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PENNSYLVANIA BULLETIN

Volume 37

Number 23

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Pages 2593—2670

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The Courts

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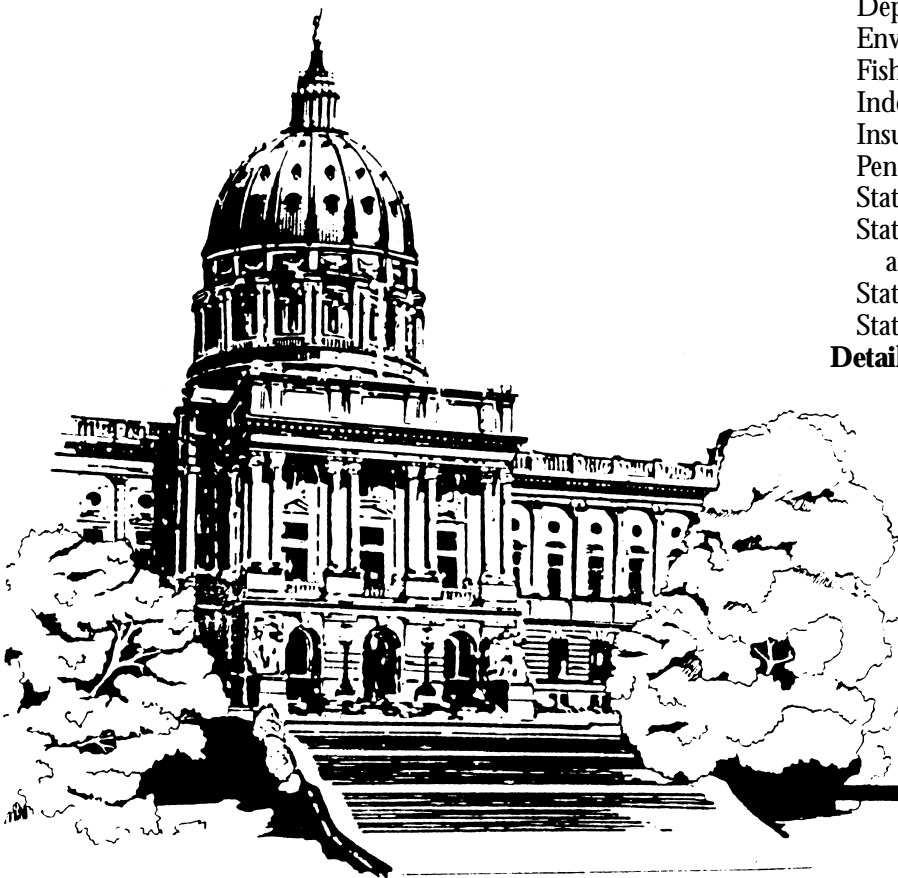
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State Board of Vehicle Manufacturers, Dealers
and Salespersons

State Conservation Commission

State Real Estate Commission

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

No. 391, June 2007

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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

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THE GENERAL ASSEMBLY

Recent Actions during the 2007 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2007 Regular Session.

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2007 GENERAL ACTS OF REGULAR SESSION ENACTED—ACT 004					
004	May 23	SB0021	PN0029	Immediately	Conveyance—alteration of use restrictions and reversionary covenants in Newlin and West Bradford Townships, Chester County.

*denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified previously for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore—PHMC, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0053, accompanied by a check or money order in the sum of \$20, payable to the “Commonwealth of Pennsylvania.”

ROBERT W. ZECH, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 07-1004. Filed for public inspection June 8, 2007, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 83]

Amendment of Rule 402 of the Pennsylvania Rules of Disciplinary Enforcement; No. 59 Disciplinary Rules; Doc. No. 1

Order

Per Curiam:

And Now, this 23rd day of May, 2007, Rule 402 of the Pennsylvania Rules of Disciplinary Enforcement is amended to read as follows.

This Order shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration. The amendments adopted hereby shall take effect upon publication in the *Pennsylvania Bulletin* and shall govern all matters thereafter commenced and, insofar as just and practicable, matters then pending.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter D. MISCELLANEOUS PROVISIONS

Rule 402. Access to Disciplinary Information and Confidentiality.

(a) Except as provided in subdivisions (b) [and], (d) and (k), all proceedings under these rules shall be open to the public after:

* * * * *

(c) Until the proceedings are open under subdivision (a) or (b), all proceedings involving allegations of misconduct by or disability of an attorney shall be kept confidential unless:

* * * * *

(3) in matters involving alleged disability, the Supreme Court enters its order transferring the respondent-attorney to inactive status pursuant to Enforcement Rule 301 (relating to proceedings where an attorney is declared to be incompetent or is alleged to be incapacitated); or

(4) [the proceeding is based upon allegations that have become generally known to the public; or

(5)] there is a need to notify another person or organization, including the Lawyers' Fund for Client Security, in order to protect the public, the administration of justice, or the legal profession.

* * * * *

(k) If a formal proceeding results in the imposition of private discipline or dismissal of all the charges, the proceeding shall cease to be open to

the public when the decision to impose private discipline or dismiss the charges becomes final, unless the respondent-attorney requests that the record of the proceeding remain open to the public.

Official Note: Paragraph (d)(2) is based on 18 Pa.C.S. § 5108 (relating to compounding). Otherwise Disciplinary Counsel may be in the anomalous position of violating Rule 8.4 of the Pennsylvania Rules of Professional Conduct.

Although subdivision (k) provides that a formal proceeding that becomes open to the public under subdivision (a) will subsequently be closed if it results in the imposition of private discipline or dismissal of all the charges, the closing of the proceeding cannot change the fact that the proceeding was open to the public for a period of time. Thus, subdivision (k) makes clear that the respondent-attorney may request that the record of the proceeding remain open to demonstrate that the charges were dismissed or only private discipline was imposed.

[Pa.B. Doc. No. 07-1005. Filed for public inspection June 8, 2007, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1915]

Order Amending Rules 1915.8 and 1915.18; No. 476 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 23rd day of May, 2007, Rules 1915.8 and 1915.18 of the Pennsylvania Rules of Civil Procedure are amended as follows.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective August 1, 2007.

Mr. Justice Fitzgerald did not participate in the consideration or decision of this matter.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY, PARTIAL CUSTODY AND VISITATION OF MINOR CHILDREN

Rule 1915.8. Physical and Mental Examination of Persons.

(a) The court may order the [child or a party] child(ren) and/or any party to submit to and fully participate in an evaluation by an appropriate expert or experts. The order, which shall be substantially in the form set forth in Rule 1915.18, may be made upon the court's own motion [or on], upon the motion of a party with reasonable notice to the person to be examined,

[and] or by agreement of the parties. The order shall specify the place, manner, conditions and scope of the examination and the person or persons by whom it [is to] shall be made and to whom distributed. In entering an order directing an evaluation pursuant to this rule, the court shall consider all appropriate factors including the following, if applicable:

(1) the allocation of the costs, including insurance coverage, if any, attendant to the undertaking of the evaluation and preparation of the resultant report and court testimony of any appointed expert;

(2) the execution of appropriate authorizations and/or consents to facilitate the examination;

(3) any deadlines imposed regarding the completion of the examination and payment of costs;

(4) the production of any report and of underlying data to counsel and/or any unrepresented party upon the completion of the examination; and

(5) any additional safeguards that are deemed appropriate as a result of the alleged presence of domestic violence and/or child abuse.

(b) [Where the expert is appointed upon the court's motion] Unless otherwise directed by the court, the expert shall deliver to the court [and], to the attorneys of record [, or to the parties if there are no attorneys of record] and to any unrepresented party, copies of [a detailed written report] any reports arising from the evaluation setting out the findings, results of all tests made, diagnosis and conclusions [within the time provided in subdivision (d) of this rule]. No reports shall be filed of record or considered evidence unless and until admitted by the court. Any report which is prepared at the request of a party, with or without a court order, and which a party intends to introduce at trial, must be delivered to the court and the other party at least thirty days before trial. If the report or any information from the evaluator is provided to the court, the evaluator shall be subject to cross-examination by all counsel and any unrepresented party without regard to who obtains or pays for the evaluation.

(c) [Where the expert evaluation is obtained upon motion of a party, the expert shall deliver to that party a detailed written report setting out the findings, results of all tests made, diagnosis and conclusions within the time provided in subdivision (d) of this rule.

(d) Each expert's report shall be filed and/or served

(1) within sixty days of the entry of the order where the county pays the expert, or

(2) within sixty days after full payment of the expert fee(s) where one or both parties are directed to pay.

(e) The court may assess the cost of the examination and report on any or all of the parties or as otherwise permitted by law.

(f) The order shall require that payment be made within twenty days of the date of the order.

(g)] If a party refuses to obey an order of court made under subdivision (a) of this rule, the court may make an order refusing to allow the disobedient party to support or oppose designated claims or defenses, [or] prohibiting the party from introducing in evidence designated documents, things or testimony, [or] prohibiting the party from introducing evidence of physical or mental condition, or making such other order as is just. The willful failure or refusal of a party to comply with an order entered pursuant to this rule may also give rise to a finding of contempt and the imposition of such sanctions as may be deemed appropriate by the court, including, but not limited to, an adverse inference against the non-complying party.

[(h)] (d) A petition for contempt alleging failure to comply with an order entered pursuant to subdivision (a) of this rule shall be treated in an expedited manner.

[(i) Any report which is prepared at the request of a party, with or without a court order, and upon which a party intends to rely at trial, must be served upon the court and the opposing party thirty days before trial.

Explanatory Comment—1981

A child custody determination may often involve consideration of the mental and physical condition of both the parties to the proceeding and the child. Rule 1915.8 provides a procedure for the mental and physical examination of persons, similar to that provided by Discovery Rule 4010. One major difference between this rule and the Discovery Rule is the express statement that "the order may be made upon the court's own motion or on motion of a party. . . ."

The power of the court to order a physical or mental examination on its own motion is a concrete example of the direction which custody law has taken. As expressed by Judge Lawrence W. Kaplan, "The Child Advocate in Custody Litigation," in PBI publication No. 1980-140, p. 86, supra:

The Superior Court, in exercising its actual adjudicative responsibility and perceived administrative stewardship over the custody law of Pennsylvania, has taken the unprecedented step of requiring the trial judge to develop the record where it is deficient for the parties' failure to fully explore the relevant issues. *Lewis v. Lewis*, 267 Pa. Super. 235, 406 A.2d 781 (1979). By imposing this requirement, Pennsylvania's custody law challenges bench and bar in a fashion unmatched in other areas of the law.

This challenge was noted by the editors of the *Pennsylvania Family Lawyer*, Vol. 1, No. 1, p. 3 (January 1980):

An increased substantial burden is being placed upon judges and attorneys to develop a custody case to its fullest potential to insure that a proper award will be made. There is an affirmative duty to develop a record and to conduct a thorough investigation with the aid of outside agencies.

The reason for the challenge imposed by the Superior Court is clearly stated by the *Pennsylvania Family Lawyer*, p. 7:

Custody cases are not akin to most other cases in the adversary process. The focus is not on parental rights but unrepresented children's rights.

The Superior Court has placed litigants to a custody dispute on notice that the court is bound to explore all facets of the action to determine the best interest of the child. Physical and mental condition of the parties and of the child is but one facet to be explored.

There are two additional points to be noted. First, subdivision (b) provides that the examining physician or psychologist is to deliver a copy of his report to both the court and the parties. Second, subdivision (b) provides sanctions which may be imposed upon a party who refuses to obey an order to submit to an examination.

Explanatory Comment—1994

In order to make a proper determination in a child custody case, the court often requires information which can only be supplied by an expert evaluation of the parties and the subject child. Rule 1915.8 provides a procedure for expert evaluation of persons. Unlike the civil discovery rule (R.C.P. 4010), Rule 1915.8 provides that expert evaluations may be ordered upon the court's own motion as well as the motion of a party.

The proposed revisions to Rule 1915.8 add definite time limits during which the cost of evaluations must be paid, the evaluation themselves completed, and the reports provided to the court and counsel. The time limits are imposed in response to complaints of unreasonable delays in the completion of evaluations. The rule also provides a range of sanctions which the court may impose for failure to comply with an order directing evaluations, and provides that a petition for contempt for failure to comply with an order entered under this rule is to be treated in an expedited fashion.]

Explanatory Comment—2007

This rule addresses the process for any number of expert evaluations a court may order in a custody case, including, but not limited to, physical, mental health, custody and/or drug and alcohol evaluations, and/or home studies. Since the initial promulgation of this rule in 1981, the frequency of utilizing professionals as expert witnesses in child custody litigation has increased considerably. In appropriate cases, evaluations have served as a means to provide the court with a full and complete record and to facilitate settlement of the litigation.

The proposed revisions to Rule 1915.8 are intended to afford the trial court and the parties a more flexible and case-sensitive means of determining the scope and parameters of a physical and/or mental examination, including deadlines, costs, underlying data, and access. In many instances, the previous sixty-day deadline was impractical and ignored. While some cases demanded that the evaluation be completed in less than 60 days, others demanded far more time than that. The revisions to this rule also specifically permit the trial court to draw an adverse inference from one party's failure to comply with an order pursuant to this rule.

Rule 1915.18. Form of Order Directing Expert Examination and Report.

The order of court directing expert evaluation in a custody matter pursuant to Rule 1915.8 shall be in substantially the following form:

(Caption)
ORDER OF COURT

AND NOW, this ____ day of _____, [19] 20____, it is hereby ORDERED, that:

[1) Home evaluations will be conducted by _____. The cost of the home evaluations shall be \$ _____.

2) Psychological evaluations will be conducted by _____. The cost of the psychological evaluation shall be \$ _____, but may increase if the issues are especially complex or numerous individuals must be interviewed.

Note: Alternatives are provided for paragraph 3) to accommodate local practice.

3) The cost of the evaluations shall be borne by _____, subject to the Court's right to allocate later. Payment to the evaluator(s) shall be made within twenty (20) days of the date of this order. Upon receipt of payment, the evaluator(s) shall contact the parties for appointments. The evaluations shall be completed and delivered to the (Court) (counsel of record or the parties, if they are unrepresented) within sixty days of receipt of full payment.

OR

3) The cost of the evaluations shall be borne by the county, subject to reimbursement by _____. Upon receipt of a copy of this order, the evaluator(s) shall contact the parties for appointments. The evaluations shall be completed and delivered to the (Court) (counsel of record or the parties, if they are unrepresented) within sixty days of the date of this order.

4) Upon completion of the evaluation reports, either party may schedule a (CONCILIATION/PRETRIAL CONFERENCE) before the undersigned.]

1. The evaluator shall be _____ or will be selected by the parties.

2. The evaluator shall conduct a

Physical Evaluation

Psychological Evaluation

Custody Evaluation

Drug and/or Alcohol Evaluation

Home Study

Other (Specify) _____

3. The evaluator shall shall not make specific recommendations for legal and physical custody. If the evaluator makes specific recommendations, the evaluator shall state the specific reasons for the recommendations.

4. The parties shall participate fully with the evaluator on a timely basis, including retaining the evaluator upon appropriate terms, scheduling appointments, paying promptly, participating in all sessions and in appropriate testing recommended by the evaluator and executing any reasonable consents relating to themselves and their children.

5. Both parties shall promptly cooperate to maximize the use of available insurance coverage, if any, and to notify the other party of the result. The plaintiff defendant shall submit the costs

to his or her insurance first. The cost of the unreimbursed portion of the evaluation shall preliminarily be allocated between the parties with the plaintiff paying _____% and the defendant paying _____% without prejudice to the ultimate apportionment of such costs by subsequent agreement of the parties or order of court.

6. The cost of the evaluation shall be borne by the county, subject to reimbursement by _____.

7. The cost for the evaluator's time for depositions and/or testimony for hearing shall be allocated _____% to the plaintiff and _____% to the defendant or paid by the party seeking the testimony.

8. The evaluator may consult with and/or interview any person the evaluator reasonably believes can provide relevant information, including other experts and/or fact witnesses.

9. The evaluator may utilize the services of another qualified professional (e.g. to perform additional services) without court approval.

10. Subject to the applicable rules of evidence, the evaluator's file (including notes, exhibits, correspondence, test interpretations and, to the extent it is not a violation of copyright law or applicable professional rules, raw test data) shall promptly be made available to counsel for the parties.

11. Provided that the parties cooperate on a timely basis, the evaluator shall deliver his or her report to counsel for the parties, any

unrepresented party, the guardian ad litem, if any, and to the court at least _____ days prior to the first day of trial. The report shall not be filed of record.

12. Prior to and/or subsequent to the submission of the evaluator's written report, counsel for the parties shall not be permitted to communicate with the evaluator as to substantive issues, without the consent or direct participation of counsel for the other party.

13. If the report or any information from the evaluator is provided to the court, the evaluator shall be subject to cross examination by all counsel and any unrepresented party regardless of who obtains or pays for the services of the evaluator.

14. The evaluator shall be provided with a copy of this order.

15. The evaluator's report shall not be inappropriately disseminated.

16. Other provisions: _____

FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER MAY RESULT IN FINES, IMPRISONMENT OR OTHER SANCTIONS.

BY THE COURT:

J.

[Pa.B. Doc. No. 07-1006. Filed for public inspection June 8, 2007, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

[49 PA. CODE CH. 19]

Biennial Renewal Fees

The State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) amends § 19.4 (relating to fees). This final-form rulemaking increases the biennial license renewal fee for all classes of the Board's licensees.

Statutory Authority

The Board is required by law to support its operations from revenue it generates from fees, fines and civil penalties. Section 30(a) of the Board of Vehicles Act (act) (63 P. S. § 818.30(a)) requires the Board to increase fees so that adequate revenue is raised to meet the Board's expenditures in enforcing the act. While many of the Board's fees are based on the cost of providing a service to an individual licensee, such as processing an application for licensure, biennial renewal fees are charged to licensees across the Board and are thus most appropriately increased to meet the Board's general enforcement costs.

Response to Comments

Proposed rulemaking was published at 36 Pa.B. 7619 (December 16, 2006) for 30 days of public comment. The Board did not receive comments from the public. The House Professional Licensure Committee (HPLC) submitted two comments on February 13, 2007. On February 15, 2007, the Independent Regulatory Review Commission (IRRC) submitted notice to the Board that it had no objections, comments or recommendations to offer and that, if the HPLC and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) did not take any action, the final-form rulemaking would be deemed approved by IRRC when delivered. The SCP/PLC did not submit comments.

The HPLC asked for additional fiscal information explaining the major costs centers where significant increases had occurred in the past 5 years. As noted in the preamble to proposed rulemaking, the most significant increases in expenses have occurred in the investigative and legal divisions. The following chart sets forth the Board's expenses in these two categories from Fiscal Year (FY) 2000-2001 through the projections for FY 2005-2006.

	<i>FY 2000-2001</i>	<i>FY 2001-2002</i>	<i>FY 2002-2003</i>	<i>FY 2003-2004</i>	<i>FY 2004-2005</i>	<i>Projected FY 2005-2006</i>
Legal Division	\$250,506	\$303,541	\$354,299	\$399,560	\$439,963	\$528,129
Investigation and Enforcement	\$408,699	\$501,005	\$539,861	\$673,549	\$518,480	\$603,581

As is the case with the 27 licensing boards and commissions within the Bureau of Professional and Occupational Affairs, the Board's investigation, enforcement and prosecution of matters is directly related to the number and seriousness of complaints filed by the public. The Board has seen an increase in the number and seriousness of complaints filed/cases opened. The increase in seriousness is indicated by the increased number of serious sanctions—revocation of licenses and active suspension of licenses. The following table lists the number of cases opened from 1999 to the close of FY 2006 and the type of disciplinary action imposed.

<i>Year</i>	<i>Cases Opened</i>	<i>Revocations</i>	<i>Suspensions</i>	<i>Other Discipline</i>	<i>Act 48 Citations</i>	<i>Warning Letters</i>
1999	368	5	13	61	46	47
2000	491	10	9	47	95	64
2001	335	13	15	64	42	22
2002	345	7	22	72	27	16
2003	629	12	15	94	68	33
FY 2003-2004	812	15	19	83	88	54
FY 2004-2005	430	39	32	112	23	65
FY 2005-2006	653	25	27	71	55	72

In addition to investigating complaints filed, the investigation and enforcement division also inspects new vehicle dealerships to ensure compliance with the act. For FY 2000-2001, a total of 14,850 new, routine and other inspections were performed. For FY 2001-2002, 14,662 total inspections were performed. For FY 2002-2003, 15,038 total inspections were performed. For FY 2003-2004, 16,326 total inspections were performed. For FY 2004-2005, 12,748 total inspections were performed.

The HPLC also requested an explanation as to why 17 years have elapsed since the last biennial fee increase. The Board receives annual reports from the Bureau of

Finance and Revenue regarding its income and expenditures. In the report provided in July 2002, it was projected that the Board would have a balance of \$737,311 in FY 2004-2005. In the report provided in August 2003, it was projected that the Board would have a balance of \$602,305 in FY 2004-2005. In the report provided in August 2004, it was projected that the Board would have a balance of \$258,519 in FY 2004-2005. In the report provided in June 2005, it was projected that the Board would be in a serious deficit situation by FY 2005-2006, with a deficit of \$804,513, increasing to \$1,633,513 by FY 2007-2008. Although the Board was

reluctant to raise the fees charged to its licensees, it was apparent by June 2005, that an increase was imperative.

Fiscal Impact

The final-form rulemaking increases the biennial renewal fee for all classes of the Board's licensees. The final-form rulemaking should have no other fiscal impact on the private sector, the general public or political subdivisions.

Paperwork Requirements

The final-form rulemaking requires the Board to alter some of its forms to reflect the new biennial renewal fees. However, it should not create additional paperwork for the private sector.

Sunset Date

The act requires the Board to monitor its revenue and costs on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on December 5, 2006, the Board submitted a copy of the notice of proposed rulemaking, published at 36 Pa.B. 7619, to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC, the HPLC and the SCP/PLC 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 Board has considered all comments from IRRC, the HPLC, the SCP/PLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on April 18, 2007, the final-form rulemaking was approved by the HPLC. On May 2, 2007, the final-form rulemaking was deemed approved by the SCP/PLC. Under section 5(g) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC, effective May 2, 2007.

Additional Information

Further information may be obtained by contacting Pamela Marsden, Administrative Assistant, State Board

of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649. Information is also available from the Department of State's website at www.dos.state.pa.us.

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 is necessary and appropriate for administering and enforcing the authorizing act identified in this Preamble.

Order

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

(a) The regulations of the Board, 49 Pa. Code Chapter 19, are amended by amending § 19.14 to read as set forth at 36 Pa.B. 7619.

(b) The Board shall submit this order and 36 Pa.B. 7619 to the Office of General Counsel and the Office of Attorney General as required by law.

(c) The Board shall certify this order and 36 Pa.B. 7619 and deposit them with the Legislative Reference Bureau as required by law.

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

GARY M. BARBERA,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 37 Pa.B. 2355 (May 19, 2007).)

Fiscal Note: Fiscal Note 16A-6010 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 07-1007. Filed for public inspection June 8, 2007, 9:00 a.m.]

STATEMENTS OF POLICY

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

[49 PA. CODE CH. 43b]

Schedule of Civil Penalties—Veterinarians and Veterinary Technicians

The Commissioner of Professional and Occupational Affairs (Commissioner) adds § 43b.21 (relating to schedule of civil penalties—veterinarians and veterinary technicians—statement of policy) to read as set forth in Annex A. This section establishes a civil penalty schedule for violations of the Veterinary Medicine Practice Act (63 P. S. §§ 485.1—485.35) and the regulations of the State Board of Veterinary Medicine (Board).

Section 5(a) of the act of July 2, 1993 (P. L. 345, No. 48) (Act 48) (63 P. S. § 2205(a)) authorizes the Commissioner, after consultation with the licensing boards and commissions in the Bureau of Professional and Occupational Affairs (Bureau), to adopt a schedule of civil penalties for: (1) operating without a current, registered, unsuspended and unrevoked license, registration, certificate or permit; and (2) violating a provision of an act or regulation of a licensing board or commission within the Bureau regarding the conduct or operation of a business or facility licensed by the licensing board or commission. Under section 5(a) of Act 48, the Commissioner may adopt the schedule of penalties by publishing the schedule in the *Pennsylvania Bulletin* as a statement of policy and within 2 years thereafter promulgating the schedule as a regulation.

The Commissioner previously adopted civil penalty schedules under section 5(a) of Act 48 for many of the licensing boards and commissions within the Bureau. These schedules, as well as guidelines and procedures for their implementation, have been codified as regulations, in accordance with Act 48, in Chapter 43b (relating to Commissioner of Professional and Occupational Affairs). Act 48 authorizes agents of the Bureau to issue citations and impose civil penalties under schedules adopted by the Commissioner in consultation with the Bureau's boards and commissions. Act 48 citations streamline the disciplinary process by eliminating the need for formal orders to show cause, answers, adjudications and orders, and

consent agreements. At the same time, licensees who receive an Act 48 citation retain their due process right of appeal prior to the imposition of discipline. The use of Act 48 citations has increased steadily since 1996, when the program was first implemented, and they have become an important part of the Bureau's enforcement efforts, with approximately 30% of sanctions imposed by the boards and commissions being accomplished through the Act 48 citation process.

The Commissioner recently consulted with the Board regarding the adoption of a schedule of civil penalties for violation of certain provisions of the Veterinary Medicine Practice Act and the regulations of the Board that would appear to lend themselves to the Act 48 summary procedures such as advertising violations, failure to display a license and practicing as a veterinarian or veterinary technician on an expired license or certificate. Prior to adoption of the civil penalty schedule, the Commissioner's representative consulted with the Board, who then approved the civil penalty schedule set forth in Annex A at a regular public meeting of the Board held on February 27, 2007.

The civil penalties set forth in Annex A are effective upon publication in the *Pennsylvania Bulletin* and apply to acts, omissions or violations occurring on and after the date of publication.

BASIL L. MERENDA,
Commissioner

(*Editor's Note:* Title 49 of the *Pennsylvania Code* is amended by adding a statement of policy in § 43b.21 to read as set forth in Annex A.)

Fiscal Note: 16-39. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 43b. COMMISSIONER OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS SCHEDULE OF CIVIL PENALTIES, GUIDELINES FOR IMPOSITION OF CIVIL PENALTIES AND PROCEDURES FOR APPEAL

§ 43b.21. Schedule of civil penalties—veterinarians and veterinary technicians—statement of policy.

STATE BOARD OF VETERINARY MEDICINE

<i>Violation under 63 P. S.</i>	<i>Violation under 49 Pa. Code Chapter 31</i>	<i>Title/Description</i>	<i>Civil Penalty</i>
Section 485.17	N/A	Failure to display current license.	Each offense—\$100
Section 485.21(1)	§ 31.21 Principle 5(c)	Improper advertising of emergency services.	First offense—\$250 Second offense—\$1,000 Subsequent offense— formal action

<i>Violation under 63 P. S.</i>	<i>Violation under 49 Pa. Code Chapter 31</i>	<i>Title/Description</i>	<i>Civil Penalty</i>
Sections 485.9(a) and 485.21(1)	§ 31.13	Practicing veterinary medicine on an expired license.	0—6 months—warning 6—24 months—\$500 24—48 months—\$1,000 More than 48 months— formal prosecution
Section 485.21(1)	§ 31.36	Practicing as a veterinary technician on an expired certificate.	0—6 months—warning 6—24 months—\$250 24—48 months—\$500 More than 48 months— formal action

[Pa.B. Doc. No. 07-1008. Filed for public inspection June 8, 2007, 9:00 a.m.]

STATE CONSERVATION COMMISSION

[25 PA. CODE CH. 83]

Nutrient Management Rules and Regulations

The State Conservation Commission (SCC) is proposing to amend Chapter 83, Subchapter B, Conservation District Fund Allocation Program—Statement of Policy (CDFAP SOP).

In July 2006, Senate Bill 1224 was signed into law creating authorization for a new Conservation District Fund. This legislation amended the existing Conservation District Law and directed the State Conservation Commission (SCC), in cooperation with the Department of Environmental Protection (DEP) and the Pennsylvania Department of Agriculture (PDA), to create a new special nonlapsing fund (The Conservation District Fund). Under this legislation, the SCC was specifically authorized to establish procedures for advanced payments to county conservation districts and to provide funding for activities necessary to meet the requirements of the Conservation District Law.

The SCC's CDFAP SOP guides the distribution of specific funds from DEP and PDA for transfer to county conservation districts. It is the vehicle through which the SCC disburses funds to districts for conservation district manager's cost-share, technical assistance cost-share, administrative assistance and other special project funds.

The SCC intends to amend its current published CDFAP SOP to incorporate changes necessary to implement the provisions of the Conservation District Fund legislation.

Contact Persons

For further information contact Karl G. Brown, Executive Secretary, State Conservation Commission, 2301 N. Cameron St., Room 407, Harrisburg, PA 17110, (717) 787-8821. Persons with a disability may use the AT&T Relay Service, (800) 654-5988 (voice users).

Proposed Statement of Policy

Copies of the proposed statement of policy may be obtained from Amy Smith, State Conservation Commission, 2301 N. Cameron St., Room 407, Harrisburg, PA 17110, (717) 787-8821, or by e-mail at ra-scc@state.pa.us. This proposal is also available electronically through the Department of Environmental Protection's website at www.depweb.state.pa.us, (Select: "Public Participation, Proposals Open for Comment, 2007").

Summary of Amendments

General Provisions

§ 83.31. Purpose.

The Commission proposes numerous additions to better describe the purpose of the CDFAP SOP and the new nonlapsing "Conservation District Fund." The Commission proposes to delete the list of program funding priorities.

§ 83.32. Definitions.

The Commission proposes adding definitions for the Agricultural Conservation Technical Assistance Program, Agricultural Area Security Law, Conservation District Management Staff, Cooperating Organization, Erosion and Sediment Control Program, National Pollutant Discharge Elimination System Permitting Program and the PDA. The Commission also proposes adding "and engineer" to the "Conservation district technician" definition.

§ 83.33. Eligible expenses.

This is a new section consolidating eligible expenses from the existing CDFAP SOP sections. Additional salary-related expenses that may be reimbursed are also proposed in this section.

§ 83.34. Application procedures.

This is a new section consolidating application procedures from existing CDFAP SOP sections.

§ 83.35. Procedures for allocating funds.

This is a new section describing how funds will generally be allocated to conservation districts and general restrictions that may be imposed based on the intent of the funding.

§ 83.36. Procedures for advance payments.

This is a new section describing how advance payments to conservation districts for manager and technical cost-share and administrative assistance will be determined.

§ 83.37. Reimbursement requirements and procedures.

This is a new section consolidating reimbursement requirements and procedures from existing CDFAP SOP sections. This section also defines what reports and documents are required by the Commission and the due date for each. Sanctions for missing a due date are also defined in this section.

§ 83.38. Reporting requirements.

This is a new section consolidating reporting requirements from existing CDFAP SOP sections. This section also requires the conservation district to use the Conser-

vation District E-commerce System for submission of forms and reports to the greatest extent possible.

§ 83.39. Record retention requirements.

This is a new section consolidating record retention requirements from existing CDFAP SOP sections and adding the following:

(b) Any conservation district receiving funds under any program element under this subchapter shall maintain in accordance with generally accepted accounting principles all books, records, receipts, financial statements, and other documents pertaining to any program element or special project under this program. These records shall be retained a minimum of 3 years, commencing at the end of the fiscal year of funding. The records shall be made available to the Commission, PDA, DEP, or their agents upon request.

Conservation District Management Cost Share Program

§ 83.41. General requirements.

The Commission proposes to delete the local funding requirement for the manager's cost share program and delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

§ 83.42. Application procedures.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

§ 83.43. Reporting requirements.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

§ 83.44. Reimbursement procedures.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

§ 83.45. Procedures for allocating funds.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

The Commission proposes to use current and anticipated salary and salary related costs to determine the conservation district management staff's cost-share. Currently the salary and salary related costs from the previous fiscal year are used.

§ 83.46. Record retention requirements.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

Administrative Assistance Funding Program

§ 83.51. General requirements and eligibility.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

The Commission proposes to add the ability to compensate conservation districts for the administrative work they provide to their local agricultural land preservation boards without the need for a special projects agreement.

§ 83.52. Procedures for allocating funds.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

The Commission proposes moving subsections (a) and (b) from § 83.53 and including them in this section as paragraphs (1) and (3) and adding a paragraph (2).

(c) Contingent on the availability of funds, the Commission, at its discretion, also has the option to reimburse conservation districts for:

(1) Extraordinary travel and administrative expenses in excess of the initial administrative assistance grant.

(2) Additional eligible expenses in providing administrative support, or other services to a county, state or Federal program where the conservation district accepts administrative responsibility and program implementation activities.

(3) The Commission may also reimburse a district for the travel expenses of a district for the travel expenses of a district director, associate director or staff person to attend a meeting or conference at the request of the Commission.

§ 83.53. Application procedures for reimbursement.

The Commission proposes to delete the duplicate information that is proposed for § 83.52 and add new language.

§ 83.54. Reimbursement procedures.

The Commission proposes to add the ability to reimburse for extraordinary travel and administrative expenses twice a year at the Commission's discretion.

§ 83.55. Reporting procedures.

The Commission proposes to add the current reporting requirement of the annual financial audit to the SOP. The Commission also proposes that a conservation district accepting funds for administrative activities of programs other than general conservation district programs or fulfillment of requirements of the act and this subchapter shall provide a quarterly report of activities and accomplishments that have resulted from the expenditure of these funds as required by the Commission or guidelines established for that program.

Technical Assistance Cost Share Program

§ 83.61. General requirements.

There are numerous additions proposed to this section describing the Agricultural Conservation Technical Assistance Cost Share Program and the cost share for agricultural technicians and engineers.

The Commission also proposes language to better describe the certifications that will be recognized for conservation district technicians and the deletion of the local funding requirement for the district technician and engineer cost share program.

§ 83.62. Application procedures.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

§ 83.63. Reporting requirements.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

§ 83.64. Procedures for allocating funds.

The Commission proposes to use current and anticipated salary and salary-related costs to determine the conservation district technician and engineer's cost-share. Currently the salary and salary-related costs from the previous fiscal year are used.

§ 83.65. Reimbursement procedures.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

§ 83.66. Special requirements.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

Special Projects Funding Program*§ 83.73. Procedures for allocating funds.*

The Commission proposes to delete the reference to maintaining a reserve fund for special projects. Due to the creation of the nonlapsing Conservation District Fund, there is no longer a need for this ability.

§ 83.74. Reporting requirements.

The Commission proposes to delete the duplicate information that is proposed for consolidation in the *General Provisions* section.

Forfeiture and Special Provisions*§ 83.81. Forfeiture.*

The Commission proposes consolidation of language and additional language to clarify how funds will be handled in case of forfeiture.

§ 83.82. Special provisions.

The Commission proposes to expand its ability to delegate its authority to additional Commonwealth departments and staff.

Written Comments:

Written comments, suggestions or objections regarding the proposed amendments may be sent to Karl G. Brown, Executive Secretary, State Conservation Commission, 2301 N. Cameron St., Room 407, Harrisburg, PA 17110. Comments submitted by facsimile will not be accepted; however, the Commission will accept comments submitted by e-mail. Electronic comments may be submitted to ra-scc@state.pa.us. A subject heading of the proposal and return name and address must be included in each e-mail transmission. Comments must be received by July 9, 2007.

Public Meetings and Public Hearings:

No public meetings or public hearings are scheduled for this proposed statement of policy.

KATHLEEN A. MCGINTY,
Chairperson

[Pa.B. Doc. No. 07-1009. Filed for public inspection June 8, 2007, 9:00 a.m.]

NOTICES

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 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending May 29, 2007.

BANKING INSTITUTIONS

Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-25-07	The Victory Bank Royersford Limerick Township Montgomery County	Royersford	Approved

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
5-29-07	The Bank of New York Corporation New York, NY, to acquire 100% of Mellon Financial Corporation, Pittsburgh, PA, and so indirectly acquire Mellon Bank, N.A., Pittsburgh, PA	New York, NY	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-22-07	Mauch Chunk Trust Company Jim Thorpe Carbon County	226 Claremont Tamaqua Schuylkill County	Filed

Branch Relocations/Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-21-07	ESB Bank Ellwood City Lawrence County	<i>To:</i> 2731 Ellwood Road New Castle Shenango Township Lawrence County <i>From:</i> The Lawrence Village Plaza New Castle Shenango Township Lawrence County	Effective
5-22-07	AmeriServ Financial Bank Johnstown Cambria County	<i>Into:</i> 1404 Eisenhower Boulevard Johnstown Richland Township Cambria County <i>From:</i> 1213 Scalp Avenue Johnstown Richland Township Cambria County	Approved
5-24-07	Meridian Bank Berwyn Chester County	<i>To:</i> 1776 East Lancaster Avenue Paoli Tredyffrin Township Chester County <i>From:</i> 1436 Lancaster Avenue Berwyn Tredyffrin Township Chester County	Approved

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<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-29-07	The Juniata Valley Bank Mifflintown Juniata County	<i>To:</i> R. D. No. 1 McAlisterville Juniata County <i>From:</i> Main and School Streets McAlisterville Juniata County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-22-07	AmeriServ Financial Bank Johnstown Cambria County	900 Locust Street St. Michael Adams Township Cambria County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Charter Conversions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
5-23-07	Lancaster Red Rose Credit Union Lancaster Lancaster County	Lancaster	Effective

Represents conversion from an occupational-based credit union to a community-based charter; said conversion will be completed by filing Articles of Amendment with the Department of State (see the following).

Articles of Amendment

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
5-23-07	Lancaster Red Rose Credit Union Lancaster Lancaster County	Amendment to Article 8 of the Articles of Incorporation provides for a change in the field of membership of said credit union to read as follows: "The membership of Lancaster Red Rose Credit Union will be limited to people, businesses, organizations, associations and other legal entities who live, work, worship or attend school in Lancaster County, PA. Other persons eligible for membership include: Spouses of persons who died within the field of membership of this CU; Employees of the CU; Volunteers of eligible groups; Members of immediate family or household of eligible persons; Organizations of such persons; Current Members of the Lancaster Red Rose Credit Union."	Approved and Effective

The Department's internet website at www.banking.state.pa.us includes public notices for more recently filed applications.

VICTORIA A. REIDER,
Acting Secretary

[Pa.B. Doc. No. 07-1010. Filed for public inspection June 8, 2007, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Joseph Oaster for Reinstatement of Teaching Certificate; Doc. No. Re 07-02

Hearing

Under the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.1—2070.18a), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Joseph Oaster for reinstatement of his teaching certificate.

On or about February 28, 2007, Joseph Oaster filed an application for reinstatement of his teaching certificate under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and the former 22 Pa. Code § 233.14 (relating to reinstatement). Under section 16 of the act, the Department of Education on May 22, 2007, advised the Commission that it did not oppose the reinstatement application. In accordance with the act and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary and to prepare a proposed

report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties wishing to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director of the Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate should contact Suzanne B. Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

GERALD L. ZAHORCHAK, D. Ed.,
Secretary

[Pa.B. Doc. No. 07-1011. Filed for public inspection June 8, 2007, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0029777 (Minor Sewage)	Ed Coleman Westgate Water & Sewer Municipal Authority 184 Keiserville Road Tunkhannock, PA 18657	Wyoming County Washington Township	UNT to North Branch Susquehanna River 4G	Y
PA0062316 (Sewage)	Blue Mountain Village Sales, Inc. a/k/a Pleasant Valley Manor, Inc. 1 Blue Mountain Village Saylorsburg, PA 18353	Ross Township Monroe County	Aquashicola Creek 2B	Y
PA0012092 Industrial Waste	BOC Gases 575 Mountain Avenue Murray Hill, NJ 07974	Bethlehem City Northampton County	UNT to Lehigh River 02C	Y
PA0035726 Sewage	Camp Ramah HCR Box 4000 Lake Como, PA 18437	Buckingham Township Wayne County	UNT to Equinunk Creek 01A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0246654 (Sew)	Centre Township Municipal Authority 449 Bucks Hill Road Mohrsville, PA 19541	Berks County Centre Township	UNT to Irish Creek 3-B	Y
PA0246727 (Sew)	Dudley Carbon Coalmont Joint Municipal Authority P. O. Box 276 Dudley, PA 16634	Carbon Township Huntingdon County	Shoups Run 11-D	Y
PA0246859 (IW)	Amos Lynn Hoover Hickory Lane Farm R. D. 1 Box 80 Blain, PA 17006	Jackson Township Perry County	Sherman's Creek 7-A	Y
PA0246719 (IW)	Rodney L. Metzler Pleasant View Farms, Inc. R. D. 1 Box 124 Martinsburg, PA 16662	Blair County North Woodbury Township	Halter Creek 11-A	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0080349 (SEW)	Chesapeake Estates of Thomasville 585 Martin Road Gettysburg, PA 17325	York County Jackson Township	Little Conewago Creek 7-F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0115231 SP	Woodland Bigler Area Authority P. O. Box 27 Woodland, PA 16881-0027	Clearfield County Bradford Township	Roaring Run 8C	Y
PA0113824 SN	GSP Management Company P. O. Box 677 Morgantown, PA 19543-0677	Lycoming County Upper Fairfield Township	Kaiser Hollow 10B	Y

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

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

PA0053392, Industrial Waste, SIC Nos. 4581 and 4513, **UPS, Inc.**, 1 Hog Island Road, Philadelphia, PA 19153-3996. This existing facility is located in Tinicum Township, **Delaware County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge stormwater from the runways and fuel storage and usage areas of a UPS air terminal and distribution center.

The receiving stream, the Delaware River, is in the State Water Plan Watershed 3G and is classified for: WWF, industrial water supply, wildlife water supply, boating, fishing and water contact sports. There is no downstream public water supply intake.

The proposed effluent limits for Outfall 001 are based on a design flow of an average storm event.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Annual</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			Monitor		
COD			Monitor		
Oil and Grease			15		
Total Suspended Solids			Monitor		30
pH (standard units)			6.0 I-Min.		
Iron (Dissolved)			Monitor		9.0
Propylene Glycol			Monitor		

The proposed effluent limits for Outfalls 002-004 are based on a design flow of an average storm event.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Annual</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Oil and Grease			15		30
pH (standard units)			6.0 I-min.		9.0

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

1. Change in Ownership
2. Stormwater Requirements
3. Fire Sprinkler System Discharge

The EPA waiver is in effect.

PA0050920, Sewage, SIC 6513, **Home Properties, Inc.**, 610 Freedom Business Center, Suite 100, King of Prussia, PA 19406. This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Proposed Activity: renewal of an NPDES permit to discharge treated sewage from William Henry APT STP.

The receiving stream, UNT to Ridley Creek, is in the State Water Plan Watershed 3G and is classified for: HQ-TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for aqua PA main system is located on Ridley Creek and is 15.6 miles below the point of discharge.

The proposed effluent limits for Outfall 001 before the plant upgrade are based on a design flow of 0.069 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	11.5		20	40
(11-1 to 4-30)	14.4		25	50
Total Suspended Solids	17.3		30	60
Ammonia as N				
(5-1 to 10-31)	1.0		1.8	3.6
(11-1 to 4-30)	3.1		5.4	10.8
Fecal Coliform			200/100 ml	1,000/100 ml
Total Residual Chlorine			0.1	0.2
Dissolved Oxygen				6.0
				(Instantaneous Minimum)
pH			6.0 to 9.0 standard units at all the time	

The proposed effluent limits for Outfall 001 after the plant upgrade are based on a design flow of 0.069 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	5.8		10	20
(11-1 to 4-30)	8.6		15	30
Total Suspended Solids	5.8		10	20
Ammonia as N				
(5-1 to 10-31)	1.0		1.8	3.6
(11-1 to 4-30)	3.1		5.4	10.8
Phosphorus, Total	0.3		0.5	1.0
Fecal Coliform			200/100 ml	1,000/100 ml
Total Residual Chlorine			0.06	0.2
Dissolved Oxygen				6.0
				(Instantaneous Minimum)
pH			6.0 to 9.0 standard units at all the time	

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

1. Operator Notification.
2. Abandon STP When Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change of Ownership.
7. Chlorine Minimization.
8. Proper Sludge Disposal.
9. Operator Certification.
10. I-Max Limits.
11. 2/Month Sampling.
12. Laboratory Certification.
13. Schedule for the Plant Upgrade.

PA0050342, Sewage, SIC 4952, **Upper Pottsgrove Township**, 1309 Farmington Avenue, Pottstown, PA 19464. This proposed facility is located in Upper Pottsgrove Township, **Montgomery County**.

Description of Proposed Activity: This application is for renewal of a NPDES permit to discharge treated sewage from Regal Oaks Subdivision's STP in Upper Pottsgrove Township, Montgomery County. This is an existing discharge to Sprogels Run.

The receiving stream, Sprogels Run, is in the State Water Plan Watershed 3D and is classified for: WWF. There is no Public Water supply down stream to the discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 17,900 gallons.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	15	30
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	2.5	5.0
(11-1 to 4-30)	7.5	15.0
Total Residual Chlorine	0.5	1.20
Fecal Coliform	200 col/100 ml geometric mean	1,000 col/100 ml
Dissolved Oxygen	Minimum of 5.0 mg/l at all times	
pH	Within limits of 6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

In Addition to the above effluent limits, the permit continues the following major special conditions.

1. Abandon STP When Municipal Sewers Become Available.
2. Remedial Measures If Unsatisfactory Effluent.
3. Acquire Necessary Property Rights.
4. Small Stream Discharge.
5. Transfer of Permit.
6. Minimize Chlorine.
7. Proper Sludge Disposal.
8. Instantaneous Maximum Limitation.
9. Twice a Month Monitoring Frequency.
10. TMDL/WLA Requirement.
11. Operator Certification.
12. O & M Plan Submission.
13. Laboratory Certification.
14. I-Max Requirement.

PA0027294, Sewage, SIC 4952, **Bristol Borough Water & Sewer Authority**, Pond and Mulberry Streets, Bristol, PA 19007. This proposed facility is located in Bristol Borough, **Bucks County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge 2.7 mgd of treated sewage into Otter Creek.

The receiving stream, Otter Creek, is in the State Water Plan Watershed 2E and is classified for: WWF. The nearest downstream public water supply intake for the Philadelphia Suburban Water Company is located on Delaware River and is 2.0 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.7 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10		15	20
BOD ₅ % Removal	88.5%			
Total Suspended Solids	30		45	60
Total Suspended Solids % Removal	85%			
CBOD ₂₀ (lbs/day)	640			
Ammonia (as N)	35			70
Total Residual Chlorine	0.5			1.6
Fecal Coliform	200 colonies/100 ml as a geometric average			1,000 lbs/100 ml
pH	within limits of 6.0 to 9.0 standard units at all times			
Dissolved Oxygen	2.0 minimum			
Toxicity (Chronic) TU _c	Monitor and Report			
Toxicity (Acute) TU _a	Monitor and Report			
Total Copper	Monitor and Report			
Bis(2-Ethylhexy)Phthalate	Monitor and Report			
Polychlorinated Biphenyls(PCBs), Total	Monitor and Report			

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

1. Effective Disinfection.
2. 85% reduction of Total Suspended Solids per DRBC requirements.
3. 88.5% reduction of BOD₅ per DRBC requirements.
4. Whole Effluent Toxicity Testing.

The EPA waiver is not in effect.

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

Application No. PA 0260096, Sewage, **Ali X. Mirage**, 250 Waynesboro Pike, Fairfield, PA 17320. This facility is located in Liberty Township, **Adams County**.

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

The receiving stream, Tom's Creek, is in Watershed 13-D, and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for City of Frederick is located on the Monocacy River, approximately 37 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0196 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a geometric average	
(5-1 to 9-30)		2,000/100 ml as a geometric average	
(10-1 to 4-30)			

In addition to the effluent limits, the permit contains the following Chesapeake Bay requirements:

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Concentration (mg/l)</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly Average</i>
Ammonia-N	Report	Report	Report
Kjeldahl-N	Report	Report	Report
Nitrate-Nitrite as N	Report	Report	Report
Total Nitrogen ⁽¹⁾	Report	Report	Report
Total Phosphorus ⁽¹⁾	Report	Report	Report
Net Total Nitrogen ⁽¹⁾	Report	0	
Net Total Phosphorus ⁽¹⁾	Report	0	

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

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

The EPA waiver is not in effect.

Application No. PA 0013129, Industrial Waste, SIC Code 3315, **Carpenter Technology Corporation**, P. O. Box 14662, Reading, PA 19612. This facility is located in Reading City, **Berks County**.

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

The receiving stream, Schuylkill River, is in Watershed 3-C, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Pottstown Borough located on the Schuylkill River, approximately 21 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 109 based on a design flow of 1.45 mgd are:

<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	Monitor and Report			
pH (standard units)			From 6.0 to 9.0 inclusive		
Total Suspended Solids	340	680	30	60	75

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<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>
Oil and Grease	126	407	Monitor and Report	Monitor and Report	30
Total Chromium	6.55	14	Monitor and Report	Monitor and Report	1.79
Chromium, VI	Monitor and Report	Monitor and Report	0.06	0.12	0.15
Total Nickel	6.58	15	Monitor and Report	Monitor and Report	1.36
Total Cyanide	1.42	3.05	Monitor and Report	Monitor and Report	0.30
Naphthalene		Monitor and Report		Monitor and Report	
Tetrachloroethylen		Monitor and Report		Monitor and Report	
1,1,1-Trichloroethane		Monitor and Report		Monitor and Report	
Nitrate as N		Monitor and Report		Monitor and Report	
NH ₃ -N		Monitor and Report		90	90
Total Copper	Monitor and Report	Monitor and Report	0.16	0.32	0.40
Total Toxic Organics		Monitor and Report		0.29	
Total Lead	0.70	1.12	Monitor and Report	Monitor and Report	0.15
Total Zinc	2.40	4.23	Monitor and Report	Monitor and Report	0.50
Total Cadmium	Monitor and Report	Monitor and Report	0.03	0.09	0.11
Total Silver	Monitor and Report	Monitor and Report	0.03	0.06	0.07

The proposed effluent limits for Outfalls 004, 005, 009, 011—014 are:

<i>Discharge Parameter</i>	<i>Mass Units (lbs/day)</i>		<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Average Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report	Monitor and Report			
pH (standard units)			From 6.0 to 9.0 inclusive		
Temperature				110° F	110° F

The proposed effluent limits for the stormwater outfalls are:

<i>Parameter</i>	<i>Monitoring Requirements</i>	
	<i>Grab Sample (mg/l)</i>	<i>Monitor Frequency</i>
Chromium, VI	Monitor and Report	1/6 months
Total Nickel	Monitor and Report	1/6 months
Total Suspended Solids	Monitor and Report	1/6 months
Total Zinc	Monitor and Report	1/6 months
Total Copper	Monitor and Report	1/6 months
Total Iron	Monitor and Report	1/6 months
Total Lead	Monitor and Report	1/6 months
Oil and Grease	Monitor and Report	1/6 months
pH (standard units)	Monitor and Report	1/6 months

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

The EPA waiver is not in effect.

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

PA0096792, Industrial Waste, SIC 3479, **The Techs Industries**, 2400 Second Avenue, Pittsburgh, PA 15219. This application is for renewal of an NPDES permit to discharge noncontact cooling water and stormwater from the Metal Tech Plant in Pittsburgh, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, the Monongahela River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the West View Municipal Authority, located at West View, 7.36 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.02 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				
Oil and Grease	Monitor and Report				

Other Conditions: Special conditions that apply to noncontact cooling water and stormwater discharges.

The EPA waiver is in effect.

Outfall 101: existing discharge, design flow of 0.02 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				
Temperature (° F)					110
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: existing discharge of stormwater.

<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				
Oil and Grease	Monitor and Report				

PA0110591, Industrial Waste, SIC 3399, **North American Hognas High Alloys, LLC**, 101 Bridge Street, Johnstown, PA 15902. This application is for renewal of an NPDES permit to discharge treated process water and untreated cooling water and stormwater from the Johnstown Facility in Johnstown, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Stonycreek River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Buffalo Township Municipal Authority, located at Freeport, 84 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.0406 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	13.97	29.41	12.0	15.0	
Oil and Grease	8.60	14.35	10.0	10.0	
Copper	0.67	1.28	0.54	1.0	1.35
Cyanide	0.08	0.19	0.07	0.16	0.175
Lead	0.13	0.28	0.11	0.23	0.275
Chromium, Total	0.04	0.09	0.06	0.14	0.15
Nickel	0.08	0.12	0.07	0.11	0.17
Fluoride	5.59	12.61	5.1	11.5	12.7
Ammonia	2.62	5.96			
Iron, Total	0.34	0.67	0.31	0.61	0.8
pH	not less than 7.5 nor greater than 10.0				

Other Conditions: Part C conditions for controls on noncontact cooling water, stormwater, sampling and chemical additives.

The EPA waiver is not in effect.

NOTICES

Outfall 001: existing discharge, design flow of 0.0982 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>
	This outfall shall consist solely of those sources previously monitored at 101, noncontact cooling water and stormwater runoff.				
Flow (mgd)	Monitor and Report				
Copper				Monitor and Report	
Lead				Monitor and Report	
Chromium, Total				Monitor and Report	
Nickel				Monitor and Report	
Iron, Total				Monitor and Report	
pH	not less than 6.0 nor greater than 10.0				

Outfall 002: existing discharge, design flow of 0.0231 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>
	This outfall shall consist solely of noncontact cooling water and stormwater runoff. The net addition of pollutants to noncontact cooling water is restricted by Part C of the permit.				
Flow (mgd)	Monitor and Report				
Nitrate-Nitrite				Monitor and Report	
Fluoride				Monitor and Report	
Chromium, Total				Monitor and Report	
Copper				Monitor and Report	
Iron, Total				Monitor and Report	
pH	not less than 6.0				

Outfall 003: existing discharge, design flow of 0.01 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>
	This outfall shall consist solely of noncontact cooling water, boiler blowdown and stormwater runoff. The net addition of pollutants to noncontact cooling water is restricted by Part C of the permit.				
Flow (mgd)	Monitor and Report				
Nitrate-Nitrite				Monitor and Report	
Chromium, Total				Monitor and Report	
Copper				Monitor and Report	
Iron, Total				Monitor and Report	
pH	not less than 6.0				

Outfall 004: existing discharge stormwater.

<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				
Nitrate-Nitrite				Monitor and Report	
Chromium, Total				Monitor and Report	
Copper				Monitor and Report	
Iron, Total				Monitor and Report	
pH	Monitor and Report				

Outfalls 005: existing discharge stormwater.

<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 Kjeldahl Nitrogen				Monitor and Report	
Nitrate-Nitrite				Monitor and Report	
Chromium, Total				Monitor and Report	

<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>
Copper					Monitor and Report
Iron, Total					Monitor and Report
pH					Monitor and Report

Outfalls 006: existing discharge stormwater.

<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 Kjeldahl Nitrogen					Monitor and Report
Nitrate-Nitrite					Monitor and Report
Chromium, Total					Monitor and Report
Copper					Monitor and Report
Iron, Total					Monitor and Report
pH					Monitor and Report

Outfalls 007: existing discharge stormwater.

<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 Kjeldahl Nitrogen					Monitor and Report
Nitrate-Nitrite					Monitor and Report
Chromium, Total					Monitor and Report
Copper					Monitor and Report
Iron, Total					Monitor and Report
pH					Monitor and Report

Outfalls 008: existing discharge stormwater.

<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 Kjeldahl Nitrogen					Monitor and Report
Nitrate-Nitrite					Monitor and Report
Chromium, Total					Monitor and Report
Copper					Monitor and Report
Iron, Total					Monitor and Report
pH					Monitor and Report

Outfalls 009: existing discharge stormwater.

<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 Kjeldahl Nitrogen					Monitor and Report
Nitrate-Nitrite					Monitor and Report
Chromium, Total					Monitor and Report
Copper					Monitor and Report
Iron, Total					Monitor and Report
pH					Monitor and Report

Outfalls 010: new discharge stormwater.

<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				
Copper					Monitor and Report
pH					Monitor and Report

PA0095702, Sewage, **Thomas E. Ward**, 855 South Bridge Road, Prosperity, PA 15329. This application is for renewal of an NPDES permit to discharge treated sewage from Rosewood Farm Manor STP in South Franklin Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tenmile Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri-County Joint Authority.

Outfall 001: existing discharge, design flow of 0.02 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
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			1.2
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.

PA0097811, Sewage, **Dry Tavern Sewer Authority**, P. O. Box 159, Rices Landing, PA 15357. This application is for renewal of an NPDES permit to discharge treated sewage from Dry Tavern Sewer Authority STP in Jefferson Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Pumpkin Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri-County Joint Municipal Authority.

Outfall 001: existing discharge, design flow of 0.12 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	3.5	5.3		7.0
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	0.02			0.06
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.

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

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

WQM Permit No. 3807402, Sewerage, **South Londonderry Township Municipal Authority**, P. O. Box 3, Campbelltown, PA 17010-0003. This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: The construction/operation of the Mount Wilson Pump Station to serve an existing residential area along SR 241, Manheim Road, from the intersection with Elizabethtown Road approximately 1 1/2 mile north to East High Street.

WQM Permit No. 0107201, CAFO, **John Hess, Jobo Holstein Farms, LLC**, 200 Tall Oaks Road, Gettysburg, PA 17325. This proposed facility is located in Mount Pleasant Township, **Adams County**.

Description of Proposed Action/Activity: Seeking approval to line an existing manure storage facility at the Slagle Farm site.

IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)**V. Applications for NPDES Wavier Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)****VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities**

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

Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, (570) 281-9495.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023507006	First Industrial 200 Phillips Road Exton, PA 19341	Lackawanna	Covington Township	Roaring Brook HQ-CWF Meadow Brook HQ-CWF Tamarack Creek HQ-CWF Lehigh River HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023906007	Joseph and Joanne Kolarik 2288 Meadow Lane Emmaus, PA 18049	Lehigh	Weisenberg Township	Lyon Creek HQ-CWF, MF
PAI023907015	Ray Bartholomew Lighthouse Baptist Church of Lehigh Valley 3656 Alma Drive Allentown, PA 18103	Lehigh	Weisenberg Township	Tributary to Schaefer Run HQ-CWF
PAI023907014	Myron Haydt Myron R. Haydt Development Co. 3005 Barrington Lane Allentown, PA 18103	Lehigh	Salisbury Township	Trout Creek HQ-CWF
PAI023907016	Douglas Barcza MRF Real Estate, LLC 4301 Mill Road Emmaus, PA 18049	Lehigh	Upper Milford Township	Little Lehigh Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI036707001	O'Shea Lumber, Co. Mike O'Shea 11425 South Susquehanna Trail Glen Rock, PA 17327	York	Shrewsbury Township	Seaks Run HQ-CWF
PAI036705003	Robert Barclay Barkas, Inc. 14871 Mt. Olivet Road Stewartstown, PA 17363	York	North Hopewell Township	East Branch Codorus Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062007001	Jeff Davenport Lake Properties Holdings, LLC 22487 Hobbs Road Meadville, PA 16335	Crawford	Summit Township	Inlet Run HQ-WWF

Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI091007002	Department of Environmental Protection Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Butler County	Concord Township	UNT to Connoquenessing Creek Source to Oneida Dam HQ-WWF

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

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

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0604511 , Public Water Supply.
Applicant Colonial Manor Adult Home
Municipality Union Township
County Berks

Responsible Official	Regina Kwapisz, Owner 2308 East Main Street Douglassville, PA 19518
Type of Facility	Public Water Supply
Consulting Engineer	James Rhoades, Jr., P. E. Alfred Benesch & Company 400 One Norwegian Plaza Pottsville, PA 17901
Application Received:	June 29, 2004
Description of Action	Installation of a nitrate treatment system.
Permit No. 0607506 , Public Water Supply.	
Applicant	Lazy K Campgrounds, Inc.
Municipality	Washington Township
County	Berks
Responsible Official	Randy S. Eddinger Consultant/PADEP operator 1697 Swamp Pike Gibbertsville, PA 19525
Type of Facility	Public Water Supply
Consulting Engineer	George W. Ruby, P. E. Ruby Engineering 3605 Island Club Drive North Port, FL 34288-6611
Application Received:	March 12, 2007
Description of Action	Addition of new groundwater source Well No. 4 and relocation of treatment building.
Permit No. 4407501 , Public Water Supply.	
Applicant	Municipal Authority of the Borough of Lewistown
Municipality	Armagh Township
County	Mifflin
Responsible Official	Craig Bubb Superintendent 70 Chestnut Street Lewistown, PA 17004-2216
Type of Facility	Public Water Supply
Consulting Engineer	Patrick J. Ward, P. E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Application Received:	March 29, 2007

Description of Action Construction of a booster pump station on Oak Street in Milroy, PA to improve finished water pressure to customers in this area of the existing distribution system.

Permit No. 0107504, Public Water Supply.

Applicant **Bermudian Springs School District**
 Municipality Huntingdon Township
 County **Adams**
 Responsible Official William K. Shoemaker
 Superintendent
 7335 Carlisle Pike
 York Springs, PA 17372-8807

Type of Facility Public Water Supply
 Consulting Engineer Janet R. McNally, P. E.
 William F. Hill & Assoc., Inc.
 207 Baltimore Street
 Gettysburg, PA 17325

Application Received: April 2, 2007

Description of Action Installation of arsenic removal treatment for the high school, middle school and elementary school.

Permit No. 0107505, Public Water Supply.

Applicant **Bonneauville Borough Municipal Authority**
 Municipality Mt. Pleasant Township
 County **Adams**
 Responsible Official Bernie Shanebrook
 Borough Manager
 46 East Hanover Street
 Gettysburg, PA 17325

Type of Facility Public Water Supply
 Consulting Engineer Bruce Hulshizer, P. E.
 Buchart-Horn, Inc.
 445 West Philadelphia Street
 York, PA 17401-3383

Application Received: April 19, 2007

Description of Action New Well No. 10

Permit No. 6707505, Public Water Supply.

Applicant **Delta Borough**
 Municipality Peach Bottom Township
 County **York**
 Responsible Official Jenalyn M. Williams
 Borough Council President
 101 College Avenue
 P. O. Box 278
 Delta, PA 17314

Type of Facility Public Water Supply
 Consulting Engineer Charles A. Kehew II, P. E.
 James R. Holley & Assoc., Inc.
 18 South George Street
 York, PA 17401

Application Received: May 3, 2007

Description of Action Booster Pump Station and Storage Tank for Delta Ridge Subdivision.

Permit No. 5007503, Public Water Supply.

Applicant **Orchard Hills Associates**
 Municipality Carroll Township
 County **Perry**
 Responsible Official Robert Goodling
 Owner
 P. O. Box 68
 Carlisle, PA 17013

Type of Facility Public Water Supply
 Consulting Engineer Harry E. Bingaman, P. E.
 Glace Assoc., Inc.
 3705 Trindle Road
 Camp Hill, PA 17011

Application Received: May 10, 2007

Description of Action Arsenic Removal

Permit No. 0107506, Public Water Supply.

Applicant **Fairfield Municipal Authority**
 Municipality Hamiltonban Township
 County **Adams**
 Responsible Official Patricia Smith
 Secretary
 P. O. Box 263
 Fairfield, PA 17320

Type of Facility Public Water Supply
 Consulting Engineer Christopher W. Toms, P. E.
 C. S. Davidson, Inc.
 50 West Middle Street
 Gettysburg, PA 17325

Application Received: May 11, 2007

Description of Action Construction of the McGinley's Choice development with two well sources, storage tank and treatment.

Application No. 0606515, Minor Amendment, Public Water Supply.

Applicant **Washington Inn**
 Municipality Washington Township
 County **Berks**
 Responsible Official Randy S. Eddinger
 Consultant/PADEP operator
 1697 Swamp Pike
 Gibertsville, PA 19525

Type of Facility Public Water Supply
 Consulting Engineer George W. Ruby, P. E.
 Ruby Engineering
 3605 Island Club Drive
 North Port, FL 34288-6611

Application Received: November 3, 2006

Description of Action Addition of arsenic treatment at Washington Inn.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application Minor Amendment, Public Water Supply.

Applicant	Nature's Way Purewater Systems, Inc. Dupont Borough Luzerne County
Responsible Official	John Tondora Plant Manager Nature's Way Purewater Systems, Inc. 164 Commerce Road Pittston, PA 18640
Type of Facility	BVRB
Consulting Engineer	Charles J. Yorshaw, P. E. Yorshaw Engineering, Inc. 2520 West Norwegian Street Pottsville, PA 17901
Application Received Date	May 17, 2007
Description of Action	Addition of new finished water source (Far Away Springs Brandonville) to current Permit 2406411.

WATER ALLOCATIONS

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

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

WA 24-105F, Water Allocation, **St. Marys Area Water Authority**, P. O. Box 33967, State Street, St. Marys, PA 15857-0033, City of St. Marys, **Elk County**. The application is for the renewal of an existing Water Allocation permit for withdrawal of 3.22 mgd based on a 30-day average and 5.44 mgd based on a peak day from the Laurel Run Reservoir.

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 §§ 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:

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

Metz (Larry) Residence, Upper Bern Township, **Berks County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Mr. and Mrs. Larry Metz, 5520 Old Route 22, Shartlesville, PA 19554, Mr. and Mrs. Norman Rapak, 5528 Old Route 22, Shartlesville, PA 19554, and State Farm Insurance, P. O. Box 13, Concordville, PA 19331 submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil from a removed underground storage tank. The property is and will remain a private residence. The applicant seeks to remediate to the Residential Statewide Health Standard.

RESIDUAL WASTE GENERAL PERMITS

Application Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Application Number WMGR053. ReCom Services, Inc., 3237 Highway 19, Cochran, PA 16314. General Permit Number WMGR053 authorizes processing of off-specification or out-of-date consumer commodity-type materials in recyclable containers prior to beneficial use of the container materials, processing of empty motor oil containers and the use of "mixed batch" waste from the manufacture of glass beneficially as an agent by the permittee for the solidification/stabilization of container contents. "Mixed batch" waste consists of mixtures of sand, soda ash, dolomite, limestone, gypsum, iron oxide, titanium dioxide and glass cullet. The approved processing is limited to container emptying, separation, shredding, grinding, cleaning and solidification/stabilization of container contents. The application for renewal of General Permit Number WMR053 was accepted as administratively complete by Central Office on May 24, 2007.

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

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application for Determination of Applicability Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash

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

General Permit Application Number WMGR052 D002. Forward Industrial Development Corporation, 6400 Tunnel Hollow Road, Elizabeth, PA 15037. General Permit Application Number WMGR052 authorizes beneficial use of "Low Permeability Cementitious Material" (a mixture of flue gas desulfurization) sludge, coal ash and lime as a construction material and for mine sealing, in mine fire and subsidence control, and for abandoned mine reclamation. The application for determination of applicability was accepted as administratively complete by Central Office on May 24, 2007.

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

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 to 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.

54-302-073: WPS Westwood Generation, LLC (1716 Lawrence Drive, DePere, WI 54115) for modification of a boiler at their facility in Frailey and Porter Townships, **Schuylkill County**.

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

24-119A: Advanced Heat Treating, Inc. (1059 Trout Run Road, City of Saint Mary's, PA 15857) for replacement of existing mist eliminator with a Smog Hog type electrostatic precipitator at their facility site in the City of Saint Mary's, **Elk County**. This is not a Title V facility.

25-951A: Bay City Forge—Division of Patriot Forge (1802 Cranberry Street, Erie, PA 16502) for addition of a 16,000,000 Btu/hr forge furnace at the Bay City Forge facility in the City of Erie, **Erie County**. This is not a Title V facility.

10-281L: II-VI, Inc. (375 Saxonburg Boulevard, Saxonburg, PA 16056) for modification of the hydrogen selenide/hydrogen sulfide emergency scrubber (potassium hydroxide scrubbing solution) installed under plan approval 10-281I in Saxonburg, **Butler County**. The scrubber's two columns will be lengthened so additional packing can be installed and will also be used to control the existing Cold Vault Storage room, the existing Gas Transfer process, and future DH process trains. The purpose of the scrubber is to prevent the emission of any accidental leak of hydrogen selenide or hydrogen sulfide. This is a State-only V facility.

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

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

15-0078E: Centocor, Inc. (200 Great Valley Parkway, Malvern, PA 19355) for installation of 750 kW electric generator at the Centocor pharmaceutical research and development/manufacturing/biotechnological facility at 155 Great Valley Parkway, East Whiteland Township, **Chester County**. The installation of the electric generator may result in the emissions of: 4.2 tpy of NO_x; 0.84 tpy of CO; 0.13 tpy of VOC; 0.56 tpy of SO_x; 0.13 tpy of PM and 0.003 tpy of HAPs. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

09-0028D: Fibermark North America, Inc. (45 North Fourth Street, Quakertown, PA 18951) for modification of existing Source ID 104: No. 9 Saturator at the

Quakertown Plant in Quakertown Borough, **Bucks County**. Fibermark proposes to remove an existing electric dryer and install a three coating station and a 4.8 mmBtu/hr natural gas dryer. The natural gas dryer and the coating line are being relocated from another facility where they were previously operating. Fibermark North America, Inc. is a major source of VOC and an area source for HAPs, currently operating under TVOP-09-00028. The facility elects to cap potential VOC emissions from the installation of the new coating line to 10 tpy. The installation will not trigger New Source Review. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

36-05067K: C & D Technologies, Inc. (82 East Main Street, Leola, PA 17540) for modifications to the existing battery manufacturing plant in Upper Leacock Township, **Lancaster County**. The plant is subject to 40 CFR Part 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants. The proposed modifications will not measurably impact plant emissions. The plan approval will contain emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

19-322-002E: White Pines Corp. (2650 Audubon Road, Audubon, PA 19403-2406) for a plan approval (19-322-002E) for construction and operation of a landfill gas extraction, collection and flaring system for the control of air contaminant emissions from its residual waste landfill in Pine Township, **Columbia County**.

The Department of Environmental Protection's (Department) review of the plan approval application and information submitted by White Pines Corporation indicates that the proposed landfill gas extraction, collection and flaring system will meet all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to issue a plan approval for the landfill gas extraction, collection and flaring system. Additionally, if the Department determines that the landfill gas extraction, collection and flaring system are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into the State-only operating permit No. 19-322-002E by means of an administrative amendment under 25 Pa. Code § 127.450.

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

1. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the PM emissions from the exhaust of ID C001, associated with Source ID P101, shall not exceed 0.01 grains per dry standard cubic foot (gr/dscf).
2. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the SO_x emissions from the exhaust of ID C001, associated with Source ID P101, shall not

exceed 65 parts per million on a dry volume basis (ppmdv) and 0.38 lb/hr and 1.66 tons in any 12-consecutive month period.

3. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the NO_x emissions from the exhaust of ID C001, associated with Source ID P101, shall not exceed 1.08 lb/hr and 4.73 tons in any 12-consecutive month period.

4. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the CO emissions from the exhaust of ID C001, associated with Source ID P101, shall not exceed 3.88 lb/hr and 17.0 tons in any 12-consecutive month period.

5. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the nonmethane organic compound emissions from the exhaust of ID C001, associated with Source ID P101, shall not exceed 0.14 lb/hr and 0.61 ton in any 12-consecutive month period.

6. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the HAP emissions from the exhaust of ID C001, associated with Source ID P101, shall not exceed 1.86 lb/hr and 8.15 tons in any 12-consecutive month period.

7. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12 and in compliance with 25 Pa. Code 123.41, there shall be no visible air contaminant emissions from the flare exceeding 10% opacity at any time.

8. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the total amount of waste disposed of in the landfill shall not exceed 930,764 tons at any time.

9. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, at no time shall more than 2,500 cubic feet of landfill gas per minute be burned in the flare (ID C001).

10. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall perform stack testing to determine the nonmethane organic compounds emission rate as well as the nonmethane organic compounds destruction efficiency on the exhaust from ID C001 (associated with Source ID P101) within 180 days from the initial date of operation of ID C001 (associated with Source ID P101) to demonstrate compliance with their respective emission limitations. All testing is to be done while ID C001 is operating at its normal operating rate and using reference method test procedures acceptable to the Department.

11. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall conduct monitoring in the first week of every January, April, July and October for positive pressure, temperature and percent oxygen at each gas collection wellhead and for the offsite migration of landfill gas at each of the perimeter wells. When the wellhead monitoring data shows that sufficient landfill gases are being generated or the perimeter well monitoring data shows that offsite migration of landfill gases is occurring, the permittee shall begin the active collection and flaring of the landfill gases. Regardless of the results of the monitoring data, the permittee shall begin the active collection and flaring of landfill gas from a cell within 2 years of its respective final closure date unless the permittee can demonstrate to the Department's satisfaction that said collection and control is not yet warranted. The results of the monitoring shall be forwarded to the Department within 7 days of performing said monitoring and shall be in a format acceptable to the

Department. The Department reserves its' right to alter the frequency of said monitoring if it determines it is necessary.

12. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, The permittee shall keep accurate and comprehensive records of the following information:

(1) The number of tons of waste disposed of each month.

(2) The date that each cell begins accepting waste.

(3) The results of the quarterly monitoring conducted at the gas collection wellheads and perimeter wells required by the monitoring requirements of this plan approval.

(4) Continuous temperature records generated by the flare temperature monitoring and recording system and all landfill gas flow rate records generated by the flare inlet landfill gas flow rate monitoring and recording system.

(5) The date of final closure of each cell and the date the perimeter gas wells are installed.

All records required by this condition shall be retained for at least 5 years and shall be made available to the Department upon request.

13. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall notify the Department within 15 days of selecting any specific flare intended for construction at this site and shall provide detailed specifications for the respective flare at the same time for Department approval.

14. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, the Department reserves the right to require the permittee to make any or all of the following modifications or improvements to the landfill gas collection system and/or practices in use at this site should the Department determine that such modifications or improvements are needed for the landfill to comply with the malodorous air contaminant emission requirement of 25 Pa. Code § 123.31 or the requirements specified in any other applicable rule or regulation of the Department:

(1) The use of a cementitious material identified as "Posi-Shell" (or an alternate material determined by the Department to be equivalent to "Posi-Shell") for alternate daily cover.

(2) The use of a temporary geomembrane cover over the intermediate cover.

(3) The use of temporary landfill gas collection lines beneath the temporary geomembrane cover.

(4) The use of leachate recirculation lines as landfill gas collection lines.

The permittee may voluntarily make any of the previously listed modifications or improvements at any time without obtaining plan approval from the Department.

15. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, if waste is still being disposed of in a cell more than 2 years after the date of initial waste deposition in the respective cell, the company shall collect and control the landfill gas generated in that cell unless the company can demonstrate to the Departments' satisfaction that said collection and control is not yet warranted.

16. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, ID C001 (associated with Source ID

P101) shall incorporate the following design features and/or meet the following criteria:

(a) The flare shall be equipped with a continuous pilot ignition source using propane as fuel.

(b) The flare shall be equipped with instrumentation that shall measure and record the landfill gas flow rate continuously.

(c) The flare shall be equipped with a low-fire burner assembly to fire landfill gas at flow rates as low as 3 cubic feet per minute.

(d) A sufficient flow of propane shall be fed to the flare during startup or restart so that a flame is supported and unburned landfill gas is not emitted to the atmosphere.

(e) There shall be no visible flame from the exhaust of the flare.

(f) The flare shall, at all times landfill gas is being ducted to it, achieve a nonmethane organic compound destruction efficiency of at least 98%, by weight.

(g) The flare shall maintain a temperature of at least 1,600° F at any time landfill gas is ducted to the flare and the landfill gas shall be held at this temperature within the flare for at least 1.0 second by the time the gas temperature is monitored.

(h) The flare shall be equipped with a continuous temperature monitoring and recording system having an accuracy of plus or minus 1° F which shall log the temperature of the effluent gas from the flare at all times it is in use. The temperature sensor incorporated in this system shall be positioned at the location within the flare such that the landfill gas being burned will have been in the flare for at least 1.0 second by the time the gas temperature is monitored.

(i) The flare shall be equipped with an ultraviolet (heat-sensing) flame scanner.

(j) In the event that the ultraviolet (heat-sensing) flame scanner does not detect a flame or the flare is not operating at a minimum temperature of 1,600° F or is operating in excess of 2,000° F, an automatic shut-off device shall immediately stop the flow of landfill gas to the flare, the flare shall be automatically shut-down, and an alarm will be activated.

(k) The flare shall at any point in time be capable of accommodating the maximum landfill gas collection rate that will exist at that respective point in time.

The permittee shall not, however, commence the construction of any flare until specifications for the specific flare the permittee intends to construct have first been submitted to the Department and the Department has subsequently informed the permittee that it has determined that the respective flare is capable of complying with all requirements specified herein.

17. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, Source ID P101 is the landfill gas extraction and collection system and ID C001 is the flaring system for the control of air contaminant emissions from Source ID P101 at the White Pines residual waste landfill in Pine Township, Columbia County.

18. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, There shall be no landfill gas leaks which result in concentration of 500 ppmv or more measured as propane (or 1,375 ppmv or more measured as methane) at a distance of 0.5 inch from any equipment. Nonrepeatable and momentary readings shall not be considered. The landfill equipment subject to this

requirement shall include the gas wells, piping or any other connections or fittings along the landfill gas transfer paths of a landfill gas collection system, energy recovery, gas purification and/or any other disposal system. If leaks of landfill gas are occurring from the system, any such leaks shall be immediately repaired and reported to the Department.

19. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, once a cell has gone through final closure, the permittee shall install perimeter gas monitoring wells within 180 days of final closure as described in the application and supplemental materials submitted for plan approval.

20. Under the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12, under no circumstance shall the landfill gas be vented to the atmosphere without first being exposed to the flare (ID C001) in accordance with all requirements of this plan approval. In addition, under no circumstance shall the landfill gas be vented directly from the gas collection wells to the atmosphere.

A copy of the plan approval application is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at (570) 327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Manager, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-0512.

OPERATING PERMITS

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

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

15-00027: Johnson Matthey, Inc. (456 Devon Park Drive, Tredyffrin Township, PA 19087) for renewal of the Title V Operating Permit in Tredyffrin Township, **Chester County**. The initial permit was issued on October 24, 2001. The company manufactures inserts for automotive and industrial catalytic converters. As a result of potential emissions of NOx and VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not reflect any change in air emissions from the facility. The facility is subject to the Compliance Assurance Monitoring regulation pursuant to 40 CFR Part 64.

The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

11-00288: Johnstown America Corp.—Freight Car Division (17 Johns Street, Johnstown, PA 15901) Operating Permit renewal for their Franklin Plant, in Franklin Borough, **Cambria County**. The facility's major sources of emissions include rail car painting operations, which emit major quantities of VOC.

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

25-00179: Erie City Sewer Authority (68 Port Access Road, Erie, PA 16507-2204) for the re-issuance of the facilities Title V Operating Permit to operate a waste water treatment plant in the City of Erie, **Erie County**. The primary sources of emissions at the facility include two sewage sludge incinerators, five 4 pass aeration tanks, a 25,000 gallon oil storage tank and four back up generators.

62-00141: National Fuel Gas Supply Corp.—Roystone Compressor Station (Star Route Box 574, Sheffield Township, PA) for a Title V Operating Permit Renewal to operate a Natural Gas Compressor Station, in Sheffield Township, **Warren County**.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

15-00071: Gourmet Delight Mushroom Co. (704 Garden Station Road, Avondale, PA 19311) for a non-Title V Facility, State-only, Natural Minor Permit in London Grove Township, **Chester County**. Gourmet Delights is a mushroom growing and manufacturing facility. The sources of emissions include boilers and emergency generators. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

07-03010: Hollidaysburg Area School District (201 Jackson Street, Hollidaysburg, PA 16648) for operation of their coal, oil and gas fired boilers in Hollidaysburg Borough, **Blair County**. This is a renewal of the State-only operating permit.

07-03036: Forsht Concrete Products Co., Inc. (R. R. 4, Box 568, Altoona, PA 16601) for operation of a human crematory in Logan Township, **Blair County**. This is a renewal of the State-only operating permit issued June 11, 2002.

36-03160: G/S/M Industrial, Inc. (3249 Hempland Road, Lancaster, PA 17601) for operation of a coating booth at their manufacturing facility in East Hempfield Township, **Lancaster County**. This is a non-Title V (State-only) facility. Standard recordkeeping and operating restrictions will be included to keep the facility operating within all applicable air quality requirements.

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

60-00012: Ritz-Craft Corp. of Pennsylvania, Inc. (15 Industrial Park Road, Mifflinburg, PA 17844) for operation of a mobile/modular home manufacturing facility in Mifflinburg Borough, **Union County**.

The facility incorporates three mobile/modular home manufacturing operations (Plants 1—3), a surface coating operation (Specialty Paint Shop), a wood cabinet finishing operation (Cabinet Shop), 22 small propane and No. 2 fuel oil-fired furnaces and heat pumps (with a combined heat input of 8.53 mmBtu/hr), 82 propane-fired space

heaters (with a combined heat input of 20.5 mmBtu/hr) and two solvent parts washers.

The air contaminant emissions from the facility are not expected to exceed 43.82 tons of VOCs, 19.30 tons of NOx, 17.60 tons of SOx, 9.11 tons of HAPs, 3.13 tons of CO and 1.16 tons of PM/PM10 per year.

The facility is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection (Department) proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously established in Plan Approval 60-399-002, issued on September 30, 2003.

The conditions previously established in Plan Approval 60-399-002 were published in the *Pennsylvania Bulletin* on August 30, 2003.

In addition to the conditions previously established in Plan Approval 60-399-002, the Department intends to incorporate a number of new conditions into the operating permit to be issued including:

1. A condition limiting the total combined facility-wide VOC emissions to less than 50 tons in any 12-consecutive month period, the total combined facility-wide emissions of any single HAP to less than 10 tons in any 12-consecutive month period and the total combined facility-wide emissions of all HAPs to less than 25 tons in any 12-consecutive month period.

2. Conditions limiting the fuel used in the 22 small furnaces and heat pumps to natural gas, liquefied petroleum gas and No. 2 fuel oil and that used in the 82 space heaters to natural gas and liquefied petroleum gas.

3. A condition limiting the VOC emissions from Plant 1 to less than 10 tons in any 12-consecutive month period.

4. A condition limiting the VOC emissions from the Cabinet Shop to less than 2.7 tons in any 12-consecutive month period and the HAPs to less than 1.0 ton in any 12-consecutive month period.

5. Conditions requiring the maintenance, and periodic submission, of records of the identity, amount used, VOC content, volatile HAP content, and the like of the materials used in Plant 1, the Cabinet Shop and the two solvent parts washers.

6. Conditions specifying the applicable 25 Pa. Code § 129.63 requirements for the two solvent parts washers.

7. A condition prohibiting the use of solvents containing HAPs in the solvent parts washers.

19-00030: Sokol Quarries, Inc. (P. O. Box 366, Bloomsburg, PA 17815) for the operation of a sand and gravel processing facility on Route 487 in Fishing Creek Township, **Columbia County**.

The facility incorporates various pieces of crushing, screening and conveying equipment. The emission of fugitive dust from the facility is prevented, or controlled, by the inherent moisture content of the sand and gravel, the use of a water spray dust suppression system, the addition of water to the sand and gravel in some portions of the processing facility and the use of a water truck for road dust control.

The PM/PM10 emissions from the facility are not expected to exceed 7.75 tpy.

The facility is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously established in Operating Permit 19-310-007, issued on December 17, 2002.

The conditions previously established in Operating Permit 19-310-007 were published in the *Pennsylvania Bulletin* on November 16, 2002.

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

33-00155: Trail King Industries, Inc. (147 Industrial Park Road, Brookville, PA 15825-7201) for re-issuance of State-only permit in Pine Creek Township, **Jefferson County**. The facility manufactures fabricated metal products. The facility's major emission sources include natural gas space heating, wastewater evaporator, paint booth "A," paint booth "B," cold degreasing stations, plasma torch, wood sawing and grit blast booth "A" with media recovery.

10-00335: Penn United Carbide—Division of Penn United Technologies (196 Alwine Road, Saxonburg, PA 16056) for re-issuance of State-only permit in Jefferson Township, **Butler County**. The facility manufactures machine tool accessories. The facility's major emission sources include miscellaneous natural gas usage, mill room, finish grinding, equipment/parts cleaning, spray dryer, debind furnace, blue m furnace, finish grinding evaporator, two debind furnaces.

25-00929: Russell Standard Corporation—Millcreek Plant (2002 Pittsburgh Avenue, Erie, PA 16502) for re-issuance of a Synthetic Minor Permit to operate an asphalt paving mixtures and blocks manufacturing facility in Millcreek Township, **Erie County**. The significant sources are batch mix asphalt plant with a baghouse and cyclone separator. The facility has taken a restriction of production rate not more than 495,000 tpy to become a Synthetic Minor facility.

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

S01-001: The Purolite Co. (3620 G Street, Philadelphia, PA 19134) for operation of an ion exchange manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three No. 6 oil/No. 2 oil/natural gas fired boilers each less than 10 mmBtu/hr, a polymerization process and a sulfonation process.

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

Persons wishing to file protest or comments on the previous operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the

public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least 30 days before the hearing.

S04-015: Smurfit-Stone Container Corp. (Tulip and Decatur Streets, Philadelphia, PA 19136) for operation of a paper product manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one 600 HP boiler burning natural gas or No. 6 fuel oil, two cyclones, eight flexographic printing presses and paper trimming and handling operations.

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

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES

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

Written comments or objections should contain the name, address and telephone number of the person

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

Coal Applications Received

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

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH ¹		greater than 6.0;	less than 9.0
Alkalinity greater than acidity ¹			

¹The parameter is applicable at all times.

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

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

Permit No. 03871303 and NPDES Permit No. PA0213667, TJS Mining, Inc., (2340 Smith Road, Shelocta, PA 15774), to renew the permit for the Darmac No. 2 Deep Mine in Plumcreek Township, **Armstrong County** and Armstrong Township, **Indiana County** and related NPDES permit. No additional discharges. Application received April 23, 2007.

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

11020101 and NPDES No. PA0249203, E. P. Bender Coal Co., Inc., (P. O. Box 594, Carrolltown, PA 15722), permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Reade Township, **Cambria County**, affecting 141.0 acres. Receiving streams: Fallentimber Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 17, 2007.

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

63050101 and NPDES Permit No. PA0250694. Muligan Mining, Inc. (5945 Pudding Stone Lane, Bethel Park, PA 15102). Revision application to add 9.2 acres and change the land use from forestland to pastureland and land occasionally cut for hay to an existing bituminous surface mine located in Smith Township, **Washing-**

ton County, affecting 55.9 acres. Receiving streams: Raccoon Creek, UNTs to Little Raccoon Run and Raccoon Creek, classified for the following use: WWF. There is not potable water supply intake within 10 miles downstream from the point of discharge. Revision application received May 21, 2007.

03070102 and NPDES Permit No. PA0251151. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201). Resubmittal of an application for commencement, operation and reclamation for the cancelled bituminous surface mine permit 03970105, located in Washington Township, **Armstrong County**, affecting 413.0 acres. Receiving streams: UNTs to Limestone Run, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: PA American Water Co, Kittanning Municipal Water Authority and Kittanning Joint Suburban Water Authority. Application received May 15, 2007.

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

24020102 and NPDES Permit No. PA0242080. P. and N. Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip, coal ash placement and beneficial use of coal ash operation in Benezette Township, **Elk County** affecting 118.9 acres. Receiving streams: UNTs to Porcupine Hollow Run to Dents Run; UNT to Chase Hollow to Trout Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received May 21, 2007.

16060102 and NPDES Permit No. PA0258121. Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823). Transfer of an existing bituminous surface strip operation in Licking and Beaver Townships, **Clarion County** affecting 29.0 acres. Receiving streams: UNTs to the Clarion River, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from Allegheny Milestone, Inc. Application received May 23, 2007.

16000101 and NPDES Permit No. PA0241695. Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823). Transfer of an existing bituminous surface strip and limestone and sandstone removal operation in Licking and Richland Townships, **Clarion County** affecting 83.6 acres. Receiving streams: UNTs to the Clarion River, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from Milestone Crushed, Inc. Application received May 23, 2007.

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

17900108 and NPDES No. PA0116971. TDK Coal Sales, Inc. (P. O. Box 259, Brockway, PA 15824), permit renewal for the continued operation and restoration of a bituminous surface mine in Penn Township, **Clearfield County**, affecting 798.0 acres. Receiving streams: Daily Run to UNT to Daily Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 22, 2007.

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

5492020R2 and NPDES Permit No. PA0223581. DiRenzo Coal Company, (1389 Bunting Street,

Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing, refuse disposal and coal preparation facility with a discharge of treated mine drainage in Branch Township, **Schuylkill County** affecting 18.9 acres, receiving stream: Carp Creek. Application received May 14, 2007.

Coal Applications Returned

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

63-06-02 and NPDES Permit No. PA0251127. Oxford Mining Company (544 Chestnut Street, P. O. Box 427, Coshocton, OH 43812). Oxford Mining Co. withdrew their application for Government Financed Construction Contract, located in Jefferson Township, **Washington County**, affect 51.8 acres. Receiving stream: Scott Run. Application received March 20, 2007. Application withdrawn May 24, 2007.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

61990301. Cooperstown Sand & Gravel (P. O. Box 4, Cooperstown, PA 16317). Renewal of NPDES Permit No. PA0227960, Jackson Township, **Venango County**. Receiving streams: UNT to Sugar Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is the Borough of Franklin. NPDES Renewal application received May 21, 2007.

16970307 and NPDES Permit No. PA0227609. Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823). Transfer of an existing Vanport Limestone and Lower Kittanning Coal Seam operation in Beaver, Licking and Richland Townships, **Clarion County** affecting 111.3 acres. Receiving streams: Turkey Run and UNT to Turkey Run, classified for the following use: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from Milestone Crushed, Inc. Application received May 23, 2007.

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

45930801. Alan Siberini (P. O. Box 674, Bushkill, PA 18324), Stages I and II bond release from a quarry

operation in Hamilton Township, **Monroe County** on property owned by Niles Possinger. Application received May 10, 2007.

40070301 and NPDES Permit No. PA0224596. Earth Conservancy (101 Main Street, Ashley, PA 18706), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Nanticoke City, **Luzerne County** affecting 74.0 acres, receiving stream: Susquehanna River, classified for the following use: CWF. Application received May 9, 2007.

67070301 and NPDES Permit No. PA0224600. Glen-Gery Corporation (P. O. Box 7001, Wyomissing, PA 19610), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Dover Township, **York County** affecting 70.6 acres, receiving stream: UNT of Fox Run, classified for the following use: TSF. Application received May 10, 2007.

7974SM5A1C5 and NPDES Permit No. PA0612243. Haines & Kibblehouse, Inc., (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Hilltown Township, **Bucks County**, receiving stream: North Branch Neshaminy Creek, classified for the following use: TSF. Application received May 11, 2007.

8274SM2C6 and NPDES Permit No. PA0612871. Eastern Industries, Inc., (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Cocalico Township, **Lancaster**

County, receiving stream: UNT to Indian Run Creek, classified for the following use: TSF. Application received May 14, 2007.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E35-407. Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, in Jessup Borough, **Lackawanna County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a road crossing of Grassy Island Creek (HQ-CWF) and to impact 0.096 acre of wetlands for the purpose of constructing a two-lane 1.9-mile, limited access collector roadway, known as SR 6247. This roadway project begins at the intersection of SR 0247, located approximately 0.5 mile south of the SR 0006 interchange (Olyphant, PA Quadrangle N: 14.5

inches; W: 8.0 inches), and continues to a point approximately 1.9 miles northeast (Olyphant, PA Quadrangle N: 18.3 inches; W: 4.8 inches).

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

E36-827: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699, Manheim Township, **Lancaster County**, ACOE Baltimore District.

To: (1) remove an existing single span T-Beam bridge having a total span of 25.0 feet, a width of 30 feet, and minimum underclearance of 5.0 feet, with associated dam structure located directly under the bridge; (2) remove an existing single-lane single span T-Beam bridge having a total span of 12.0 feet, a width of 30 feet, and minimum underclearance of 5.0 feet, with associated emergency spillway structure located directly under the bridge; (3) remove approximately 9,240 cubic feet of roadway fill between the two bridge structures; and to (4) construct and maintain a single span Spread Box Beam Bridge having a total span of 48.5 feet, a width of 50 feet, and minimum underclearance of 4.0 feet carrying Oregon Road (SR 0722) over Lititz Run (WWF) at a point approximately 200 feet west of its intersection with Creek Road (TR-620) (Leola, PA Quadrangle N: 20.2 inches; W: 17.2 inches, Latitude 40° 06' 40"; Longitude: 76° 14' 54") in Manheim Township, Lancaster County. The applicant is proposing to use rock-vein structures to control the streambed elevation and maintain the pool level within the lake that was created by the dam.

E36-826: Manheim Township, 1840 Municipal Drive, Lancaster, PA 17601, Manheim Township, **Lancaster County**, ACOE Baltimore District.

To restore the capacity of stormwater conveyance in Landis Run (WWF) and a UNT to the Conestoga River (WWF), excavation of the stream bottoms to remove sediment build up, and to further create a 6.0-inch deep by 12.0-inch wide micro-channel in the bottom of the stream to maintain the stream flow in low water conditions, and the installation and maintenance of a 9.6-foot long R-4 rip-rap lined stilling basin on Landis Run and a 17.0-foot by 10.0-foot by 18.0-inch deep R-4 rip rap outlet protection area at the outlets of the existing culverts on the UNT to the Conestoga River, along with debris removal upstream and downstream of all existing culverts is proposed. The excavated stream bottom and micro-channel will be underlain with geotextile, and the natural stream bottoms will then be restored. A total of 700.0-feet of grading will occur on Landis Run (WWF) (Lancaster, PA Quadrangle N: 17.5 inches; W: 7.5 inches, Latitude 40° 05' 39"; Longitude: 76° 18' 17"), including 280.0-foot upstream of the existing 36.0-inch RCP and 72.0-inch by 44.0-inch arch CMP under Route 501 which will outlet to the proposed 9.6-foot long R-4 rip-rap lined stilling basin, and an additional 420.0-foot downstream of the stilling basin. The UNT to the Conestoga River (WWF) (Lancaster, PA Quadrangle N: 11 inches; W: 5 inches, Latitude 40° 03' 46"; Longitude: 76° 16' 47") will have a total of 410.0-feet of stream grading beginning at the existing 18.0-inch CMP and 43.0-inch by 27.0-inch arch CMP under Mission Road, and the 15.0-inch CMP under nearby Park Road, at the outlet of which a 17.0-foot by 10.0-foot by 18.0-inch deep R-4 Rip rap outlet area is proposed, to the existing 5.0-foot by 15.0-foot culvert under Route 30. The entire project is located in Manheim Township, Lancaster County.

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

E02-1083-A3. Alvin and Lois Lampenfeld, 1024 Windermere Drive, Pittsburgh, PA 15218. To amend permit E02-1083-A2 to construct and maintain an expansion to an existing boat marina in the Borough of Sharpsburg, **Allegheny County**, Pittsburgh ACOE District (Pittsburgh East, PA Quadrangle N: 21.3 inches; W: 6.0 inches, Latitude: 40° 29' 33"; Longitude: 79° 55' 10.3"). The applicant proposes to amend permit E02-1083-A2, which authorized the operation and maintenance of an existing small boat marina in the channel of and along the right bank of the Allegheny River (WWF). This amendment is to construct and maintain an expansion of 460 feet to the upstream and end of the existing facility.

E03-354-A2. Reliant Energy Northeast Management Company, 121 Champion Way, Suite 200, Canonsburg, PA 15317. To construct an access road to Crooked Creek in Plumcreek Township, **Armstrong County**, Pittsburgh ACOE District (Elderton, PA Quadrangle N: 6.5 inches; W: 12.4 inches, Latitude: 40° 39' 39"; Longitude: 79° 29' 30"). The applicant proposes to construct and maintain a 70-foot long 24-inch diameter corrugated metal pipe (CMP) for the construction of an access road in a UNT to Crooked Creek (WWF). To place and maintain fill in 0.11 acre of PEM/PSS wetlands for an absorber building. To construct and maintain nine stream enclosures (210-foot long 4.16-foot by 8.0-foot CMP arch culvert, 125-foot long 24-inch diameter CMP, 157-foot long 24-inch diameter CMP, 205-foot long 18-inch diameter CMP, 170-foot long 18-inch diameter CMP, 115-foot long 24-inch diameter CMP, 165-foot long 36-inch diameter CMP, 580-foot long 36-inch diameter CMP, and two 405-foot long 24-inch diameter CMPs), one 75-foot long 24-inch diameter CMP (all located in UNTs to Crooked Creek), and place and maintain fill in 0.90 acre of PFO wetlands, 0.06 acre of PEM wetlands, and 0.02 acre of a vernal pool for a proposed Rail Cradle. To place and maintain fill in 0.23 acre of PEM/PSS wetlands and to construct and maintain a stream enclosure 110' long using a 4.16-foot by 8.0 foot CMP arch culvert located in a UNT to Crooked Creek for a proposed limestone storage facility. To place and maintain fill in 0.02 acre of PEM wetlands for a proposed wastewater treatment plant. To operate and maintain an intake structure to withdraw a total of 5.0 mgd from Plum Creek (WWF). To eliminate 365 feet of a UNT to Crooked Creek due to their wetland mitigation plan. The applicant will also be proposing to operate and maintain a 15-mile long wastewater pipeline from the site to discharge into the Allegheny River (WWF) in a future phase of the project. The applicant proposes to compensate for the wetland impacts by creating a 3.48-acre wetland, which will include 1,385 feet of stream mitigation. These impacts are associated with the proposed Flue Gas Desulfurization Scrubber Project at the Keystone Generating Facility located along the east side of SR 210 approximately 2 miles south of its intersection with SR 422, at the existing Keystone Generating Station. This project will impact 7 wetlands for a total of 1.34 acres and 13 streams for a total of 2,752 feet of stream channel.

E65-910. Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106. To construct and maintain a culvert in Hempfield Township and Arona Borough, **Westmoreland County**, Pittsburgh ACOE District (Beginning from Irwin, PA Quadrangle N: 3.3 inches; W: 6.0 inches, Latitude: 40° 16' 00"; Longitude: 79° 40' 00" and Ending at Smithton, PA Quadrangle N: 21.3 inches; W: 1.6

inches, Latitude: 40° 14' 34"; Longitude: 79° 38' 11"). The applicant proposes to construct and maintain a 240-ft. long, 54-ft. span, 26.25-ft. rise, open bottom, concrete arch culvert and temporary stream crossing in Little Sewickley Creek (TSF) with a drainage area of 17.1 square miles, located downstream and adjacent to the existing and to be removed three span, 90-ft. wide, 240-ft. long, steel girder bridge and piers; a 540-ft. long, 60-inch diameter RCP extension to an existing 60-inch diameter RCP culvert in a UNT to Little Sewickley Creek with a drainage area of 251 acres; a 28.6-ft. long extension to the inlet and 36.3-ft. long extension to the outlet of an existing 120.8-ft. long, 32-ft. span, 16.25-ft. rise, open bottom arch culvert in a UNT to Sewickley Creek (WWF) with a drainage area of 2.15 square miles; approximately 1,557 ft. of culvert and approximately 1,732 ft. of stream relocation in UNTs to Little Sewickley Creek, with drainage areas of less than 100 acres, and associated stormwater outfalls. In addition, 0.65 acre of PEM/PSS wetland will be filled and maintained. This project is associated with the larger, phased Turnpike Commission's I-76 reconstruction and improvement work with these encroachments starting approximately 2.3 miles southeast from the center of Arona Borough and extending west 0.25 mile to the center of Arona Borough, located in Hempfield Township.

E65-911. Westmoreland County Department of Public Works, Westmoreland County Courthouse, 2 North Main Street, Greensburg, PA 15601. To construct and maintain a replacement bridge in Penn Township, **Westmoreland County**, Pittsburgh ACOE District (Irwin, PA Quadrangle N: 10.5 inches; W: 3.5 inches, Latitude: 40° 21' 25"; Longitude: 79° 38' 51"). The applicant proposes to construct and maintain a replacement bridge with a span of 20-feet and an underclearance of 4.4-feet to convey the Harrison City-Export Road (County Road 193) across a UNT to Bushy Run (TSF), for the purpose of correcting a roadway curvature deficiency, narrow lane widths and provide for a center turning lane. The project is located about 150-feet north of the intersection of County Road 193 and SR 31.

E65-912. Municipal Authority of Westmoreland County, S.W. Corner U. S. Route 30 West and South Greengate Road, P. O. Box 730, Greensburg, PA 15601. To construct and maintain water transmission main in Hempfield Township and Jeannette City, **Westmoreland County** (Greensburg, PA Quadrangle N: 12.5 inches; W: 14.3 inches, Latitude: 40° 19' 06"; Longitude: 79° 36' 00"). The applicant proposes to construct and maintain approximately 9,600 linear feet of 48-inch diameter water transmission main across several watercourses within the Brush Creek Basin (TSF) and to impact 0.27 acre of wetlands (PEM).

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

E10-430. INDSPEC Chemical Corporation, 133 Main Street, P. O. Box 307, Petrolia, PA 16050. Acid House Control Room Project, in Petrolia Borough, **Butler County**, ACOE Pittsburgh District (Parker Quadrangle, N: 41° 01' 05"; W: 79° 42' 56").

To construct and maintain a 600 square foot Control Room building, a portion of which is in the regulated floodway on the west side of the South Branch of Bear Creek (WWF). The building will be approximately 600 feet north of West Main Street and 160 feet east of SR 268.

E10-433. INDSPEC Chemical Corporation, 133 Main Street, P. O. Box 307, Petrolia, PA 16050. Acid

House Control Room Project, in Petrolia Borough, **Butler County**, ACOE Pittsburgh District (Parker Quadrangle, N: 41° 01' 05"; W: 79° 42' 56").

Project to remove the existing 29-feet by 29-feet building, sitting 4 feet above the nominal water level on the east side of the South Branch of Bear Creek (WWF) within the regulated floodway. A new Ether Feed Enclosure Building 31-feet by 33-feet and a 14-foot by 14-foot annex will be constructed in its place. The site is approximately 330 feet north of West Main Street and approximately 210 feet east of SR 268.

In addition, an existing utility pipeline bridge consisting of two, 4-inch diameter posts located on either side of the Creek will be removed and replaced. The new utility

bridge will consist of five, 6-inch diameter posts that will sit on concrete piers, south of the Ether Feed Enclosure Building.

E33-227. Jefferson County Commissioners, Jefferson Place, 155 Main Street, Brookville, PA 15825. Jefferson County Bridge JC-29, Howe Road Across Mill Creek, in Eldred and Union Townships, **Jefferson County**, ACOE Pittsburgh District (Corsica, PA Quadrangle N: 41° 13' 48"; W: 79° 11' 06").

To construct and maintain a composite steel I-beam bridge on existing stone abutments providing a clear, normal span of 56.5 feet and an underclearance of approximately 9 feet across Mill Creek (HQ-CWF) on T-342, Howe Road, approximately 2.5 miles north of SR 949.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504 and 6021.1101–6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.

<i>SSIP Application No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
07006	Clean Harbors PPM, LLC 4105 Whitaker Avenue Philadelphia, PA 19124-4239 Attn: Alexander Yonker	Philadelphia	City of Philadelphia	Three ASTs storing mineral oil	30,000 gallons total

ACTIONS

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

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

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

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

and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0062260 (Sewage)	Brookmont Health Care Center, Inc. P. O. Box 50 Brookmont Drive Effort, PA 18330	Monroe County Chestnuthill Township	Pohopoco Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0080900 (SEW)	Berrysburg Municipal Authority First and Hickory Streets Berrysburg, PA 17005	Dauphin County Berrysburg Borough	UNT Wiconisco Creek 6-C	Y
PA0084115 (SEW)	All American Travel Plazas, Inc.—Clark's Ferry Auto/Truck Plaza P. O. Box 320 Bethel, PA 19507	Dauphin County Reed Township	Haldeman Channel of Susquehanna River 6-C	Y
PA0020648 (SEW)	Port Royal Municipal Authority P. O. Box 236 Port Royal, PA 17082-0236	Juniata County Port Royal Borough Milford Township	Juniata River 12-A	Y
PA0081795 (SEW)	Williams Grove Associates 20 Erford Road Suite 215 Lemoyne, PA 17043	Cumberland County Monroe Township	Yellow Breeches Creek 7-E	Y
PA0086151 (SEW)	Dr. P.C.S. Chadaga 110 Inverness Drive Blue Bell, PA 19422	Cumberland County North Middleton Township	UNT Conodoguinet Creek 7-B	Y
PA0088137 (IW)	Reading Area Water Authority 815 Washington Street Reading, PA 19601-3658	Berks County Maidencreek Township	Lake Ontelaunee/ Maidencreek 3-B	Y
PA0051560 (IW)	Western Berks Water Authority 91 Water Street Sinking Spring, PA 19608-9362	Berks County Lower Heidelberg Township	Tulpehocken Creek 3-C	Y
PA0083208 (SEW)	Marlin Harnish Refreshing Mountain Camp, Inc. 455 Camp Road Stevens, PA 17578	Lancaster County Clay Township	UNT Middle Creek 7-J	Y
PA0035653 (SEW)	Department of Transportation Bureau of Design P. O. Box 3060 Harrisburg, PA 17105-3060	Fulton County Brush Creek Township	UNT Brush Creek 11-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0030392 Industrial Waste	General Motors Corporation 1451 Lebanon School Road West Mifflin, PA 15122	Allegheny County West Mifflin Borough	Curry Hollow Creek	Y
PA0025984 Sewage	Allegheny County Sanitary Authority 3300 Preble Avenue Pittsburgh, PA 15233	Allegheny County City of Pittsburgh	Ohio River	N

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

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

NPDES Permit No. PA 0065102, Sewage, **Daniel Bittenbender**, R. R. 5, Box 5647, Saylorsville, PA 18353. This proposed facility is located in Hamilton Township, **Monroe County**.

Description of Proposed Action/Activity: Issuance of NPDES Permit for the discharge of treated sewage from a single-family residence to a UNT to Lake Creek (HQ-CWF, SWP Basin 01E).

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

NPDES Permit No. PA0027952, Sewage, **Edward O'Leary, HMS Host**, P. O. Box 8, Middletown, PA 17057. This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Transfer of Permit for Lawn Service Plaza.

NPDES Permit No. PA0260169, CAFO, **Elmer J. King**, 3328B West Newport Road, Ronks, PA 17572 and Nelson King, Box 348-AA, R. R. No. 1, Honey Grove, PA 17035. This proposed facility is located in Lack Township, **Juniata County**.

Description of Size and Scope of Proposed Operation/Activity: Approval to operate a 733 AEU layer operation in Watershed 12-B.

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

PA0228982, CAFO, SIC 0259, **James Kurtz**, 1070 Grande Valley Road, Mifflinburg, PA 17844. This existing facility is located in West Buffalo Township, **Union County**.

Description of Proposed Activity: Jim Kurtz Farm is an existing duck farm, totaling 63.1 Animal Equivalent Units.

The water body nearest to this facility is a UNT to Buffalo Creek in the Buffalo Creek Watershed (SWP-10C) and has a designated use of CWF.

Except for the chronic or catastrophic rainfall events defined as over 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. Compliance with the Pennsylvania Nutrient Management Act and The Clean Streams Law constitutes compliance with State narrative water quality standards.

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

1. Compliance with the farm's Nutrient Management Plan.
2. Compliance with the farm's Preparedness, Prevention and Contingency Plan.
3. Compliance with the farm's Erosion and Sedimentation Control Plan for plowing and tilling.
4. Erosion and Sedimentation Control Plan requirements for stormwater during construction activities.
5. Animal mortality handling and disposing requirements.
6. Certification requirements for manure storage facilities.
7. Requirements for storage of feed and other raw materials.
8. Best Management Practices requirements.

The EPA waiver will not be in effect.

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

NPDES Permit No. PA0020788, Sewage, **Borough of Derry**, 114 East Second Avenue, Derry, PA 15627. This proposed facility is located in Derry Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit amendment issuance.

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

NPDES Permit No. PA0239976, Industrial Waste, **Redbank Valley Municipal Authority**, 243 Broad Street, New Bethlehem, PA 16242. This proposed facility is located in New Bethlehem Borough, **Clarion County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Redbank Creek in Watershed 17-C.

NPDES Permit No. PA0239861, Sewage, **Cochranton Borough**, 109 East Adams Street, P. O. Box 66, Cochranton, PA 16314. This proposed facility is located in Cochranton Borough, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to French Creek in Watershed 16-D.

NPDES Permit No. PA0026379, Sewage, **Bradford Sanitary Authority**, P. O. Box 546, Bradford, PA 16701-0546. This proposed facility is located in Foster Township, **McKean County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Tunungwant Creek in Watershed 16-C.

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

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

WQM Permit No. 5807401, Sewerage, **Bridgewater Municipal Authority**, P. O. Box 185, South Montrose, PA 18843. This proposed facility is located in Bridgewater Township, **Susquehanna County**.

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

WQM Permit No. 4506402, Sewerage, **Daniel Bittenbender**, R. R. 5, Box 5647, Saylorville, PA 18353. This proposed facility is located in Hamilton Township, **Monroe County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for the construction/operation of a single-family residential sewage treatment facility.

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

WQM Permit No. WQG01210702, Sewage, **Richard E. Miller**, 190 Hoy Road, Carlisle, PA 17013. This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Application for the construction/operation of an individual small flow treatment system.

WQM Permit No. WQG01670702, Sewage, **Bethanne V. Schott**, 9499 Brogueville Road, Felton, PA 17322. This proposed facility is located in Chanceford Township, **York County**.

Description of Proposed Action/Activity: Application for the construction/operation of an individual small flow treatment system.

WQM Permit No. WQG02220701, Sewage, **Lower Paxton Township Sewer Authority**, 425 Prince Street, Harrisburg, PA 17109. This proposed facility is located in Lower Paxton Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of the Whilshire Estates sewer extension and pump station.

WQM Permit No. 2807403, Sewage, **Peter's Township Supervisors**, 5000 Steele Avenue, P. O. Box 88, Lemasters, PA 17231. This proposed facility is located in Peters Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization for the construction of sewerage facilities consisting of a 25,000 gpd extended aeration treatment plant consisting of flow equalization, aeration, clarification, chlorination, dechlorination and sludge holding. This new STP replaces an existing lagoon treatment facility.

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

WQM Permit No. 1407406, Sewerage, SIC 4952, **Eric S. Durante**, 4663 Route 322, Brookville, PA 15825. This proposed facility is located in Taylor Township, **Centre County**.

Description of Proposed Action/Activity: Permit issued authorizing the design, construction and operation of a small flow treatment facility to serve a residence. SFTF will consist of septic tank, effluent filter, sand filter, erosion chlorinator and chlorine contact tank. Discharge will be to a UNT to Bald Eagle Creek, a CWF.

WQM Permit No. 1707401, Sewerage 4952, **Clearfield Borough**, 6 South Front Street, Clearfield, PA 16830. This proposed facility is located in Clearfield Borough, **Clearfield County**.

Description of Proposed Action/Activity: Replacement of approximately 25,000 lineal feet of sanitary sewers, manholes and appurtenances throughout portions of Clearfield Borough, Wards 2 and 4.

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

WQM Permit No. 0471411-A3, Sewerage, **Borough of Monaca**, 928 Pennsylvania Avenue, Monaca, PA 15061. This existing facility is located in Monaca Borough, **Beaver County**.

Description of Proposed Action/Activity: Permit amendment issuance to reflect replacement of grit chamber and relocation of bar screen.

WQM Permit No. WQG016145, Sewerage, **Anthony Sciulli**, 3241 Parkview Avenue, Pittsburgh, PA 15213. This proposed facility is located in Marshall Township, **Allegheny County**.

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

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

WQM Permit No. WQG018540, Sewage, **Don Moser**, 26887 State Highway 27, Guys Mills, PA 16327. This proposed facility is located in Randolph Township, **Crawford County**.

Description of Proposed Action/Activity: A Single-Residence Sewage Treatment Plant.

WQM Permit No. WQG018530, Sewage, **Gary and Rose Perry**, 1628 Rehobeth Church Road, Clarion, PA 16214. This proposed facility is located in Clarion Township, **Clarion County**.

Description of Proposed Action/Activity: A Single-Residence Sewage Treatment Plant.

WQM Permit No. WQG018541, Sewage, **Glenn R. Thompson**, 102 Nursery Road, Renfrew, PA 16053-9301. This proposed facility is located in Connoquenessing Township, **Butler County**.

Description of Proposed Action/Activity: A Single-Residence Sewage Treatment Plant.

WQM Permit No. WQG018585, Sewage, **Mary Schwartz**, 5300 Station Road, North East, PA 16428. This proposed facility is located in North East Township, **Erie County**.

Description of Proposed Action/Activity: A Single-Residence Sewage Treatment Plant.

WQM Permit No. WQG018543, Sewage, **Lifesteps**, 383 New Castle Road, Butler, PA 16001. This proposed facility is located in Summit Township, **Butler County**.

Description of Proposed Action/Activity: A Single-Residence Sewage Treatment Plant.

WQM Permit No. 2006403, Industrial Waste, **Cochranton Borough**, 109 East Adams Street, P. O. Box 66, Cochranton, PA 16314. This proposed facility is located in Cochranton Borough, **Crawford County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a new public sewage treatment facility.

WQM Permit No. 1607201, Sewerage, **Redbank Valley Municipal Authority**, 243 Broad Street, New Bethlehem, PA 16242. This proposed facility is located in New Bethlehem Borough, **Clarion County**.

Description of Proposed Action/Activity: This project is for a proposed water treatment plant with sludge handling facilities.

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.

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI011505066	Oxford Area School District 125 Bell Tower Lane Oxford, PA 19363	Chester	Oxford Borough	Little Elk Creek HQ-TSF-MF
PAI011506097	Vintage Development 63 Chestnut Road Suite 2 Paoli, PA 19301	Chester	East Goshen Township	Hunters Run HQ

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024806007	LAM Contracting, Inc. 125 Boro Vu Drive Northampton, PA 18067-1052	Northampton	Plainfield Township	Tributary to Little Bushkill Creek HQ-CWF
PAI023906020	John Scully 5451 Bachman Road New Tripoli, PA 18066	Lehigh	Lynn Township	Switzer Creek HQ-CWF, MF

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

NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI036706002	Greenbriar Estates, LP 2645 Carnegie Road York, PA 17402	York	Conewago Township	UNT Little Conewago Creek TSF
PAI036706003	Timothy Pasch 2645 Carnegie Road York, PA 17402	York	Windsor Township	Kreutz Creek WWF
PAI032106009	Key Real Estate, LLC Key Logistics Park 421 McFarlan Road Suite B Kennett Square, PA 19348	Cumberland	Penn Township	Yellow Breeches Creek HQ-CWF Mount Rock Spring Creek WWF

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030707001	Department of Transportation 1620 North Juniata Street Hollidaysburg, PA 16648	Blair	Frankstown Township	UNT Canoe Creek HQ-CWF
PAI032806004	Benderson Development Company, LLC 570 Delaware Avenue Buffalo, NY 14202	Franklin	Guilford Township	Falling Spring Creek HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-02

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Springfield Township Bucks County	PAG2000907040	Donald Sartori 5365 Route 412 Kintnersville, PA 18930	Gallows Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Milford Township Bucks County	PAG2000907030	Mario Biundo 2210 Cedar Crest Boulevard Allentown, PA 18103	Macoby Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Rockhill Township Bucks County	PAG20009051141	Rockhill Mennonite Community 3250 State Road Sellersville, PA 18960	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Makefield and Middletown Townships Bucks County	PAR10D597R	Matrix/AEW Acquisitions, LLC CN 4000 Forsgate Drive Cranbury, NJ 08512	UNT Mill and Brock Creeks WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Makefield Township Bucks County	PAR10D606R	John Lehman 1054 Creamery Road Newtown, PA 18940	Delaware River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Falls Township Bucks County	PAG2000905095	Okna Windows 5601 Beaver Dam Road Bristol, PA 19007	Delaware River South WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Newtown Township Bucks County	PAG2000906018	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA 19044	UNT Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bristol Township Bucks County	PAG20009050791	Canesco Bristol, LP 765 John Barry Drive Bryn Mawr, PA 19010	Delaware River South WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Middletown Township Bucks County	PAG2000906188	Target Corporation P. O. Box 111 Minneapolis, MN 55440-1459	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Kennett Township Chester County	PAG2001507007	Pietro Industries 523 Schoolhouse Road Kennett Square, PA 19348	Red Clay Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Sadsbury Township Chester County	PAG2001504099	D and S Construction 274 Bodley Road Aston, PA 19014	Buck Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Oxford Township Chester County	PAG2001504078A1	Oxford Area Sewer Authority 401 East Market Street P. O. Box 380 Oxford, PA 19363	Leech Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Parkesburg Borough Chester County	PAG2001507020	Parkesburg Borough Engineer 22 East King Street P. O. Box 537 Malvern, PA 19355	Buck Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Goshen Township Chester County	PAG2001507017	849 Paoli Pike, LP 555 City Line Avenue Suite 1130 Bala Cynwyd, PA 19004	Goose Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chester Township Delaware County	PAG2002307008	Barker Brothers Enterprises 1 Stanley Drive Aston, PA 19014	Chester Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106025	School District of Philadelphia 440 North Broad Street Philadelphia, PA 19130-4015	Pennypack Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Philadelphia Philadelphia County	PAG2015107018	Seravalli Real Estates Assoc., LP 10059 Sandmeyer Lane Philadelphia, PA 19116	Pennypack Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Mt. Bethel Township Northampton County	PAG2004807015	LTS Development, Inc. P. O. Box 160 Shawnee-on-Delaware, PA 18356	Allegheny Creek CWF	Northampton Co. Cons. Dist. (610) 746-1971
West Brunswick Township Schuylkill County	PAG2005403016(2)	Auburn Business Park South P. O. Box 472 Schuylkill Haven, PA 17972	1,500 Ft. Schuylkill River CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Pringle Borough Luzerne County	PAG2004007007	PA Conference of Seventh Day Adventists 58 Vandermark Avenue Nuangola, PA 18707	Toby Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Silver Spring Township Cumberland County	PAG2002107008	Matthew and Carol Haak 78 East Main Street New Kingstown, PA 17072	Hogestown Run CWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Manheim Township Lancaster County	PAG2003607030	Lancaster Airport Authority 500 Airport Road Suite G Lititz PA 17543	Little Conestoga WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361 Ext. 5
Maxatawny Township Berks County	PAG2000607003	Robert Kempf Kutztown University Foundation 15197 Kutztown Road Kutztown, PA 19530	Sacony Creek TSF	Berks County Conservation Dist. 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Tilden Township Berks County	PAG2000607016	Alvin Adam A. R. Adam & Son 4 Industrial Drive Hamburg, PA 19526	Schuylkill River WWF	Berks County Conservation Dist. 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Perry Township Berks County	PAG2000607017	Robert Delong Hamburg Congregation of Jehovah's Witnesses P. O. Box 126 Hamburg, PA 19526	Schuylkill River CWF	Berks County Conservation Dist. 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Lower Swatara Township Dauphin County	PAG2002207015	Lower Swatara Township 1499 Spring Garden Drive Middletown, PA 17057	Susquehanna River WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Susquehanna Township Dauphin County	PAG2002207025	Michael Hershey Keystone Service Systems 124 Pine Street Harrisburg, PA 17101	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Susquehanna Township Dauphin County	PAG2002207016	Jeff Camp Vision Group Ventures 633 Germantown Pike Suite 104 Plymouth Meeting, PA 19462	Susquehanna River WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
South Hanover Township Dauphin County	PAG2002207022	William Kotsalos 204 Poplar Avenue Hummelstown, PA 17036	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Susquehanna Township Dauphin County	PAG2002207019	Tom Powers Powers & Assoc. 1703 North Front Street Harrisburg, PA 17102	Susquehanna River WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Swatara Township Dauphin County	PAR10I061R	The McNaughton Co. 4400 Deerpath Road Harrisburg, PA 17110	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Derry Township Dauphin County	PAR10I310R	Dennis L. Burd 51 Gettysburg Road Mechanicsburg, PA 17055	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
South Hanover Township Dauphin County	PAR10I125R1	Bill Smith AACA Museum, Inc. 161 Museum Drive Hershey, PA 17033	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Smithfield Township Huntingdon County	PAG2003107002	Rite Aid Corp. Joe Chranko 51 South Third Street Pittsburgh, PA 15219	Juniata River WWF	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 (814) 627-1627
Dover Township York County	PAG2006706084	David Graeff Heritage Lawn & Landscape Care 4741 Biesecker Road Thomasville, PA 17364	Dauidsburg Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Washington Township York County	PAG2006706099	Amy Hetrick 81 Smith Road Dover, PA 17315	UNT to Bermudian Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manheim Township York County	PAG2006706102	Charles W. Grubb 2138 Smith Station Road Hanover, PA 17331-2410 and H & H Contractors 660 Old Hanover Road Spring Grove, PA 17362	South Branch Conewago Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Spring Garden Township York County	PAG2006706108	William Hartman York Suburban School District 1800 Hollywood Drive York, PA 17403	Poor House Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manheim Township York County	PAG2006706124	Mary Brenner 341 North 26th Street Camp Hill, PA 17011	UNT to West Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Todd Township Fulton County	PAG2002907002	Thomas King OK Property Holdings, LLC 421 Lincoln Way East Suite B McConnellsburg, PA 17233	Big Cove Creek CWF	Fulton County Conservation District 216 North Second Street McConnellsburg, PA 17233-1157 (717) 485-35478
Manchester Township York County	PAG2006707004	James L. Craft 2780 York Haven Road P. O. Box 8 York Haven, PA 17370	Willis Run-Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Juniata Township Blair County	PAG2000707006	North Allegheny Wind, LLC One South Broad Street 20th Floor Philadelphia, PA 19107	Burgoon Run Little Conemaugh River Christie Hollow Run Redlick Run Adams Run Blair Gap Run Blair Run CWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Conewago Township York County	PAG2006707015	Dave Williamson Adept Corporation 4601 Susquehanna Trail North York, PA 17402	UNT to Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
City of Reading Berks County	PAG2000607028	Palle Rye Brentwood Industries, Inc. 610 Morgantown Road Reading, PA 19611-2012	Schuylkill River WWF	Berks County Conservation Dist. 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Germany Township Adams County	PAG2000106035	Ronald W. Smith Ronald W. Smith Investments 60 Aileron Court Suite 3 Westminster, MD 21157	Alloway Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Union Township Lebanon County	PAG2003807011	MIT-JPM LP c/o ProLogis One Capital Drive Suite 103 Cranbury, NJ 08512	Forge Creek to Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788 (717) 272-3908

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Union and Mount Pleasant Townships Adams County	PAG2000106013	John and Christine Repasky Hanover Architectural Products 230 Bender Road Hanover, PA 17331	South Branch Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Beaver County Brighton Township	PAG2000407002	C. William Wensyel Heritage Valley Health System 1000 Dutch Ridge Road Beaver, PA 15009	Hamilton Run WWF	Beaver County CD (724) 378-1701
Cambria County Richland Township	PAG2001107007	Johnstown-Cambria County Airport Authority 479 Airport Road Suite 1 Johnstown, PA 15904	Solomon Run WWF Clapboard Run WWF	Cambria County CD (814) 472-2120
Fayette County Perryopolis Borough	PAG2002607011	Loyal Order of Moose Lodge Jeff Martinak P. O. Box 81 Perryopolis, PA 15473	Washington Run WWF	Fayette County CD (724) 438-4497
Somerset County Somerset Borough	PAG2005607004	Somerset Area School District 645 South Columbia Avenue Somerset, PA 15501	Parsons Run TSF	Somerset County CD (814) 445-4652
Westmoreland County Hempfield Township	PAG2006506047	Westmoreland County Department of Parks R. D. 12 Box 20 Greensburg, PA 15601	Jamison Reservoir WWF	Westmoreland County CD (724) 837-5271
Westmoreland County North Huntingdon Township	PAG2006507001	Charles Peperak McDonald's 100 Omega Drive Pittsburgh, PA 15205	Tributary to Brush Creek TSF/PWS	Westmoreland County CD (724) 837-5271
Westmoreland County Rostraver Township	PAG2006507003	Rostraver Township Sewage Authority Rostraver Municipal Building 202 Port Royal Road Belle Vernon, PA 15012	Speers Run WWF	Westmoreland County CD (724) 837-5271
Westmoreland County Greensburg City	PAG2006507008	Seton Hill Properties Seton Hill University 1 Seton Hill Drive Greensburg, PA 15601	Coal Tar Run WWF	Westmoreland County CD (724) 837-5271
Westmoreland County Greensburg City	PAG2006507010	Greensburg Commercial Properties, LP Craig Rippole One Atlantic Avenue Pittsburgh, PA 15202-1702	Jacks Run Creek WWF	Westmoreland County CD (724) 837-5271
Westmoreland County St. Clair Township	PAG2006507012	Highridge Water Authority 17 Maple Avenue Blairsville, PA 15717	Sugar Run and UNT to Conemaugh River CWF	Westmoreland County CD (724) 837-5271
Westmoreland County Hempfield and East Huntingdon Townships	PAG2006507018	Commonwealth Renewal Energy Ethanol Facility 777 Technology Drive Mt. Pleasant, PA 15666	Belson and Wilson Runs WWF	Westmoreland County CD (724) 837-5271
Butler County Muddy Creek Township	PAG2001007003	Pilot Travel Centers, LLC 5508 Lonas Road Knoxville, TN 37909	Muddy Creek WWF	Butler Conservation District (724) 284-5270

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Crawford County Cochranton Borough	PAG2062007001	Cochranton Borough 109 East Adams Street Cochranton, PA 16134	French Creek WWF and Municipal Separate Storm Sewer	Department of Environmental Protection (814) 332-6984
Crawford County Beaver Township	PAG2002007002	Department of Transportation P. O. Box 298 Oil City, PA 16301	Middle Branch Conneaut Creek CWF	Crawford Conservation District (814) 763-5269
Elk County Benzette Township	PAG2092407004	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Porcupine Run to Bennett Branch Sinnemahoning Creek CWF	Department of Environmental Protection Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
<i>General Permit Type—PAG-3</i>				
<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Dunmore Borough Lackawanna County	PAR602201	DeNaples Auto Parts (Bush Street Facility) 400 Mill Street Dunmore, PA 18512	Roaring Brook CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
York County York Township	PAR203551	Gichner Shelter Systems 490 East Locust Street Dallastown, PA 17313	Mill Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Monaca Borough Beaver County	PAR706124	Lindy Paving, Inc. R. D. No. 3 Box 2A Northgate Industrial Park New Castle, PA 16105	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
New Sewickley Township Beaver County	PAR116133	Mitsubishi Electric Power Products, Inc. 530 Keystone Drive Warrendale, PA 15086-7537	North Fork, Big Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Adams Township Butler County	PAR608314	TC Recycling, LLC P. O. Box 1080 Mars, PA 16046	Breakneck Creek and Hutchman Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Meadville Crawford County	PAR118318	SECO Warwick Corporation 180 Mercer Street Meadville, PA 16335	French Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

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*Facility Location:
Municipality &
County*Fairview Township
Erie CountyPermit No.
PAR208320Applicant Name & Address
Erie Bronze and Aluminum
Company
6300 West Ridge Road
Erie, PA 16506Receiving Water/Use
Stormwater
tributaries to Walnut
CreekContact Office &
Phone No.DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
(814) 332-6942*General Permit Type—PAG-4**Facility Location &
Municipality*Cumberland County
North Middleton
TownshipPermit No.
PAG043861Applicant Name & Address
Richard E. Miller
190 Hoy Road
Carlisle, PA 17013Receiving Water/Use
Wertz Run
WWFContact Office &
Phone No.DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Centre County
Taylor TownshipPermit No.
PAG045240Applicant Name & Address
Eric S. Durante
4664 Route 322
Brookville, PA 15825Receiving Water/Use
UNT to Bald Eagle
Creek
CWFNorthcentral
Regional Office
Water Management
Program
208 West Third
Street
Suite 101
Williamsport, PA
17701
(570) 327-3664Marshall Township
Allegheny CountyPermit No.
PAG046349Applicant Name & Address
Anthony Sciulli
3241 Parkview Avenue
Pittsburgh, PA 15213Receiving Water/Use
UNT of Big
Sewickley CreekSouthwest
Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Clarion Township
Clarion CountyPermit No.
PAG049327Applicant Name & Address
Gary and Rose Perry
1628 Rehobeth Church Road
Clarion, PA 16214-5939Receiving Water/Use
UNT to Brush Run
17-BDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
(814) 332-6942Connoquenessing
Township
Butler CountyPermit No.
PAG049337Applicant Name & Address
Glenn R. Thompson
102 Nursery Road
Renfrew, PA 16053-9301Receiving Water/Use
UNT to
Connoquenessing
Creek
20-CDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
(814) 332-6942North East Township
Erie CountyPermit No.
PAG049332Applicant Name & Address
Mary Schwartz
5300 Station Road
North East, PA 16423Receiving Water/Use
UNT to Sixteen Mile
Creek
15-SMDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
(814) 332-6942Pymatuning
Township
Mercer CountyPermit No.
PAG048473Applicant Name & Address
Mark E. and Steffanie L. Wyant
769 East Lake Road
Transfer, PA 16154-2309Receiving Water/Use
UNT to Shenango
(River) Reservoir
20-ADEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
(814) 332-6942Summit Township
Butler CountyPermit No.
PAG049339Applicant Name & Address
Lifesteps
383 New Castle Road
Butler, PA 16001Receiving Water/Use
UNT to Thorn Creek
20CDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
(814) 332-6942

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Glade Township Warren County	PAG048435	Doris P. and Lawrence E. Kraft 599 Quaker Hill Road Warren, PA 16365-4253	Hackney Run 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Center Township Beaver County	PAG056179	Morelli Corporation 2 Lindsay Drive Beaver Falls, PA 15010	Moon Run to Ohio Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Greene Township Beaver County	PAG056175	Coen Oil Company P. O. Box 34 1045 West Chestnut Street	Tributary of Mill Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-8 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Sugar Grove Township Warren County	PAG088312	Brokenstraw Valley Area Authority (BVAA) R. R. 2 Box 284 Youngsville, PA 16371	Zurkan Farm Biosolids Site R. D. 2 Box 60 Sugar Grove, PA 16350	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-9 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Mifflin County Bratton Township	PAG093544	Renno's Custom Spreading and Vacuum Service 23 Mountain View Lane McVeytown, PA 17051	Harry Oberholtzer Farm	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing

Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the BoaRoad. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. Minor Permit, Public Water Supply.

Applicant	Bethlehem Authority 10 East Church Street Bethlehem, PA 18018-6025 Lehigh Township
County	Northampton
Type of Facility	PWS
Consulting Engineer	John McCarthy, P. E. Malcolm Pirnie, Inc. 111 South Independence Hall East Suite 1010 Philadelphia, PA 19106
Permit to Construct Issued:	May 21, 2007

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

Operations Permit issued to **Pennsylvania American Water Company**, 3060088, Exeter Township, **Berks County** on May 9, 2007, for the operation of facilities approved under Construction Permit No. 0606514 MA.

Operations Permit issued to **Pennsylvania-American Water Company**, 7220017, North Londonderry, **Dauphin County** on May 9, 2007, for the operation of facilities approved under Construction Permit No. 2206505 MA.

Operations Permit issued to **United States Army Corps of Engineers—Baltimore District**, 4310855, Penn Township, **Huntingdon County** on May 16, 2007, for the operation of facilities approved under Construction Permit No. 3107502 E.

Permit No. 0605509, Public Water Supply.

Applicant	Superior Water Company, Inc.
Municipality	Washington Township
County	Berks
Type of Facility	Addition of West Tract Water System which consists of four wells to supply 786 residences, 19 offices, 32 retail and 13 commercial units.
Consulting Engineer	Stanley J Endlich, P. E. EDM Consultants Inc. 1101 South Broad Street P. O. Box 127 Lansdale, PA 19446
Permit to Construct Issued:	May 11, 2007

Permit No. 3807502, Public Water Supply.

Applicant	KB's Cookies
Municipality	Bethel Township
County	Lebanon
Type of Facility	Installation of nitrate treatment.
Consulting Engineer	Charles A. Kehew II, P. E. James A. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit to Construct Issued:	May 16, 2007

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

Permit No. 5989503-T2—Operation, Public Water Supply.

Applicant	Middlebury Mobile Home Court
Township or Borough	Middlebury Township
County	Tioga
Responsible Official	Robert L. and L. Marie Beggs Middlebury Mobile Home Court 98 Wolf Run Road Wellsboro, PA 16901
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A
Permit Issued Date	May 25, 2007
Description of Action	Transfer of the existing water system from Buffard's Mobile Home Park to Middlebury Mobile Home Court. Permit No. 5989503, originally issued October 13, 1989, approved Well No. 1, with 20 minutes of chlorine contact time, two hydropneumatic tanks, hypochlorination, corrosion control and a distribution system.

Montgomery Borough Water and Sewer Authority, Public Water Supply, **Lycoming County**. The Source Water Protection (SWP) report for the Montgomery Borough Water and Sewer Authority has been approved on May 29, 2007. Montgomery Borough Water and Sewer Authority personnel are to be commended for taking this proactive step to protect the source water for their community. Development of the program was funded, in part, by a SWP grant (L. Richard Adams, (570) 321-6581.

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

Operations Permit issued to **Southwestern Pennsylvania Water Authority**, P. O. Box 187, 1442 Jefferson Road, Jefferson, PA 15344, (PWSID No. 5300017) Center, Gray and Richhill Townships, **Greene County** on May 16, 2007, for the operation of facilities approved under Construction Permit No. 3003501.

Operations Permit issued to **Kittanning Suburban Joint Water Authority**, R. R. No. 1, Box 23, Adrian, PA 16210, (PWSID No. 5030043) Cadogan Township,

Armstrong County on May 18, 2007, for the operation of facilities approved under Construction Permit No. 0391501-A4.

Operations Permit issued to **Township Allegheny County of Shaler**, 300 Wetzel Road, Glenshaw, PA 15116, (PWSID No. 5020019) Shaler Township, **Allegheny County** on May 18, 2007, for the operation of facilities approved under Construction Permit No. 0204502.

Permit No. 0484502MA, Minor Amendment. Public Water Supply.

Applicant	Borough of Shippingport P. O. Box 76 Shippingport, PA 15077
Borough or Township	Shippingport Borough
County	Beaver
Type of Facility	Water storage tank
Consulting Engineer	Lennon, Smith, Souleret Engineering, Inc. 846 Fourth Avenue Coraopolis, PA 15108
Permit to Construct Issued	May 16, 2007

Permit No. 0407501MA, Minor Amendment. Public Water Supply.

Applicant	Center Township Water Authority 224 Center Grange Road Aliquippa, PA 15001
Borough or Township	Center Township
County	Beaver
Type of Facility	Water storage tank
Consulting Engineer	Lennon, Smith, Souleret Engineering, Inc. 846 Fourth Avenue Coraopolis, PA 15108
Permit to Construct Issued	May 22, 2007

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

Permit No. 1606502, Public Water Supply.

Applicant	Redbank Valley Municipal Authority
Township or Borough	New Bethlehem Borough
County	Clarion County
Type of Facility	Public Water Supply
Permit to Construct Issued	May 21, 2007

Operations Permit issued to **Penn Lake Village Mobile Home Park**, PWSID No. 6200013, Sadsbury Township, **Crawford County**, on May 21, 2007, for the operation of six 120-gallon fiberglass holding tanks and a 120-gallon captive air pressure tank, as approved under construction permit 2088505-MA1, dated August 19, 2001.

Operations Permit issued to **Bessemer Borough, Lawrence County**, on May 22, 2007, for the operation of

the constant pressure booster pump station as approved under construction permit 3706501, dated August 31, 2006.

WATER ALLOCATIONS

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

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

WA 10-1006, Water Allocation. **Municipal Authority of Adams Township**, 690 Valencia Road, P. O. Box 807, Mars, PA 16046, Adams Township, **Butler County**. The Department grants the Municipal Authority of Adams Township, Butler County a Modification Order to existing Water Allocation Permit extending the service area to include Callery Borough and portions of Forward Township. The modification will not increase the allocation amount as authorized under a valid agreement with the Borough of West View. Water Allocation Modification Order issued on May 8, 2007.

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

WA4-1007, Water Allocations. **Borough of Conway, Beaver County**. The right to purchase 210,000 gallons of water per day, peak month, from the Borough of Ambridge Water Authority, located in Beaver County.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Peach Bottom Township	545 Broad Street Extended Delta, PA 17314	York County

Plan Description: Tom McShane, A3-67950-170-3s: The approved plan provides for a small flow treatment facility to serve as a repair for an existing dwelling on 0.287 acre. Total estimated sewage flows are 400 gpd. The proposed discharge will be to Neill Run, which is classified as a WWF. The proposed development is located at 302 Gemmill Road in Peach Bottom Township, York County. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

Borough or Township	Borough or Township Address	County
Penn Township	20 Wayne Avenue Hanover, PA 17331	York County

Plan Description: Rolda E. Becker, A3-67951-207-3: The approved plan provides for a two lot single-family residential subdivision on 1.256 acres with total estimated sewage flows of 800 gpd tributary to the Penn Township

collection and conveyance system and the Hanover Borough conveyance system, with ultimate disposal at the Hanover Borough Wastewater Treatment Plant. The proposed development is located on the east side of Earl Street, approximately 300 feet south of Granger Street in Penn Township, York County. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Frankford Township	660 Mohawk Road Carlisle, PA 17241	Cumberland

Plan Description: The approved plan provides for a Small Flow Treatment Facility (SFTF) of 400 to 800 gpd to serve the new 2.0 acre residential lot subdivided from the Richard Roush property, located on the south side of Frystown Road, approximately 1/3 mile east of its intersection with Blosserville Road. The proposed SFTF will discharge to a UNT of Conodoguinet Creek. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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:

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

Metz (Larry) Residence, Upper Bern Township, **Berks County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Mr. and Mrs. Larry Metz, 5520 Old Route 22, Shartlesville, PA 19554, Mr. and Mrs. Norman Rapak, 5528 Old Route 22, Shartlesville, PA 19554 and State Farm Insurance, P. O. Box 13, Concordville, PA 19331, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil from a removed underground storage tank. The report is intended to document remediation of the site to the Residential Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

tion, 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:

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

Lancaster General Hospital, City of Lancaster, **Lancaster County**. Center Point Tank Services, Inc., 536 East Benjamin Franklin Highway, Douglassville, PA 19518, on behalf of Lancaster General Hospital, 555 North Duke Street, Lancaster, PA 17604, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with No. 6 heating oil from a removed underground storage tank. The Final Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department on May 22, 2007.

Fort Indiantown Gap Army National Guard Training Center, Area 19-116, Union Township, **Lebanon County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Department of Military and Veterans Affairs, Building 11-19, Fort Indiantown Gap, Annville, PA 17003-5002, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on May 23, 2007.

Cross Keys Church of God, Lack Township, **Juniata County**. Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518, on behalf of Cross Keys Church of God, R. R. 1, Box 90, East Waterford, PA 17021-9706 and Shaner Energy, Inc., 10787 Station Road, Huntingdon, PA 16652, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on May 25, 2007.

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

Your Building Centers, Former Champion Parts, Inc., Beech Creek Township, **Clinton County**. Conestoga-Rovers & Assoc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Champion Parts, Inc., 2500 West Avenue B, Hope, AZ 16822 has submitted a Cleanup Plan concerning the remediation of site soil and groundwater contaminated with trichloroethene, 1,1-dichloroethene, cis-1,2-dichloroethene, tetrachloroethene and vinyl chloride. The Cleanup Plan was approved on May 23, 2007.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Approved Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and residual waste regulations for a General Permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.

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

General Permit No. WMGR098D004. R & R Byproducts, Inc., P. O. Box 291, York, PA 17405-0291. General Permit Number WMGR098D004 for the beneficial use of waste foundry sand and sand system dusts as a construction material, a soil additive or a soil amendment. Central Office approved the determination of applicability on May 22, 2007.

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

AIR QUALITY

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

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

GP14-21-03079: Hoffman-Roth Funeral Home & Crematory (219 North Hanover Street, Carlisle, PA 17013) on May 23, 2007, for Human or Animal Crematories under GP14 in Carlisle Borough, **Cumberland County**.

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

GP-42-004: American Refining Group (77 North Kendall Avenue, Bradford, PA 16701) on May 31, 2007, for a storage tank in Foster Township, **Bradford County**.

GP-33-177: Seneca Resources Corp. Brookville South Station (Pump Station Road, Brookville, PA 15825) on May 31, 2007, for a compressor engine in Knox Township, **Jefferson County**.

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

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

15-0094b: Metallurgical Products Co. (810 Lincoln Avenue, West Chester, PA 19380) on May 24, 2007, to operate a foundry side electric furnace in West Goshen Township, **Chester County**.

15-0128: Pet Memorial Services Corp. (126 Turner Lane Unit No. 2, West Chester, PA 19380) on May 24, 2007, to operate an animal crematory in West Goshen Township, **Chester County**.

23-0108A: FPI Food Processing International, Inc. (903 Ind Highway, Eddystone, PA 19022) on May 24, 2007, to operate an alkalizer and thermal oxidizer in Eddystone Borough, **Delaware County**.

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

34-05003C: Tedd Wood, Inc. (P. O. Box 187, Thompsettown, PA 17094-0187) on May 22, 2007, to remove a 2.7 tpy, VOC emissions restriction from a coating booth at the facility in Delaware Township, **Juniata County**.

38-03020A: Tech Cast, Inc. (640 South Cherry Street, Myerstown, PA 17067-1511) on May 23, 2007, to replace four burn out furnaces with two furnace/afterburner systems in Myerstown Borough, **Lebanon County**.

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

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

09-0188: Gamesa Wind PA, LLC (400 Gamesa Drive, Fairless Hills, PA 19030) on May 23, 2007, to operate a new wind generator in Falls Township, **Bucks County**.

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

09-0122: Arkema, Inc. (100 PA Route 413, Bristol, PA 19007) on May 23, 2007, to operate a thermal oxidizer in Bristol Township, **Bucks County**.

46-0240: Moyer Packing Co. (P. O. Box 395, Souderton, PA 18964) on May 23, 2007, to operate a 29.9 mmBtu/hr heat input boiler in Franconia Township, **Montgomery County**.

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

09-0186: Kinder Morgan Bulk Terminals, Inc. (1 Sinter Lane, Fairless Hills, PA 19030) on May 22, 2007, to modify a bulk handling facility, to have the options of unloading, loading and transfer of materials to and from trucks, train cars, barges, and the like, as well as add other materials to the currently approved list of items that are approved for this operation. The facility will be in Falls Township, **Bucks County**. The only pollutants of concern at this facility are PM and HAP emissions. The facility will have a potential-to-emit of 73.31 tpy for total

PM, 19.98 tpy for PM10, 4.53 tpy for PM2.5 and 9.88 tpy for HAPs. Therefore, this facility is a non-Title V facility. PM and HAP emissions will be controlled by water suppression, chemical suppression, covers and barriers, as needed. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

09-0156: Jolly Gardener Products, Inc. (500 East Pumping Station Road, Quakertown, PA 18951) on May 24, 2007, to modify two diesel engines and wood processing equipment in Richland Township, **Bucks County**.

09-0156A: Jolly Gardener Products, Inc. (500 East Pumping Station Road, Quakertown, PA 18951) on May 24, 2007, to modify three diesel fired engines and wood processing equipment in Richland Township, **Bucks County**.

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

42-004B: American Refining Group, Inc. (77 North Kendall Avenue, Bradford, PA 16701) on May 22, 2007, effective on May 31, 2007, to install a flare in Bradford, **McKean County**. This is a Title V Facility.

42-178B: Glenn O. Hawbaker, Inc.—Turtle Point (711 East College Avenue, Bellefonte, PA 16823) on April 30, 2007, for an asphalt plant in Annin Township, **McKean County**.

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

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

09-00028: Fibermark North America, Inc. (45 North Fourth Street, Quakertown, PA 18951) on May 25, 2007, for renewal of the Title V Operating Permit in Quakertown Borough, **Bucks County**. The initial permit was issued on August 9, 2001. The Quakertown facility coats base stock paper to produce various decorative papers, such as book covers, decorative paper coverings and imitation leather labels for clothing. The manufacturing plant operates saturators, graphic art lines and surface coating lines, as well as various clean-up operations and combustion units. There are no control devices for sources operated at the facility. The facility is major for VOCs and HAPs emissions. The graphic arts lines (Source ID 301 and 302) are subjected to 40 CFR Part 63, Subpart KK—National Emission Standards for the Printing and Publishing Industry. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Norman Frederick, Facilities Permitting Chief, (570) 826-2531.

54-00009: Omnova Solutions, Inc. (95 Hickory Drive, Auburn, PA 17922) on December 29, 2006, for a decorative building products facility in West Brunswick Township, **Schuylkill County**.

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

04-00059: IPSCO Koppel Tubulars Corp.—Koppel Plant (P. O. Box 750, Beaver Falls, PA 15010) on April 27 2007, for a steel melting operation and subsequent production of hot rolled bars in both carbon and alloy grades at their facility in Beaver Falls, **Beaver County**. The melt shop features an electric arc furnace, a ladle refining station and a continuous caster. Other sources at this major facility include a rotary hearth furnace and other natural gas sources that support the steel making operations. The facility has the potential to emit greater than 100 tons of the following pollutants: NO_x, CO, SO_x and VOCs respectively.

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

43-00011: Greenville Metals, Inc.—Transfer Plant (99 Crestview Drive Extension, Transfer, PA 16154) on May 16, 2007, to reissue the Title V Operating Permit in Pymatuning Township, **Mercer County**. The facility's major sources of emissions include a large Electric Arc Furnace, an Argon Oxygen Decarburization Unit and a number of small Electric Arc and Induction furnaces. The source is major due to emissions of CO.

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

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

15-00129: Premier Woodcraft, Ltd. (131 Birch Street, Coatesville, PA 19320) on May 25, 2007, to operate a wood coating operation (spray booth) at an architectural woodwork and fixtures manufacturing facility in South Coatesville Borough, **Chester County**. The permit is for a non-Title V (State-only) facility. The facility has elected to cap VOCs and HAPs to less than 25 tpy VOC and less than 25 tpy combination HAP and less than 10 tpy individual HAP. The facility is therefore a Synthetic Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

48-00046: Eastern Affiliated Services Corp. (2111 Butler Street, Easton, PA 18042) on April 30, 2007, for a laundry facility in Wilson Borough, **Northampton County**.

48-00068: Pennsylvania Perlite Corp. (1428 Mauch Chunk Road, Bethlehem, PA 18018) on March 30, 2007, for a perlite processing plant in the City of Bethlehem, **Northampton County**.

48-00087: Federal White Cement, Inc. (72 West 21st Street, Northampton, PA 18067-1276) on April 30, 2007, for a portland cement distribution terminal in West Easton Borough, **Northampton County**.

64-00011: Wayco Sand and Gravel, Inc. (1428 Mauch Chunk Road, Bethlehem, PA 18018) on March 30, 2007, for a sand and gravel processing plant located in South Canaan Township, **Wayne County**.

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

01-03010: Dal-Tile Corp. (211 North 4th Street, Gettysburg, PA 17325-1604) on May 22, 2007, to operate their ceramic floor and wall tile products facility in Gettysburg Borough, **Adams County**. This is a renewal of the State-only operating permit.

36-03121: Cadmus Communications (3575 Hempfield Road, Lancaster, PA 17601-6912) on May 22, 2007, to operate their printing facility in West Hempfield Township, **Lancaster County**. This is a renewal of the State-only operating permit.

67-03033: Sheridan Press (450 Fame Avenue, Hanover, PA 17331-0465) on May 23, 2007, to operate their printing facility in Penn Township, **York County**. This is a renewal of the State-only operating permit.

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

30-00089: Dominion Transmission Inc.—Crayne Compressor Station (1201 East 55th Street, Cleveland, OH, 44103-1081) on May 22, 2007, in Franklin Township, **Greene County**. The facility's major sources of emissions include two combustion turbines for natural gas transmission, a wastewater tank, a parts washer and three microturbines.

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

25-00045: Saint Vincent Health Center (232 West 25th Street, Erie, PA 16544) on May 22, 2007, to reissue a State-only Operating Permit for the operation of the facility's air contamination sources consisting of three natural gas boilers, three diesel emergency generators and a histology lab in the City of Erie, **Erie County**.

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

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

46-00027: Johnson and Johnson Pharmaceutical Research and Development, LLC—Lower Gwynedd (Welsh and McKean Roads, Spring House, PA 19477) on May 23, 2007, for an Administrative Amendment to a Title V Operating Permit (TVOP) No. 46-00027 in Lower Gwynedd Township, **Montgomery County**. The previously issued TVOP has been amended to incorporate conditions of the Plan Approval No: PA-46-0027A for the 1.5 MW Electric Generator with a Selective Catalytic Reduction system.

Administrative Amendment of TVOP No. 15-00027 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

23-00045: Sunoco Partners Marketing and Terminals, LP (Twin Oaks Terminal, 4041 Market Street in Aston, PA 19014) on May 25, 2007, in Upper Chichester Township, **Delaware County**. The amendment addresses a typographical error under source ID 101 pertaining to a vapor combustion unit. The condition was not applicable to the source and has been removed from the permit. The Twin Oaks Terminal also changed the Responsible Official. The Terminal Manager delegated as the Responsible Official pertaining to Air Permitting at the Twin Oaks Terminal is Chris Corcoran. Administrative Amendment

of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

43-00310: Duferco Farrell Corp. (15 Roemer Boulevard, Farrell, PA 16121-2201) for their facility in the City of Farrell, **Mercer County**. The de minimis increase is a result of the addition of a new degreaser (Unit No. 706) to Source 243 of the Title V Operating Permit. In addition to this de minimis emission increase the Department of Environmental Protection also previously approved a de minimis emission increase for the addition of two other degreasers (Unit Nos. 203 and 402) to Source 243. The Department has started a list of de minimis increases as prescribed in 25 Pa. Code § 127.449(i).

Since the August 15, 2005, Title V Permit reissuance date, Duferco Farrell Corporation has notified the Department of the following de minimis emission increases at the facility:

Date	Source	VOC (tons)
October 24, 2005	243 Unit No. 203	0.08
October 24, 2005	243 Unit No. 402	0.007
April 18, 2007	243 Unit No. 706	0.01
Total Reported Increases		0.097
Allowable		1 ton/source 5 tons/facility

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 Permits Actions

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

65970103 and NPDES Permit No. PA0201898. Derry Stone & Lime Co., Inc. (P. O. Box 459, 1350 Route 30, Laughlintown, PA 15655). Permit renewal issued for continued operation and reclamation of a bituminous mine/limestone quarry located in Derry Town-

ship, **Westmoreland County**, affecting 130.3 acres. Receiving streams: UNT to Stoney Run. Application received March 13, 2007. Renewal issued May 18, 2007.

03050105 and NPDES Permit No. PA0250821. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in Madison Township, **Armstrong County**, affecting 288.0 acres. Receiving streams: UNTS to Mahoning Creek and Mahoning Creek. Application received November 21, 2005. Permit issued May 18, 2007.

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

16060102 and NPDES Permit No. PA0258121. Allegheny Milestone, Inc. (521 South Street, Clarion, PA 16214). Commencement, operation and restoration of a bituminous strip operation in Beaver and Licking Townships, **Clarion County** affecting 29.0 acres. Receiving streams: UNTs to the Clarion River. Application received February 2, 2006. Permit Issued May 17, 2007.

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

17040107 and NPDES No. PA0243817. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650), revision of an existing bituminous surface mine to add additional acres and a road variance in Girard Township, **Clearfield County**, affecting 147.5 acres. Receiving streams: UNTs to Deer Creek and Deer Creek. There are no potable water supply intakes within 10 miles downstream. Application received January 11, 2007. Permit issued May 17, 2007.

17020116 and NPDES No. PA024300. Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838), permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Bell Township, **Clearfield County**, affecting 67.0 acres. Receiving streams: Chest Creek and UNTs to Chest Creek. There are no potable water supply intakes within 10 miles downstream. Application received March 27, 2007. Permit issued May 21, 2007.

Noncoal Permits Actions

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

Permit No. 50050801. Dennis W. Metz, 2149 Rock Hollow Road, Loysville, PA 17047, bond release on a small noncoal (industrial minerals) operation in Saville Township, **Perry County**, affecting 2.0 acres. Receiving streams: UNT to Buffalo Creek and Buffalo Creek classified for the following use: HQ-CWF. Bond release issued May 10, 2007.

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

08072802. Robert J. Johnson (R. R. 4, Box 4055, Wyalusing, PA 18853). Transfer of an existing small noncoal flagstone operation from Ralph Sharer, in Stevens Township, **Bradford County**, affecting 5.0 acres. Receiving streams: UNT to Wyalusing Creek. Application received January 25, 2007. Permit issued May 14, 2007.

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

58060866. Joseph L. Roberts (320 Franklin Avenue, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation in Harmony Township,

Susquehanna County affecting 5.0 acres, receiving stream: none. Application received September 18, 2006. Permit issued May 24, 2007.

58070816. Gerald Ellis, Jr. (R. R. 6, Box 6249B, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Springville Township, **Susquehanna County** affecting 3.0 acres, receiving stream: none. Application received February 26, 2007. Permit issued May 24, 2007.

58070822. Meshoppen Stone, Inc. (P. O. Box 127, Meshoppen, PA 18630), commencement, operation and restoration of a quarry operation in Middletown Township, **Susquehanna County** affecting 4.0 acres, receiving stream: none. Application received March 20, 2007. Permit issued May 24, 2007.

48870301C6 and NPDES Permit No. PA0593893. Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Mt. Bethel Township, **Northampton County**, receiving stream: Delaware River. Application received April 3, 2007. Renewal issued May 25, 2007.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

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

28074124. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201-9655), blasting activity permit issued for residential development in Waynesboro Borough, **Franklin County**. Blasting activity permit end date is November 3, 2008. Permit issued May 15, 2007.

21074136. Newville Construction Services, Inc. (408 Mohawk Road, Newville, PA 17241-9424), blasting activity permit issued for commercial development in Lower Mifflin Township, **Cumberland County**. Blasting activity permit end date is May 30, 2008. Permit issued May 15, 2007.

28074125. R & M Excavating (403 Hilltop Road, Newburg, PA 17240-9202), blasting activity permit issued for single dwelling in Southampton Township, **Franklin County**. Blasting activity permit end date is October 7, 2007. Permit issued May 15, 2007.

21074137. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866-0077), blasting activity permit issued for residential development in Monroe Township, **Cumberland County**. Blasting activity permit end date is May 10, 2008. Permit issued May 15, 2007.

21074138. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866-0077), blasting activity permit issued for commercial development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is May 10, 2008. Permit issued May 15, 2007.

21074140. Dyno Nobel, Inc. (1320 Galiffa Drive, Donora, PA 15033), blasting activity permit issued for residential development in Hampden Township, **Cumber-**

land County. Blasting activity permit end date is May 30, 2008. Permit issued May 15, 2007.

01074109. Newville Construction Services, Inc. (408 Mohawk Road, Newville, PA 17241-9424), blasting activity permit issued for commercial development in Cumberland Township, **Adams County**. Blasting activity permit end date is May 30, 2008. Permit issued May 15, 2007.

21074139. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866-0077), blasting activity permit issued for residential development in Upper Allen Township, **Cumberland County**. Blasting activity permit end date is May 14, 2008. Permit issued May 16, 2007.

28074126. Geological Technologies, Inc. (P. O. Box 70, Falling Waters, WV 25419-0070), blasting activity permit issued for residential development in Chambersburg Borough, **Franklin County**. Blasting activity permit end date is May 12, 2008. Permit issued May 18, 2007.

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

63074101. Douglas Explosives, Inc. (P. O. Box 77, Phillipsburg, PA 16866). Blasting activity permit for gas exploration, located in Cross Creek and Hopewell Townships, **Washington County**. Permit expires May 11, 2008. Permit issued May 21, 2007.

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

36074003. National Earth Services (245 Butler Avenue, Lancaster, PA 17601) and **D. C. Guelich Explosives Company** (P. O. Box 245, Thomasville, PA 17364), construction blasting at the Milton Grove Construction & Demolition Landfill in Mt. Joy Township, **Lancaster County** with an expiration date of May 22, 2008. Permit issued May 18, 2007.

36074150. Keystone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for a single dwelling in East Earl Township, **Lancaster County** with an expiration date of June 30, 2007. Permit issued May 17, 2007.

38074108. Warren's Excavating & Drilling, Inc. (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for TS Dental & Plastics in Jackson Township, **Lebanon County** with an expiration date of May 15, 2008. Permit issued May 17, 2007.

54074103. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting at Highridge Industrial Park in Cass Township, **Schuylkill County** with an expiration date of May 16, 2008. Permit issued May 17, 2007.

06074108. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting for Willow Glenn North in Ontelaunee Township, **Berks County** with an expiration date of May 30, 2008. Permit issued May 18, 2007.

46074110. Allan A. Myers, Inc. d/b/a Independence Construction Materials (P. O. Box 98, Worcester, PA 19490), construction blasting for Koneski Tract in New Hanover Township, **Montgomery County** with an expiration date of May 1, 2008. Permit issued May 18, 2007.

52074120. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419), construction blasting for a single dwelling in Greene Township, **Pike County** with an expiration date of December 31, 2007. Permit issued May 18, 2007.

22074003. Explosives Experts, Inc. (P. O. Box 879, Sparks, MD 21152), construction blasting for the Derry Street Warehouse in Swatara Township, **Dauphin County** with an expiration date of September 22, 2007. Permit issued May 22, 2007.

09074111. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Electric Control Center in Milford Township, **Bucks County** with an expiration date of June 11, 2008. Permit issued May 25, 2007.

09074112. Warren's Excavating & Drilling, Inc. (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Wisteria in West Rockhill Township, **Bucks County** with an expiration date of May 22, 2008. Permit issued May 25, 2007.

13074102. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Split Rock Resort in Kidder Township, **Carbon County** with an expiration date of May 16, 2007. Permit issued May 25, 2007.

23074103. Horst Drilling & Blasting, Inc. (141 Ranck's Church Road, New Holland, PA 17557), construction blasting for Alberto's Cornerstone Communities in Newtown Township, **Delaware County** with an expiration date of April 1, 2008. Permit issued May 25, 2007.

36074151 and 36074152. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting for North Mt. Hope School Road in Pequea Township, **Lancaster County** with an expiration date of December 30, 2007. Permit issued May 25, 2007.

39074113. Schlouch, Inc. (P. O. Box 69, Blandon, PA 19510), construction blasting for Mountain Park Condominiums in the City of Bethlehem, **Lehigh County** with an expiration date of May 16, 2008. Permit issued May 25, 2007.

39074114. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Olymic Ridge in Lower Macungie Township, **Lehigh County** with an expiration date of June 11, 2008. Permit issued May 25, 2007.

39074115. Schlouch, Inc. (P. O. Box 69, Blandon, PA 19510), construction blasting for Lehigh Crossing in Lower Macungie Township, **Lehigh County** with an expiration date of May 22, 2008. Permit issued May 25, 2007.

45074131. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for a single dwelling in Smithfield Township, **Monroe County** with an expiration date of May 23, 2008. Permit issued May 25, 2007.

52074121. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting at Sugar Hill Estates in Greene Township, **Pike County** with an expiration date of May 23, 2008. Permit issued May 25, 2007.

67074122. Dyno Nobel, Inc. (1320 Galiffa Drive, Donora, PA 15033), construction blasting for North Codorus Sewer Improvements in North Codorus Township, **York County** with an expiration date of May 30, 2008. Permit issued May 25, 2007.

67074123. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting for Benett Run in Conewago Township, **York County** with an expiration date of December 30, 2007. Permit issued May 25, 2007.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Regional Office, Watershed Management Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E45-490. Bestway of Pennsylvania, 3870 SR 191/390, Cresco, PA 18326. Barrett Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a road crossing consisting of an open-bottom aluminum box culvert having a span of 14-foot 1-inch and an underclearance of 6-foot 2-inches in Cranberry Creek (HQ-CWF) and 0.01 acre of EV, PSS

wetlands for the purpose of providing access to a lumber stockpile area. The permittee is required to provide 0.01 acre of replacement wetlands. The project is located on the east side of SR 0191, approximately 0.2 mile south of SR 1009 (Buck Hill Falls, PA Quadrangle N: 4.6 inches; W: 4.5 inches). Subbasin: 1E.

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

E67-803: Springfield Township, 9211 Susquehanna Trail South, Seven Valleys, PA 17360, Springfield Township, **York County**, ACOE Baltimore District.

To construct a 10-foot wide pedestrian trail beginning in Loganville Borough Park and ending near Richard Nixon County Park, consisting of the following six stream crossings of UNTs to East Branch Codorus Creek (CWF) and two wetland crossings. The project is located in Loganville and Jacobus Boroughs, in Springfield Township, York County. The permittee proposes to construct and maintain:

a) A 25-foot long, 14-foot wide by 10-inch diameter span bridge having an underclearance of 4.8-feet (York, PA, Quadrangle: Latitude: 39° 52' 45.86"; Longitude: 76° 43' 37.21", N: 0.25 inch; W: 13.9 inches).

b) A 45-foot long, 14-foot wide by 12-inch diameter span bridge having an underclearance of 7-feet (Glen Rock, PA, Quadrangle: Latitude: 39° 52' 19.15"; Longitude: 76° 43' 18.82", N: 24 inches; W: 13.7 inches).

c) Replacement of an existing corrugated metal arch pipe with a 54-foot long, 49-inch by 33-inch corrugated metal arch pipe (Glen Rock, PA Quadrangle; Latitude: 39° 52' 16.35"; Longitude: 76° 43' 16.73", N: 22 inches; W: 13.45 inches).

d) A 40-foot long, 14-foot wide by 12-inch diameter span bridge having an underclearance of 5.2-feet (Glen Rock, PA Quadrangle; Latitude: 39° 52' 10.82"; Longitude: 76° 43' 3.49", N: 21.7 inches; W: 12.95 inches).

e) A 33-foot long, 60-inch diameter corrugated metal pipe (Glen Rock, PA Quadrangle; Latitude: 39° 52' 10.45"; Longitude: 76° 43' 59.4", N: 21.65 inches; W: 12.8 inches).

f) A 65-foot long, 14-foot wide by 12-inch diameter span bridge having an underclearance of 5.0-feet (Glen Rock, PA Quadrangle; Latitude: 39° 51' 36.13"; Longitude: 76° 42' 32.76", N: 19.95 inches, W: 11.75 inches).

The permittee proposes to permanently fill:

g) 0.01 acre of PFO wetland for a permanent road crossing approximately 300 feet south of the intersection of T-521 and the proposed trail (Glen Rock, PA Quadrangle; Latitude: 39° 52' 23.53"; Longitude: 76° 43' 24.87", N: 22.35 inches; W: 13.75 inches).

h) 0.01 acre of PFO wetland for a permanent road crossing along Water Street approximately 450 feet south-east of the intersection of Water Street and the propose SR 0214 (Glen Rock, PA Quadrangle; Latitude: 39° 51' 38.20"; Longitude: 76° 42' 34.64", N: 20.0 inches, W: 11.85 inches).

The amount of wetland impact is considered a de minimis impact of 0.02 acre and wetland replacement is not required.

E67-808: York Railway Company, 2790 West Market Street, York, PA 17404 in Spring Garden Township, **York County**, ACOE Baltimore District.

To construct and maintain a 24-foot by 11.5-foot by 30.5-foot precast concrete arch bridge, a 24-foot by 11-foot by 35.8-foot precast concrete arch bridge, a 24-foot by 12.6-foot by 37.8-foot precast concrete arch bridge and remove a collapsed retaining wall and restore approximately 90 feet of stream channel all in and along Poorhouse Run (WWF) at a point west of Loucks Mill Road and east of the Codorus Creek (York, PA Quadrangle N: 17.5 inches; W: 14.0 inches, Latitude: 39° 58' 19"; Longitude: 76° 43' 31") in Spring Garden Township, York County.

E31-210: Franklin Township, 5054 Greystone Lane, Tyrone, PA 16686, Franklin Township, **Huntingdon County**, ACOE Baltimore District.

To construct and maintain: 1) a 6-inch diameter pipe dry hydrant along the left bank of Warrior's Mark Run (HQ-CWF) located in Huntingdon Furnace village (Franklinville, PA Quadrangle N: 5.8 inches; W: 15.72 inches, Latitude: 40° 39' 25"; Longitude: 78° 06' 48"); 2) a 6-inch diameter pipe dry hydrant along the right bank of Spruce Creek (HQ-CWF) located in Franklinville village (Franklinville, PA Quadrangle N: 3.73 inches; W: 12.68 inches, Latitude: 40° 38' 44"; Longitude: 78° 05' 29"); 3) a 6-inch diameter pipe dry hydrant along the left bank of Spruce Creek (HQ-CWF) located in Graysville village (Franklinville, PA Quadrangle N: 12.26 inches; W: 3.58 inches, Latitude: 40° 41' 33"; Longitude: 78° 01' 33"); 4) a 6-inch diameter pipe dry hydrant along the right bank of Spruce Creek (HQ-CWF) located in PA Furnace village (Franklinville, PA Quadrangle N: 14.53 inches; W: 0.39 inch, Latitude: 40° 42' 18"; Longitude: 78° 00' 10") all for the purpose of providing access to drawing water for the Warriors Mark—Franklin Volunteer Company in Franklin Township, Huntingdon County.

E01-262: Bob Caldwell, 1540 Fish and Game Road, Reading, PA 17316 in Reading Township, **Adams County**, ACOE Baltimore District.

To construct and maintain a 15.0-foot wide single span plate arch culvert having a normal span of 10.0 feet and an average underclearance of about 4.67 feet across Red Run (WWF). The project is located off of Fish and Game Road, 0.13 mile passed Roland Road on the left (Abbotstown, PA Quadrangle N: 17.76 inches; W: 17.28 inches, Latitude: 39° 58' 22"; Longitude: 76° 59' 54") in Reading Township, Adams County.

E36-815. Elizabethtown Borough, 600 South Hanover Street, Elizabethtown, PA 17022, Elizabethtown Borough, **Lancaster County**, ACOE Baltimore District.

To construct and maintain: (1) a two span concrete box beam bridge with a clear span of 96.0 feet and minimum underclearance of 2.5 feet carrying the proposed West College Avenue extension over Conoy Creek (TSF) (Elizabethtown, PA Quadrangle N: 3.9 inches; W: 14.6 inches, Latitude: 40° 08' 46.4"; Longitude: 76° 36' 16.5"); (2) a sewer line crossing consisting of a 21-inch PVC pipe with concrete encasement under Conoy Creek (TSF) (Elizabethtown, PA Quadrangle N: 3.9 inches; W: 14.6 inches, Latitude: 40° 08' 47.2"; Longitude: 76° 36' 16.6"); (3) a water line crossing consisting of a 12-inch PVC pipe with concrete encasement under Conoy Creek (Elizabethtown, PA Quadrangle N: 3.8 inches; W: 14.6 inches, Latitude: 40° 08' 46.4"; Longitude: 76° 36' 16.5"); (4) a concrete retaining wall within the 100-Year Floodway of a UNT to Conoy Creek (TSF) (Elizabethtown, PA Quadrangle N: 3.9 inches; W: 14.7 inches, Latitude: 40° 08' 46.1"; Longitude: 76° 36' 14.7"); (5) a stormwater outfall and associated scour protection at a

UNT to Conoy Creek (TSF) (Elizabethtown, PA Quadrangle N: 3.9 inches; W: 14.9 inches, Latitude: 40° 08' 46.4"; Longitude: 76° 36' 16.1"); (6) a vegetated swale outfalling to Conoy Creek (TSF) (Elizabethtown, PA Quadrangle N: 3.9 inches; W: 14.3 inches, Latitude: 40° 08' 46.4"; Longitude: 76° 36' 16.7"); and (7) the removal of gabion baskets within the stream channel of Conoy Creek (TSF) (Elizabethtown, PA Quadrangle N: 3.9 inches; W: 14.6 inches, Latitude: 40° 08' 46.4"; Longitude: 76° 36' 16.5"); all for the purpose of improving traffic safety within Elizabethtown Borough, Lancaster County.

The applicant proposes to remove 94.0-lineal feet of existing culvert and stabilize 258 lineal feet of a UNT to Conoy Creek (TSF) (Elizabethtown, PA Quadrangle N: 4.0 inches; W: 14.6 inches, Latitude: 40° 08' 47.4"; Longitude: 76° 36' 11.5") as mitigation for the new bridge.

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

E32-481. Indiana County Commissioners, 825 Philadelphia Street, Indiana, PA 15701. To place fill in a wetland in White Township, **Indiana County**, Pittsburgh ACOE District. (Clymer, PA Quadrangle N: 3.6 inches; W: 13.6 inches, Latitude: 40° 38' 39"; Longitude: 79° 5' 55"). To place and maintain fill in a de minimis wetland, on a UNT to Two Lick Creek (CWF). The project is located on the north side of Hood School Road east of the intersection with Fyock Road.

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

E10-424. St. Kilian Parish, P. O. Box 394, 212 Hook Street, Mars, PA 16046. Church expansion project in Cranberry Township, **Butler County**, ACOE Pittsburgh District. The applicant proposes to construct the following activities as part of a church expansion project east of Franklin Road south of the intersection with SR 228 in Cranberry Township:

1. To install and maintain a Con/Span bridge having a waterway opening of 6.67 feet and a span of 54 feet with a length of 68 feet.
2. To install and maintain a 130-foot long box culvert having a clear span of 12 feet and an underclearance of 3 feet on a tributary to Kaufman Run.
3. To remove a road crossing with existing 18-inch and 30-inch culverts and restore approximately 30 feet of stream channel.
4. Permanent impacts to 0.40 acre of wetland (PEM, PSS, PFO) for construction of driveways, parking area and stormwater detention pond.
5. To restore approximately 130 feet of tributary 1 to Kaufman Run as mitigation for the proposed box culvert stream enclosure.

The applicant proposes a combination of onsite wetland mitigation of 0.26 acre and a contribution to the Wetland Replacement Fund for the remaining 0.20 acre, total mitigation required 0.46 acre (Mars Quadrangle N: 40° 40' 52.8"; W: 80° 04' 25.5").

E20-550, Cochranon Borough, 109 East Adams Street, P. O. Box 66, Cochranon, PA 16314. Cochranon Borough Sewage Facilities Project, in Cochranon Borough and Wayne Township, **Crawford County**, ACOE Pittsburgh District (Cochranon, PA Quadrangle N: 4.0 inches; W: 8.5 inches).

The applicant proposes to construct and maintain a sewage collection and treatment system for the Borough of Cochranon consisting of approximately 44,000 linear feet of gravity sewer line and 8,800 linear feet of pressure sewer line, pump stations and a sewage treatment plant involving: 1) to construct and maintain 13 sewer line stream crossings of UNTs to French Creek by the open trench method and a sewer line crossing of Little Sugar Creek by directional drilling; 2) to construct and maintain five sewer line crossings of PEM, PSS and PFO wetlands; 3) to permanently fill 0.007 acre of wetland for the construction of an access drive; 4) to construct and maintain a 1-foot diameter PVC plastic sewage treatment plant outfall to French Creek (N: 41° 30' 10"; W: 80° 02' 20"); 5) to construct and maintain three pump stations at the Fairgrounds (N: 41° 31' 9.8"; W: 80° 03' 11.4"), South Atlantic Avenue (N: 41° 30' 45.3"; W: 80° 02' 24") and Lee Lane (N: 41° 30' 38.6"; W: 80° 02' 28.7"), with a net fill of 1,109 cubic yards within the FEMA floodplain; and 6) to construct and maintain a floodplain fill mitigation area consisting of the removal of approximately 1,112 cubic yards of earthen material from the FEMA floodplain near the proposed sewage treatment plant (N: 41° 30' 12.5"; W: 80° 02' 11.9"). Little Sugar Creek is a perennial stream classified as a CWF. The tributaries to French Creek and French Creek are classified as WWF.

[Pa.B. Doc. No. 07-1012. Filed for public inspection June 8, 2007, 9:00 a.m.]

Draft Assessment and Listing Methodology; Notice of Availability for Public Comment

The Department of Environmental Protection (Department) is making available for public comment its draft Assessment and Listing Methodology (methodology). Sections 305(b) and 303(d) of the Federal Clean Water Act require states to report on the condition of all their waters in the biannual Integrated Report (report). The report combines the comprehensive Section 305(b) report concerning the status of water quality in this Commonwealth and the Section 303(d) list of waters including those for which Total Maximum Daily Loads (TMDLs) are required.

Stream and lake evaluations presented in the report must be supported by assessment methodologies based on sound science and technical procedures that are clear and complete. This methodology is a compilation of the protocols used to assess waters that will appear in the 2008 Integrated Report.

The protocols comprising the methodology describe the field data collection procedures and data analysis methods used to both obtain and evaluate water quality data. The individual protocols apply to a wide range of water resource types, data sources and environmental indicators. The Instream Comprehensive Evaluation document describes the Department's assessment strategy for free-stone streams. Other field protocols are presented for use in surface waters that present different aquatic habitats.

The draft methodology is available on the Department's website at www.depweb.state.pa.us (Select "Water" in the top menu bar and then "Water Quality" in the drop down menu. The methodology appears under the heading "What's New" on this page). Due to the large number of pages the methodology will not be available in hardcopy.

Persons wishing to comment on the draft methodology may do so in writing to the Bureau of Water Standards

and Facility Regulation or by e-mail no later than July 9, 2007. Comments should be mailed or e-mailed to Sara Mastbaum, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-9637, smastbaum@state.pa.us. Comments received by facsimile will not be accepted.

The Department will consider all public comments regarding the appropriateness of the narrative, collection methods and data analyses protocols contained in the methodology.

Persons in need of accommodations as provided for in the American With Disabilities Act of 1990 should contact Sara Mastbaum directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5894 (TTD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1013. Filed for public inspection June 8, 2007, 9:00 a.m.]

Request for Bids

OSM 10(6493)101.1, Abandoned Mine Land Reclamation Project, West Liberty East No. 3, West Liberty Borough, Butler County. The principal items of work and approximate quantities include dewatering and diversion and care of water, 22,000 cubic yards of grading, 350 cubic yards of ditch excavation, 215 square yards of R-4 rock lining with filter material, 110 square yards of R-5 rock lining with filter material, wetland construction and 4 acres of seeding. This project issues on June 8, 2007, and bids will be opened on July 10, 2007, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. Federal funds have been made available for this project from the \$22.5 million for Pennsylvania's 2007 AML Grant. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1014. Filed for public inspection June 8, 2007, 9:00 a.m.]

Request for Bids

OSM 61(2906)201.1, Abandoned Mine Land Reclamation Project, Woods Corners, Irwin Township, Venango County. The principal items of work and approximate quantities include clearing and grubbing, dewatering and diversion and care of water, 118,550 cubic yards of grading, 4,410 tons of limestone bed aggregate, 530 square yards of maintenance roadway surface material, one diaphragm valve, two flumes, one precast concrete vault, 5,300 square yards of impervious lining (PVC), 1,240 linear feet of subsurface drain, 106 linear feet of smooth interior corrugated polyethylene pipe, 195 linear feet of polyvinyl chloride (PVC) pipe, 3,750 cubic yards of sludge material excavation and 34 acres of seeding. This project issues on June 8, 2007, and bids will be opened on July 10, 2007, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has

been received. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1015. Filed for public inspection June 8, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Riverview Ambulatory Surgical Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Riverview Ambulatory Surgical Center, LLC has requested an exception to the requirements of 28 Pa. Code § 569.35 (relating to general safety precautions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1016. Filed for public inspection June 8, 2007, 9:00 a.m.]

Application of Roxborough Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Roxborough Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or

hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1017. Filed for public inspection June 8, 2007, 9:00 a.m.]

Draft Title V Block Grant Program; 2006 Report and 2008 Application; Public Comment Period

During the period of June 20, 2007, to July 20, 2007, the Bureau of Family Health is accepting public comment about the Commonwealth's Draft Title V Block Grant 2006 Report and 2008 Application. A draft of this document is electronically accessible through the link on the Department of Health's website at www.health.state.pa.us.

Persons with a disability who require an alternative format of the Draft Title V Block Grant 2006 Report and 2008 Application (for example, large print, audiotope, Braille) should contact Wayne S. Fleming, Title V Block Grant Coordinator, Bureau of Family Health, Health and Welfare Building, 7th Floor, East Wing, 7th and Forster Streets, Harrisburg, PA 17120, (717) 787-7262 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1018. Filed for public inspection June 8, 2007, 9:00 a.m.]

Pennsylvania's Pregnancy Risk Assessment Monitoring System Steering Committee Meeting

The Pennsylvania's Pregnancy Risk Assessment Monitoring System Steering Committee will hold a public meeting on Tuesday, June 19, 2007. The meeting will be held in the Richards Hall, Recital Room, at the Dixon University Center, 2986 North Second Street, Harrisburg, PA 17110, from 10:30 a.m. to 2 p.m.

For additional information or if you are a person with a disability and wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Carolyn S. Cass, Director, Division of Child and Adult Health Services at (717) 772-2762 or for speech and/or hearing impaired persons, contact V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1019. Filed for public inspection June 8, 2007, 9:00 a.m.]

Tobacco Use Prevention and Cessation Advisory Committee; Public Meeting

The Tobacco Use Prevention and Cessation Advisory Committee of the Department of Health will hold a public meeting on June 18, 2007, from 10:30 a.m. to 3:30 p.m. in Room 812, Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA.

This meeting is open to the public. No reservations are required to attend the public meeting.

For additional information contact Judy Ochs, Director, Division of Tobacco Prevention and Control, or Brenda Reichert, Administrative Assistant, Division of Tobacco Prevention and Control, 1006 Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA 17120, at (717) 783-6600.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Judy Ochs or Brenda Reichert at (717) 783-6600 or V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1020. Filed for public inspection June 8, 2007, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

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 following property is available for sale by the Department:

Parcel No. 61 on SR 0119-496, Burrell Township, Indiana County. It was formally listed as Tax Parcel 10-029-117. This parcel contains approximately 40,463 square feet of land situated near the north side of Cribbs Street at the intersection of Highway 119 South. The property will be sold in "as is condition." The estimated fair market value of the parcel is \$19,500. It has been determined that the land is no longer needed for present or future transportation purposes.

Interest public entities are invited to express their interest in purchasing the site within 30-calendar days from the date of publication of this notice to Larry Williams, Chief Negotiator, Department of Transportation, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 07-1021. Filed for public inspection June 8, 2007, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Flexsys America, LP v. DEP; EHB Doc. No. 2007-130-C

Flexsys America, LP has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Flexsys America, LP for a facility in Carroll Township, Washington County.

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

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

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

THOMAS W. RENWAND,
Acting Chairperson

[Pa.B. Doc. No. 07-1022. Filed for public inspection June 8, 2007, 9:00 a.m.]

FISH AND BOAT COMMISSION

Proposed Addition to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) is considering changes to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections solely for the perpetuation of the wild trout fishery with no stocking.

Criteria developed for Class A Wild Trout fisheries are species specific. Wild Trout Abundance Class Criteria include provisions for:

(i) *Wild Brook Trout Fisheries.*

(A) Total brook trout biomass of at least 30 kg/ha (26.7 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lb/acre).

(C) Brook trout biomass must comprise at least 75% of the total trout biomass.

(ii) *Wild Brown Trout Fisheries.*

(A) Total brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lb/acre).

(C) Brown trout biomass must comprise at least 75% of the total trout biomass.

(iii) *Mixed Wild Brook and Brown Trout Fisheries.*

(A) Combined brook and brown trout biomass of at least 40 kg/ha (35.6 lbs/acre).

(B) Total biomass of brook trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lb/acre).

(C) Total biomass of brown trout less than 15 cm (5.9 inches) in total length of at least 0.1 kg/ha (0.089 lb/acre).

(D) Brook trout biomass must comprise less than 75% of the total trout biomass.

(E) Brown trout biomass must comprise less than 75% of the total trout biomass.

(iv) *Wild Rainbow Trout Fisheries.*

Total biomass of rainbow trout less than 15 cm (5.9 inches) in total length of at least 2.0 kg/ha (1.78 lbs/acre).

For a water to be removed from the Class A Wild Trout Streams designation, total trout biomass must be documented below the set criteria for two consecutive stream examinations.

At its meeting on July 16 and 17, 2007, the Commission intends to consider adding Middle Spring Creek, Section 01, in Cumberland County to its list of Class A Wild Trout Streams. Section 01 of Middle Spring Creek extends from its source downstream 1.48 miles to Avon Road (T-303). On August 10 and 18, 2006, a Petersen mark-recapture population estimate was conducted at two stations within this section to quantify the wild brown trout population. The stations encompassed 27% of the total length of Section 01. During the survey, a total of 462 wild brown trout, which ranged in total length from 75 mm to 475 mm, were collected. The Section 01 wild brown trout biomass estimate was 76.60 kg/ha. Fish less than 150 mm in total length had a biomass of 17.00 kg/ha. The wild brown trout population documented in Section 01 of Middle Spring Creek exceeds the minimum Class A criteria of a total population biomass estimate of 40 kg/ha with the biomass of trout less than 150 mm comprising at least 0.1 kg/ha.

Persons with comments, objections or suggestions concerning the addition are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments also may be submitted electronically by completing the form at www.state.pa.us/Fish/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working

days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 07-1023. Filed for public inspection June 8, 2007, 9:00 a.m.]

Proposed Special Regulation Redesignations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on July 16 and 17, 2007, the Commission will consider redesignating the following waters as waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective January 1, 2008:

58 Pa. Code § 65.6. Delayed Harvest Artificial Lures Only (DHALO) Areas

The Commission will consider the redesignation of the following water as a DHALO Area regulated and managed under 58 Pa. Code § 65.6:

County	Water on which located	Description
Clearfield	Sandy Lick Creek	The Commission proposes to extend the current DHALO section (from the mouth of Laborde Branch downstream to 100 meters downstream of Reisinger Run) downstream 0.34 mile to the SR 219 bridge. If approved, the revised limits of this area will extend from the confluence with Laborde Branch downstream to the SR 219 bridge, a distance of 1.71 miles.

58 Pa. Code § 65.9. Big Bass Special Regulations

The Commission will consider removing the following water from its list of "Big Bass Regulation" waters regulated and managed under 58 Pa. Code § 65.9:

County	Water
Allegheny and Westmoreland	Allegheny River Section 20 (Pool 3)

At this time, the Commission is soliciting public input concerning the redesignations. Persons with comments, objections or suggestions concerning the redesignations are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000,

Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted. Comments also may be submitted electronically by completing the form at www.state.pa.us/Fish/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 07-1024. Filed for public inspection June 8, 2007, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted as follows. The Commission's public meetings are held at 333 Market Street, 14th Floor, in Harrisburg at 10:30 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

This schedule is tentative. Contact the Commission at (717) 783-5417 or check our website at www.irrc.state.pa.us for updates.

Final-Form

Reg. No.	Agency/Title	Received	Public Meeting
15-436	Department of Revenue Pennsylvania Gaming Cash Flow Management	5/25/07	6/21/07
57-237	Pennsylvania Public Utility Commission Provisions of Default Services	5/24/07	7/19/07

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 07-1025. Filed for public inspection June 8, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

Keystone Health Plan West, Inc. Filing No. 1A-CHK-07-KHPW; Forms and Rates for New Direct Pay Conversion HMO for Kids Plan; Rate Filing

On May 14, 2007, by filing No. 1A-CHK-07-KHPW, Keystone Health Plan West, Inc. (KHPW) requested approval of forms and rates for Direct Pay Conversion HMO for Kids Plan. KHPW will convert members currently covered under the Caring Program for Children at Cost HMO group contract to this new conversion plan.

The change would increase the premium rates for members effective September 1, 2007. The filing requests an increase of about 9.0% of current group premium, or an average of \$8.45 per member per month. This will affect about 3,200 members and will produce additional premium income of \$324,000 annually.

In addition, KHPW has requested to include the following benefit changes in the Direct Pay Conversion HMO for Kids Plan from the current Caring Program for Children at Cost HMO group contract:

- A \$10 copayment for PCP visits is being added.
- A \$15 copayment for specialist visits is being added.
- A \$25 copayment for mental health visits is being added.
- A \$25 copayment for emergency room visits is being added (charge waived upon child's admittance).
- The \$5 copayment for prescription drugs is moving to a \$10/\$18 copayment for generic/brand prescription drugs (2x copayment for mail order drugs).
- A \$5 copayment for each of outpatient speech therapy, occupational therapy and physical medicine is being added.
- The 60 visit limit for therapies is moving to a 20 visit limit for each of outpatient speech therapy, occupational therapy and physical medicine visits.
- Coverage for hearing devices and exams is being removed.
- Coverage for dental and vision benefits is being removed.

A copy of the filing is available on the Insurance Department's website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Insurance Department's Harrisburg office.

Interested parties are invited to submit written comment's, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1026. Filed for public inspection June 8, 2007, 9:00 a.m.]

Surplus Lines Agents and Interested Parties; Export List of Insurance Coverages

In May 2006, the Insurance Commissioner (Commissioner) determined that certain insurance coverages were generally unavailable in the authorized market and declared those coverages as exportable. A list of exportable coverages was published at 36 Pa.B. 2346 (May 13, 2006). Accordingly, for those insurance coverages that are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

The Commissioner declared that the export list would remain in effect until revised or superseded by a subsequent list.

At this time, the Commissioner is soliciting comments regarding the current export list. Persons may request in writing that a coverage be added or removed from the list.

Persons wishing to comment on the Commissioner's current export list are invited to submit a written statement within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Written statements must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557, e-mail cbybee@state.pa.us. After consideration of all comments received, the Commissioner will publish a notice in the *Pennsylvania Bulletin* providing a 15-day opportunity to comment on any proposed changes before formal publication of the revised list.

RANDOLPH L. ROHRBAUGH,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1027. Filed for public inspection June 8, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. 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 July 2, 2007. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under each application.

A-00123617, Folder 2. Lockheart Limousine, Inc., t/a Steel City Transportation, Inc. (3990 Patterson Road, Aliquippa, PA 15001), a corporation of the Commonwealth—persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Beaver, Butler, Fayette, Washington and Westmoreland, and from points in said Counties to points in Pennsylvania, and return; and from points in Allegheny County, to points in Pennsylvania, and return. *Attorney:* David M. O'Boyle, Wick, Streiff, Meyer, O'Boyle & Szeligo, P. C., 1450 Two Chatham Center, Pittsburgh, PA 15219.

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-00122147, F.1, Am-A. Eli-Al Cab Co., Inc. (8230 Fairview Road, Elkins Park, Montgomery County, PA 19027), a corporation of the Commonwealth—persons, upon call or demand, in the Township of Upper Merion, Montgomery County: *So As To Permit* the transportation of persons, upon call or demand, in the Borough of Collegeville and the Townships of Upper Providence and Lower Providence, Montgomery County and the Borough of Malvern and the Township of Tredyffrin, Chester County.

Applications 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 each application.

A-00120050, F2. Pocono Cab Company, LLC, t/a Pocono Cab Company (307 Rachel Road, Stroudsburg, Monroe County, PA 18360), a limited liability company of the Commonwealth—persons, in paratransit service, from points in the Counties of Pike, Monroe and Northampton, to points in Pennsylvania, and return. *Attorney:* Craig A. Doll, 25 West Second Street, P. O. Box 403, Hummelstown, PA 17036.

Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-00119514. Randall R. Myers (255 Caney Valley Road, Markleysburg, Fayette County, PA 15459)—for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons in limousine service, between points in the Counties of Fayette and Somerset, and from points in said counties, to points in Pennsylvania, and return. *Attorney:* Richard A. Husband, Esquire, 813 Blackstone Road, Connellsville, PA 15425-2901.

DAVID GEORGE FAY
134 MIDDLE STREET
PLEASANT GAP, PA 16823

In Re: Pennsylvania Public Utility Commission

v.
David George Fay
Docket No.: C-20077328

Dear Sirs:

On January 31, 2007, the Bureau of Transportation and Safety instituted a complaint against David George Fay, respondent, alleging that respondent transported persons for compensation between points in the Commonwealth of Pennsylvania while not then holding a certificate of public convenience issued by this Commission, a violation of 66 Pa.C.S. § 1101.

Respondent was duly notified that, if no answer was filed within twenty (20) days from the date of service of the complaint, that either admitted or failed to deny the allegations of the complaint, the penalty would be imposed.

The complaint and notice were sent by certified mail on February 2, 2007, and returned "Moved . . . Unable to Forward." The complaint was published in the March 3,

2007 *Pa. Bulletin*. A "corrected" complaint was published in the April 14, 2007, *Pa. Bulletin*, and to date, more than thirty days later, no answer has been received from respondent. Therefore, the allegations in the complaint are admitted and the complaint is sustained.

Respondent, within twenty (20) days from the date of the service of this letter, shall pay a fine of one thousand dollars (\$1,000.00) by certified check or money order payable to the Pennsylvania Public Utility Commission at P. O. Box 3265, Harrisburg, PA 17105-3265, as provided in the Public Utility Code, 66 Pa.C.S. §§ 3301 and 3315, shall cease and desist from further violations of the Public Utility Code, 66 Pa.C.S. §§ 101, *et seq.*, and the Regulations of this Commission, 52 Pa. Code §§ 1.1, *et seq.*

Very truly yours,

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1028. Filed for public inspection June 8, 2007, 9:00 a.m.]

Transfer of Ownership

A-230257F5000. Meadows Sewer Company, Inc. Application of Meadows Sewer Company, Inc., for approval of the transfer of ownership of Meadows Sewer Company by Sale of Stock from Charles J. Taylor, c/o Taylor Enterprises, to Frank Perano.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 25, 2007. 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: Meadows Sewer Company, Inc.

Through and by Counsel: Charles B. Zwally, Esquire, Randall G. Hurst, Esquire, Mette, Evans and Woodside, P. O. Box 5950, 3401 North Front Street, Harrisburg, PA 17110-0950

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1029. Filed for public inspection June 8, 2007, 9:00 a.m.]

Water Service

A-210540F0005. The Columbia Water Company. Application of The Columbia Water Company for approval to begin to offer, render, furnish or supply water service to the public in an additional territory in Rapho Township, Lancaster County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 25, 2007. 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: The Columbia Water Company

Through and By Counsel: Jan P. Paden, Esquire, J. Bruce Walter, Esquire, Rhoads and Sinon, LLP, P. O. Box 1146, Harrisburg, PA 17108-1146

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1030. Filed for public inspection June 8, 2007, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Angie Rambo, LPN; Doc. No. 1304-51-2006

On May 15, 2007, Angie Rambo, of Pottstown, Montgomery County, had her license number PN-257998-L indefinitely suspended, based on her failure to submit to a mental and physical examination.

Individuals may obtain a copy of the adjudication by writing to Thomas A. Blackburn, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in

accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

MARY E. BOWEN, R. N., CRNP,
Chairperson

[Pa.B. Doc. No. 07-1031. Filed for public inspection June 8, 2007, 9:00 a.m.]

STATE REAL ESTATE COMMISSION

Bureau of Professional and Occupational Affairs v. Robert C. Lee; Doc. No. 0780-56-07

On April 18, 2007, Robert C. Lee, license no. BE000683, of Natrona Heights, Allegheny County, was suspended under the Order of the Court of Common Pleas of Allegheny County dated April 11, 2007, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Herbert Abramson, Senior Counsel in Charge, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

JOSEPH J. MCGETTIGAN, Sr.,
Chairperson

[Pa.B. Doc. No. 07-1032. Filed for public inspection June 8, 2007, 9:00 a.m.]

