Plan. Questions concerning this meeting should be directed to Susan K. Weaver, (717) 783-8055, suweaver@state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on the Department's website: www.dep.state.pa.us.

Persons with a disability who require accommodations to attend this meeting should contact the Department at (717) 705-2431 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 04-818. Filed for public inspection May 7, 2004, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Beginning of Required Reporting under the Medical Care Availability and Reduction of Error (MCARE) Act

The Department of Health (Department) and the Patient Safety Authority (Authority) give notice under section 313(g) of the Medical Care Availability and Reduction of Error (MCARE) Act (act) (40 P.S. § 1303.313(g)) that medical facilities required to report under section 313 of the act (hospitals, ambulatory surgical facilities and birth centers) through a Statewide reporting system (PA-PSRS) shall begin reporting under PA-PSRS the occurrence of serious events, incidents and infrastructure failures consistent with the requirements of section 313 of the act as follows:

All medical facilities in the following counties are required to begin reporting on June 7, 2004: Berks,

Bucks, Carbon, Chester, Delaware, Lehigh, Lackawanna, Luzerne, Monroe, Montgomery, Northampton, Philadelphia, Pike, Susquehanna, Wayne and Wyoming.

All medical facilities in the following counties are required to begin reporting on June 21, 2004: Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington and Westmoreland.

All medical facilities in the following counties are required to begin reporting on June 28, 2004: Adams, Bradford, Clinton, Columbia, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Lycoming, Mifflin, Montour, Northumberland, York, Perry, Potter, Schuylkill, Snyder, Sullivan, Tioga and Union.

Upon their respective reporting beginning dates, medical facilities shall report under PA-PSRS, and the reporting requirements for those facilities under 28 Pa. Code § 51.3(f) and (g) (relating to notification) shall cease in accordance with section 314 of the act (40 P.S. § 1303.314). The Authority and the Department may establish different reporting beginning dates upon publication of a subsequent notice.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact James T. Steele, Jr., Room 825, Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108-0090, (717) 783-2500, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

RICHARD H. LEE,  
*Deputy Secretary for Quality Assurance*  
*Department of Health*

ROBERT S. MUSCALUS, D.O.,  
*Chair of Board of Directors*  
*Patient Safety Authority*

[Pa.B. Doc. No. 04-819. Filed for public inspection May 7, 2004, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Match 6 Lotto

In accordance with 61 Pa. Code § 872.8(e) (relating to determination of prize winners), the Secretary of Revenue hereby announces that the minimum base play first prize category (jackpot) prize will be \$500,000, and the base play first prize category (jackpot prize) will be increased in increments of \$50,000 per draw until the first place prize category (jackpot) prize pool contains sufficient funds to fund a greater prize amount according to 61 Pa. Code § 872.8(a)(1).

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 04-820. Filed for public inspection May 7, 2004, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Sale of Land No Longer Required for Transportation

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department. The parcel consists of 0.241 acre, irregular in shape, located south of SR 3040, Section 01B (North Wyomissing Boulevard) and bound on the west by the rail bed of Norfolk Southern in Wyomissing Borough, Berks County. The parcel is subject to a sanitary sewer easement which traverses the center of the property. Interested public agencies are invited to express their interest in purchasing the parcel within 30 calendar days from the date of this notice.

For further information, contact Ken Kutchinsky, District Property Manager, Department of Transportation, 1713 Lehigh Street, Allentown, PA 18103, (610) 798-4271.

ALLEN D. BIEHLER, P. E.,  
*Secretary*

[Pa.B. Doc. No. 04-821. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Sale of Land No Longer Required for Transportation

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department. The parcel consists of 11.887 acres, irregular in shape, located east of SR 33, Section H00 west of County Club Road and north of William Penn Avenue in Bethlehem Township, Northampton County. Interested public agencies are invited to express their interest in purchasing the parcel within 30 calendar days from the date of this notice.

For further information, contact Ken Kutchinsky, District Property Manager, Department of Transportation, 1713 Lehigh Street, Allentown, PA 18103, (610) 798-4271.

ALLEN D. BIEHLER, P. E.,  
*Secretary*

[Pa.B. Doc. No. 04-822. Filed for public inspection May 7, 2004, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Mountaintop Area Joint Sanitary Authority v. DEP; EHB Doc. No. 2004-088-C

Mountaintop Area Joint Sanitary Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Dorrance Township, Luzerne County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,  
*Chairperson*

[Pa.B. Doc. No. 04-823. Filed for public inspection May 7, 2004, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Rulemaking Petition for Study

On April 20, 2004, the Environmental Quality Board (Board) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by the Iron Furnace Chapter of Trout Unlimited, the Alliance for Wetlands and Wildlife, the Commissioners of Clarion County and Reliant Energy Mid-Atlantic Power Holdings LLC (collectively, Clarion River Petitioners), requests the Board redesignate the main stem of the Clarion River from the inlet of Piney Lake to the confluence with the Allegheny River from Cold Water Fishes to Warm Water Fishes.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters before performing survey work. The Department's assessment notice for the Clarion River, as identified previously, will appear in a future issue of the *Pennsylvania Bulletin*.

The previously referenced petition submitted by the Clarion River Petitioners is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 or by accessing the Department's website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: EQB (under "Meeting Agendas/Handouts/Minutes" choose "2004" then "April 20, 2004").

KATHLEEN A. MCGINTY,  
*Chairperson*

[Pa.B. Doc. No. 04-824. Filed for public inspection May 7, 2004, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations on the dates indicated. To obtain the date and time of the meeting at which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its website: [www.irrc.state.pa.us](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

### Final-Form

Reg. No.	Agency/Title	Received
16A-426	State Board of Barber Examiners Ten Chair Barber Schools	4/26/04
16A-606	State Board of Vehicle Manufacturers, Dealers and Salespersons Emergency Vehicles	4/26/04

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 04-825. Filed for public inspection May 7, 2004, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Blue Cross of Northeastern Pennsylvania; Access Care II Community Rated Group Rate Increase (Hospital Portion Only); Rate Filing

On April 20, 2004, the Insurance Department (Department) received from Blue Cross of Northeastern Pennsylvania filing no. 786-ACIICR-10-01-04 (effective October 1, 2004) for a rate increase for Access Care Community Rated Groups.

The company requests a rate change of 21.85% (hospital portion only) amounting to \$8.2 million annually, to be effective October 1, 2004. This will impact approximately 15,300 policyholders. Since Highmark Blue Shield has elected not to request a rate change for its Medical Surgical portion, the total composite rate change for this product is 11.52%.

Unless formal administrative action is taken prior to July 21, 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 Bharat Patel, Insurance Department, Insurance Product Regulation and

Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [bhpatel@state.pa.us](mailto:bhpatel@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-826. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Blue Cross of Northeastern Pennsylvania and Highmark Blue Shield; Major Medical Community Rated Group Rate; Rate Filing

On April 21, 2004, Blue Cross of Northeastern Pennsylvania and Highmark Blue Shield submitted filing no. 787-MMCR-10/1/04 requesting the Insurance Department's (Department) approval to increase the current approved rates for the Community Rated Major Medical Program. The proposed changes are 12.3% for the Major Medical Program that includes the pharmacy benefit and 26.85% for the program that excludes the pharmacy benefit.

The following benefit changes are also requested in this filing:

- Removing cardiac rehab therapy (outpatient), pulmonary rehabilitation (outpatient), respiratory therapy (outpatient) and skilled nursing facility.
- Changing the two times deductible and coinsurance maximum per family to three times deductible and coinsurance maximum per family.
- Adding three options of \$2,500 maximum, \$5,000 maximum and \$10,000 maximum for DME, orthotics and prosthetics.

The projected number of contracts is approximately 13,300. The proposed increase will generate an estimated additional annual revenue of \$3,434,849. An effective date of October 1, 2004, is requested.

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 Rashmi Mathur, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [rmathur@state.pa.us](mailto:rmathur@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-827. Filed for public inspection May 7, 2004, 9:00 a.m.]

**Highmark Blue Cross Blue Shield; Guaranteed Issue PreferredBlue Individual PPO Plan; Rate Filing**

On April 19, 2004, the Insurance Department (Department) received from Highmark Blue Cross Blue Shield filing no. 1-GI/INGPPO-04-HBCBS for a rate increase of 15.1% and to modify the benefit level for the Guaranteed Issue PreferredBlue Individual PPO Plan in the western region. The following changes to the benefit design are being requested:

*PreferredBlue PPO (Comprehensive Major Medical Preferred Provider—Guaranteed Issue)*

<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	—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	—\$25,000 Maximum per Calendar Year per Individual for Prescription Drugs, Separate from Lifetime Maximum.
Prescription Drug Out-of-Pocket Limit	—\$3,000 in Coinsurance Expense for Covered Prescription Drugs per Member per Calendar Year.	—Same	—Remove \$3,000 Out-of-Pocket Maximum.

The company requests an overall 15.1% increase amounting to \$1.12 million annually and will impact approximately 1,300 contracts. The requested effective date is July 1, 2004.

Unless formal administrative action is taken prior to July 14, 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](mailto: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. 04-828. Filed for public inspection May 7, 2004, 9:00 a.m.]

**Highmark Inc. d/b/a Highmark Blue Shield d/b/a Highmark Blue Cross Blue Shield; UCR and PremierBlue Allowances Update; Rate Filing**

On April 21, 2004, by filing no. 200404, Highmark Inc. d/b/a Highmark Blue Shield d/b/a Highmark Blue Cross Blue Shield submitted a request to update the customary (Level II) UCR allowances and PremierBlue preferred provider fee schedule for certain surgical procedures, including orthopedic surgery and OB-GYN, and physical medicine codes.

The company requests the approval without an immediate rate increase for the programs affected by these codes.

A copy of the filing is available on the Insurance Department's (Department) 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.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 04-829. Filed for public inspection May 7, 2004, 9:00 a.m.]

**MILK MARKETING BOARD****Hearing Cancellation; All Milk Marketing Areas; Minimum Class II Prices**

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the public hearing for all Milk Marketing Areas scheduled for May 5, 2004, to address minimum Class II prices has been cancelled.



Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (Pennsylvania Relay Service for TDD users).

KEITH BIERLY,  
Secretary

[Pa.B. Doc. No. 04-830. Filed for public inspection May 7, 2004, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Beginning of Required Reporting under the Medical Care Availability and Reduction of Error (MCARE) Act

The Department of Health (Department) and the Patient Safety Authority (Authority) give notice under section 313(g) of the Medical Care Availability and Reduction of Error (MCARE) Act (act) (40 P. S. § 1303.313(g)) that medical facilities required to report under section 313 of the act (hospitals, ambulatory surgical facilities and birth centers) through a Statewide reporting system (PA-PSRS) shall begin reporting under PA-PSRS the occurrence of serious events, incidents and infrastructure failures consistent with the requirements of section 313 of the act as follows:

All medical facilities in the following counties are required to begin reporting on June 7, 2004: Berks, Bucks, Carbon, Chester, Delaware, Lehigh, Lackawanna, Luzerne, Monroe, Montgomery, Northampton, Philadelphia, Pike, Susquehanna, Wayne and Wyoming.

All medical facilities in the following counties are required to begin reporting on June 21, 2004: Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington and Westmoreland.

All medical facilities in the following counties are required to begin reporting on June 28, 2004: Adams, Bradford, Clinton, Columbia, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Lycoming, Mifflin, Montour, Northumberland, York, Perry, Potter, Schuylkill, Snyder, Sullivan, Tioga and Union.

Upon their respective reporting beginning dates, medical facilities shall report under PA-PSRS, and the reporting requirements for those facilities under 28 Pa. Code § 51.3(f) and (g) (relating to notification) shall cease in accordance with section 314 of the act (40 P. S. § 1303.314). The Authority and the Department may establish different reporting beginning dates upon publication of a subsequent notice.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact James T. Steele, Jr., Room 825, Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108-0090, (717) 783-2500, for speech and/or hearing

impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

ROBERT S. MUSCALUS, D.O.,  
Chair of Board of Directors  
Patient Safety Authority

RICHARD H. LEE,  
Deputy Secretary for Quality Assurance  
Department of Health

[Pa.B. Doc. No. 04-831. Filed for public inspection May 7, 2004, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Gas Service

**A-121850F2036. National Fuel Gas Distribution Corporation.** Application of National Fuel Gas Distribution Corporation for approval of the abandonment of gas service to four natural gas service customers located in Limestone Township, Clarion 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 24, 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:* National Fuel Gas Distribution Corporation

*Through and By Counsel:* Christopher M. Trejchel, Esquire, P. O. Box 2081, Erie, PA 16512.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 04-832. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Gas Service

**A-120650F2000, A-122050F2000 and A-125127. PPL Gas Utilities Corporation, North Penn Gas Company and PFG Gas, Inc.** Application of PPL Gas Utilities Corporation, North Penn Gas Company and PFG Gas, Inc. for approval of: (1) the transfer of all property of North Penn Gas Company and PFG Gas, Inc. to PPL Gas Utilities Corporation; (2) the beginning of gas utility service by PPL Gas Utilities Corporation; and (3) the abandonment of gas service in this Commonwealth by North Penn Gas Company and PFG Gas, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before May 24, 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.

*Applicants:* PPL Gas Utilities Corporation, North Penn Gas Company and PFG Gas, Inc.

*Through and By Counsel:* John H. Isom, Esquire, Morgan, Lewis, and Bockius, LLP, One Commerce Square, 417 Walnut Street, Harrisburg, PA 17101-1904.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 04-833. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 1, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-00120686. Murrysville Medic One** (P. O. Box 27, Murrysville, Westmoreland County, PA 15668), a Commonwealth corporation—persons in paratransit service, between points in the Boroughs of Murrysville, Export, Delmont and Trafford and the Townships of Burrell, Upper Burrell, Washington, Salem and Penn, all in Westmoreland County, and the Borough of Turtle Creek, Allegheny County, and from points in said area, to points in this Commonwealth, and return, subject to the following conditions: (1) that service is limited to the use of vehicles modified to handle wheelchairs; (2) that service is limited to equipment where a state certified emergency medical technician is present on the vehicle; and (3) that service is limited to the transportation of persons who are nonambulatory or persons who, due to physical or mental conditions, require pretrip preparations such as assistance in being dressed or lifted, medical monitoring or the use of medical appliances or equipment or a medical escort during transit. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

**A-00120676. James Harold Taylor t/d/b/a Taylor's Transportation** (160 Wilshire Blvd., Reading, Berks County, PA 19608)—persons in paratransit service, from points in the County of Berks, to all State and Federal correctional institutions located in this Commonwealth, and return.

**A-00120697. Fred W. Williams** (9114 Atlantic Road, Atlantic, Crawford County, PA 16111)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor

vehicles, between points in the County of Crawford, and from points in said county, to points in this Commonwealth, and return.

**A-00120698. Absolute Health Systems, LLC** (73-B Tracey Road, Huntingdon Valley, Montgomery County, PA 19006), a limited liability company of the Commonwealth—persons in paratransit service, between points in the City and County of Philadelphia, and the Counties of Bucks, Montgomery and Delaware.

### Application of the following for *amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.*

**A-00103919, F.1, AM-A. Walter M. Hurst and Katie W. Hurst, Husband and Wife** (140 Kreider Road, Myerstown, Lebanon County, PA 17067)—discontinuance of service—persons in paratransit service, between points in Lancaster County, and from points in said county, to points in this Commonwealth, and return, limited to the transportation of persons whose personal convictions prevent them from owning or operating motor vehicles.

### Applications of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.*

**A-00120685. Sheff Transport, LLC** (60 North Bryn Mawr Avenue, Montgomery County, PA 19101), a limited liability company of the Commonwealth—persons upon call or demand: (1) in the Borough of Narberth, and that portion of Lower Merion Township, Montgomery County, beginning at the joinder of the Schuylkill River and City Line Avenue, thence northwardly along the Schuylkill River to its joinder with Mill Creek Road, thence westward along Mill Creek Road to its intersection with Gulph Road, then southwardly along Gulph Road to its intersection with Gypsy Lane, thence southeastwardly along Gypsy Lane and its merger with Wynnewood Avenue to its intersection with City Line Avenue, thence eastwardly along City Line Avenue to the point of beginning; subject to the following condition: That no right, power or privilege is granted to originate service from City Line Avenue addresses on the Montgomery County side of City Line Avenue from the Route 76 exit to Old Lancaster Road; (2) in the Townships of Marple, Upper Providence and Newtown, Delaware County, and that part of Lower Merion Township, Montgomery County, on and east of a line beginning at Waverly Road and the Schuylkill River, thence southeastwardly along Waverly Road to its intersection with Morris Avenue, then southeastwardly along Morris Avenue to its intersection with Old Gulph Road, then westward along Old Gulph Road to its merger with Roberts Road, then southward along Roberts Road to the Montgomery-Delaware County Line; (3) in the Boroughs of Conshohocken and West Conshohocken, Montgomery County; the Township of Radnor, Delaware County and the Township of Tredyffrin, Chester County, provided, however, that the transportation in Tredyffrin Township, Chester County, be limited to the following: Al E Gators Restaurant, Steak & Ale Restaurant, Chesterbrook Corporate Center, West Lake Business Center, The Woods Center, Crossroads Business Park, Vanguard Corporation and Devon Marriott Courtyard; and (4) in the Townships of Tredyffrin, Easttown, Willistown, East Whiteland, West Whiteland, Charles-town, East Goshen and the Borough of Malvern, all located in Chester County, and the Township of Upper

Merion, Montgomery County; which is to be a transfer of all the rights authorized under the certificate issued at A-00116248, F. 1 to Main Line Taxi, Co., subject to the same limitations and conditions.

**A-00120685, Folder 2. Sheff Transport, LLC** (60 N. Bryn Mawr Avenue, Montgomery County, PA 19101), a limited liability company of the Commonwealth—persons in limousine service, between points in this Commonwealth; which is to be a transfer of all the rights authorized under the certificate issued at A-00119132, F. 1 to Main Line Coach, Inc., subject to the same limitations and conditions.

**A-00120696. Fab Limousines, Inc.** (4326 New Road, Youngstown, OH), a corporation of the state of Ohio—persons in limousine service, between points in this Commonwealth; which is to be a transfer of the rights authorized under the certificate issued at A-00111634, F.2 to Homer A. Berlew and Frederick R. Buckman, copartners t/d/b/a A Formal Affair Limousine Service, subject to the same limitations and conditions. *Attorney:* Michael Senape, P. O. Box 179, Freeland, PA 18224-0179.

**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.**

**A-00086357, Folder 11. Carl R. Bieber, Inc.** (P. O. Box 180, Kutztown, Berks County, PA 19530-0180), a corporation of the Commonwealth—additional right—persons in limousine service, between points in the Counties of Berks, Bucks, Carbon, Chester, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, Schuylkill and York, and from points in said counties, to points in this Commonwealth, and return.

**Application of the following for the approval of the transfer of stock as described under the application.**

**A-00118524 F.5000. Infinity Limousine, Inc.** (711 Spring Street, Wyomissing, Berks County, PA 19610), a corporation of the Commonwealth—stock transfer—for the approval of the transfer of 51 shares of the issued and outstanding shares of stock from Charles R. Holder to Keith A. Zielaskowski. *Attorney:* Frederick M. Nice, 6 Hearthstone Court, Suite 103, Reading PA 19606.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 04-834. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Telecommunications

**A-311321F7001. Verizon North Inc. and Buffalo-Lake Erie Wireless Systems Co., LLC.** Joint petition of Verizon North Inc. and Buffalo-Lake Erie Wireless Systems Co., LLC for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and Buffalo-Lake Erie Wireless Systems Co., LLC, by its counsel, filed on April 19, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania

Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and Buffalo-Lake Erie Wireless Systems Co., 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. 04-835. Filed for public inspection May 7, 2004, 9:00 a.m.]

### Telecommunications

**A-311321F7000. Verizon Pennsylvania Inc. and Buffalo-Lake Erie Wireless Systems Co., LLC.** Joint petition of Verizon Pennsylvania Inc. and Buffalo-Lake Erie Wireless Systems Co., LLC for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Buffalo-Lake Erie Wireless Systems Co., LLC, by its counsel, filed on April 19, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Buffalo-Lake Erie Wireless Systems Co., 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. 04-836. Filed for public inspection May 7, 2004, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

June 2, 2004      Joseph A. Digiorgio      1 p.m.  
(Purchase of Service)

Persons with a disability who wish to attend the listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 04-837. Filed for public inspection May 7, 2004, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Dirt and Gravel Roads Pollution Prevention Maintenance Program

As required by 25 Pa. Code § 83.604(f) (relating to appointment criteria), the State Conservation Commission (Commission) is providing public notice of the apportionment of FY 2004 Dirt and Gravel Road Pollution Prevention Maintenance Program (program) funds to participating county conservation districts. This apportionment is authorized under 75 Pa.C.S. § 9106 (relating to dirt and gravel road maintenance).

#### A. Effective Date

This apportionment is effective upon publication in the *Pennsylvania Bulletin*. Allocations will be disbursed when funds are released from the Treasury after July 1, 2004.

#### B. Background

The Commission approved the following allocations at their public meeting on March 9, 2004: \$3.528 million of FY 04 funds are apportioned according to stipulations in 75 Pa.C.S. § 9106(c). Copies of 25 Pa. Code § 83.604 and 75 Pa.C.S. § 9106 are available from Michael Klimkos, State Conservation Commission Office, Room 407, Agriculture Building, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-8821.

The following allocations are being made to the county conservation districts participating in the program. Not all counties receive an allocation as provided for in 25 Pa. Code § 83.613(a) (relating to performance standards).

Adams	\$15,000
Armstrong	\$113,965
Beaver	\$15,000
Bedford	\$40,379
Berks	\$15,000

Blair	\$20,337
Bradford	\$317,892
Bucks	\$18,988
Butler	\$31,296
Cambria	\$15,000
Cameron	\$33,530
Carbon	\$24,902
Centre	\$33,665
Chester	\$17,989
Clarion	\$63,749
Clearfield	\$66,812
Clinton	\$22,705
Columbia	\$78,634
Crawford	\$144,012
Cumberland	\$15,000
Dauphin	\$23,096
Elk	\$25,083
Erie	\$56,078
Fayette	\$32,614
Forest	\$21,560
Franklin	\$15,000
Fulton	\$30,014
Greene	\$37,974
Huntingdon	\$69,655
Indiana	\$89,211
Jefferson	\$43,832
Juniata	\$35,957
Lackawanna	\$28,620
Lancaster	\$16,803
Lawrence	\$15,000
Lebanon	\$15,000
Lehigh	\$26,876
Luzerne	\$24,939
Lycoming	\$82,447
McKean	\$22,037
Mercer	\$47,839
Mifflin	\$20,993
Montgomery	\$15,000
Montour	\$17,934
Northumberland	\$47,440
Perry	\$41,792
Pike	\$57,154
Potter	\$137,711
Schuylkill	\$50,192
Snyder	\$28,609
Somerset	\$33,378
Sullivan	\$71,759
Susquehanna	\$124,909
Tioga	\$317,859
Union	\$25,709
Venango	\$78,955
Warren	\$212,513
Washington	\$78,494
Wayne	\$112,763
Westmoreland	\$27,062
Wyoming	\$60,757
York	\$103,527

DENNIS C WOLFF,  
*Chairperson*

[Pa.B. Doc. No. 04-838. Filed for public inspection May 7, 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

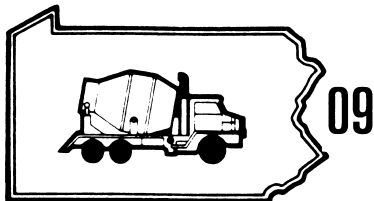
## PA TREASURY BUSINESS OUTLET—PLUG INTO IT!

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



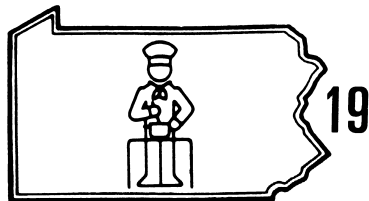
### Construction & Construction Maintenance

**W-0502-0302** Renovation of Existing Bathrooms-General Construction-Summit Hall. To request a bid package please send a fax to 570-587-7108 with your company name, address, telephone number, fax number, Federal ID number and PA State Vendor Number.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** Approximately June 15, 2004 through November 30, 2004  
**Contact:** Stanley Rygelski, PA, (570) 587-7291

**W-0502-0303** Renovation of Existing Bathrooms-Plumbing Construction-Summit Hall. To request a bid package, please send a fax to 570-587-7108 with your company name, address, telephone and fax number, Federal ID number and PA State Vendor number.

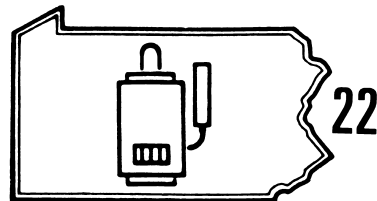
**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** Approximately June 15, 2004 through November 30, 2004  
**Contact:** Stanley Rygelski, PA, (570) 587-7291



### Food

**CN00008569** Vendor to supply bread and bread products for Warren State Hospital for period 7/01/04 - 12/31/04. Vendor to deliver three (3) times per week - Mon., Thurs. and Sat. exclusive of holidays during working hours, 7 a.m. - 3 p.m. For bid specifications, contact Warren State Hospital.

**Department:** Public Welfare  
**Location:** Warren State Hospital, 33 Main Dr., N. Warren, PA 16365-5099  
**Duration:** 7/01/04 - 12/31/04  
**Contact:** Bobbie Muntz, PA III, (814) 726-4496



### HVAC Services

**W-0503-0302** Installation of new ash collector on Boiler #2. Site visit and pre-bid conference required.

**Department:** Public Welfare  
**Location:** Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821  
**Duration:** Completion within 90 days of executed contract  
**Contact:** Doris Cavallini, (570) 271-4579

**62-0090** Electrical system upgrade to Tyson Residence Hall on the campus of West Chester University. The upgrade shall include a new secondary switchboard and supplemental groups of three panel boards on each of floors two through seven. Estimated project cost is \$250,000 - \$300,000. Pre Bid Conference is scheduled for May 11, 2004 at 11:00 a.m. at the project site. Bid Opening will be held on May 25, 2004 at 11:00 a.m. at West Chester University, 201 Carter Drive, Suite 200, West Chester, PA 19383. Plans and specifications are available at no cost by contacting Barb Cooper in the Construction Procurement office. Fax your written request on company letterhead to 610-436-2720, include your phone and fax number and person to contact. If you would like the bid package sent via next day delivery, provide your UPS or FedEx account number.

**Department:** State System of Higher Education  
**Location:** West Chester University, 225 N. Campus Drive, West Chester, PA 19383  
**Duration:** Work in student rooms to be completed no later than August 20, 2004.  
**Contact:** Barb Cooper, Contract Specialist, (610) 436-2706

**W-0503-0303** Replace doors on walk in coolers. Site visit required.

**Department:** Public Welfare  
**Location:** Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821  
**Duration:** Completion within 90 days of executed contract  
**Contact:** Doris Cavallini, (570) 271-4579



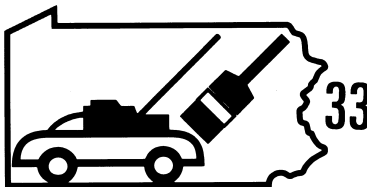
### Janitorial Services

**FM 8821** Furnish all labor, equipment and materials to perform janitorial services three (3) days per week at the PA State Police, Fogelsville Station. Detailed Work Schedule and Bid must be obtained from the Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Troop M, Fogelsville Station, 8320 Schantz Road, Breinigsville, PA 18031, phone (610) 395-1438  
**Duration:** 8/1/04 to 6/30/07  
**Contact:** Sandy Wolfe, (717) 705-5951

**FM 8820** Furnish all labor, materials and equipment to perform janitorial services at the PA State Police, Trevese Station, three (3) days per week. Detailed Work Schedule and Bid must be obtained from the Facility Management Division at 717-705-5951.

**Department:** State Police  
**Location:** Troop M, Trevese Station, 3501 Neshaminy Boulevard, Bensalem, PA 19020  
**Duration:** 8/1/04 to 6/30/07  
**Contact:** Sandy Wolfe, (717) 705-5951



### Property Maintenance

**FM 8822** Furnish all labor, equipment and materials to cut, trim and maintain grass area at the PA State Police, Dublin Station, three (3) cuttings per month, or as required by the Station Commander. Detailed Work Schedule and Bid must be obtained from the Facility Management Division, 717-705-5951.

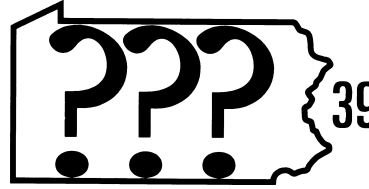
**Department:** State Police  
**Location:** Troop M, Dublin Station, 3218 Rickert Road, Perkasio, PA 18944, phone (215) 249-9191  
**Duration:** 8/1/04 to 6/30/07  
**Contact:** Sandy Wolfe, (717) 705-5951

**cn00008664** Contractor shall supply all labor, materials, tools, equipment, and appurtenances to install new aluminum fascia, soffit, and covering over the existing roof eaves on four buildings located on the grounds of the Loysville Youth Development Center.

**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

**CL-598 Wall Replacement, Moore Hall** Clarion University is soliciting bids for the extension of an existing engineered modular gravity retaining wall located at Moore Hall on the Clarion campus. The Pre-Bid Conference will be held on: May 17, 2004 at 10:00 a.m. in McEntire Maintenance Building, Wilson Avenue, Clarion, PA. Bids due: May 27, 2004. Bid package cost \$25 non-refundable, payable by check to Clarion University, delivered to the attention of Judy McAninch, Contract Specialist, 218 Carrier Hall, Clarion University, Clarion, PA 16214.

**Department:** State System of Higher Education  
**Location:** Clarion University, Clarion County, Clarion, PA  
**Duration:** 60 Days from Notice to Proceed  
**Contact:** Judy McAninch, Contract Specialist, (814) 393-2240



### Miscellaneous

**CN00008303** Flocculant, Anionic (Powder Form) for use as flocculant aide in clarifiers and belt filter press at the Brandy Camp AMD Treatment Plant. Product to be delivered upon request in 50 or 55 pound lined bags. Estimated Quantity: 20,000 pounds. Product specifications must be obtained from the Bureau of Abandoned Mine Reclamation, Cambria Office, at (814) 472-1811.

**Department:** Environmental Protection  
**Location:** Brandy Camp AMD Treatment Plant, Brandy Camp Road, Horton Township, Brandy Camp, PA 15822  
**Duration:** Expiration Date: June 30, 2005  
**Contact:** Phyllis Cocco, (814) 472-1811

**W-0503-0301** Sprinkler valve replacement on the fire protection sprinkler system. Site visit required.

**Department:** Public Welfare  
**Location:** Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821  
**Duration:** Completion within 120 days of executed contract  
**Contact:** Doris Cavallini, (570) 271-4579

**W-0502-0301** Window Replacement at Selected Locations - Gateway Building. Please send a fax to 570-587-7108 with your company, name, address, telephone and fax numbers, Federal ID number and PA Vendor Number to request a bid package. Bid packages cannot be faxed.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** Approximately June 15, 2004 through November 30, 2004  
**Contact:** Stanley Rygelski, PA, (570) 587-7291

[Pa.B. Doc. No. 04-839. Filed for public inspection May 7, 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> |
|--|---|

DONALD T. CUNNINGHAM, Jr.  
*Secretary*



