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Volume 35 (2005)

Pennsylvania Bulletin  
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# PENNSYLVANIA BULLETIN

Volume 35

Number 30

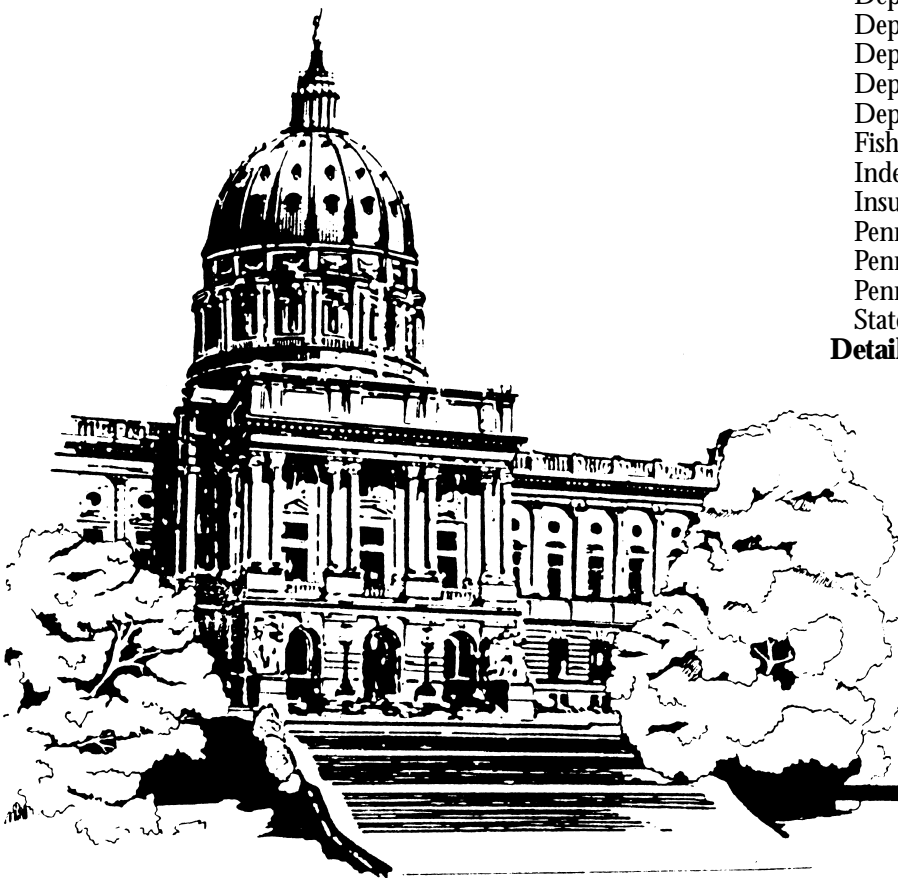
Saturday, July 23, 2005 • Harrisburg, PA

Pages 4075—4166

**Agencies in this issue:**

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Insurance Department  
Pennsylvania Gaming Control Board  
Pennsylvania Municipal Retirement Board  
Pennsylvania Public Utility Commission  
State Employees' Retirement Board

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**No. 368, July 2005**

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**BULLETIN**

(ISSN 0162-2137)

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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 2005.

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# THE GENERAL ASSEMBLY

## Recent Actions during the 2005 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2005 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>
<b>2005 GENERAL ACTS ENACTED—ACT 010 through 037</b>					
010	Jul 5	HB0129	PN2435	90 days	Transportation Code (74 Pa.C.S.)—flying while impaired and imposing penalties
011	Jul 5	HB0136	PN2243	60 days	Second Class Township Code—appropriations to watershed associations
012	Jul 5	HB0157	PN2428	Immediately*	County Code—omnibus amendments and repealing Hotel Room Rental Tax Act
013	Jul 5	HB0266	PN2244	60 days	Borough Code—specific powers of borough
014	Jul 5	HB0267	PN2245	60 days	First Class Township Code—specific powers
015	Jul 5	HB0271	PN1616	Immediately	Project 70 lands—North Newton Township, Cumberland County, and West Pennsboro Township, Cumberland County
016	Jul 5	HB0279	PN2430	60 days	Pennsylvania Municipal Retirement Law—administrative expenses
017	Jul 5	HB0398	PN0386	Immediately	Legislative Data Processing Committee—further providing for establishment
018	Jul 5	HB0399	PN0610	60 days	Names (54 Pa.C.S.)—divorcing and divorced person and surviving spouse to resume prior name
019	Jul 5	HB0887	PN2362	Immediately	Game Code (34 Pa.C.S.)—resident license and fee exemptions and license costs and fees
020	Jul 5	HB1076	PN2363	Immediately	Game Code (34 Pa.C.S.)—resident license and fee exemptions and license costs and fees
021	Jul 5	HB1077	PN2364	Immediately	Fish and Boat Code (30 Pa.C.S.)—license fee for deployed Pennsylvania National Guard members and for reserve component of armed forces members
022	Jul 5	HB1589	PN2493	Immediately	Medicare Hospital Service Payment Designation Act—designation of hospitals
023	Jul 5	HB1745	PN2492	Immediately	Conveyance—Commonwealth property in Hartley Township, Union County and Borough of Danville, Montour County
024	Jul 5	SB0126	PN0109	60 days	Representative Leroy M. Zimmerman Memorial Bridge—designation
025	Jul 5	SB0141	PN0128	60 days	L. Charles Scipione Bridge—designation
026	Jul 5	SB0158	PN0704	60 days	State highway system—adding portion of Bayfront Parkway, City of Erie, Erie County, to Commonwealth and transferring certain State road to City of Erie
027	Jul 5	SB0248	PN0705	60 days	Extending date for validation of certain conveyances and other instruments
028	Jul 5	SB0457	PN0900	60 days	Third Class City Code—beneficiaries of fund not to be employed by city and beneficiaries serving in elective office

<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>
029	Jul 5	SB0511	PN1053	Immediately	Job Enhancement Act—Family Savings Account Program definitions and administration, technology work experience definitions, approved courses, emerging technology companies, responsibility of approved educational institutions and eligible interns
030	Jul 5	SB0584	PN1029	60 days	Crimes Code (18 Pa.C.S.)—defining offense of disarming law enforcement officer
031	Jul 5	SB0600	PN1052	Immediately	Project 70 lands—release of restrictions on land owned by Indiana County, imposition of restrictions on land being conveyed to county by Department of Transportation
032	Jul 5	SB0677	PN0815	60 days	Senator Clarence D. Bell Memorial Highway—designation
033	Jul 5	SB0688	PN0969	Immediately	Conveyance—Commonwealth property in City of Erie, County of Erie, to Erie-Western Pennsylvania Port Authority
034	Jul 5	SB0697	PN1060	Immediately	Conveyance—Commonwealth lands in Morgan and Franklin Townships, Greene County, and Danville, Montour County, and leasing land within bed of Delaware River
035	Jul 5	SB0721	PN0865	60 days	Transportation Code (74 Pa.C.S.)—designating State Route 6 in Wyoming County and State Route 92 in Susquehanna County as scenic byways
036	Jul 5	SB0722	PN1051	Immediately	Storage Tank and Spill Prevention Act—omnibus amendments
037	Jul 5	SB0724	PN0868	Immediately*	Vehicle Code (75 Pa.C.S.)—implementing the Federal Motor Carrier Safety Improvement Act of 1999

\*denotes an effective date with exceptions

#### Effective Dates of Statutes

The effective dates specified above 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. 05-1375. Filed for public inspection July 22, 2005, 9:00 a.m.]

## Recent Actions during the 2005 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2005 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>
<b>2005 GENERAL ACTS ENACTED—ACT 038 through 043</b>					
038	Jul 6	HB1646	PN2433	Immediately*	Agriculture Code (3 Pa.C.S.)—omnibus amendments
039	Jul 6	SB462	PN1056	Immediately*	Liquor Code—omnibus amendments
040	Jul 7	HB0176	PN2565	Immediately*	Tax Reform Code of 1971—omnibus amendments
041	Jul 7	HB0182	PN2563	Immediately	Fiscal Code—omnibus amendments
042	Jul 7	HB1168	PN2560	Immediately	Public Welfare Code—omnibus amendments
043	Jul 7	SB0086	PN1054	Immediately	Domestic Relations (23 Pa.C.S.)—consolidating the support law, providing for property of persons liable for support expenses and providing for disposition of complaints
<b>2005 APPROPRIATION ACTS ENACTED—ACT 001A through 008A</b>					
001A	Jul 7	HB0815	PN2568	Immediately	General Appropriation Act of 2005—enactment
002A	Jul 7	SB0608	PN0640	Immediately	State Employees' Retirement Board—administrative expenses, etc.
003A	Jul 7	SB0609	PN0641	Immediately	Public School Employees' Retirement Board—administrative expenses, etc.
004A	Jul 7	SB0610	PN0642	Immediately	Bureau of Professional and Occupational Affairs—operation of professional licensure boards
005A	Jul 7	SB0611	PN0643	Immediately	Department of Labor and Industry and the Department of Community and Economic Development—workers' compensation, occupational diseases and Office of Small Business Advocate
006A	Jul 7	SB0612	PN0644	Immediately	Pennsylvania Public Utility Commission—operation
007A	Jul 7	SB0613	PN0645	Immediately	Office of Consumer Advocate—operation
008A	Jul 7	SB0614	PN0646	Immediately	Office of Small Business Advocate—operation

\* denotes an effective date with exceptions

#### Effective Dates of Statutes

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ROBERT ZECH,  
*Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 05-1376. Filed for public inspection July 22, 2005, 9:00 a.m.]

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[231 PA. CODE CH. 100]

**Amendment of Rule 51 Governing the Title and Citation of the Rules of Civil Procedure; No. 435 Civil Procedural Rules; Doc. No. 5**

#### Order

*Per Curiam:*

*And Now*, this 8th day of July, 2005, Pennsylvania Rule of Civil Procedure 51 is amended to read as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective September 1, 2005.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 100. RULES OF CONSTRUCTION

#### Rule 51. Title and Citation of Rules.

**[ All ] These rules [ adopted by the Supreme Court under the authority of Article V, Section 10(c) of the Constitution of 1968, or of any Act of Assembly, ] shall be known as the Pennsylvania Rules of Civil Procedure and may be cited as "Pa.R.C.P. No. \_\_\_\_."**

#### *Official Note:*

\* \* \* \* \*

**[ By order dated December 31, 1968 all statutes and rules governing practice and procedure in actions and proceedings in courts of record and courts not of record were continued in force until suspended, revoked or modified pursuant to Article V of the Constitution. ]**

**The rules of civil procedure are not applicable in the magisterial district courts. Civil actions and proceedings in magisterial district courts are governed by the Rules of Civil Procedure for Magisterial District Judges, Pa.R.C.P.M.D.J. 201 et seq.**

#### Explanatory Comment

Rule 51 governing the title and citation of the rules of civil procedure has been amended in two respects. First, the opening language of the rule, "All rules adopted by the Supreme Court under the authority of Article V, Section 10(c) of the Constitution of 1968, or of any Act of Assembly" has been replaced by two words, "These rules." The prior opening language was appropriate when the rule was promulgated initially in 1939 as the only rules promulgated by the Supreme Court were rules of civil procedure. Sixty-six years later, the rules of civil procedure are only one of numerous types of rules promulgated by the Supreme Court. The rule as revised addresses the rules of civil procedure only.

Second, the former note to the rule concerned the continuation of the rules of civil procedure upon the adoption of the Constitution of 1968 and with the passage of time became irrelevant. The prior text of the note has been replaced by new text which contains an express statement that the rules of civil procedure do not apply to actions and proceedings in magisterial district courts. The new note is intended to refute the occasional argument that the rules of civil procedure are applicable in those courts.

*By the Civil Procedural Rules Committee*

R. STANTON WETTICK, Jr.,  
*Chair*

[Pa.B. Doc. No. 05-1377. Filed for public inspection July 22, 2005, 9:00 a.m.]

### PART I. GENERAL

[231 PA. CODE CH. 200]

**Rescission of Rule 223.2(e) Governing Juror Note Taking; No. 436 Civil Procedural Rules; Doc. No. 5**

#### Order

*Per Curiam:*

*And Now*, this 8th day of July, 2005, Pennsylvania Rule of Civil Procedure 223.2 is amended by rescinding subdivision (e) as follows.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective on September 1, 2005.

Mr. Justice Nigro dissents.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

**Rule 223.2. Conduct of the Jury Trial. Juror Note Taking.**

\* \* \* \* \*

**[ (e) This rule is rescinded as of December 31, 2005. ]**

#### Explanatory Comment

Rule 223.2 providing for note taking by jurors in civil cases was promulgated as a temporary rule for the purpose of assessing whether juror note taking in civil cases is beneficial to the system of justice in Pennsylvania. As the rule has found overwhelming favor with the bench and bar, the sunset provision of subdivision (e) has been rescinded and the rule has been made permanent.

*By the Civil Procedural Rules Committee*

R. STANTON WETTICK, Jr.,  
*Chair*

[Pa.B. Doc. No. 05-1378. Filed for public inspection July 22, 2005, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

Adoption of Philadelphia Civil Rule 229.1; President Judge General Court Regulation No. 2005-04

#### Order

*And Now*, this 22nd day of June, 2005, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on May 19, 2005 to adopt Philadelphia Civil Rule 229.1, *It Is Hereby Ordered* that Philadelphia Civil Rule 229.1 is adopted as follows.

This General Court Regulation is issued in accordance with Pa.R.Civil.P. No. 239 and shall become effective [thirty (30) days after publication in the *Pennsylvania Bulletin*]. As required by Rule 239, the original General Court Regulation shall be filed with the Prothonotary in a Docket maintained for General Court Regulations issued by the President Judge of the Court of Common Pleas of Philadelphia County, and copies shall be submitted to the Civil Procedural Rules Committee, the Administrative Office of Pennsylvania Courts, and shall be posted on the website of the Unified Judicial System at: <http://ujportal.pacourts.us>. Copies of the Order shall also be submitted to American Lawyer Media, *The Legal Inteligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and posted on the website of the First Judicial District: <http://courts.phila.gov>.

*By the Court*

FREDERICA A. MASSIAH-JACKSON,  
*President Judge*

#### Philadelphia Rule of Civil Procedure

#### Proposed Changes Presented to the Board of Judges on May 19, 2005

#### Rule 229.1 Sanctions for Failure to Deliver Settlement Funds.

(F) Upon receipt of the attorney affidavit and supporting documentation required by paragraph (E)(2) above, the Released Party shall have twenty (20) days to file a response. If the Court finds that the Released Party has violated this rule and that there is no material dispute as to the terms of the settlement or the terms of the release, the Court shall impose sanctions in the form of [ **simple** ] interest calculated **as set forth below together with reasonable attorneys' fees incurred in the preparation of the affidavit. Interest shall be calculated at [ a ]** the rate equal to the prime rate as listed in the first edition of the *Wall Street Journal* published for the calendar [ **last** ] year preceding the date on which the [ **attorney affidavit was filed, running** ] settlement funds were payable, **plus one percent, not compounded, calculated from the twenty-first day after the date of the settlement to the date of delivery of the settlement funds[ , together with reasonable attorneys' fees incurred in the preparation of the affidavit ]**.

[Pa.B. Doc. No. 05-1379. Filed for public inspection July 22, 2005, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BEAVER COUNTY

Local Rules of Civil Procedure; No. 10130 of 2001

#### Order

Beaver County Local Rules of Civil Procedure are amended by adding L 1147, promulgated as follows. The rule is effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

In accordance with Pa.R.C.P. No. 239, the Court Administrator of Beaver County shall transmit the following:

A. Seven (7) certified copies of this order and the Rule to the Administrative Office of Pennsylvania Courts;

B. Two (2) certified copies of this order and the Rule and a computer diskette containing the text of the Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

C. One (1) certified copy of this order and the Rule to the Civil Procedural Rules Committee of the Pennsylvania Supreme Court;

D. One (1) certified copy in the office of the Prothonotary of Beaver County to be kept continuously available for public inspection and copying;

E. One (1) copy with the Law Library of Beaver County.

*By the Court*

ROBERT E. KUNSELMAN,  
*President Judge*

#### L 1147

(a) In order to comply with Pa.R.C.P. No. 1147(2), every complaint in mortgage foreclosure shall contain a full and complete description of the land subject to the mortgage.

**Note.** A metes and bounds description of the land is preferable. The attachment as an Exhibit to the complaint of a copy of the deed which conveyed the land to the mortgagor(s) will usually constitute compliance with this rule. A reference in the complaint to a recorded deed or mortgage for a fuller description will not constitute compliance with this rule.

(b) The Prothonotary of Beaver County shall not accept for filing a complaint in mortgage foreclosure which does not contain a full and complete description of the land subject to the mortgage.

[Pa.B. Doc. No. 05-1380. Filed for public inspection July 22, 2005, 9:00 a.m.]

### JUNIATA AND PERRY COUNTIES

Repeal and Adoption of Rules of Orphans' Court Procedures; No. 240 of 2005; No. 2005-18

#### Order

*And Now*, June 27, 2005, it is hereby ordered and decreed that all Juniata/Perry County Rules of Orphans' Court Procedure filed prior to this date are repealed effective the date that the rules herein become effective.

The Court hereby adopts the following Perry/Juniata County Rules of Orphans' Court Procedure to be effective as follows:

(1) All of the following local rules shall be effective 30 days after publication in the *Pennsylvania Bulletin*. It is further ordered that the District Court Administrator shall file:

(a) seven (7) certified copies of the Local Rules with the Administrative Office of Pennsylvania Courts,

(b) two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*,

(c) one (1) certified copy to the Civil Procedural Rules Committee, and

(d) the Local Rules shall be kept continuously available for public inspection and copying in the Office of the Prothonotary and upon request and payment of reasonable costs of reproduction and/or mailing the Prothonotary shall furnish to any person a copy of the requested Local Rules.

*By the Court*

C. JOSEPH REHKAMP,  
*President Judge*

### Local Rules of Orphans' Court Procedure

#### Rule 1.2.1 Certificates of Appointment of Fiduciary

The clerk of the Orphans' Court Division shall not issue a certificate of the appointment of any fiduciary until the security, if required by the court, has been entered.

#### Rule 1.2.2 Corporate Sureties. Approval

Surety companies duly authorized to do business in this Commonwealth may become surety on any bond or obligation required to be filed in the court; provided that a current certificate of the right to do business, issued by the Insurance Department of this Commonwealth, shall be on file with the Prothonotary; and provided, further, that no bond shall be executed by any surety company after May 1 of any year, until such certificate, issued after March 31 of that year, shall have been filed with the court.

#### Rule 6.1.1 Procedure under § 3102. Probate, Estates and Fiduciaries Code of 1972.

(a) *Contents of petition.* A petition under section 3102 of the Probate, Estates and Fiduciaries Code of 1972 (20 P. S. Sec. 3102), for the settlement of a small estate shall set forth

(1) the name, date of death, and residence of decedent;

(2) the name and address of the petitioner, his relationship to the decedent and whether or not he formed a part of decedent's household at the date of his death;

(3) if petitioner be the surviving spouse, the date and place of the ceremonial marriage, and the name and official capacity of the person who performed the ceremony; or, in case of a common law marriage, all averments necessary to establish the validity of such a marriage;

(4) whether the decedent died testate or intestate; where, when and to whom letters were granted, and the amount of bond given by the personal representative;

(5) the names, relationships and a brief description of the interest of all persons entitled to share in the decedent's estate under the will or intestate laws, stating which are minors, incompetents or deceased, with the names of their fiduciaries, and whether any of them has

received or retained any property of the decedent by payment of wages under section 3101 of the Probate, Estates and Fiduciaries Code (20 P. S. Section 3101), or otherwise;

(6) the person entitled to the family exemption, and the facts on which the claim is based;

(7) an itemized statement of the property of the decedent and an appraisal thereof;

(8) the disbursements made prior to the filing of the petition; the date and name of the person to whom paid; and the nature and amount of each payment;

(9) the names of all unpaid claimants of whom the petitioner has notice or knowledge, the nature and amount of each claim, and whether such claims are admitted;

(10) that a schedule of assets and deductions for inheritance tax purposes has been filed with the register; the amount of any inheritance tax assessed; and the date of payment thereof;

(11) that ten days' written notice of intention to present the petition has been given to every unpaid beneficiary, heir or claimant who has not joined in the petition, or to the Attorney General, if the decedent's heirs are unknown; and

(12) a prayer for distribution of the property, setting forth the persons entitled and their distributive shares and requesting the discharge of the personal representative and the release of his surety, if letters have been granted and advertised.

(b) *Exhibits.* The following exhibits shall be attached to the petition:

(1) a copy of the decedent's will;

(2) consents of the surety, and of unpaid beneficiaries, heirs and claimants who consent thereto;

(3) a copy of the notice given; and

(4) the inheritance tax voucher, or in lieu thereof a statement from the inheritance tax department that no tax is due.

(c) *Appraisal.* No formal appraisal is required, unless ordered by the court.

#### Rule 6.1.2 Procedures under § 3546. Probate, Estate and Fiduciaries Code of 1972.

(a) *Contents of petition.* A petition under section 3546 of the Probate, Estates and Fiduciaries Code of 1972 (20 PS Section 3546) for the determination of title shall set forth

(1) the name of the petitioner and his relationship to the decedent;

(2) the facts on which the claim of the petitioner is based;

(3) whether the decedent died testate or intestate, and where, when, and to whom letters were granted;

(4) a description of real property located within the Commonwealth, and the place, book, and page of recording the last deed thereto;

(5) the names and addresses of all known creditors and parties in interest; and

(6) the facts material to a determination of the title.

(b) *Exhibits.* The following exhibits shall be attached to the petition:



(1) the notice which has been given to creditors, and parties in interest; if the heirs of the decedent are unknown, a copy of the notice given to the Attorney General; and

(2) a copy of decedent's will.

**Rule 8.1.1 Pre-Hearing conference**

The Auditor shall schedule a pre-hearing conference at which time the accountant or his attorney shall present to the auditor all written notices of claims of creditors, legatees, devisees, next of kin and others interested in the estate given the accountant and also a list of all other creditors of which he has any information and mention the claims of creditors he recommends for allowance.

**Rule 8.1.2 Notice of Hearings**

Notice of the initial hearing shall be given by mailing by regular mail to the counsel of record for the Estate, counsel of record for the exceptant(s), each heir at the last known address, to each unpaid creditor and to the Department of Revenue, the Department of Welfare, Bureau of Public Assistance, or other agency of the Commonwealth of Pennsylvania, if such Department or agency has, according to the information of the Clerk, a claim against the estate to be audited. If a party is unrepresented, notice shall be mailed to the last known address of record.

To the extent possible, the auditor shall expedite the hearings, and any party in interest may apply to the Court for an order on the auditor to proceed and file a report or else give the reasons for the alleged delay, if there be unreasonable delay.

**Rule 8.2 Filing of Report—Reserved.**

**Rule 8.3.1 Form of Auditor's Report**

A. It shall be the duty of an auditor to keep, and file with his report, minutes setting forth the notices given, the appearances before him at the several hearings he may hold, and other proceedings had before him, including the testimony taken. At each meeting he shall note the appearance of all parties in interest and their attorneys.

B. If objection is made to a witness or to a question put to him or his answer to any question or to any documentary evidence, the offer and purpose of the evidence, the objection and reasons therefor, and the ruling of the auditor shall all be reduced to writing. If the auditor sustains the objection, he shall, nevertheless, take the testimony and reduce it to writing or receive the documentary evidence, unless the witness is clearly incompetent or the evidence is clearly inadmissible or the question or answer is impertinent, frivolous or scandalous. It must always appear who offered a witness or documentary evidence, who made the objection, and whether the examination of the witness is in chief, on cross-examination, in rebuttal, or in sur-rebuttal.

C. If any party desires to present suggestions for findings of fact and/or conclusions of law, he shall indicate such desire at the close of the testimony and present them to the auditor within ten days; otherwise any such suggestions shall not be considered.

D. When a claim of a creditor, legatee, devisee, next of kin or other person is disallowed by the auditor, no costs shall be allowed such claimant, and the auditor may direct such claimant to pay the witness costs of the adverse party incurred in defense against such claim and/or part or all of the costs of audit. Such order of the auditor may be enforced, on application to the Court, by a citation to show cause.

**Rule 8.4.1 Form of Master's Report—Reserved**

**Rule 8.5.1 Transcript of Testimony**

All hearings shall be transcribed. The transcript of the hearing(s) shall be filed by the stenographer with the Office of the Register of Wills and shall be made a part of the record. A transcript of the pre-hearing conference is not required.

**Rule 8.6.1 Notice of Filing Report**

When auditor has his report completed, he shall present it to the Court along with a proposed Decree Nisi for consideration by the Court. A copy of said report and the signed Decree Nisi shall be mailed via regular mail to all attorneys who appeared before him and all exceptants who appeared without attorneys.

**Rule 8.7.1 Confirmation of Report**

When an auditor's report is presented to the Court, it will be confirmed nisi and filed. Exceptions to the Report must be filed with fifteen (15) days of the date of the Decree Nisi. When no exceptions to an auditor's report are filed within the said period, the Clerk of the Court shall endorse the absolute confirmation on the report.

**Rule 8.8.1 Security for Expenses and Fees**

The Estate and exceptant(s) shall each provide to the Auditor an estimate of the amount of time needed to present their case. Thereafter, the Auditor shall recommend to the Court an amount to be held in escrow by the Register of Wills. Said deposit shall be applied to the Auditor's bill of cost as submitted by the Auditor and approved by the Court.

If exceptions are filed to the Report prior to confirmation absolute or if an appeal is filed after the confirmation, the party filing the same must pay in full all outstanding auditor's fees and costs as set forth on the Auditor's Bill of costs, regardless of the recommendation of the Auditor as to allocation of the payment. The Court may address the issue of auditor's fees and costs at the time of the disposition of the exceptions or appeal.

**Rule 10.1.1 Certification of Record**

(a) *Contents of petition.* A petition to fix a date for a hearing from a certification of record to the court from the register shall be promptly presented to the court and shall set forth:

- (1) the nature of the proceedings before the register;
- (2) the basis for the certification of record; and
- (3) the names and addresses of all parties in interest including those who have not been made parties to the record.

(b) *Certification by register.* When the record has been certified by the register, the petition required by subparagraph (a) shall be presented by the party who instituted the contest, or, in special circumstances, as the court may direct.

(c) *Citation.* Upon allowance of the petition, a citation will be issued, directed to all parties in interest, including those not represented on the record, to show cause why the matter upon which the certification is requested or based, as the case may be, should not be determined by the court on a day certain therein indicated. (See Supreme Court Orphans' Court Section 10, Rule 1.)

**Rule 10.2.1 Appeals**

(a) *Contents of petition.* When an appeal is taken from a judicial act of, or proceeding before, the register, the appellants shall promptly present a petition to the court, which shall set forth:

- (1) the nature of the proceeding before the register;
- (2) the basis for the appeal; and
- (3) the names and addresses of all parties in interest, including those who have not been made parties to the record.

(b) *Citation.* If the petition sets forth a prima facie case, a citation will be issued, directed to all parties in interest, including those not represented on the record, to show cause why the appeal should not be sustained and the judicial act or proceeding complained of be set aside.

**Rule 11.2.1 Grant of Jury Trial**

(a) On appeal from the register, or in a proceeding removed from or certified by the register, the court in its discretion may impanel a jury at any stage of the proceedings and forthwith proceed with a jury trial.

(b) On appeal from the register, or in a proceeding removed from or certified by the register, the court in its discretion may, either at the conclusion of all the evidence presented by proponents and contestants or before all such evidence has been produced, when it is satisfied that sufficient evidence has been presented so as to warrant, grant a jury trial at a future date.

(c) If a jury trial is granted, as provided in subparagraph (a) or (b) hereof, the court shall enter a decree specifying the issues to be tried, which may be in the form agreed upon by the parties, or as the court shall determine.

[Pa.B. Doc. No. 05-1381. Filed for public inspection July 22, 2005, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 128b]

[Correction]

### CHEMSWEEP Pesticide Disposal Program

An error occurred in the Regulatory Review Section of the proposed rulemaking which appeared at 35 Pa.B. 3940, 3941 (July 16, 2005). The correct version is as follows:

#### *Regulatory Review*

On July 6, 2005, the Department submitted a copy of the proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Standing Committees on Agriculture and Rural Affairs, in accordance with section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)). The Department also provided IRRC and the Committees with a detailed Regulatory Analysis Form. A copy of this material is available to the public upon request. If IRRC has an objection to any portion of the proposed rulemaking, it must so notify the Department within 30 days of the close of the public review period.

The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act sets forth detailed procedures for review of these objections by the Department, the General Assembly and the Governor prior to the final publication of the proposed rulemaking.

[Pa.B. Doc. No. 05-05-1338. Filed for public inspection July 15, 2005, 9:00 a.m.]

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# 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 July 12, 2005.

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-29-05	Putnam, LLC, Boston, MA, to acquire in excess of 10% of the common stock of Commerce Bancorp, Inc., Cherry Hill, NJ, and thereby indirectly acquire 10% or more of the voting shares of Commerce Bank/Pennsylvania, N. A., Philadelphia, PA, under section 112 of the Banking Code of 1965	Boston, MA	Filed
7-7-05	Northwest Bancorp, Inc., Warren, PA, to acquire 100% of the voting shares of Equinox Financial Corp., Pembroke Pines, FL, under section 115 of the Banking Code of 1965	Warren, PA	Filed

##### Consolidations, Mergers or Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-7-05	Northwest Bank, Warren, PA, and Equinox Bank, FSB, Pembroke Pines, FL Surviving Institution— Northwest Bank, Warren	Warren, PA	Filed
7-8-05	Beneficial Mutual Savings Bank, Philadelphia, and Northwood Savings Bank, Philadelphia Surviving Institution— Beneficial Mutual Savings Bank, Philadelphia	Philadelphia	Filed

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-11-05	Royal Bank America Narberth Montgomery County	213 Main Street Fort Lee Bergen County, NJ	Opened
6-24-05	Northwest Savings Bank Warren Warren County	3517 Union Road Cheektowaga Erie County, NY	Opened
6-25-05	Integrity Bank Camp Hill Cumberland County	440 Bridge Street New Cumberland Cumberland County	Opened
6-27-05	Community Banks Millersburg Dauphin County	271 Market Street Lemoyne Cumberland County	Opened
6-28-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 3230 West Wilmington Road New Castle Lawrence County	Opened

## NOTICES

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-6-05	Bucks County Bank Doylestown Bucks County	2084 Street Road Bensalem Bucks County	Approved
7-7-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 206 Seven Fields Boulevard Seven Fields Butler County	Approved
7-8-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Cardinal Avenue 3rd Floor George Town Grand Cayman Cayman Islands	Approved

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-1-04	Royal Bank America Narberth Montgomery County	<i>To:</i> 1230 Walnut Street Philadelphia Philadelphia County  <i>From:</i> 1340 Walnut Street Philadelphia Philadelphia County	Effective
7-6-05	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	<i>To:</i> Corner of Green Ridge Street and Ross Avenue Scranton Lackawanna County  <i>From:</i> Greenridge Plaza Scranton Lackawanna County	Approved
7-6-05	Wilmington Trust of Pennsylvania Villanova Delaware County	<i>To:</i> 2003 South Easton Road Suite 204 Doylestown Bucks County  <i>From:</i> 116 East Court Street Doylestown Bucks County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-17-05	Lebanon Valley Farmers Bank Lebanon Lebanon County	2 Micro Drive Jonestown Lebanon County	Effective
6-30-05	Lafayette Ambassador Bank Easton Northampton County	1401 Easton Avenue Bethlehem Northampton County	Effective
7-1-05	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Seven branch offices located in Butler County	Authorization Rescinded

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Conversions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
7-8-05	Belco Community Credit Union Harrisburg Dauphin County	Harrisburg	**

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

\*\*Application became effective by Operation of Law under section 501(g) of the Credit Union Code.

Articles of Amendment

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
7-8-05	Belco Community Credit Union Harrisburg Dauphin County	Amendment to section 7 of the Articles of Incorporation provides for a change in the field of membership of the credit union to be: "Persons who live, work, worship, attend school, and volunteer as well as businesses and other legal entities in the counties of: Adams, Cumberland, Dauphin, Lancaster, Lebanon, Perry, and York, Pennsylvania. Spouses of persons who died while within the field of membership of this credit union; employees of the credit union; members of their immediate family or households; and organizations and/or associations of such persons."	Effective

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 05-1382. Filed for public inspection July 22, 2005, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August 2005**

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of August 2005 is 6 3/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as a principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 4.17 to which was added 2.50 percentage points for a total of 6.67 that by law is rounded off to the nearest quarter at 6 3/4%.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 05-1383. Filed for public inspection July 22, 2005, 9:00 a.m.]

**DEPARTMENT OF  
COMMUNITY AND  
ECONOMIC DEVELOPMENT**

**Consolidated Plan Public Meeting and Regional Housing Advisory Committee Meetings**

The Department of Community and Economic Development (Department) is preparing its 2006 Action Plan that

supplements the Commonwealth's Consolidated Plan (Plan) for Federal Fiscal Years 2004-2008. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Plan creates a unified strategy for housing and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth's 2006 Action Plan will address how the Commonwealth intends to allocate funds under the following programs: Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS.

*Public Meeting*

The public meeting will be conducted electronically by means of the Internet on August 24, 2005. Access to the discussion will occur from 10 a.m. to 12:30 p.m. The format will be more accessible in that persons who wish to make a comment or discuss policy may participate directly from their personal computer or from a computer location at a public library. This more widely available personal computer access will replace the usual public meeting.

Individuals or organizations may give testimony or comments by means of the Internet. Comments will be accepted about topics related to community development, housing, the content of the 2006 Action Plan and the process by which the public input is gathered. The Commonwealth encourages public participation in this process.

Persons who want to participate must register in advance online and should contact Karen Overly Smith at (717) 214-5340 to receive registration instructions for the Internet meeting at least 24 hours prior to the meeting date. Internet public meeting access will be open from 10 a.m. to 12:30 p.m. on August 24, 2005. During the meeting, persons requiring support should call (866) 224-4890, enter "pin number" 9659 and press the pound (#) sign.

*Written Comments*

Written testimony to be entered into the record should be submitted by 5 p.m. on August 19, 2005. Comments should be submitted to Karen Overly Smith, Department of Community and Economic Development, Center for Community Building, Office of Community Development, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225.

*Regional Housing Advisory Committee Meetings*

The Commonwealth has regional housing advisory committees (committees) across this Commonwealth comprised of appointed members. Meetings of these committees are open to the public under 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act). These committees advise the Department regarding housing and community development needs, as well as assist in fair housing planning. These meetings will be held as follows:

August 1, 2005, 9 a.m. to 3:30 p.m.  
Department of Environmental Protection  
Southeast Regional Office  
Delaware River Room  
2 East Main Street  
Norristown, PA 19401

August 2, 2005, 9 a.m. to 3:30 p.m.  
Lackawanna College  
Board Room  
501 Vine Street  
Scranton, PA 18509-3206

August 3, 2005, 9 a.m. to 3:30 p.m.  
SEDA—Council of Governments  
Conference Room  
201 Furnace Road  
Lewisburg, PA 17837

August 15, 2005, 9 a.m. to 3:30 p.m.  
Cranberry Municipal Center  
2525 Rochester Road, Suite 400  
Cranberry Township, PA 16066

August 16, 2005, 9 a.m. to 3:30 p.m.  
Farrell City Council Chambers  
500 Roemer Boulevard  
Farrell, PA 16121

Individuals who have a disability and wish to attend a committee meeting and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Karen Overly Smith at the previous address or telephone number to discuss how the Department can best accommodate their needs. Text telephone calls can be placed through the Pennsylvania Relay System at (800) 654-5984. Calls will be relayed to the Department's number.

DENNIS YABLONSKY,  
*Secretary*

[Pa.B. Doc. No. 05-1384. Filed for public inspection July 22, 2005, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Availability of 2005-2006 Career and Technical Education Curriculum Grants

Applications for curriculum grants funding are invited. The project period is from September 1, 2005, to June 30, 2006. The maximum amount per project is \$15,000.

### 1. *Eligibility Requirements*

Funding is available on a competitive basis to career and technical education centers; area school districts with eight or more approved career and technical programs, two of which must be trade and industrial; and school districts with approved career and technical education agriculture programs.

### 2. *Applications Deadline*

Applications are due August 31, 2005, by 5 p.m.

### 3. *How to Apply*

The Department of Education (Department) has implemented an Internet-based E-Grant system that requires eligible applicants to apply for funding online. The grant guidelines will be available on the Department's website: [www.pde.state.pa.us](http://www.pde.state.pa.us). Click on "Pre-K-12 Schools," then on the left hand side click on "Career/Technical Education," "Grants and Funding," "Funding Sources." This page provides a listing of the various funding guidelines. Click on "Curriculum Grants."

### 4. *Questions Concerning the Grant Application*

Questions concerning the grant application should be addressed to John Bonchalk, General Vocational Education Advisor, Department of Education, Bureau of Career and Technical Education, Division of Contract Administration, 333 Market Street, 6th Floor, Harrisburg, PA 17126-0333, (717) 772-4177, [jbonchalk@state.pa.us](mailto:jbonchalk@state.pa.us).

FRANCIS V. BARNES, Ph.D.,  
*Secretary*

[Pa.B. Doc. No. 05-1385. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Availability of 2005-2006 Career and Technical Education Equipment Grants

Applications for equipment grants funding are invited. The project period is from September 1, 2005, to June 30, 2006. The maximum amount per project is \$50,000.

### 1. *Eligibility Requirements*

Funding is available on a competitive basis to career and technical education centers; area school districts with eight or more approved career and technical programs, two of which must be trade and industrial; and school districts with approved career and technical education agriculture programs.

### 2. *Applications Deadline*

Applications are due August 31, 2005, by 5 p.m.

### 3. *How to Apply*

The Department of Education (Department) has implemented an Internet-based E-Grant system that requires eligible applicants to apply for funding online. The grant guidelines will be available on the Department's website: [www.pde.state.pa.us](http://www.pde.state.pa.us). Click on "Pre-K-12 Schools," then on the left hand side click on "Career/Technical Education," "Grants and Funding," "Funding Sources." This page provides a listing of the various funding guidelines. Click on "Equipment Grants."

4. *Questions Concerning the Grant Application*

Questions concerning the grant application should be addressed to John Bonchalk, General Vocational Education Advisor, Department of Education, Bureau of Career and Technical Education, Division of Contract Adminis-

tration, 333 Market Street, 6th Floor, Harrisburg, PA 17126-0333, (717) 772-4177, jbonchalk@state.pa.us.

FRANCIS V. BARNES, Ph.D.,  
*Secretary*

[Pa.B. Doc. No. 05-1386. Filed for public inspection July 22, 2005, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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



**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PAS142202 (Individual Stormwater)	Packaging Corporation of America 7451 Centronia Road Allentown, PA 18106	Upper Macungie Township Lehigh County	Iron Run (2C)	Y
PA0036081A1 Amendment	Lehigh County Authority P. O. Box 3348 1053 Spruce Street Allentown, PA 18106-0348	North Whitehall Township, Lehigh County (Wynnewood Terrace)	Lehigh River 02C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0021644 (Sewage)	Dover Borough 46 Butter Road Dover, PA 17315	York County Dover Borough	UNT Fox Run/7F	Y
PA0086045 (Sewage)	Castle Hill Mobile Home Park 20 Erford Road Suite 215 Lemoyne, PA 17043	Adams County Straban Township	UNT Rock Creek/13D	Y
PA0081051 (Sewage)	Round Top Camp Ground and Mobile Home Park 180 Knight Road Gettysburg, PA 17325-8767	Adams County Cumberland Township	Plum Creek/13D	Y
PA0088552 (Sewage)	David Ober 171 Hillcrest Lane Elizabethtown, PA 17022	Lancaster County West Donegal Township	UNT Conewago Creek/7G	Y
PAS10C011R1 (Stormwater/ Construction)	Fiorino Grande Grande Construction 108 S. Hull Street Sinking Spring, PA 19608	Berks County Union Township	French Creek/HQ-CWF	Y
PA0088056 (Industrial Waste)	Gettysburg Municipal Authority 601 East Middle Street P. O. Box 3307 Gettysburg, PA 17325	Adams County Cumberland Township	Marsh Creek/CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0101273	BHB Industries 133 Railroad Street Cambridge Springs, PA 16403	Cambridge Springs Borough Crawford County	French Creek 16-A	Y
PA0004251	Advanced Cast Products, Inc. 18700 Mill Street Meadville, PA 16335	Vernon Township Crawford County	French and Van Horne Creeks 16-D	Y
PA0035548	Department of Transportation Rest Area 15 Bureau of Design P. O. Box 3060 Harrisburg, PA 17105-3060	Plain Grove Township Lawrence County	Jamison Run 20-C	Y
PA0035556	Department of Transportation Rest Area 16 Bureau of Design P. O. Box 3060 Harrisburg, PA 17105-3060	Plain Grove Township Lawrence County	Jamison Run 20-C	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0029238	Mohawk Area School District P. O. Box 25 Mohawk School Road Bessemer, PA 16112	North Beaver Township Lawrence County	UNT to Hickory Run 20-B	Y

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

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

**PA0057657**, Sewage, **Kendal-Crosslands Communities**, P. O. Box 100, Kennett Square, PA 19348. This existing facility is located in Kennett Township, **Chester County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit for an existing discharge of treated sewage from Kendal-Crosslands sewage treatment plant. The discharge is authorized only during the period November 1st through April 30th and the permittee is expected to maximize the use of spray irrigation for disposal of the treated wastewater in accordance with existing Water Quality Management permits.

The receiving stream, Bennetts Run, is in the State Water Plan watershed 3H and is classified for WWF, MF.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.125 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>	21		20		40
Total Suspended Solids	10		10		20
Ammonia as N	2.1		2.0		4.0
Phosphorus	2.1		2.0		4.0
Fecal Coliform			200/100 ml		1,000/100 ml
Dissolved Oxygen			5.0 (min.)		
pH (Std Units)			6.0 (min.)		9.0
Total Residual Chlorine			0.1		0.2
Copper, Total	0.013	0.025	0.012	0.024	0.03
Zinc, Total	0.08	0.17	0.08	0.16	0.2

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

1. Notification of Designation of Operator.
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. Total Residual Chlorine Requirement.
8. Sludge Disposal Requirement.
9. Imax Requirements.
10. Discharge authorized only November 1 to April 30.

**PA0053783**, Sewage, **Avon Grove School District**, 375 South Jennersville Road, West Grove, PA 19390. This existing facility is located in New London Township, **Chester County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit for the existing discharge of treated sewage from the Penn London Elementary School sewage treatment plant.

The receiving stream, a swale to a UNT to West Branch White Clay Creek, is in the State Water Plan watershed 3I and is classified for CWF.

The Christina River Basin TMDL for nutrients and dissolved oxygen for low-flow conditions, issued by the Environmental Protection Agency in January 2001 and revised in October 2002 includes the discharge from this treatment plant. The parameters CBOD<sub>5</sub>, ammonia, dissolved oxygen, phosphorus and total nitrogen are addressed in the TMDL.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.02 mgd from the treatment plant.

<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 (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)			10		20
(11-1 to 4-30)			20		40
Total Suspended Solids			10		20
Ammonia as N (5-1 to 10-31)			3.0		6.0
(11-1 to 4-30)			9.0		18.0
Fecal Coliform			200/100 ml		1,000/100 ml
Dissolved Oxygen			5.0 (min.)		
pH (Std Units)			6.0 (min.)		9.0
Total Residual Chlorine			0.5		1.2
Phosphorus as P (Years 1 and 2)			Monitor and Report		
(Years 3—5)			2.0		4.0
Total Nitrogen			Monitor and Report		

The proposed effluent requirements for Outfall 002 are for the groundwater drainage system around the treatment plant and are as follows:

<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 (mg/l)</i>
CBOD <sub>5</sub>					Monitor and Report
Total Suspended Solids					Monitor and Report
Ammonia as N					Monitor and Report
Fecal Coliform					Monitor and Report
Dissolved Oxygen					Monitor and Report
pH (Std Units)					Monitor and Report
Total Residual Chlorine					Monitor and Report
Phosphorus as P					Monitor and Report
Total Nitrogen					Monitor and Report

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

1. Notification of Designation of Operator.
2. Abandon STP When Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Discharge to Dry Stream.
7. Change of Ownership.
8. Total Residual Chlorine Requirement.
9. Sludge Disposal Requirement.
10. Imax Requirements.
11. 2/Month Monitoring Requirements.

**PA0011533**, Industrial Waste, SIC 2911, **Sunoco, Inc. (R & M), Girard Point Processing Area**, 3144 Passyunk Avenue, Philadelphia, PA 19145-5299. This proposed facility is located in the City of Philadelphia, **Philadelphia County**.

Description of Proposed Activity: The facility is generally characterized as a petroleum refinery has having the following operations:

- Crude Oil Processing.
- Fluid Catalytic Cracking.
- Catalytical Desulfurization.
- HF Alkylation.
- Catalytical Reforming.
- Sulfur Recovery and Isomerization.

The receiving stream, Schuylkill River, is in the State Water Plan watershed 3F and is classified for WWF and migratory fishery. There are no public water supply intake in this Commonwealth.

The proposed effluent limits for Outfalls 001 and 009, occurs only during emergency consisting of partially treated process water commingled with the stormwater runoff, are as follows:

<i>Parameter</i>	<i>Concentration Limits (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
BOD <sub>5</sub>	26.4	48.0	66.0
Total Suspended Solids	21.6	34.0	55.0
COD	180	360	450
Oil and Grease	8.0	15.6	20.0
Phenolic-Compounds	0.17	0.35	0.43
Chromium			
Total	0.42	0.72	1.05
Hex	0.028	0.062	0.07
pH	within limits of 6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfalls 002 and 014, solely consisting of contaminated stormwater runoff, are as follows:

<i>Parameters</i>	<i>Effluent Limitations (mg/l)</i>
	<i>Instantaneous Maximum</i>
Total Organic Carbon (TOC)	110
Oil and Grease	15
pH	within limits of 6.0 to 9.0 standard units at all times

The proposed effluent limits for Outfalls 004 and 011 consist of 2.1 mgd and 3.1 mgd, respectively, of noncontact cooling water, are as follows:

<i>Parameters</i>	<i>Effluent Limitations (mg/l)</i>
	<i>Instantaneous Maximum</i>
Total Organic Carbon (TOC)	5.0 mg/l
Temperature	110° C
pH	within limits of 6.0 to 9.0 standard units at all times

The proposed effluent limits for Outfalls 005, 010 and 012, consist of uncontaminated stormwater runoff, are as follows:

<i>Parameters</i>	<i>Effluent Limitations (mg/l)</i>	
	<i>Average Monthly</i>	<i>Daily Maximum</i>
CBOD <sub>5</sub>	Monitor and Report	Monitor and Report
COD	Monitor and Report	Monitor and Report
Oil and Grease	Monitor and Report	Monitor and Report
pH	Monitor and Report	Monitor and Report
Total Suspended Solid	Monitor and Report	Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report	Monitor and Report
Total Phosphorus	Monitor and Report	Monitor and Report
Iron, Dissolved	Monitor and Report	Monitor and Report

The proposed effluent limitations for Outfall 015, consist of 7.1 mgd treated industrial wastewater, are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration Limits (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Average Month</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
BOD <sub>5</sub>	1,482	2,964	28	50	70
CBOD <sub>20</sub>	2,170				
BOD <sub>5</sub> percent removal	89.25				
COD	11,861	22,858	194	374	485
Total Suspended Solids	1,359	2,131	22	35	55
Total Dissolved Solids	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report
(issuance through operation of PTU)					
(operation of PTU through expiration)	151,221	206,204	3,208	4,108	4,558
Oil and Grease	495	927	8.1	15.20	20.3
Ammonia as N	927	2,039	15.2	33.4	38.0
Sulfide	9.0	20.0	0.15	0.33	0.38
Phenolic-Compounds	7.9	22.9	0.130	0.375	0.375

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration Limits (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Average Month</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Chromium					
Total	9.28	26.63	0.152	0.436	0.436
Hex	0.757	1.729	0.012	0.028	0.030
Fluoride	763	1,527	12.5	25.0	31.3
Total Residual Oxidant			Monitor and Report	0.2	0.5
Phosphorus as P			Monitor and Report	Monitor and Report	
Copper, T			Monitor and Report	Monitor and Report	
Lead, T			Monitor and Report	Monitor and Report	
Zinc, T			Monitor and Report	Monitor and Report	
1,2 Dichloroethane			Monitor and Report	Monitor and Report	

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration Limits (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Average Month</i>	<i>Daily Maximum</i>	<i>Inst. Maximum</i>
Tetrachloroethylene			Monitor and Report	Monitor and Report	
Trichloroethylene			Monitor and Report	Monitor and Report	
Toxicity Chronic (TU <sub>c</sub> )			Monitor and Report	Monitor and Report	
PCBs		Monitor and Report		Monitor and Report	
Phenols		shall not exceeds 2.0 mg/l at all times			
pH		within limits of 6.0 to 9.0 standard units at all times			
Benzene			0.001	0.002	0.0025
Total BETX			0.1	0.2	0.25
Naphthalene			0.043	0.086	0.110

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

1. Stormwater Runoff Calculations.
2. Intake Credit for Various Wastestream.
3. CBOD<sub>20</sub> Allocation.
4. BOD<sub>5</sub> Percentage Removal.
5. Approved Chemical Additives.
6. Approved EPA Test Methods.
7. Permit Modification upon Modeling of Estuary.
8. Limitation of Contaminated Stormwater Runoff.
9. Plant Operation Effectiveness.
10. Thermal Mixing Zone Definition.
11. TRO Definition.
12. Stormwater Outfalls Requirements.
13. Chronic Toxicity Requirements.
14. PCBs Minimization Plan.

**PA0058921**, IW, SIC 3273, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in Upper Southampton Township, **Bucks County**.

Description of Proposed Activity: Manufacturing of concrete mixtures from raw materials stored onsite. Raw materials are combined with cement and concrete admixtures to produce the finished product which is then loaded into trucks for onsite delivery.

The receiving stream, UNT to Southampton Creek, is in the State Water Plan Watershed 3J and is classified for trout stocking and migratory fishes. There are no downstream public water supply intake located on Southampton and Pennypack Creeks (secondary waters).

The proposed effluent limits for Outfalls 001 and 002 are based on a design flow of based on stormwater event.

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Annual</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids (issuance through year 2) (year 3 through expiration)	Monitor and Report 50	Monitor and Report 100	Monitor and Report 100
pH (STD) (issuance through year 2) (year 3 through expiration)	within limits of 6 to 9 standard units at all times		
Oil and Grease	Monitor and Report	Monitor and Report	Monitor and Report

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

**PA0058939**, IW, SIC 3273, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in Schuylkill Township, **Chester County**.

Description of Proposed Activity: Manufacturing of concrete mixtures from raw materials stored onsite. Raw materials are combined with cement and concrete admixtures to produce the finished product which is then loaded into trucks for offsite delivery.

The receiving stream, UNT to French Creek, is in the State Water Plan Watershed 3D and is classified for trout stocking and migratory fishes. The nearest downstream public water supply intake for Philadelphia Suburban Water Company—Pickering Creek Plant is located on the Schuylkill River, approximately 2 miles below the point of discharge.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Annual</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids (issuance through year 2) (year 3 through expiration)	Monitor and Report 50	Monitor and Report 100	100
pH (STD) (issuance through year 2) (year 3 through expiration)	within limits of 6 to 9 standard units at all times		
Oil and Grease	Monitor and Report	Monitor and Report	Monitor and Report

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

**PA0024066**, Sewage, **West Grove Borough Authority**, P. O. Box 61, 117 Rosehill Avenue, West Grove, PA 19390-0061. This existing facility is located in London Grove Township, **Chester County**.

Description of Proposed Activity: This application is for the renewal of an NPDES permit for an existing discharge of treated sewage from the West Grove Borough Sewage Treatment Plant.

The receiving stream, Middle Branch White Clay Creek, is in the State Water Plan watershed 3I and is classified for trout stocking, migratory fish, aquatic life, water supply, recreation and fishing. There are no public water supply intakes identified downstream on Middle Branch White Clay Creek or White Clay Creek.

The Christina River Basin TMDL for nutrients and dissolved oxygen for low-flow conditions, issued by Environmental Protection Agency in January 2001 and revised in October 2002 includes the discharge from this treatment plant. The parameters CBOD<sub>5</sub>, ammonia, dissolved oxygen, phosphorus and total nitrogen are addressed in the TMDL.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.250 mgd and are as follows:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum mg/l</i>
CBOD <sub>5</sub>	25.0	40.0		50.0
Suspended Solids	30.0	45.0		60.0
Ammonia (as N) (5-1 to 10-31)	4.8			9.6
(11-1 to 4-30)	14.4			28.8
Phosphorus (as P) (Years 1 and 2)	Monitor and Report			
(Years 3—5)	2.0			4.0
Total Residual Chlorine	0.5			1.2
Fecal Coliform	200/100 ml (Geo Mean)			1,000/100 ml
Total Nitrogen	Monitor and Report			
Dissolved Oxygen	minimum of 5.0 mg/l at all times			
pH (STD Units)	within limits of 6.0 to 9.0 standard units at all times			

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

1. Notification of Designation of Operator.
2. Average Weekly Reporting.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Discharge to Small Stream.
7. Change of Ownership.
8. Total Residual Chlorine Requirement.
9. Sludge Disposal Requirement.
10. TMDL/WLA Data.
11. Imax Requirements.

**PA0024376**, Sewage, **Borough of Boyertown Sewage Treatment Plant (STP)**, Borough Hall, 100 South Washington Street, Boyertown, PA 19512. The STP is located at 290 Bartman Avenue, Gilbertsville, PA 19525. This facility is located in Douglass Township, **Montgomery County**.

Description of Activity: This application is for renewal of an NPDES permit to discharge treated sanitary wastewater from the Borough of Boyertown STP to Swamp Creek.

The receiving stream, Swamp Creek, is in the State Water Plan Watershed 3E—Perkiomen and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Suburban Water Company is located on Perkiomen Creek.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.75 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	
CBOD <sub>5</sub>	125.1	187.7	20	30	40
Total Suspended Solids	125.1	281.5	20	30	
NH <sub>3</sub> as N	10		1.6		40
Phosphorus as P	12.5		1.0		3.2
Fecal Coliform			200#/100 ml		4.0
Dissolved Oxygen			5.0 (Min.)		
Total Residual Chlorine			0.34		
pH (STD Unit)			6.0 (Min)		9.0 (Max)

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

1. Discharge must not cause nuisance or health hazard.
2. Sludge disposal according to State and Federal regulations.

**PA0052230**, Sewage, SIC 4952, **Springhill Farm Wastewater Facility Association**, P. O. Box 756, Chadds Ford, PA 19317. This proposed discharge is located in Concord Township, **Delaware County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated sewage from Springhill Farm STP.

The receiving stream, UNT to West Branch of Chester Creek, is in the State Water Plan watershed 3G and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua PA main system is located on Chester Creek, 8.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 100,000 gpd.

<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 <sub>5</sub>	21		25	50
TSS	25		30	60
NH <sub>3</sub> as N				
(5-1 to 10-31)	2.1		2.5	5.0
(11-1 to 4-30)	6.3		7.5	15.0
Total Residual Chlorine			0.06	0.14
Fecal Coliform			#200/100 ml	#1,000/100 ml
Dissolved Oxygen				5.0 (Inst Min)
pH			6.0 to 9.0 standard units at all times	
Phosphorus, Total			Monitor and Report	Monitor and Report

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. Small Stream Discharge.
7. Change of Ownership.
8. Chlorine Minimization Plan.
9. Proper Sludge Disposal.
10. I-max Limitation.
11. Replacement of Grates.

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

**Application No. PA 0028142**, Sewage and Stormwater, **Pennsylvania National Guard**, Fort Indiantown Gap, Building No. 1, Annville, PA 17003-4002.

Description of activity: The application is for the renewal of an NPDES permit for the discharge of treated sewage from a sewage treatment facility in East Hanover Township, **Lebanon County**.

The receiving water, Swatara Creek, is in Watershed 7-D, and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for PA American Water Company located on Swatara Creek, approximately 13 miles downstream. The discharge is not expected to affect the water supply.

The proposed final effluent limits for Outfall 001 based on a design flow rate of 1.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	XXX	50
Total Suspended Solids	30	XXX	60
Total Phosphorus	2.0	XXX	4.0
NH <sub>3</sub> -N			
(5-1 to 10-31)	12	XXX	24
(11-1 to 4-30)	Monitor and Report	XXX	XXX
Total Residual Chlorine (Interim)	0.2	XXX	0.67
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)		11,000/100 ml as a geometric average	
(10-1 to 4-30)	Monitor and Report	XXX	XXX
Total Nitrogen	XXX	Monitor and Report	XXX
Total Copper			

In addition, annual mass loading limitations of 3,044 lbs/year for total phosphorus and 24,353 lbs/year for total nitrogen are proposed based on a design flow rate of 1.0 mgd.

The proposed monitoring requirements for stormwater Outfalls 002—005 include: pH, Total Lead, Total Arsenic, Total Cadmium, Total Chromium, NH<sub>3</sub>-N, NO<sub>3</sub>-N, Benzene, Toluene, Ethylbenzene, Total Xylenes, Oil and Grease and Total Toxic Organics.

Individuals 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 0247715**, Sewage, **Greater Gettysburg Development Company, LLC**, 601 Mason Dixon Road, Gettysburg, PA 17325. This facility is located in Straban Township, **Adams County**.

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

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

The proposed effluent limits for Outfall 001 for a design flow of 0.270 mgd are:

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



<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH <sub>3</sub> -N (5-1 to 10-31)	1.6	3.2
(11-1 to 4-30)	4.8	9.6
Total Phosphorus	2.0	4.0
NO <sub>2</sub> -N	Monitor and Report	Monitor and Report
NO <sub>3</sub> -N	Monitor and Report	Monitor and Report
TKN	Monitor and Report	Monitor and Report
Total Nitrogen	Monitor and Report	Monitor and Report
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,300/100 ml as a geometric average	

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

The EPA waiver is in effect.

**Application No. PA 0070271**, SIC Code 4952, Sewage, **Maidencreek Township Authority**, P. O. Box 529, Blandon, PA 19510-0529. This application is for amendment of an NPDES permit for an existing discharge of treated sewage to Willow Creek, in Ontelaunee Township, **Berks County**.

The receiving stream is classified for CWF, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.80 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 9-30)	7.0	10	14
(10-1 to 4-30)	14	20	28
Total Suspended Solids	10	15	20
NH <sub>3</sub> -N (5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Total Copper	0.017	XXX	0.042
Dissolved Oxygen	minimum of 6.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		

The proposed effluent limits for Outfall 002 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	10	15	20
Total Nitrogen	Monitor and Report		XXX
pH	from 6.0 to 9.0 inclusive		
Fecal Coliforms	Monitor and Report		

Individuals may make an appointment to review the Department of Environmental Protection's files on this case by calling Jackie Tribby, File Review Coordinator, (717) 705-4732.

The EPA waiver is in effect.

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

**PA#0065021**, Sewage, **SMT Holdings, LLC**, 400 Southpointe Boulevard, Canonsburg, PA 15317. This proposed facility is located in West Brunswick Township, **Schuylkill County**.

The receiving stream, Pine Creek, is in the State Water Plan watershed No. 3A and is classified for CWF. The nearest downstream public water supply intake for Pottstown is located on the Schuylkill River, less than 30 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.010 mgd.

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	1.2		2.8

**PAS-212216**, Industrial Waste, SIC Code 3273, **Berks Products Corporation**, 3110 Bath Pike, Nazareth, PA 18064. This proposed facility is located in Upper Nazareth Township, **Northampton County**.

Description of Proposed Activity: The receiving stream, a UNT to East Branch Monocacy Creek, is in the State Water Plan watershed No. 02C and classified for HQ-CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of N/A.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
Total Suspended Solids			50.0	100.0
pH			6.0 to 9.0 standard units at all times	
Oil and Grease			Monitor and Report	

**PAS#112206**, Industrial Stormwater, **Lamson & Sessions**, 25701 Science Park Drive, Cleveland, OH 44122. This proposed facility is located in Upper Nazareth Township, **Northampton County**.

Description of Proposed Activity: Issuance of a new Industrial Stormwater Permit.

The receiving stream, tributary to Bushkill Creek, is in the State Water Plan watershed No. 1F and is classified for HQ-CWF. The nearest downstream public water supply intake for City of Easton is located on the Delaware River, approximately 6.0 miles below the point of discharge.

The proposed effluent limits for Outfalls 001—003 are as follows:

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
CBOD <sub>5</sub>				Report
Chemical Oxygen Demand				Report
Oil and Grease				Report
pH				Report
Total Suspended Solids (TSS)				Report
Total Kjeldahl Nitrogen (TKN)				Report
Total Phosphorus				Report
Iron (dissolved)				Report

In addition to the effluent limits, the permit contains the following major special conditions: requirements applicable to stormwater outfalls along with identified best management practices.

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

**PA0097624**, Industrial Waste, SIC 5171, **Glassmere Fuel Service**, 1967 Saxonburg Boulevard, Tarentum, PA 15084. This application is for renewal of an NPDES permit to discharge treated stormwater from the Glassmere Fuel Service facility in West Deer Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, UNT to Little Deer Creek, classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Oakmont Borough Municipal Authority, located at Oakmont, on the Allegheny River, over 11 river miles below the discharge point.

*Outfall 001: existing discharge, design flow of 2.4 gpd.*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Oil and Grease			15		30

The EPA waiver is in effect.

**PA0203696**, Sewage, **South Side Area School District**, 4949 SR 151, Hookstown, PA 15050. This application is for renewal of an NPDES permit to discharge treated sewage from South Side Area School STP in Greene Township, **Beaver County**.

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

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	25			50
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	1.4			3.3
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.

**PA0218456**, Sewage, **Elaine and Dale Wright**, 432 Lakeview Drive, New Brighton, PA 15066. This application is for renewal of an NPDES permit to discharge treated sewage from Wright Single Residence STP in New Sewickley Township, **Beaver County**.

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

*Outfall 001*: existing discharge, design flow of 0.0004 mgd.

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

The EPA waiver is in effect.

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

**PA0021792**, Sewage, **Municipal Authority of the Borough of Edinboro**, 124 Meadville Street, Edinboro, PA 16412. This facility is located in Edinboro Borough, **Erie County**.

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

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, is approximately 100 miles below point of discharge.

The receiving stream, the Conneauttee Creek, is in watershed 16A and classified for TSF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.2 mgd.

Parameter	Loadings			Concentrations	
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX	XX			
CBOD <sub>5</sub>					
(5-1 to 10-31)	200	300	20	30	40
(11-1 to 4-30)	250	400	25	40	50
Total Suspended Solids	300	450	30	45	60

Parameter	Loadings		Concentrations		Instantaneous Maximum (mg/l)
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	
NH <sub>3</sub> -N (5-1 to 10-31)	20		2.0		4.0
(11-1 to 4-30)	60		6.0		12.0
Fecal Coliform* (5-1 to 10-31)			200/100 ml		1,000/100 ml
(10-1 to 4-30)			2,000/100 ml		10,000/100 ml
Total Residual Chlorine			0.3		0.9
Copper	0.4		0.04		0.08
Chronic WETT	XX				
Dissolved Oxygen			minimum of 4 mg/l at all times		
pH			6.0 to 9.0 standard units at all times		

\*As a geometric average.  
XX = Monitor and Report

The EPA waiver is not in effect.

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

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

**WQM Permit No. 6286201**, Industrial Waste Amendment No. 2, **Waste Treatment Corporation**, P. O. Box 1561, Warren, PA 16365. This proposed facility is located in City of Warren, **Warren County**.

Description of Proposed Action/Activity: This project is for the replacement of the existing extended aeration unit to enhance treatment efficiency.

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

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

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

Applicant Name & Address	County	Municipality	Receiving Water/Use
West Abington Township R. R. 3, Box 26 Dalton, PA 18414	Lackawanna	West Abington Township	Tunkhannock Creek CWF

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI011505042	Immaculata University P. O. Box 503 Immaculata, PA 19345	Chester	East Whiteland Township	Ridley Creek (HQ-TSF) Valley Creek (EV)
PAI011505044	Lance Taylor Contracting 940 Pinecroft Road Berwyn, PA 19312	Chester	Easttown Township	Crum Creek (HQ-TSF)
PAI011505045	Walter Reid 480 West Christine Road Nottingham, PA 19362	Chester	West Nottingham Township	Black Run (EV)
PAI011505046	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Chester	Uwchlan Township	Shamona Creek (HQ)

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

*Wayne County Conservation District: Ag Service Center, 470 Sunrise Ave., Honesdale, PA 18431, (570) 253-0930.*

**NPDES Permit**

<i>No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026405006	Rusty Palmer Inc. 1103 Texas Palmyra Hwy. Honesdale, PA 18431	Wayne	Texas Township	Lackawaxen River HQ, TSF-MF Indian Orchard Bh HQ-CWF, MF

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

**NPDES Permit**

<i>No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024805016	James Seitz 1700 Cherry Ave. Easton, PA 18040	Northampton	Forks Township	Bushkill Creek HQ-CWF

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

*Berks County Conservation District, 1238 County Welfare Road, P. O. Box 520, Leesport, PA 19533-0520, (610) 372-4657, Ext. 201.*

**NPDES Permit**

<i>No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI0306030071	Mark Schroetel Bear Creek Mountain Real Estate LLC 101 Doe Mountain Road Macungie, PA 18062	Berks	Longswamp Township	Swabia Creek/Little Lehigh Creek/HQ-CWF

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

*Beaver County Conservation District: 156 Cowpath Road, Aliquippa, PA 15001, (724) 378-1701.*

**NPDES Permit**

<i>No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050405001	Gary Bowser Bowser Hyundai, LLC Route 51 and Lewis Run Road P. O. Box 10019 Pleasant Hills, PA 15236	Beaver	Chippewa Township	North Fork of Little Beaver Creek (HQ-CWF)

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

*Elk Conservation District: Elk County Courthouse, P. O. Box 448, Ridgway, PA 15853, (814) 776-5373.*

**NPDES Permit**

<i>No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062405004	Foxhead Industrial Park Michael Keller 116 Irishtown Road P. O. Box 184 Kersey, PA 15846	Elk	Fox Township	Beaver Run CWF

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

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

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**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 determi-

nations 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 determina-

tion 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

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

##### Permit No. 3905502, Public Water Supply

Applicant	<b>Nestle Waters North America, Inc.</b> 405 Nestle Way Breinigsville, PA 18031
Township or Borough	Upper Macungie Township
County	<b>Lehigh</b>
Responsible Official	Edward Murphy
Type of Facility	Bottled Water
Consulting Engineer	WJP Engineers 1406 Laurel Blvd. Pottsville, PA 17901
Application Received Date	June 22, 2005
Description of Action	The addition of a feed system to create a mineral enhanced water on any of the existing bottling lines.

##### Permit No. 4005504, Public Water Supply

Applicant	<b>EZY Water Development Co., Inc.</b> 410 West Mine Street Hazleton, PA 18201
Township or Borough	Black Creek Township
County	<b>Luzerne</b>
Responsible Official	Dominic J. Yannuzzi, Jr.
Type of Facility	Bottled Water
Consulting Engineer	Dominic J. Yannuzzi, P. E.
Application Received Date	July 5, 2005
Description of Action	The installation of a bottling line at an existing, permitted bulk water hauling facility.

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

##### Permit No. 0605506, Public Water Supply.

Applicant	<b>Berks Properties</b>
Municipality	Hereford Township

County	<b>Berks</b>
Responsible Official	David Rittenhouse, President 2620 Egypt Road Norristown, PA 19403
Type of Facility	Public Water Supply
Consulting Engineer	Todd M. Duerr, P. E. American Water Services 453 Boot Road Downingtown, PA 19335
Application Received Date	5/6/2005
Description of Action	The project consists of the addition of corrosion control to the existing Woodland Mobile Home Park.

##### Permit No. 0605511, Public Water Supply.

Applicant	<b>Valley View Mobile Home Park</b>
Municipality	Amity Township
County	<b>Berks</b>
Responsible Official	Margaret A. Arsenich, Manager 1330 Charlestown Road Phoenixville, PA 19460
Type of Facility	Public Water Supply
Consulting Engineer	Paul J. Opila, P. E. Miller Pump Systems, Inc. P. O. Box 105 Cedars, PA 19423
Application Received Date	6/9/2005
Description of Action	Project consist of addition 16 activated carbon filters for VOC treatment along with 2 325-gallon chlorine contact tanks to the existing Well No. 2.

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

##### Permit No. 6505501, Public Water Supply.

Applicant	<b>Torrance State Hospital</b> P. O. Box 111 Torrance, PA 15779
Township or Borough	Derry Township
Responsible Official	Dennis Hosler, Civil Engineer Consultant Department of Public Welfare 1401 North 7th Street P. O. Box 2675 Harrisburg, PA 17105
Type of Facility	Water treatment plant
Consulting Engineer	
Application Received Date	June 20, 2005
Description of Action	Installation of corrosion control facilities.

##### Permit No. 2605503, Public Water Supply.

Applicant	<b>Indian Creek Valley Water Authority</b> P. O. Box 486 Indian Head, PA 15446
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Township or Borough	Saltlick Township
Responsible Official	R. Kerry Witt, Manager Indian Creek Valley Water Authority P. O. Box 486 Indian Head, PA 15446
Type of Facility	Water treatment plant
Consulting Engineer	Bankson Engineer, Inc. 267 Blue Run Road P. O. Box 200 Indianola, PA 15051
Application Received Date	June 30, 2005
Description of Action	Construction of a slow sand filtration plant and appurtenances for the Grimm Spring water source.

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

**Application No. 2705501, Major Amendment, Public  
Water Supply.**

Applicant	<b>Aqua Pennsylvania Inc.</b>
Township of Borough	Jenks Township, <b>Forest County</b>
Responsible Official	Jack N. Walter, VP Production
Type of Facility	PWS
Application Received Date	07/05/2005
Description of Action	Construction completion and seal for Well No. 5, to serve as a new source of potable water for the Forest County SCI. Project includes installation of pump, pitless adapter and connection to existing treatment facility.

#### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

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

**Application No. 2646395, Minor Amendment.**

Applicant	<b>Fox Ledge, Inc.</b> R. R. 1, Box 1230 Honesdale, PA 18431
Township or Borough	Mountain Pleasant Township <b>Wayne County</b>
Responsible Official	Alfred A. Alessi, Jr., President
Type of Facility	Bulk Water Hauling
Consulting Engineer	Keystone Consulting & Associates, LLC 34 Brown Street Honesdale, PA
Application Received Date	June 23, 2005
Description of Action	The addition of two tanker trailers for bulk water hauling.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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

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

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

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

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

**Essington Sunoco Pipeline**, Tinicum Township, **Delaware County**. Lisa Holderbach, Aquaterra Technologies, 122 S. Church St., West Chester, PA 19381 on behalf of Robert Rizzo, Tinicum Developers, 76 Ind. Hwy., Essington, PA 19029 has submitted a Notice of Intent to Remediate. Groundwater at the site was impacted by leaded gasoline and MTBE. The intended future use of the property will be nonresidential for commercial purposes.

**Fox Property**, Hatfield and Montgomery Township, **Montgomery County**. Jamey A. Stynchyula, P. G., Pennoni Assoc., Inc., One Drexel Plaza, 3001 Market St., Philadelphia, PA 19104-2807 on behalf of Stephen B. Klein, The Klein Co., 1700 Market St., Philadelphia, PA 19103. Groundwater at the site was impacted by chlorinated solvents. The intended future use of the property is residential.

**PECO Conshohocken MGP**, Conshohocken Borough, **Montgomery County**. Keith Kowalski, URS Corp., 335 Commerce Dr., Suite 300, Ft. Washington, PA 19034 on behalf of Scott Backer, O'Neill Prop. Group, 700 S. Henderson Rd., Suite 101, King of Prussia, PA 19406. Groundwater at the site was impacted by PAH and chlorinated solvents.

**960 Baltimore Ave.**, Upper Darby Township, **Delaware County**. Samuel Kucia, Environmental Consulting, Inc., 500 E. Washington, St., Suite 375, Norristown, PA 19401 on behalf of Sal Tarta, T & T Financial, Inc., 3400 Bartram Rd., Willow Grove, PA 19090. Soil and groundwater at the site was impacted by leaded and unleaded gasoline.

**Livingston & Co.**, Wrightstown Township, **Bucks County**. Steven F. Coe, Brown Environmental Svc. Corp., 301 S. State St., Suite N102, Newtown, PA 18940 has submitted a Notice of Intent to Remediate. Groundwater at the site was impacted by chlorinated solvents.

**Crozer Chester Medical Center**, Upland Borough, **Delaware County**. Matthew Miller, IES Engineers, 1720 Walton Rd., Blue Bell, PA 19422 on behalf of Brian Crimmins, Crozer-Keystone Health System, 100 W. Sproul Rd., Springfield, PA 19064 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site was impacted by No. 6 fuel oil. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* on May 20, 2005.

**Cantol, Inc.**, City of Philadelphia, **Philadelphia County**. Gilbert J. Marshall, P. G., Marshall Geosciences, Inc., 170 E. First Ave., Collegeville, PA 19426 on behalf of Elmer Snethen and Richard Petsche, Cantol, Inc., 2211 N. American St., Philadelphia, PA 19133-3396 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site was impacted by chlorinated solvents, No. 2 fuel oil and inorganics. It is anticipated that future use of the property will be similar to the current operations.

**Suburban West Chester Fac.**, West Chester Borough, **Chester County**. J. Neil Ketchum, Groundwater Sciences Corp., 2601 Market Place St., Suite 310, Harrisburg, PA 17110 on behalf of Richard D. Williams, Suburban PA Prop. Acquisitions, LLC, P. O. Box 4833, Syracuse, NY 13221-4833. Soil and groundwater at the site was impacted by No. 2 fuel oil. The future use of the property is expected to be for commercial or light industrial use.

**Comcast**, West Rockhill Township, **Bucks County**. Mark DeGregory, LFR, 35 Columbia Rd., Branchburg, NJ 08878 on behalf of Kenneth N. Flechler III, Comcast of Southeast Pennsylvania, Inc., 1500 Market St., Philadel-

phia, PA 19102 has submitted a Notice of Intent to Remediate. Soil at the site was impacted by No. 2 fuel oil and leaded gasoline. A summary of the Notice of Intent to Remediate was reported to have been published in the *Montgomery Newspaper, News Herald* on May 25, 2005.

**Ryder Transportation Svc.**, City of Philadelphia, **Philadelphia County**. Sean M. Damon, Langan Engineering & Environmental Svc., Inc., 500 Hyde Park, Doylestown, PA 18901 has submitted a Notice of Intent to Remediate. Soil at the site was impacted by other organics and lead. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Inquirer* on June 6, 2005.

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

**Petroleum Products Company Sinking Spring West Terminal**, Sinking Spring Borough, **Berks County**. Gannett Fleming, Inc., 202 Wall Street, Princeton, NJ 08540, on behalf of Petroleum Products Company, 900 Eisenhower Boulevard, Middletown, PA 17057 and Chevron Texaco, 2300 Windy Ridge Parkway, Suite 575S, Atlanta, GA 30339, submitted a Notice of Intent to Remediate concerning groundwater contaminated with separate phase hydrocarbons. The applicants propose to remediate the site to meet the Site Specific Standard requirement. The site is to remain in use as a fuel terminal.

**Exide Technologies Facility**, West Lampeter Township, **Lancaster County**. Golder Associates, 1100 Hector Avenue, Suite 225, Conshohocken, PA 19403, on behalf of Exide Technologies, 3000 Montrose Avenue, Reading, PA 19605, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs and petroleum hydrocarbons. Future use of the property continues to be a plastic battery casing manufacturing operation. The applicant proposes to remediate the site to meet a combination of Site Specific and Statewide Health Standards.

#### MUNICIPAL 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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

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

**General Permit Application No. WMGM034. PPL Distributed Generation, LLC**, Two North Ninth Street, Allentown, PA 18101.

The Department of Environmental Protection (Department), Bureau of Land Recycling and Waste Management has received an application for General Permit Number WMGM034. The application is for the processing and beneficial use of landfill gas, generated at Frey Farm/Creswell Landfill, **Lancaster County**, as an alternate fuel for a potential two power generators to be installed at this landfill. The electric produced will be transmitted to the local electric utility grid for consumers use. The Department determined the application to be administratively complete on July 7, 2005.



Comments concerning the application should be directed to 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. Persons interested in obtaining more information about the general permit application should contact the Division at (717) 787-7381. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

#### 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 WMGR108. The Hershey Company**, 515 W. Chocolate Avenue, Hershey, PA 17033. The application proposes beneficial use of chocolate confectionary residuals and cocoa bean shell as mulch, an ingredient in fertilizer and incorporation into mushroom soil. The application was accepted by Central Office on July 12, 2005.

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

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

**Applications Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

**Permit Application No. 101639. L & S Demo Recycling**, 884 Brook Road, Conshohocken PA 19428, Plymouth Township, **Montgomery County**. This application was received for a renewal of the waste management permit for the continued operation of the L & S Demo Recycling Transfer Facility. The application was received by the Southeast Regional Office on July 7, 2005.

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

**Permit ID No. 300558. Pennsylvania Power Company**, P. O. Box 128, Shippingport, PA 15077-0128. Little Blue Run Disposal Facility, Little Blue Run Hollow Road, Georgetown, PA 15043. Application for expansion of the

Little Blue Run Residual Waste Disposal Impoundment, in Greene Township, **Beaver County**. Application deemed administratively complete in the Regional Office on July 8, 2005.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

#### PLAN APPROVALS

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

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

**48-323-010: Victaulic Co. of America** (4901 Kesslersville Road, Easton, PA 18045) for construction of a paint hook cleaning oven and associated air cleaning device at their Forks facility in Forks Township, **Northampton County**.

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

**33-055B: Glen-Gery Corp.** (Route 28, Summerville, PA 15864) for modification of conditions in the existing Plan Approval 33-055A which involved the installation of a new tunnel kiln system at their Hanley facility on Route 28 in Summerville Borough, **Jefferson County**. This is a Title V facility, Permit No. 33-00055.

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**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.**

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

**09-0181: Oldcastle Precast Inc.—Building Systems Division** (1381 South Pennsylvania Avenue, Morrisville, PA 19067) for an application of form release oil that aids in the separation of cured concrete during the casting process, and resulting in the VOC emissions. The Oldcastle Precast Morrisville facility in Falls Township, **Bucks County** manufactures concrete hollow core plank for structural use in roofs, flooring and other construction applications. During the casting process form-release compound is applied to assist in releasing the poured concrete product. This process emits only VOCs and is a minor source of the VOC emissions. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within applicable air quality requirements.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215) 685-7584.*

**AMS 04303: Purolite Co.** (3620 G Street, Philadelphia, PA 19134) for installation of a carbon unit to collect displaced vapors from the polymer reactor and the monomer pre-mix tank, an inductor induced-draft system to prevent fugitive emissions from escaping from the reactor while the lid is open and passive vent line on the wash tank in the City of Philadelphia, **Philadelphia County**. The VOC emissions are limited to less than 1.0 ton and the HAP emissions are limited to 700 pounds per rolling 12 month period. The plan approval will contain operating and recordkeeping requirements to ensure operation within applicable requirements.

**AMS 04237: Sunoco Inc.—R and M** (3144 Passyunk Avenue, Philadelphia, PA 19145) for modification of their 865 Hydrodesulfurization Plant to produce ultra low sulfur diesel fuel in the City of Philadelphia, **Philadelphia County**. The modifications include changes to two catalyst bed feed distribution systems and the installation and replacement of various components including pipe-

lines, heater tubes, heat exchangers and pumps. This Plan Approval authorizes increases in emissions up to 6.14 tons of NO<sub>x</sub>, 0.37 ton of VOC and 1.69 tons of SO<sub>2</sub> on an annual basis. The plan approval will contain operating and recordkeeping requirements to ensure operation within applicable requirements.

**AMS 01026 and 05104: SunGard Availability Services, Inc.** (401 North Broad Street, Suite 600, Philadelphia, PA 19108) for installation of three 2,036 kW and two 2,060 kW emergency generators in the City of Philadelphia, **Philadelphia County**. The combined total operating time for the generators may not exceed 240 hours per year. Emissions are limited to 10.4 tons of NO<sub>x</sub>, 1.1 tons of CO, 0.6 ton of SO<sub>2</sub>, 0.2 ton of VOC and 0.1 ton of PM per year. The plan approval will contain operating and recordkeeping requirements to ensure operation within applicable requirements.

**AMS 05066: Ashland Specialty Chemical Co.** (2801 Christopher Columbus Boulevard, Philadelphia, PA 19148) for installation of a new vinyl ester production line. The VOC emissions will increase by 2.1 tons and the HAP emissions will increase by 2.0 tons per rolling 12-month period in the City of Philadelphia, **Philadelphia County**. The plan approval will contain operating and recordkeeping requirements to ensure operation within applicable requirements.

#### OPERATING PERMITS

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**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.**

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

**15-00030: NVF Co.** (400 West Mulberry Street, Kennett Square, PA 19348) the permit is for the renewal of a Title V facility in Kennett Square Borough, **Chester County**. The facility's source includes a waste heater boiler. Other source associated with the original permit has been removed. The permittee's does have the potential to emit 24.9 tons/year for VOC and NO<sub>x</sub> and is therefore characterized as a Title V, Major Facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

**07-05010: Small Tube Manufacturing LLC—Altoona Plant** (P. O. Box 1674, Altoona, PA 16603) for a copper and brass tubing cold working redraw facility in Allegheny Township, **Blair County**. The facility is a major source which primarily emits VOCs and CO as a result of the operation of: redraw machines, tubing straighteners, cutting, deburring and winding stations, boilers and annealing furnaces. The Title V operating permit will contain appropriate emission limitations, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements. This is a renewal of the Title V operating permit.

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

**63-00066: Wheeling Pittsburgh Steel Corp.** (1134 Market Street, Wheeling, WV 26003) for a renewal of their Title V operating permit for the operation of a steel manufacturing facility in Allenport Borough, **Washington County**. The facility includes a continuous strip pickling line with a hydrochloric acid (HCl) scrubber, 2 60.5 mmBtu/hr boilers, 35 annealing furnaces and other small sources. The facility is subject to Title V requirements because its potential to emit HCl is greater than 10 tons per year (tpy) and its potential to emit NOx is greater than 100 tpy.

**65-00720: Carbidie Corp.** (425 Arona Road, Irwin, PA 15642) for production of cemented tungsten carbide in Hempfield Township, **Westmoreland County**. This facility is a major facility for VOC emission. The main source of VOC emissions is the mixing and drying of the powder.

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

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

**09-00175: Hanson Aggregates BMC, Inc.** (1900 Sullivan Trail, Easton, PA 18044) for operation of a stone crushing/quarry facility in Wrightstown Township, **Bucks County**. The permit is for a non-Title V State-only facility. The major sources of air emissions are generators, primary, secondary and tertiary crushing equipment and associated control devices. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**23-00103: Elwyn Inc.** (111 Elwyn Road, Elwyn, PA 19063) for a non-Title V State-only Synthetic Minor facility in Middletown Township, **Delaware County**. The facility's sources include three boilers and eight emergency generators. The permittee does have the potential to emit 30.3 tons/year for NOx. The permittee has elected to take an emission restriction of 24.9 tons/year for NOx and is therefore characterized as a Synthetic Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

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

**07-05027: Millennium Rail, Inc.** (U. S. Route 22, Hollidaysburg, PA 16648) for operation of their railcar reconditioning facility in Frankstown Township, **Blair County**. This is a non-Title V State-only facility. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within applicable air quality requirements.

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

**43-00305: Champion Carrier Corp.** (2755 Kirila Boulevard, Hermitage, PA 16148) a Natural Minor operating permit for the surface coating of truck subframes and truck bodies in the City of Hermitage, **Mercer County**.

**16-00141: Kahles Kitchens, Inc.** (7488 Route 36 Leeper, PA 16233) for a Natural Minor Permit for wooden cabinetry manufacturing and surface coating operations in Farmington Township, **Clarion County**.

**10-00168: Suburban Heating Oil Partners LLC** (601 Hansen Avenue, Butler, PA 16001) a Natural Minor operating permit for concrete batching and delivery in the City of Butler, **Butler County**.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and

relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

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

\*The parameter is applicable at all times.

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

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

**33890122 and NPDES Permit No. PA0207705. Terry Coal Sales, Inc.** (P. O. Box 58, Distant, PA 16223). Renewal of an existing bituminous surface strip and auger operation in Knox, Oliver and Rose Townships, **Jefferson County** affecting 200.0 acres. Receiving streams: UNT to Lick Run and Lick Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: May 6, 2005.

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

**17050105 and NPDES Permit No. PA0256218. Southwest Reclamation, Inc.** (P. O. Box 1419, Clearfield, PA 16830), commencement and operation of a bituminous surface mine permit in Lawrence Township, **Clearfield County** affecting 17.0 acres. Receiving stream: Pray Creek classified for the following use: HQ-CWF. The first downstream potable water supply intake from the point of discharge is: none. Application received: July 8, 2005.

**17030114 and NPDES Permit No. PA0243604. Johnson Brothers Coal Co., Inc.** (1390 Lee Run Road, Mahaffey, PA 15757), transfer of an existing surface mining permit from R. B. Contracting in Knox Township, **Clearfield County** affecting 71.0 acres. Transfer application received July 1, 2005.

**17000103 and NPDES Permit No. PA0242896. AMFIRE Mining Co, LLC** (One Energy Place, Latrobe, PA 15650), transfer of an existing surface mining permit From Moravian Run Reclamation Co., Inc. to AMFIRE Mining Co, LLC in Jordan Township, **Clearfield County** affecting 78.2 acres. Transfer application received July 8, 2005.

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

### *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:

**54850202R4. B-D Mining Company** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing coal refuse reprocessing operation in Mahanoy Township, Gilberton and Shenandoah Boroughs, **Schuylkill County** affecting 1,590.0 acres, receiving stream: none. Application received June 29, 2005.

**49773204R4. Gilberton Coal Company** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocess and surface mine operation in Mt. Carmel, Conyngham and Butler Townships, **Northumberland, Schuylkill and Columbia Counties** affecting 958.0 acres, receiving stream: none. Application received June 29, 2005.

**54763209R4. Gilberton Coal Company** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocess and surface mine operation in Butler Township, **Schuylkill County** affecting 109.0 acres, receiving stream: none. Application received June 29, 2005.

**54803204R4. Gilberton Coal Company** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocess operation in Butler Township, **Schuylkill County** affecting 24.6 acres, receiving stream: none. Application received June 29, 2005.

**54950202R2. Gilberton Coal Company** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocess and surface mine operation in Mahanoy Township, **Schuylkill County** affecting 148.0 acres, receiving stream: none. Application received June 29, 2005.

#### *Coal Applications Returned*

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

**24980102. Tamburlin Brothers Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830) Revision to an existing bituminous strip and auger operation to add 8.9 acres to the surface mining permit in Fox Township, **Elk County**. Receiving streams: Limestone Run and Little Toby Creek. Application received: March 8, 2004. Permit Returned: July 7, 2005.

#### *Noncoal Applications Received*

#### *Effluent Limits*

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

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

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

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

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

**08050804. William T. Johnson, II** (R. R. 4, Box 4018, Wyalusing, PA 18853). Commencement, operation and restoration of a small industrial minerals (Bluestone) permit in Terry Township, **Bradford County** affecting 5.0 acres. Receiving streams: UNT, tributary to Susquehanna River. Application received: April 26, 2005.

**08050805. Kenneth Shedden** (R. R. 1, Box 99F, LeRaysville, PA 18829). Commencement, operation and restoration of a small industrial minerals (Bluestone) permit in Monroe Township, **Bradford County** affecting 5.0 acres. Receiving streams: Kent Run and South Branch. Complete application received: July 6, 2005.

**08050806. Lester West** (R. R. 2, Box 248 A1, Wysox, PA 18854). Commencement, operation and restoration of a small industrial minerals (Flagstone) permit in Standing Stone Township, **Bradford County** affecting 3.0 acres. Receiving streams: UNT, tributary to Vought Creek. Application received June 3, 2005.

**08050807. James P. Perkins** (R. R. 1, Box 195H, Rome, PA 18837). Commencement, operation and restoration of a small industrial minerals (Bluestone) permit in Orwell Township, **Bradford County** affecting 5.0 acres. Receiving streams: South Creek and Johnson Creek. Application received June 13, 2005.

**08050808. Rodney P. Martin** (P. O. Box 104, Camptown, PA 18815). Commencement, operation and restoration of a small industrial minerals (Flagstone) permit in Herrick Township, **Bradford County** affecting 5.0 acres. Receiving streams: UNT, Rummerfield Creek. Application received: June 27, 2005.

**17050802. Leslie A. Munn** (P. O. Box 206, Penfield, PA 15849). Commencement, operation and restoration of a small industrial minerals (Sand and Gravel) permit in Huston Township, **Clearfield County** affecting 5.0 acres. Receiving streams: Bennetts Branch and West Branch of the Susquehanna River. Application received: May 2, 2005.

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

**7973SM6A1C8 and NPDES Permit No. PA0120979. Eureka Stone Quarry, Inc.** (P. O. Box 249, Chalfont, PA 18914), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Wrightstown Township, **Bucks County**, receiving stream: Mill Creek, classified for the following uses: cold water and migratory fishes. Application received June 22, 2005.

**6576SM1A2C6 and NPDES Permit No. PA0119229. Eureka Stone Quarry, Inc.** (P. O. Box 249, Chalfont, PA

18914), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Hamilton Township, **Monroe County**, receiving streams: tributary to McMichael's Creek, classified for the following use: TSF. Application received June 22, 2005.

**40930301T2 and NPDES Permit No. PA0224472. Meckley's Limestone Products, Inc.** (R. D. 1 Box 1682, Herndon, PA 17830), transfer of an existing quarry operation from Lonsetta Trucking & Excavating Company and adding NPDES Permit for discharge of treated mine drainage in Hazle Township, **Luzerne County** affecting 113.5 acres, receiving streams: Hazle Creek and Big Black Creek. Classified for the following use: CWF. Application received June 28, 2005.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

**(32 P. S. § 679.302) and requests for certification under section 401 of the FWPCA (33 U.S.C.A. § 1341(a)).**

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E45-477. Adrian and Maria Dumitru**, 1232 Pine Ridge, Bushkill, PA 18324, in Smithfield Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a bridge having a center span of 50 feet and two additional spans of 30 feet for a total span of approximately 110 feet with a minimum underclearance of 9.0 feet across Marshalls Creek (HQ-CWF) for the purpose of providing access to two proposed medical buildings. The project also includes a de minimis PFO wetland impact equal to 0.02 acre for the purpose of constructing an access road and parking lot for the northern building. The project is located on the east side of SR 0209, approximately 1.5 miles north of Buttermilk Falls Road. (East Stroudsburg, PA Quadrangle N: 2.3 inches; W: 0.7 inch).

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

**E06-595: Quaker Homes**, 2001 Swinging Bridge Road, Green Lane, PA 18054 in Bally Borough, **Berks County**, ACOE Philadelphia District.

To fill in 0.22 acre of wetland of a UNT to Perkiomen Creek (CWF) and related improvements to construct Phase IV of the Park Place Subdivision located on the western part of the Borough of Bally, (East Greenville, PA Quadrangle N: 4.2 inches; W: 13.2 inches) in Bally Borough, Berks County.

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

**E14-476. Nevin Pighetti**, P. O. Box 256, Milesburg, PA 16853. Private Driveway Culvert, in Boggs Township, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 17.61 inches; W: 0.83 inch).

To: 1) construct and maintain an 81 inch by 59 inch by 40 foot arch culvert depressed 1 foot in the streambed; 2) place R-5 riprap on the inlet and outlet earthen head walls; and 3) place about 70 linear feet of R-4 riprap for a stormwater discharge swale and splash pad. The culvert will be located in a private driveway in a UNT to Bald Eagle Creek about 200 feet north of Neff Road and 1,200 feet northwest of the intersection of Neff Road with SR 150.

The project will not impact wetlands while impacting about 60 feet of waterway and less than 0.05 acre of earth disturbance. The UNT to Bald Eagle Creek is a CWF Stream.

**E14-479. Kenneth Fiedler, Rugged Mountain Hunting Club, Inc.**, 1156 Centre Street, Bellefonte, PA 16823. Water Obstruction and Encroachment Joint Permit Application, in Haines Township, **Centre County**, ACOE Susquehanna River Basin District (Millheim, PA Quadrangle N: 9.8 inches; W: 1.6 inches).

To construct and maintain a 20 linear feet of 36-inch diameter culvert pipe in a UNT to Fox Gap Run, located 1.2 miles north of the Cemetery Road intersection with Fox Gap Road along Fox Gap Road, in Haines Township,

Centre County. This project proposes to have a minimal impact on the UNT to Fox Gap Run, which is designated and EV waterway. The project does not propose to impact any jurisdictional wetlands.

**E60-173. Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. Permit Application for structure at SR 0204 Section 004 replacement over Penns Creek, in Jackson Township, **Snyder County**, ACOE Susquehanna River Basin District (Lewisburg, PA Quadrangle N: 4.6 inches; W: 3.4 inches).

To remove an four span steel girder bridge and construct and maintain a three span reinforced concrete spread box beam bridge having a clear span of 242.76 feet, with an minimum underclearance of 9.64 feet on a skew of 90° over Penns Creek, along SR 0204 in the Borough of New Berlin, which is located in Jackson Township, Snyder County. This project proposes to have a minimal impact on Penns Creek, which is, designated a WWF. This project does not propose to impact any jurisdictional wetlands.

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

**E03-432. Department of Transportation, Engineering District 10-0**, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701-0429. To construct a bridge in Manor Township, **Armstrong County**, Pittsburgh ACOE District. (Kittanning, PA Quadrangle N: 6.9 inches; W: 1.4 inches and Latitude: 40° 47' 15"—Longitude: 79° 30' 40"). The applicant proposes to remove the existing structure and to construct and maintain a single-span bridge having a normal clear span of 47.9 feet and an underclearance of 8.0 feet across Garretts Run (WWF) located on SR 2025, Section 153, Segment 0390, Offset 0822.

**E26-327. Point Marion Borough**, 426 Morgantown Street, Point Marion, PA 15474. To construct a boat dock in Point Marion Borough, **Fayette County**, Pittsburgh ACOE District. (North Morgantown, PA Quadrangle N: 20.0 inches; W: 4.2 inches and Latitude: 39° 44' 07"—Longitude: 79° 54' 16"). The applicant proposes to construct and maintain a 260-foot long boat docking facility along the right bank of the Monongahela River (WWF) in the Point Marion Community Park located on South Main Street in Point Marion Borough.

**E63-573. Chartiers Township**, 2 Buccaneer Drive, Houston, PA 15342. To construct a residential bridge in Chartiers Township, **Washington County**, Pittsburgh ACOE District. (Washington East, PA Quadrangle N: 20.2 inches; W: 16.5 inches and Latitude: 40° 14' 18"—Longitude: 80° 14' 36"). The applicant proposes to construct and maintain a bridge having a span of 34.0 feet with an underclearance of 9.83 feet across the channel of a UNT to Chartiers Creek (WWF) for the purpose of providing access to residential properties. The bridge is located approximately 300 feet northeast from the intersection of Allison Hollow Road and Authurs Road and will impact approximately 30.0 linear feet of stream channel.

**E63-574. Blaine Township**, 40 Main Street, P. O. Box 128, Taylorstown, PA 15365. To construct two aerial pipeline crossings in Blaine Township, **Washington County**, Pittsburgh ACOE District. (West Middletown, PA Quadrangle N: 6.5 inches; W: 0.3 inch and Latitude: 40° 09' 39"—Longitude: 80° 22' 38"). The applicant proposes to construct and maintain two aerial pipeline stream crossings, one across the channel of Buffalo Creek (HQ-WWF) located approximately 285 feet downstream

from Main Street (SR 221) and one across the channel of Wolf Run (HQ-WWF), approximately 55.0 feet upstream from the mouth of said stream for the purpose of constructing the vacuum sanitary sewer system. The project will impact approximately 50.0 linear feet of stream channel.

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

**E24-242, Department of Transportation, District 2-0**, 1924 Daisy Street Extension, Clearfield, PA 16830. SR 0219, Section A04, Bridge Replacement across Gallagher Run in Ridgway, **Elk County**, ACOE Pittsburgh District (Ridgway, PA Quadrangle N: 8.70 inches; W: 14.10 inches).

The Department of Transportation proposes to remove the existing structure and to construct and maintain a

single span prestressed concrete adjacent plank beam bridge having a clear span of 14.59 feet and an underclearance of 4.69 feet on a 52° skew across Gallagher Run on SR 0219, Section A02.

According to 25 Pa. Code Chapter 93, Gallagher Run is classified as CWF. The project does not impact wetlands.

**E24-243, Hallton Church of Christ**, 14129 River Road, Hallton, PA. Parking Area Expansion, in Spring Creek Township, **Elk County**, ACOE Pittsburgh District (Hallton, PA Quadrangle N: 3.8 inches; W: 7.9 inches).

To place and maintain approximately 115 cubic yards of fill material within the floodway of the Clarion River (CWF) to expand the church parking area located along River Road approximately 1/2 mile south of the intersection of River Road and SR 3002.

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## ACTIONS

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

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

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

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

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

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

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

**I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0057797	Phillip and Lisa Barday 1502 Hilltown Pike Hilltown, PA 18927	Bucks County Hilltown Township	UNT to Neshaminy Creek Watershed 2F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0110116 Sewerage	Reynold Feger The Hut Restaurant R. R. 2, Box 396 Herndon, PA 17830	Lower Mahanoy Township Northumberland County	Fiddlers Run 6-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0216712 Industrial Waste	Municipal Authority of the City of New Kensington (MACNK) P. O. Box 577 New Kensington, PA 15068	Westmoreland County City of New Kensington	Allegheny River	Y
PA0096890 Sewage	G & G Mobile Home Sales 23 Oakridge Heights Drive Oakdale, PA 15071-3914	Allegheny County North Fayette Township	UNT of North Branch Robinson Run	Y
PA0216852 Sewage	TRC, Inc. 441 Route 31 Ruffsedale, PA 15679	Westmoreland County East Huntingdon Township	Buffalo Run	Y
PA0216925 Sewage	Consolidation Coal Company 1 Bridge Street Monongah, WV 26554	Greene County Wayne Township	UNT of Hoovers Run	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0101745 Amendment No. 1	Clarview Nursing and Rehabilitation Center 14663 Route 68 Sligo, PA 16255	Piney Township Clarion County	UNT to Licking Creek 17-B	Y
PA0103021	Bear Lake Inn and Trading Place P. O. Box 132 Bear Lake, PA 16402	Bear Lake Borough Warren County	UNT to Pine Valley Creek 16-B	Y
PA0102792	Bernie's Mobile Home Park 347 Edgewood Drive Cabot, PA 16023-9704	Winfield Township Butler County	UNT to Little Buffalo Creek 18-F	Y
PA0223000	Kalyumet Campground R. R. 1, Box 672 Lucinda, PA 16235	Highland Township Clarion County	Callihan Run 17-B	Y
PA0027341	PPG Industries, Inc. Works No. 8 P. O. Box 800 Meadville, PA 16335	Greenwood Township Crawford County	UNT to Conneaut Lake Outlet 16-D	Y

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

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

**NPDES Permit No. PA0243906**, Industrial Waste, **Delaware Valley Concrete Company, Inc.**, 248 East County Line Road, Hatboro, PA 19040. This proposed facility is located in New Britain Borough, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal of a permit to discharge stormwater into a main tributary to Neshaminy Creek and Watershed 2F.

**NPDES Permit No. PA0020532**, Sewage, **Upper Montgomery Joint Authority**, P. O. Box 6 Pennsburg, PA 18073. This proposed facility is located in Upper Hanover Township, **Montgomery County**.



Description of Proposed Action/Activity: Approval for the renewal of permit to discharge 2.0 mgd of treated sewage into Green Lane Reservoir in Watershed 3E.

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

**NPDES Permit No. PA0088331**, Sewage, **Todd Librandi, Martin Lot No. 1**, 93 Airport Drive, Middletown, PA 17057. This proposed facility is located in Londonderry Township, **Dauphin County**.

Description of Proposed Action/Activity: Transfer of Permit.

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

**NPDES Permit No. PA0239577**, Sewage, **United States Department of Agriculture Forest Service, Red Bridge Recreation Area**, 222 Liberty Street, P. O. Box 847, Warren, PA 16365. This proposed facility is located in Hamilton Township, **McKean County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Kinzua Creek in 16-B.

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

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

**WQM Permit No. 1596401**, Sewerage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. The proposed facility is located in East Brandywine Township, **Chester County**.

Description of Proposed Action/Activity: The applicant requests authorization to expand the average annual flow of the existing Little Washington WWTP from 115,000 gpd to 145,000 gpd.

**WQM Permit No.1504407**, Sewerage, **East Brandywine Township Municipal Authority**, 1241 Horseshoe Pike, Downingtown, PA 19335. The proposed facility is located in East Brandywine Township, **Chester County**.

Description of Proposed Action/Activity: The applicant request approval for the construction and operation of ultimate disposal facilities to accommodate the proposed Hideaway Farm Subdivision.

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

**WQM Permit No. 3904405**, Sewerage, **Upper Macungie Township Authority**, 8330 Schantz Road, Breinigsville, PA 18031. This proposed facility is located in Upper Macungie Township, **Lehigh County**.

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

**WQM Permit No. 4803407**, Sewerage, **Borough of Portland**, P. O. Box 476, Portland, PA 18351. This proposed facility is located in Portland Borough, **Northampton County**.

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

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

**WQM Permit No. 3801401**, Sewerage, **Army National Guard, Department of Military and Veterans Affairs**, Fort Indiantown Gap, Building 11-12, Service Road, Annville, PA 17003. This proposed facility is located in East Hanover Township, **Lebanon County**.

Description of Proposed Action/Activity: Fort Indiantown Gap Plant Upgrade.

**WQM Permit No. 6703405**, Sewerage, **Stewartstown Borough Authority**, 6 North Main Street, Stewartstown, PA 17363. This proposed facility is located in Hopewell Township, **York County**.

Description of Proposed Action/Activity: Stewartstown WWTP Upgrade.

**WQM Permit No. 2299408**, Sewerage, **Todd Librandi, Martin Lot No. 1**, 93 Airport Drive, Middletown, PA 17057. This proposed facility is located in Londonderry Township, **Dauphin County**.

Description of Proposed Action/Activity: Transfer of Permit.

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

**WQM Permit No4905401**, Sewage 4952, **Milton Regional Sewer Authority**, P. O. Box 433, Milton, PA 17847. This proposed facility is located in Milton Borough, **Northumberland County**.

Description of Proposed Action/Activity: The applicant proposes to upgrade the existing industrial park pump station. The existing pump station has been in service for approximately 30 years and was design for a rated capacity of 300 gpm. This application proposes increasing its capacity to 470 gpm and generally modernizing the facilities.

**WQM Permit No. 4105401**, Sewerage, **Hughesville-Wolf Township Joint Municipal Authority**, 547 Woolen Mill Road, Hughesville, PA 17737. This proposed facility is located in Wolf Township, **Lycoming County**.

Description of Proposed Action/Activity: A new aerobic sludge digester, waste sludge pump, yard piping and a blower.

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

**WQM Permit No. 1104402**, Sewerage, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. This proposed facility is located in Susquehanna Township, **Cambria County**.

Description of Proposed Action/Activity: Authorization to construct the proposed sanitary sewers and pump station to serve the Village of Emeigh.

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

**WQM Permit No. WQG018394**, Sewerage, **William Putorti**, 73 Baker Road, Greenville, PA 16125. This proposed facility is located in Oil Creek Township, **Mercer County**.

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

**WQM Permit No. 2005402**, Sewerage, **Conneaut Lake Joint Municipal Authority**, 9888 Highway 285, Conneaut Lake, PA 16316-0277. This proposed facility is located in Sadsbury Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for the replacement of an ejector station with a submersible grinder pump station.

#### **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**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904001	Heritage Bldg. Group, Inc. 3326 Old York Rd. Suite A100 Forlong, PA 18925	Lehigh	Upper Macungie Township	Schaefer Run HQ-CWF

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

*Allegheny County Conservation District: Lexington Technology Park, Building 1, Suite 102, 400 North Lexington Avenue, Pittsburgh, PA 15208, (412) 241-7645.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050205004	North Versailles Development, LP 3 Lee Street McDonald, PA 15057	Allegheny	North Versailles Township	Jacks Run (HQ)

*Somerset County Conservation District: North Ridge Building, 1590 North Center Avenue, Suite 103, Somerset, PA 15501-7000, (814) 445-4652.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI055604003	Department of Conservation and Natural Resources 400 Market Street Harrisburg, PA 17105-8451	Somerset	Jefferson and Middlecreek Townships	Laurel Hill Lake and Laurel Hill 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 Single Residence Sewage Treatment Plants
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage

PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

*General Permit Type—PAG-2**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Abington and South Abington Townships Lackawanna County	PAG2003505013	Richard Florey 1170 Winola Rd. Clarks Summit, PA 18411	Ackerly Creek TSF	Lackawanna Co. Cons. Dist. (570) 281-9495
Taylor Borough and City of Scranton Lackawanna County	PAG2003505014	Eugene Kane P. O. Box 931 Scranton, PA 18501	Keyser Creek CWF	Lackawanna Co. Cons. Dist. (570) 281-9495
Wilkes-Barre Township Luzerne County	PAR10R193R	Greater Wilkes-Barre Industrial Fund 2 Public Square Wilkes-Barre, PA 18710	North Branch Susquehanna River WWF	Luzerne Co. Cons. Dist. (570) 674-7991
Hazle Township Luzerne County	PAG2004004032	Hazle Area School District 1515 West 23rd St. Hazleton, PA 18202-1647	Black Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Washington Township Northampton County	PAG2004805019	Mark Paradise SADG-2, Inc. 100 Colliery Rd. Dickson City, PA 18519	Greenwalk Creek CWF, MF	Northampton Co. Cons. Dist. (610) 746-1971
Lower Alsace Township Berks County	PAG2000605038	Walter Greth Greth Development Group P. O. Box 305 Temple, PA 19560	Antietam Creek/CWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Marion Township Berks County	PAG2000605018	James Terlingo Regional Building No. 2 55 Lakeview Drive Elverson, PA 19520	UNT Tulpehocken Creek/WWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
Maiden Creek Township Berks County	PAG2000605025	David Small Small Properties, LT P. O. Box 207 Leesport, PA 19533	Willow Creek to Maiden Creek/CWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201
S. Heidelberg Township Berks County	PAR10C319R	Edward Racis 5154 Route 419 Womelsdorf, PA 19567	Little Cacoosing Creek/WWF	Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657, Ext. 201

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
East Manchester Township York County	PAG2006705070	William Bashore Chestnut Valley Vas-Land Inc. 336 W. King Street Lancaster, PA 17603	Hartman Run/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Hellam Township York County	PAG2006705006	Watershed Estates John Adams, Jr. 4078 Ore Bank Road York, PA 17406	Kreutz Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Spring Garden Township York County	PAR10Y525	Regents Glen Building & Development 1190 Regents Glen Blvd. York, PA 17403	Codorus Creek/CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
East Manchester Township York County	PAG2006705022	Bentzel/Martz Kenneth Martz 711 Pumping Station Road York, PA 17401	Musser Run/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Jackson Township York County	PAG2006705020	Westfield C. W. Test Builders, Inc. 1235 Abbottstown Pike Hanover, PA 17331	Little Conewago Creek/TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
City of York York County	PAG2006705045	Conductive Technologies, Inc 935 Borom Road York, PA 17404	Codorus Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
East Manchester Township York County	PAG2006703126	Northern Heights Phases 2 and 3 Carl Dallmeyer 4775 S. Sherman St. Ext. Mount Wolf, PA 17347	UNT to Susquehanna River/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
East Manchester Township York County	PAS10Y070	PPL Corp. 2 N. 9th Street Allentown, PA 18101-1179	Conewago Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fermanagh Township Juniata County	PAG2003405003	Hazard-Carty Subdivision George M. Hazard and Randy Carty R. R. 2 Mifflintown, PA 17059	UNT to Schweyer Run	Juniata County Conservation District R. R. 5, Box 35, Mifflintown, PA 17059 (717) 436-8953, Ext. 5
Antrim Township Franklin County	PAG2002805045	Paradise Estates Accent Developers, LLC Attn: Charles Eaton 10233 Amsterdam Road Waynesboro, PA 17268	UNT to Conococheague Creek WWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Centre County Patton Township	PAG2001405009	Lowes Home Center Benjamin Heim Tricore Dev. & Const. Co. 444 E. College Ave. Suite 540 State College, PA 16802	UNT Big Hollow N/A	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clinton County City of Lock Haven	PAG2001805002	Lock Haven University 301 W. Church St. Lock Haven, PA 17745	W. Br Susquehanna River WWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798
Northumberland County Point Township	PAG2004905002	Dollar General SR 11 Northumberland, PA 17857	UNT Susquehanna River CWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Tioga County Duncan Township	PAG2005905005	Phoenix Resources, Inc. 782 Antrim Road Wellsboro, PA 16901	UNT Babb Creek CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801 Ext. 101
Tioga County Tioga and Lawrence Townships Lawrenceville Borough	PAG005904003-1	Department of Transportation 715 Jordan Ave. Montoursville, PA 17754	Tioga and Cowanessque Rivers WWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801 Ext.101
Allegheny County Franklin Park Borough	PAG2000204030	Franklin Park Borough 2344 West Ingomar Rd. Pittsburgh, PA 15237	Bear Run (TSF)	Allegheny County CD (412) 241-7645
Allegheny County Scott Township	PAG2000205029	William Slater, II 301 Virginia Avenue Pittsburgh, PA 15211	Whiskey Run (WWF)	Allegheny County CD (412) 241-7645
Allegheny County North Fayette Township	PAG2000205035	Robert B. Potts 331 Pine Lane Coraopolis, PA 15108	North Branch (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Indiana Township	PAG2000205045	Fox Chapel Area School District 611 Field Club Road Pittsburgh, PA 15238	Deer Creek (CWF)	Allegheny County CD (412) 241-7645
Allegheny County Oakmont Borough	PAG2000205046	Brooks & Blair Waterfront Prop. 5541 Walnut Street Pittsburgh, PA 15232	Plum Creek Allegheny River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Upper St. Clair Township	PAG2000205048	Upper St. Clair Township 1820 McLaughlin Run Rd. Pittsburgh, PA 15241	Charitiers Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Kennedy Township	PAG2000205049	McDowell Est., LP P. O. Box 10360 300 Weyman Plaza Pittsburgh, PA 15234 and Alton Industries, Inc. 11 Carlton Drive Eighty Four, PA 15330	Ohio River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Moon Township	PAG2000205050	Moon Area School District 8353 University Blvd. Coraopolis, PA 15108	Montour Run (TSF)	Allegheny County CD (412) 241-7645
Allegheny County McCandless Township	PAG2000205053	Fifth Third Bank 600 Superior Ave. East Cleveland, OH 44114	Pine Creek (TSF)	Allegheny County CD (412) 241-7645

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Allegheny County Moon Township	PAG2000205054	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Ohio River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Marshall Township	PAG2000205057	Precision Equities 120 Brennan Lane Evans City, PA 16033	Big Sewickley Creek (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Pittsburgh	PAG2000205063	Winchester Thurston School 555 Morewood Avenue Pittsburgh, PA 15213	Monongahela River (WWF)	Allegheny County CD (412) 241-7645
Allegheny County Mt. Lebanon	PAG2000205067	Kossmann Development Company 11 Parkway Center Suite 300 Pittsburgh, PA 15220	Saw Mill Run (WWF)	Allegheny County CD (412) 241-7645
Fayette County City of Connellsville	PAG2002605015	Gerald Means 2102 Ridge Blvd. Connellsville, PA 15425	Youghiogheny River (WWF)	Fayette County CD (724) 438-4497
Fayette County North Union Township	PAG2002605016	Ernest Miller 20 University Plaza Lemont Furnace, PA 15456	Cove Run (WWF)	Fayette County CD (724) 438-4497
Fayette County North Union Township	PAG2002605017	Laurel Highlands School District 304 Bailey Avenue Uniontown, PA 15101	Cove Run (WWF)	Fayette County CD (724) 438-4497
Somerset County Somerset Township	PAG2005605008	Riggs Enterprises 422 Riggs Road Somerset, PA 15501	East Branch of Coxes Creek (WWF)	Somerset County CD (814) 445-4652
Washington County South Strabane Township	PAG2006305023	Kohl's Department Store Robert Frisch-Gustine Washington Associates, LTD Birmingham Towers Suite 700 2100 Wharton Street Pittsburgh, PA 15230	Chartiers Creek (WWF)	Washington County CD (724) 228-6774
Washington County Long Branch and Elco Boroughs	PAG2006305024	Penn Development Services, LP P. O. Box 110 Uniontown, PA 15401	UNT of the Monongahela River (WWF)	Washington County CD (724) 228-6774
Westmoreland County Hempfield and Unity Townships	PAG2006504030	Hempfield Township Municipal Authority R. D. 6, Box 501 Greensburg, PA 15601	Sewickley Creek (WWF)	Westmoreland County CD (724) 837-5371
Westmoreland County Rostraver Township	PAG2006504036-1	Latorre Investments 2050 Hayden Blvd. Elizabeth, PA 15037	UNT to Pollock Run (WWF)	Westmoreland County CD (724) 837-5371
Westmoreland County Municipality of Murrysville	PAG2006505001	Summerhill Development, LP 4302 Old William Penn Highway Murrysville, PA 15668	Humms Run (TSF)	Westmoreland County CD (724) 837-5371
Westmoreland County North Huntingdon Township	PAG2006505026	Lincoln Hills Realty Associates, LP 8958 Hill Drive North Huntingdon, PA 15642	UNT to Brush Creek (TSF)	Westmoreland County CD (724) 837-5371
Westmoreland County Allegheny Township	PAG2006505036	Department of Transportation P. O. Box 459 825 North Gallatin Ave. Uniontown, PA 15401	UNT to Pine Run (WWF)	Westmoreland County CD (724) 837-5371
Westmoreland County North Huntingdon Township	PAG2006505038	Robert Huemme 84 Unity Square Greensburg, PA 15601	UNT to Tinkers Run (TSF)	Westmoreland County CD (724) 837-5371

*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*

Westmoreland County Hempfield Township	PAG2006505040	Tom Hartman 8 Woodland Avenue Greensburg, PA 15601	UNT to Jacks Run (WWF)	Westmoreland County CD (724) 837-5371
Westmoreland County Penn Township	PAG2006505042	Lance Kruzic 300 Poplar Street Monroeville, PA 15146	UNT to Turtle Creek (TSF)	Westmoreland County CD (724) 837-5371
Westmoreland County Municipality of Murrysville	PAG2006505045	Department of Transportation 5615 William Penn Hwy. Export, PA 15632	Turtle Creek (CWF)	Westmoreland County CD (724) 837-5371
Westmoreland County Municipality of Murrysville	PAG2006505046	Department of Transportation 5615 William Penn Hwy. Export, PA 15632	Turtle Creek (CWF)	Westmoreland County CD (724) 837-5371
Butler County Butler Township	PAG2001005003	Commercial Development 422/8 Keith McGraw 409 Broad Street Suite 203 Sewickley, PA 15143	Connoquenessing Creek WWF	Butler Conservation District (724) 284-5270
Butler County Adams Township	PAG2001005008	Robert Tellish WIN-Adams Ridge Ltd. c/o The Paradise Group 2901 Rigsby Lane Safety Harbor, FL 34695	UNT Kaufman Run WWF	Butler Conservation District (724) 284-5270
Butler County Adams Township	PAG2001005014	Cobblestone Village William Weaver Cobblestone Partners, LP P. O. Box 449 Mars, PA 16046	Breakneck Creek WWF	Butler Conservation District (724) 284-5270
Elk County Johnsonburg Borough Ridgway Township	PAG2002405001	Department of Transportation 1924 Daisy Street P. O. Box 342 Clearfield, PA 16830	West Branch Clarion River CWF	Elk Conservation District (814) 776-5373
Erie County Millcreek Township	PAG2002505010	Robert Tidmore 521 Seminole Drive Erie, PA 16503	Walnut Creek CWF/MF	Erie County Conservation District (814) 825-6403
Erie County Corry City	PAG2002505012	Stacey Heiser Raymond Employees Federal Credit Union 407 N. Center Street Corry, PA 16407	Bear Creek CWF	Erie County Conservation District (814) 825-6403
Erie County North East Township	PAG2002505013	Eastman Subdivision David Thornton 10650 West Main Road North East, PA 16428	Sixteen Mile Creek CWF/MF	Erie County Conservation District (814) 825-6403
Erie County Lawrence Park Township Harborcreek Township	PAG2002505014	Charles Pepperack McDonald's Restaurant 1000 Omega Drive Pittsburgh, PA 15205	Four Mile Creek WWF	Erie County Conservation District (814) 825-6403
Erie County City of Erie	PAG2002505018	More or Less Grocery Store Matt Pisano 544 Rankine Ave. Erie, PA 16511	Municipal Separate Storm Sewer	Erie County Conservation District (814) 825-6403
Erie County Millcreek Township	PAG2002505020	Hidden Springs Subdivision Maleno Developers 2236 West 38th Street Erie, PA 16506	UNT Walnut Creek CWF/MF UNT Lake Erie CWF/MF	Erie County Conservation District (814) 825-6403

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Erie County North East Township	PAG2002505021	Freeport Village Condominium Wesley Books 11227 Lakefront Drive North East, PA 16428	Sixteen Mile Creek WWF/MF	Erie County Conservation District (814) 825-6403
Mercer County Springfield Township	PAG2004305004	Department of Transportation 255 Elm St. P. O. Box 398 Oil City, PA 16301	Black Run CWF	Mercer Conservation District (724) 662-2242
Mercer County City of Hermitage	PAG2004305007	Bill Stull Trumbull Vinyl Products, Inc. 2922 State Route 5 Cortland, OH 44410	Shenango River WWF	Mercer Conservation District (724) 662-2242
Mercer County Coolspring Township	PAG2004305008	Lee Ann Shelburne Coolspring Fitness Center 1051 East Cornell Road Mercer, PA 16137	UNT Coolspring Creek TSF	Mercer Conservation District (724) 662-2242
Venango County Sugarcreek Borough	PAG2006105008	Klapec LLC Webco Industrial Site Development Progress Drive Reno, PA 16343	Allegheny River WWF UNT Allegheny River CWF Brannon Run CWF	Venango Conservation District (814) 676-2832
Venango County Richland Township	PAG2006105009	Jim Ellis Ellis Chrysler Jeep 2029 Route 38 Emlenton, PA 16373	Richey Run CWF	Venango Conservation District (814) 676-2832
Warren County Conewango Township	PAG2006204005	Echo Real Estate Services 701 Alpha Drive Pittsburgh, PA 15238	Jackson Run CWF Conewango Creek WWF	Warren Conservation District (814) 723-3273
Archbald Lackawanna County	PAG2113505001	DEP—BAMR 2 Public Square 5th Floor Wilkes-Barre, PA 18711-0790	Grassy Island Creek	DEP—BAMR 2 Public Square 5th Floor Wilkes-Barre, PA 18711-0790 (570) 826-2371

*General Permit Type—PAG-3*

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Tunkhannock Township Wyoming County	PAR222205	Deer Park Lumber, Inc. 1301 SR 6E Tunkhannock, PA 18657-5724	Tunkhannock Creek, TSF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Portage Township Cambria County	PAR606163	Portage Auto Wreckers 3740 Portage Street Portage, PA 15946-6541	Little Conemaugh River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4*

*Facility Location &  
Municipality*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Franklin County Lurgan Township	PAG043603	Denver L. Black 9174 Otterbein Church Road Newburg, PA 17240	7B	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707



<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Beaver County Ohioville Borough	PAG046214	Keith Helm 188 Libson Road Beaver, PA 15009	South Branch Brady Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Waterford Township Erie County	PAG048450	Mark A. Kafferlin 2230 Old Wattsburg Road Waterford, PA 16441	Wheeler Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Cambridge Springs Township Crawford County	PAG048350	Ronald J. Riley 22389 Walters Road Venango, PA 16440	UNT to French Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Otter Creek Township Mercer County	PAG049186	William Putorti 73 Baker Road Greenville, PA 16125	Little Shenango River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Bedford County East Providence Township	PAG083539	East Providence Township Municipal Authority 244 Municipal Road Breezewood, PA 15533	East Providence Township Bedford County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Lancaster County Ephrata Township	PAG083565 PAG083566 PAG073508	Ephrata Borough Authority 124 South State Street Ephrata, PA 17522	Ephrata Borough Authority Farm Ephrata Township Lancaster County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Lancaster County Clay Township	PAG083565 PAG083566 PAG073508	Ephrata Borough Authority 124 South State Street Ephrata, PA 17522	Gil Lad Farm Clay Township Lancaster County	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 Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

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

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

#### Permit No. 5205502, Public Water Supply.

Applicant **Laurel Woods Mobile Home Park**  
120 Laurel Woods Road  
Greeley, PA 18425

Borough or Township Lackawaxen Township

County **Pike**

Type of Facility PWS

Consulting Engineer RKR Hess Associates, Inc.  
112 North Courtland Street  
P. O. Box 268  
East Stroudsburg, PA

Permit to Construct June 9, 2005  
Issued

#### Permit No. 1304501, Public Water Supply.

Applicant **Borough of Jim Thorpe**  
421 North Street  
Jim Thorpe, PA 18229

Borough or Township Jim Thorpe Borough

County **Carbon**

Type of Facility PWS

Consulting Engineer Michael J. Daschbach, P. E.  
Entech Engineering, Inc.  
P. O. Box 32  
Reading, PA 19603

Permit to Construct June 9, 2005  
Issued

**Operations Permit** issued to: **Aurel M. Arndt, General Manager, Lehigh County Authority**, P. O. Box 3348, Allentown, PA 18016 (PWSID#3390080) Heidelberg and Washington Townships, **Lehigh County** on June 2, 2005, for the operation of facilities approved under construction permit No. N/A.

**Operations Permit** issued to: **Nature's Way Purewater Systems, Inc.**, 164 Commerce Road, Dupont, PA 18641 (PWSID#2406411) Dupont Borough, **Luzerne County** on June 9, 2005, for the operation of facilities approved under construction permit Minor Amendment request received on June 3, 2005.

**Operations Permit** issued to: **Penn Estates Utilities**, 503 Hallet Road, East Stroudsburg, PA 18301 (PWSID#2450065) Stroud Township, **Monroe County** on June 8, 2005, for the operation of facilities approved under construction permit No. 4503507.

**Operations Permit** issued to: **Lehigh County Authority** (Central Lehigh Division), P. O. Box 3348, Allentown, PA 18016 (PWSID#3390073) Upper Macungie Township, **Lehigh County** on June 28, 2005, for the operation of facilities approved under Minor Amendment of December 22, 2004.

**Operations Permit** issued to: **City of Easton—Bureau of Water**, One South Third Street, Easton, PA 18042 (PWSID#3480050) City of Easton, **Northampton**

**County** on July 1, 2005, for the operation of facilities approved under construction permit No. 4801504 issued July 9, 2002.

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

Applicant **Tamaqua Area Water Company**  
320 East Broad Street  
Tamaqua, PA 18252

Borough or Township Tamaqua Borough

County **Schuylkill**

Type of Facility PWS

Consulting Engineer James C. Elliott, P. E.  
Gannett Fleming, Inc.  
P. O. Box 67100  
Harrisburg, PA 17106-7100

Permit to Construct June 27, 2005  
Issued

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

#### Permit No. 0103508, Public Water Supply.

Applicant **Dauberton Manor Inc.**

Municipality Mt. Pleasant Township

County **Adams**

Type of Facility Construction of a new well (Well No. 5) and booster pumping station at New Oxford Manor MHP.

Consulting Engineer Paul J Navarro, P. E.  
Navarro & Wright Consulting Engineers Inc.  
151 Reno Avenue  
New Cumberland, PA 17070

Permit to Construct 7/5/2005  
Issued:

**Operations Permit** issued to: **Pennsylvania-American Water**, 3060088, Exeter Township, **Berks County** on 6/3/2005 for the operation of facilities approved under Construction Permit No. 0604506.

**Operations Permit** issued to: **Pennsylvania-American Water Company**, 3060023, Exeter Township, **Berks County** on 7/7/2005 for the operation of facilities approved under Construction Permit No. 0604516 MA.

**Operations Permit** issued to: **Shinn Spring Water Company**, 3066531, Cumru Township, **Berks County** on 6/6/2005 for the operation of facilities approved under Construction Permit No. 0604517.

**Operations Permit** issued to: **North Middleton Authority**, 7210049, North Middleton Township, **Cumberland County** on 6/13/2005 for the operation of facilities approved under Construction Permit No. 2104503 MA.

**Operations Permit** issued to: **Borough of Bally**, 3060002, Bally Borough, **Berks County** on 6/14/2005 for the operation of facilities approved under Construction Permit No. 0604513.

**Operations Permit** issued to: **Pennsylvania-American Water**, 3060023, Amity Township, **Berks County** on 7/5/2005 for the operation of facilities approved under Construction Permit No. 0604518.

**Operations Permit** issued to: **Round Top RV, LLC**, 7010046, Cumberland Township, **Adams County** on 7/7/2005 for the operation of facilities approved under Construction Permit No. 0188510-T2.

**Operations Permit** issued to: **Round Top RV, LLC**, 7010046, Cumberland Township, **Adams County** on 7/7/2005 for the operation of facilities approved under Construction Permit No. 0190504-T2.

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

**Operations Permit** issued to: **Masontown Borough**, 2 Court Avenue, Masontown, PA 15461 (PWSID #5260013) Masontown Borough, **Fayette County** on June 29, 2005, for the emergency operation of facilities approved under Construction Permit No. 2605502-E1.

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

**Permit No. 1604502-MA1, Minor Amendment, Public Water Supply**

Applicant	<b>East Brady Borough</b>
Borough or Township	East Brady Borough
County	<b>Clarion</b>
Type of Facility	PWS
Permit to Construct Issued	06/15/2005

**Operations Permit** issued to: **Reynoldsville Water Authority**, 400 North Fifth Street, Reynoldsville, PA 15851, PWSID #62330011, Winslow Township, **Jefferson County**, on July 8, 2005, for the operation of Well No. 4, for use as a supplemental source for the existing public water supply, as approved under Construction Permit No. 3303501.

**Operations Permit** issued to: **Palmer Shores Water Association**, P. O. Box 401, Fairview, PA 16415, PWSID #6250035, Fairview Township, **Erie County**, on July 11, 2005, for the operation of Well No. 2, and system modifications to the existing public water supply, as approved under Construction Permit No. 2505501.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Scranton City	340 North Washington Avenue Scranton, PA 18503	Lackawanna

*Plan Description:* The approved plan provides for the construction of a sewer line extension to address the sewage needs for the nine residential units located on Ripple Street, Scranton City that are not connected to the Scranton Sewer Authority collection and treatment system. The new extension will connect to the existing gravity sewer line at the intersection of Ripple Street and Cedar Avenue. Upon completion of the project, the existing on-lot disposal systems are to be abandoned.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Athens Township	184 Herrick Avenue Sayre, PA 18840	Bradford

*Plan Description:* The approved plan provides for a sewer extension to the Queen Esther Estates treatment plant. This extension will allow for the abandonment of the Queen Esther Estates sewage treatment plant. Additionally two pump stations will be modified and a new force main will be constructed. These flows will now be conveyed to and treated at the Valley Joint Sewer Treatment Plant.

The Department's review of the sewage facilities update revision has not identified any significant negative environmental impacts resulting from this proposal.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Houtzdale Borough	704 Brisbin St. Houtzdale, PA 16651	Clearfield

*Plan Description:* The approved plan provides for replacing 25,500 feet of old leaky sewers and brick manholes. Approximately 17,500 feet of replacements will be service laterals to the dwellings. The approved project is designed to eliminate the existing hydraulic overload in Houtzdale Borough's sewage collection system. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hanover Township	2072 State Route 168 Georgetown, PA 15043	Beaver

*Plan Description:* The approved plan provides for construction of a 1,200-gallon per day small flow sewage treatment plant to serve three residential lots under the ownership of Michael Heinlein. The property is located along SR 168 in Hookstown, PA. The proposed discharge point is to a tributary of Aunt Claras Fork Kings Creek, classified as a cold water fishery. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate. The Department's review of the sewage facilities revision has not identified any significant impacts resulting from this proposal.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
New Sewickley Township	233 Miller Road Rochester, PA 15074	Beaver

*Plan Description:* The approved plan provides for construction of a 400 gallon per day single residence sewage treatment plant to repair the existing malfunctioning

septic system at the single-family home of Donald Farris. The property is located at 107 Twin Creek Lane. The proposed discharge point is to Crows Run, classified as a warm water fishery. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate. The Department's review of the sewage facilities revision has not identified any significant impacts resulting from this proposal.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jefferson Township	670 Cedar Grove Road Burgettstown, PA 15021	Washington

*Plan Description:* The approved plan provides for construction of a 500 gallon per day single residence sewage treatment plant to serve the Laura Ellek single family home. The property is located on Scott Hollow Road, just southwest of the intersection of Scott Hollow and Weigman Road, Jefferson Township, Washington County. The proposed discharge point is an unnamed tributary of Scott Run classified as a WWF. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate. The Department's review of this sewage facility's revision has not identified any significant impacts resulting from this proposal.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Greene Township	1145 Garver Lane Scotland, PA 17254	Franklin

*Plan Description:* The approved plan provides for a sewer extension to serve 56 existing dwellings on Blakewood Drive. Flows will be 22,400 gallons per day. Greene Township Municipal Authority will provide collection and conveyance of the flows, with treatment at the Borough of Chambersburg Wastewater Treatment Plant. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. WQM Permits must be obtained in the name of the Authority.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Ayr Township	P. O. Box 212 McConnellsburg, PA 17233	Fulton

*Plan Description:* The approved plan provides for a small flow treatment facility with discharge to a UNT to the Big Cove Creek to serve an existing single-family residential dwelling previously served by a malfunctioning onlot sewage disposal system. The project is located at 3664 Laurel Ridge Road. Flows will be 400 gallons per day. Operation and maintenance will be the responsibility of the owner. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. WQM Permits must be obtained in the name of the Authority.

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

### Proposed Consent Order and Agreement Vandor Manufacturing Site, Doylestown Township, Bucks County

The Department of Environmental Protection (Department), under the authority of Section 1113 the Hazardous Sites Cleanup Act (HSCA) (35 P. S. of § 6020.1113), has entered into a Consent Order and Agreement with the Estate of Francis Dring Wetherill (Estate) for reimbursement of certain response costs incurred to remediate hazardous substances released and threatened to be released at the Vandor Manufacturing Site (site) in Bucks County.

Between 1962 and 1994, Neshaminy Transformer Corporation (also known as Neshaminy Electronics Corporation) manufactured transformers and other electronic components at the site. Francis Dring Wetherill (Wetherill) owned a portion of the site from 1962 until 1984. The Department's investigation of this site indicated the presence of trichloroethylene and perchloroethylene contamination. The Department has performed an environmental assessment and characterization of the site and anticipates conducting future response actions to address hazardous substances released at the site.

As a former owner of a portion of the site, Wetherill was a responsible party under section 701 of the HSCA (35 P. S. § 6018.701). Consequently, the Department had a claim against the Estate for response costs incurred at the site. It is in the public interest for the Department to resolve its claim against the Estate. The Department and the Estate have negotiated in good faith and the Estate has agreed to reimburse the Department for certain response costs in the amount of \$236,000. The Estate shall receive contribution protection from claims related to Wetherill's past ownership of a portion of the site.

This notice is provided under section 1113 of the HSCA which states that, "settlement shall become final upon the filing of the Department's response to significant written comments." The Consent Order and Agreement, which contains the specific terms of the agreement, available for public review and comment. The agreement can be examined from 8 a.m. to 4 p.m. at the Department's Southeast Regional Office, 2 East Main Street, Norristown, PA by contacting either David Minsker, PhD., (484) 250-5731, dminsker@state.pa.us or Gina M. Thomas, Esquire, (484) 250-5930, githomas@state.pa.us. A public comment period on the Consent Order and Agreement will extend for 60 days from the date of this publication. Persons should submit written comments regarding the agreement within 60 days by submitting them to David Minsker at the previously listed address.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require

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

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

The Department has received the following plans and reports:

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

**Ryder Truck Rental**, City of Philadelphia, **Philadelphia County**. Sean M. Damon, Langan Engineering & Environmental Svc., Inc., 500 Hyde Park, Doylestown, PA 18901 has submitted a Final Report concerning remediation of site soil contaminated with other organics and lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Comcast**, West Rockhill Township, **Bucks County**. Mark DeGregory, LFR, 35 Columbia Rd., Branchburg, NJ 08878 on behalf of Kenneth N. Flechler III, Comcast of Southeast Pennsylvania, Inc., 1500 Market St., Philadelphia, PA 19102 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil and leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Sunoco Inc. (DUNNS No. 9000-0260)**, Middletown Township, **Delaware County**. Jennifer L. Huha, P. G., GES, 410 Eagleview Blvd, Ste 110, Exton, PA 19341 on behalf of Peter Wolff, 125 S. Pennell Rd., Glen Riddle, PA 19063, Lilley, 131 S. Pennell Rd., Glen Riddle, PA 19063, David Tracey, 201 Leni Rd., Glen Riddle, PA 19063 and Sharon Learn, 308 N. Olive St., Media, PA 19063 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standard.

**Trans-Materials Site**, West Goshen Township, **Chester County**. Justin R. Lauterbach, RT Environmental Svc., Inc., 215 W. Church Rd., King of Prussia, PA 19406 on behalf of Seya Isayeff, Keystone Comm. Alliance-West Goshen (CIRR), 550 E. Union St., The Good Will Bus. Park, West Chester, PA 9382 has submitted a Final Report concerning remediation of site soil contaminated with inorganics and PAH. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Barry Bridge Park**, City of Chester, **Delaware County**. Gary R. Brown, P. E., RT Environmental Svc., Inc., 215 W. Church Rd., King of Prussia, PA 19406 on behalf of Delaware River Part Auth., Richard L. Brown, One Port Ctr., 2 Riverside Dr., Camden, NJ 08101 has submitted a Final Report concerning remediation of site soil contaminated with PAH. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Philadelphia Eagles Stadium and Parking Areas**, City of Philadelphia, **Philadelphia County**. Keith Kowalski, P. G., URS Corp., 335 Commerce Dr., Suite 300, Ft. Washington, PA 19034 on behalf of City of Philadelphia, Philadelphia County Auth. for Ind. Development and its agent, Philadelphia Ind. Development Corp., c/o Patrick O'Neill, City of Philadelphia Law Dept., 1515 Arch St., 16th Floor, Philadelphia, PA 19102 has submitted a Final Report concerning remediation of site groundwater contaminated with lead, heavy metals, PAH and solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Turkey Hill Store 185**, West Earl Township, **Lancaster County**. Environmental Consulting, Inc., 500 East Washington Street, Norristown, PA 19401, on behalf of Turkey Hill Minit Markets, 257 Centerville Road, Lancaster, PA 17603, submitted a Final Report concerning remediation of site soils contaminated with unleaded gasoline. The report was submitted within 90 days of a release and is intended to document remediation of the site to the Statewide Health standard.

**Second and Washington Streets Redevelopment Project**, City of Reading, **Berks County**. Liberty Environmental, Inc., 10 North Fifth Street, Suite 800, Reading, PA 19601 on behalf of Greater Berks Development Fund, 19 North Sixth Street, Suite 200, P. O. Box 8621, Reading, PA 19603-8621, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with chlorinated solvents; fuel oil Nos. 2, 4 and 6; leaded gasoline; MTBE and other organics. The report is intended to document remediation of the site to a combination of the Statewide Health and Site-specific standards.

**Sun—Stoltzfus Farm Leak Site**, Upper Leacock Township, **Lancaster County**. Groundwater & Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, on behalf of Sunoco, Inc., Post Road and Blueball Avenue, Marcus Hook, PA 19061; Mervin Stoltzfus, 2440 Creek Hill Road, Lancaster, PA 17601; and Jonas Zook and Daniel Zook, 729 Hartman Station Road, Lancaster, PA 17601, submitted a combined Remedial Investigation, Risk Assessment, Cleanup Plan and Final Report concerning site soils and groundwater contaminated with petroleum product. The report is intended to document remediation of the site to a combination of the Statewide Health and Site-specific standards.

**Gichner Shelter Systems**, York Township, **York County**. Apex Environmental, Inc., 269 Great Valley Parkway, Malvern, PA 19355 on behalf of Dallastown Realty LLC, 490 East Locust Street, Dallastown, PA 17313 and Gichner Systems Group, Inc., P. O. Box 481, Dallastown, PA 17313, has submitted a Remedial Investigation Report concerning remediation of site soils, groundwater and surface water contaminated with heavy metals, solvents, BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet a combination of the Statewide Health and Site-specific standards requirements.

**Dauphin Oil Company**, Carlisle Borough, **Cumberland County**. Environmental Remediation & Recovery, Inc., 5719 Route 6N, Edinboro, PA 16412, on behalf of Dauphin Oil Company, 815 Newville Road, Carlisle, PA 17013, submitted a Final Report concerning remediation of site soils contaminated with a petroleum product during closure of storage tanks and a floor drain. The report is intended to document remediation of the site to the Statewide Health standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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

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

of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**North American Film Co.**, Bridgeport Borough, **Montgomery County**. Jeffrey Goudsward, Penn E & R, Inc., 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Richard Heany, O'Neill Prop. Group, LP, 700 S. Henderson Rd., King of Prussia, PA 19406 has submitted a Remedial Investigation, Risk Assessment Reports and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The Remedial Investigation, Risk Assessment Reports and Cleanup Plan were approved by the Department on July 5, 2005.

**Continental Bus. Ctr. Site**, Bridgeport Borough, **Montgomery County**. Jeffrey Goudsward, Penn E & R, 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Richard Heany, O'Neill Prop. Group, LP, 700 S. Henderson Rd., Suite 225, King of Prussia, PA 19406 has submitted a Remedial Investigation, Risk Assessment Reports and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PAH and inorganics. The Remedial Investigation, Risk Assessment Reports and Cleanup Plan were approved by the Department on June 30, 2005.

**Southco, Inc. Brandywine Fac.**, Concord Township, **Delaware County**. C. Peter Barringer, Svc. Env., Inc., 375 Morgan St., Phoenixville, PA 19460 on behalf of David Gibson, Esq., Southco, Inc., 210 N. Brinton Lake Rd., Concordville, PA 19331 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 5, 2005.

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

**Fypon—Stewartstown**, Borough of Stewartstown, **York County**. Langan Engineering & Environmental Services, 30 South 17th Street, Suite 1500, Philadelphia, PA 19103, on behalf of Fyp Investment, LP, 1500 Market Street, 3000 Centre Square West, Philadelphia, PA 19102, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with PCE, VOCs and SVOCs. The final report demonstrated attainment of a combination of the Statewide Health and Site-specific standards, and was approved by the Department on June 27, 2005.

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

**Engelhard Corporation North Parcel**, City of Erie, **Erie County**, has submitted a Remedial Investigation/

Final Report concerning the remediation of site soil, groundwater and sediment contaminated with Lead, Heavy Metals, solvents, PHCs and PAHs. The Final report demonstrated attainment of the Site-Specific, Statewide Health standards and was approved by the Department on July 6, 2005.

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

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003) and regulations to operate a hazardous and residual waste storage and treatment facility.**

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

**Permit No. PAD980707087. Envirotrol, Inc., Beaver Falls Facility** for the operation of a Hazardous and Residual Waste Storage and Treatment Facility (primarily for the management of the spent activated carbon) in Beaver Falls, **Beaver County**. Permit renewal and modification issued in the Regional Office on June 24, 2005.

#### RESIDUAL WASTE GENERAL PERMITS

**Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101–4000.1904); and 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 No. WMGR105. Appleton Papers Inc.,** 100 Paper Mill Road, Roaring Spring, PA 16673-1480. The general permit authorizes beneficial use of bottom ash from the burning of coal, bark, wood, and pulp and paper mill sludge as construction material, antiskid, and in reclamation of active and abandoned mines. The permit was issued by Central Office on July 12, 2005.

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

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Determination of Applicability for General Permit Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101–4000.1904); and 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. WMGR082D001. Development of Sharpsville Furnace, Ltd,** 2 Sixth St., Sharpsville, PA 16150. The general permit authorizes processing of steel slag, iron slag and refractory bricks that were codisposed with slag for removal of metallic residuals and mechanical sizing prior to beneficial use as construction material. General Permit No. WMGR082D001 was originally issued to SQP Industries. The Department reissued the determination of applicability on July 7, 2005, to reflect a change in ownership.

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

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

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

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

**Permit No. 101463. BFI Waste Systems of North America, Inc.,** 2904 South Christopher Columbus Avenue, Philadelphia PA 19148, City of Philadelphia. This permit is for the 10-year renewal of the solid waste permit for the continuing operation of the BFI TRC Transfer Station located in the City of Philadelphia. The permit was issued by the Southeast Regional Office on July 10, 2005.

#### 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.**

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

**52-310-011GP3: NEV, Inc.** (239 Golf Hill Road, P. O. Box A, Honesdale, PA 18431) on July 6, 2005, to construct and operate a portable stone crushing plant and associated air cleaning device at their Preserve @ Milford, in Dingman Township, **Pike County**.

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

**GP1-36-05002: Armstrong World Industries, Inc.** (1067 Dillerville Road, Lancaster, PA 17603) on July 6, 2005, for Small Gas and No. 2 Oil Fired Combustion Units under GP-1 in the City of Lancaster, **Lancaster County**.

**GP3-6-31-03002: New Enterprise Stone and Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on July 1, 2005, for a Portable Nonmetallic Mineral Processing Plants under GP-3 in Spruce Creek Township, **Huntingdon County**.

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

**GP3-19-01A: Knorr Contracting, Inc.** (7295 Old Berwick Road, Bloomsburg, PA 17815) on June 17, 2005, to construct and operate a portable stone crushing plant pursuant to the General Plan Approval and General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Maudsley Quarry in Montour Township, **Columbia County**.

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

**GP5-65-00974: Great Lakes Energy Partners, LLC** (P. O. Box 235, 150 North Avenue, Yatesboro, PA 15674) on July 1, 2005, to install and operate a natural gas well booster compressor unit at their Unity Compressor Site in Unity Township, **Westmoreland 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.*

**15-0010: ISG Plate LLC** (50 South First Avenue, Coatesville, PA 19320) on July 6, 2005, to operate blast furnaces and steel mill in City of Coatesville, **Chester County**.

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

**39-312-002: Buckeye Pipeline Co., LP** (P. O. Box 368, Emmaus, PA 18049) on July 1, 2005 to modify a butane blending operation at their facility in Lower Macungie Township, **Lehigh County**.

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

**36-05019F: Anvil International, Inc.** (1411 Lancaster Avenue, Columbia, PA 17512-1939) on July 11, 2005, to construct a coldbox core making machine at the foundry in Columbia Borough, **Lancaster County**.

**36-05129A: Haines and Kibblehouse, Inc.** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on July 7, 2005, to use alternative fuel sources for their existing Silver Hill Quarry batch asphalt plant in Brecknock Township, **Lancaster County**.

**67-03132A: Voith Siemens Hydro Power Generation, Inc.** (P. O. Box 712, York, PA 17405-0712) on July 8, 2005, to construct an iron powder cutting and plasma cutting operation controlled by a cyclone and cartridge collector in series at their hydro turbines and parts manufacturing facility in West Manchester Township, **York County**.

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

**65-00969A: Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) on July 1, 2005, to construct a

coal crusher at their Wills Surface Mine in Ligonier Borough, **Westmoreland County**.

**30-00150A Wellington Development—WVDT, LLC** (1620 Locust Avenue, Fairmont, WV 26554) Correction to Plan Approval issued June 21, 2005, and published at 35 Pa.B. 3697 (July 2, 2005), for the installation of two waste coal fired, circulating fluidized bed boilers with a net generating capacity of 525 megawatts at the Greene Energy Resource Recovery Project to be located in Cumberland Township, **Greene County**. Other air emission sources at the facility include material handling operations for fuel, ash, urea, lime and limestone, as well as limestone dryers, a natural gas-fired auxiliary boiler, a cooling tower and emergency diesel engines. Emissions are to be controlled using a spray dryer absorber or flash dryer absorber for SO<sub>2</sub> emission control, a fabric collector for particulate control and selective noncatalytic reduction for NO<sub>x</sub> control. Annual emissions are established at 289.7 tons PM, 289.7 tons PM<sub>10</sub>, 3,767 tons SO<sub>2</sub>, 1,949.4 tons NO<sub>x</sub> (as NO<sub>2</sub>), 125 tons VOC (as propane), 4,865 tons CO, 15.7 tons Pb, 1.25 tons Beryllium, 33.0 tons HF, 161.2 tons HCl, 145 tons H<sub>2</sub>O<sub>4</sub>, and 22.05 lb Mercury.

**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.*

**09-0075A: Dunmore Corp.** (145 Wharton Road, Bristol, PA 19007) on July 6, 2005, to operate a two coaters and mixing equipment in Bristol Township, **Bucks County**.

**15-0115B: QVC, Inc.** (1200 Wilson Drive, West Chester, PA 19380) on July 6, 2005, to operate three emergency generators in West Goshen Township, **Chester County**.

**23-0030A: Swarthmore College** (500 College Avenue, Swarthmore, PA 19081) on July 6, 2005, to operate three new boilers in Swarthmore Borough, **Delaware County**.

**23-0059: Lyondell Chemical Co.** (3801 West Chester Pike, Newtown Square, PA 19073) on July 6, 2005, to operate a pilot unit in Newtown Township, **Delaware County**.

**46-0222: Bostik Findley, Inc.** (1500 Parker Road, Conyers, GA 30094) on July 7, 2005, to operate a storage silos and charging stations in Upper Moreland Township, **Montgomery County**.

**46-0244: Acme Corrugated Box Co., Inc.** (4525 Adams Circle, Bensalem, PA 19020) on July 6, 2005, to operate a steam generator in Upper Moreland Township, **Montgomery County**.

**23-0096: County of Delaware—George W. Hill Correction Facility** (Cheyney and Springlawn Roads, Thornton, PA 19373) on July 6, 2005, to operate an emergency generator in Concord Township, **Delaware County**.

**46-0112A: Palmer International, Inc.** (P. O. Box 315, Skippack, PA 19474) on July 6, 2005, to operate four liquid resin processors in Skippack Township, **Montgomery County**.



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

**01-05029: Reliant Energy Wholesale Generation, LLC** (121 Champion Way, Suite 200, Canonsburg, PA 15317) on July 3, 2005, to construct a natural gas fired electric generating facility at their Hunterstown Station in Straban Township, **Adams County**. This facility is subject to 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines and 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. This plan approval was extended.

**06-03096A: Lucas Lane, Inc.** (Ten Lucas Lane, Bernville, PA 19506) on June 25, 2005, to construct a thermal unit to recycle used oil filters at Bernville in Upper Tulpehocken Township, **Berks County**. This plan approval was extended.

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

**17-305-049: Energy Link, Inc.** (840 Philadelphia Street, Indiana, PA 15701) on June 30, 2005, to operate a coal stockpiling and railcar loading operation on a temporary basis until October 28, 2005, in Lawrence Township, **Clearfield County**. The plan approval has been extended.

**08-00012A: Cargill Meat Solutions Corp.** (P. O. Box 188, Wyalusing, PA 18853) on June 30, 2005, to reflect a change of ownership from Taylor Packing Company, Inc. to Cargill Meat Solutions Corporation in Wyalusing Township, **Bradford County**.

**53-0009D: National Fuel Gas Supply Corp.** (P. O. Box 2081, Erie, PA 16512) on June 30, 2005, to operate a 4,445 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine 1A) on a temporary basis until October 28, 2005, at the Ellisburg Compressor Station in Allegany Township, **Potter County**. The plan approval has been extended.

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

**04-00681B: Brunner Landfill** (211 Brunner Road, Zelienople, PA 16063) on June 28, 2005, modified their Plan Approval to allow the leachate evaporation system to operate at a rate of 20,000 gallons of leachate per day and 400 standard cubic feet of landfill gas per minute at the municipal solid waste landfill in New Sewickley Township, **Beaver County**. This plan approval was modified.

**04-00719A: Lehigh Cement Co.** (3111 Water Street, Richmond, VA 23223) on July 6, 2005, to complete construction of their barge unloading facility at the Aliquippa Terminal, in Aliquippa, **Beaver County**. This plan approval was extended.

**04-00013A: Jewel Acquisition, LLC** (100 River Road, Brackenridge, PA) on July 7, 2005, to complete construction of the melt shop modifications at their Midland Facility, in Midland Borough, **Beaver County**. This plan approval was extended.

**04-00013B: Jewel Acquisition, LLC** (100 River Road, Brackenridge, PA) on July 7, 2005, to complete construction of the pickling tanks at the Midland Facility, in Midland Borough, **Beaver County**. This plan approval was extended.

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

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

**15-00037: Oberthur Card Systems, Inc.** (523 James Hance Court, Exton, PA 19341) on July 7, 2005, to operate a facility Title V Operating Permit for a svecia screen printing press in West Whiteland Township, **Chester County**.

**23-00051: Riddle Memorial Hospital** (1068 West Baltimore Pike, Media, PA 19063) on July 6, 2005, to operate a Title V Operating Permit for a general medical and surgical hospital facility in Middletown Township, **Delaware County**.

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

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

**09-00050: Hanson Aggregates BMC Inc.** (P. O. Box 231, Easton, PA 18044) on July 6, 2005, to operate a Synthetic Minor Operating Permit for a batch asphalt plant in Wrightstown Township, **Bucks County**.

**15-00049: Taylor Industries, Inc.** (35 Anderson Road, Parkerford, PA 19457) on July 6, 2005, to operate a Synthetic Minor Operating Permit for a plastics and plumbing fixtures plant in East Coventry Township, **Chester County**.

**09-00018: Moore Wallace North America, Inc.** (100 American Drive, Quakertown, PA 18951) on July 6, 2005, to operate a Synthetic Minor Operating Permit for the operation of a printing presse in Richland Township, **Bucks County**.

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

**48-00079: Heintzelman Funeral Home, Inc.** (326 Main Street, Hellertown, PA 18055-1720) on June 27, 2005, for a crematory in Hellertown Borough, **Northampton County**.

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

**22-03028: Linda B. Corson—Dauphin Animal Crematory** (785 Route 22-322, Dauphin, PA 17018-9758) on June 30, 2005, to operate an animal crematory in Middle Paxton Township, **Dauphin County**. This is a renewal of their operating permit.

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

**49-00046: Kurt Weiss Greenhouses of Pennsylvania, Inc.** (10 Arcos Road, Mt. Carmel, PA 17851) on June 27, 2005, to operate a greenhouse facility in Mt. Carmel Township, **Northumberland County**.

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

**63-00105: Monco Products, Inc.** (731 East Main St. Monongahela, PA 15063) on 6/30/2005, to operate a packaging equipment with the bulk of its products going to the steel industry, mining industry and the packing of bulk powder for private labels located at their Monongahela Plant in Monongahela, **Washington County**.

**04-00709: Empire Terminals, Inc.** (Suite 110, 731-733 Washington Road. Pittsburgh, PA 15228) on 6/28/2005, to operate a barge unloading equipment at their Monaca Plant in Monaca Borough, **Beaver County**.

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

**43-00062: Wheatland Tube Co.** (Council Avenue, Wheatland, PA 16161) on July 5, 2005, to reissue a Natural Minor operating permit for miscellaneous natural gas combustion sources. Process equipment is inactive. Facility is in Wheatland Borough, **Mercer County**.

**43-00304: Greenville Veterinary Clinic** (409 East Jamestown Road, Greenville, PA) on July 5, 2005, for a Natural Minor operating permit for a small-animal cremator in West Salem Township, **Mercer County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 685-7584.*

**S04-011: Friends Hospital** (4641 Roosevelt Boulevard, Philadelphia, PA 19124) on May 12, 2005, to operate in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three 400 HP boilers, one 300,000 Btu/hr boiler and four emergency generators.

**S05-001: Roxborough Memorial Hospital** (5800 Ridge Avenue, Philadelphia, PA 19128) on June 15, 2005, to operate a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three boilers and three emergency generators.

**N05-001: Jerith Manufacturing Co., Inc.** (14400 McNulty Road, Philadelphia, PA 19154) on June 15, 2005, to operate an aluminum fencing manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three boilers and three emergency generators.

**S04-012: Saint Agnes Hospital** (1900 South Broad Street, Philadelphia, PA 19145) on June 15, 2005, to operate a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 20.95 mmBtu/hr boilers, four emergency generators and two peak shaving generators.

**N04-008: Hillock Anodizing, Inc.** (5101 Comly Street, Philadelphia, PA 19135) on June 16, 2005, to operate an anodizing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a 550-gallon chromic acid tank and a No. 2 oil 1.357 mmBtu/hr boiler.

**S04-016: Sea Gull Lighting Products, Inc.** (25th and Wharton Streets, Philadelphia, PA 19146) on June 22, 2005, to operate their lighting fixtures manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two <3 mmBtu/hr boilers, a drying oven, three paint booths, a paint stripping operation and a polishing process with a dust collector.

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

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

**09-00037: CMS Gilbreth Packaging Systems, Inc.** (3001 State Road, Croydon, PA 19021) on July 8, 2005, to operate 2 rotogravure printing presses, 3 flexographic printing presses and 18 seaming machines, primarily used in the production of pressure-sensitive labels and tape at their Bristol Township, **Bucks County**. The previously issued Title V Operating Permit has been amended to correct the expiration date of the permit (that is, 1/31/2006). The amended Title V Operating Permit will contain all necessary monitoring, recordkeeping, reporting and work practice standards 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.*

**14-00031: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on June 30, 2005, by means of the administrative amendment requirements of 25 Pa. Code § 127.450, to incorporate the conditions established in Plan Approval 14-00031A, issued on April 5, 2005, to install a replacement water spray dust suppression system on a stone crushing operation in Rush Township, **Centre County**.

**08-00012: Cargill Meat Solutions Corp.** (P. O. Box 188, Wyalusing, PA 18853) on June 30, 2005, by means of the administrative amendment requirements of 25 Pa. Code § 127.450, to reflect a change of ownership from Taylor Packing Co., Inc. to Cargill Meat Solutions Corp. in Wyalusing Township, **Bradford County**.

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

**25-00952: Bush Industries, Inc.** (2455 Robison Road, Erie, PA 16509) on July 5, 2005, to administratively amend the Natural Minor Operating Permit to identify the Responsible Official for their wood furniture manufacturing plant in Summit Township, **Erie County**.

**25-00279: Associated Spring—Barnes Group, Inc.** (226 South Center Street, Corry, PA 16407) on June 2, 2005, for a Natural Minor operating permit amendment to change their facility's dedicated responsible official in the City of Corry, **Erie County**.

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.**

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

**15-00087: G. O. Carlson, Inc.** (135 West Lincoln Highway, Thorndale, PA) on July 6, 2005, to operate the powder cutter at their blast furnace and steel mill in the City of Coatesville, **Chester County**. This operating permit (Natural Minor Operating Permit) was revoked

because the facility is no longer in operation. All sources are shut down and have been removed from the site.

### 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: R. R. 2, Box 603-C, Greensburg, PA 15601, (724) 925-5500.*

**26870107 and NPDES Permit No. PA0589802. David L. Patterson, Jr.** (12 Short Cut Road, Smithfield, PA 15478). Permit revision to add 18.2 acres for mining, augering and support to the existing bituminous surface mine, located in Nicholson Township, **Fayette County**, affecting 100.2 acres. Receiving stream: Jacobs Creek. Revision application received: April 15, 2005. Revision permit issued: July 6, 2005.

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

**17020110 and NPDES Permit No. PA0243311. RAMM Coal, Inc.** (1092 Spruce Hill Road, Rockton, PA 15856), major permit revision for and additional 1.7 acres for a haul road, wetlands impact and a stream crossing. This permit is located in Sandy and Brady Townships, **Clearfield County**. Application received: February 3, 2005. Application issued June 29, 2005.

**17030121. AMFIRE Mining Co, LLC** (One Energy Place, Latrobe, PA 15650), commencement, operation and restoration of a bituminous surface mining permit in Penn Township, **Clearfield County** affecting 43.2 acres. Receiving stream: UNT to Bell Run. Application received: June 2, 2004. Permit issued: April 20, 2005.

**17010101. Waroquier Coal Co.** (P. O. Box 128, Clearfield, PA 16830), major permit revision for an incidental boundary extension to add 2.5 acres to the surface mine permit boundary and to include mining of the Upper Kittanning coal seam in the southern portion of the permit area. This permit is located in Lawrence and Pike Townships, **Clearfield County**. Application received June 15, 2005.

**17040110. Myers & Supko Contracting,** (P. O. Box 51, Osceola Mills, PA 16666), commencement, operation and restoration of a bituminous surface mining permit in Decatur Township, **Clearfield County** affecting 97.6 acres. Receiving streams: Moshannon Creek, Big Run and Coal Run. Application received November 9, 2004. Permit issued June 29, 2005.

#### Noncoal Permits Actions

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

**59040301 and NPDES Permit No. PA 0243868. Paul T. Hall,** R. R. 2, Box 204, Tioga, PA 16946, commencement, operation and restoration of a Noncoal Surface Mining Permit in Lawrence Township, **Tioga County** affecting 9.6 acres. Receiving streams: N/A. Application received: September 8, 2004. Permit issued May 4, 2005.

#### ABANDONED MINE RECLAMATION

*Cambria Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, (814) 472-1800.*

Bond Forfeiture	<b>BF 469-201.1</b>
Contract Awarded	
Location	Wayne and Cowanshannock Townships <b>Armstrong County</b>
Description	Abandoned Mine Land Reclamation Project Robert F. Taylor Mining Permit No. 03813074-03
Contractor	New Enterprise Stone & Lime Co., Inc. 3912 Brumbaugh Road P. O. Box 77 New Enterprise, PA 16664
Amount	\$992,023
Date of Award	June 29, 2005

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

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

**61054002. Francis J. Palo, Inc.** (P. O. Box 368, 309 S. 4th Avenue, Clarion, PA 16214). Blasting activity permit to extend and improve airport drainage control in Sandy Creek Township, **Venango County**. The blasting activity permit will expire on August 5, 2005. Application received: July 5, 2005. Application issued: July 5, 2005.

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

**14054015. R. C. Bowman, Inc.** (7436 Nittany Valley Drive, Mill Hall, PA 17757), construction blasting for Springfield Development—Phase No. 6 in Walker Township, **Centre County**. Permit issued May 26, 2005. Permit expiration date is August 26, 2005.

**14054016. Stone Valley Construction** (P. O. Box 369, Pine Grove Mills, PA 16868), construction blasting for Penn State Ballpark Project, College Township, **Centre County**. Permit issued June 17, 2005. Permit expiration date is June 17, 2006.

**14054017. CDG Properties LLC** (146 Skyview Drive, Bellefonte, PA 16823), construction blasting for Burnham Farms, Skyview Terrace in Benner Township, **Centre County**. Permit issued June 28, 2005. Permit expiration date is December 28, 2006.

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

**45054124. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for Timber Hills in Smithfield Township, **Monroe County** with an expiration date of March 23, 2006. Permit issued July 1, 2005.

**36054018. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting at Sight & Sound in Strasburg Township, **Lancaster County** with an expiration date of June 30, 2006. Permit issued July 7, 2005.

**36054019. ABEL Construction Co., Inc.** (P. O. Box 476, Mountville, PA 17554), construction blasting at Timber Ridge Subdivision in Mt. Joy Township, **Lancaster County** with an expiration date of July 30, 2006. Permit issued July 7, 2005.

**46054016. Warren's Excavating & Drilling, Inc.** (P. O. Box 189, Bowmansville, PA 17507), construction blasting at Sunnybrook Village in Lower Pottsgrove Township, **Montgomery County** with an expiration date of July 30, 2006. Permit issued July 7, 2005.

**36054135. Hall Explosives, Inc.** (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Colonial Business Center in Manheim Township, **Lancaster County** with an expiration date of June 30, 2006. Permit issued July 7, 2005.

**45054125. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Bob Fenton Project in East Stroudsburg Borough, **Monroe County** with an expiration date of August 31, 2005. Permit issued July 7, 2005.

**45054126. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for the Country Club of the Poconos in Smithfield Township, **Monroe County** with an expiration date of July 28, 2006. Permit issued July 7, 2005.

**45054127. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for Dairy Queen in Smithfield Township, **Monroe County** with an expiration date of July 22, 2006. Permit issued July 7, 2005.

**48054110. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for The Estates at Bushkill Creek in Forks Township, **Northampton County** with an expiration date of December 23, 2005. Permit issued July 7, 2005.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704

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

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

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E40-646. Gerri A. Insalaco**, 412 Westport Circle, Pittston, PA 18640. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To modify and maintain an existing pile-supported dock structure in Harveys Lake (HQ-CWF), with work consisting of constructing a 33-foot by 11-foot boat garage to replace the existing boat slip. The structure (existing and proposed) extends approximately 45 feet from the shoreline and has an overall width of approximately 46 feet. The project is located at Pole No. 297 along Lakeside Drive (Harveys Lake, PA Quadrangle N: 18.4 inches; W: 5.7 inches). (Subbasin: 5B)

**E39-437. Heritage-Twin Ponds, LP**, 3326 Old York Road, Furlong, PA 18925. Upper Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To authorize the following water obstructions and encroachments associated with the Highgate (Formerly Twin Ponds) Residential Subdivision:

1. To place and maintain fill in and along 500 feet of the right bank of the floodway of the tributary to Schaefer Run (HQ-CWF) for the purpose of constructing Lots 133-138.

2. To construct and maintain two precast concrete arch bridge road crossings of the tributary to Schaefer Run, the first having a 24-foot span and a 5.5-foot underclearance and the second having a 36-foot span and a 6-foot underclearance.

3. To construct and maintain two 10-inch DIP water-line crossings of the tributary to Schaefer Run.

4. To construct and maintain two 8-inch sanitary line crossings of the tributary to Schaefer Run.

5. To construct and maintain five stormwater RCP outfall structures, varying in size from 18 inches to 42 inches, with rip-rap aprons in the floodway of the tributary Schaefer Run.

The project is located on the north side of Mosser Road between Twin Ponds Road and Grim Road (Topton, PA Quadrangle N: 8.5 inches; W: 0.3 inch) in Upper Macungie Township, Lehigh County. (Subbasin: 2C)

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

**E26-323. Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106. As part of the construction of the Mon/Fayette Expressway, Section 51C, in Menallen Township, **Fayette County**, Pittsburgh ACOE District. To construct and maintain the following structures: 1) A 288-foot long, 78-inch diameter R. C. pipe stream enclosure in Fans Run (WWF) located at Station 272+42, SR 43 (Latitude: 39° 56' 55"; Longitude: 79° 46' 40"; and New Salem PA Quadrangle N: 13.37 inches; W: 3.89 inches). This structure includes a temporary stream crossing and relocation of 55 linear feet of said channel. 2) A 255-foot long, 72-inch R. C. pipe stream enclosure in a UNT to Salt Lick Run (WWF) located at Station 26+50, SR 4040 (Latitude: 39° 57' 22"; Longitude: 79° 48' 09"; and New Salem PA Quadrangle N: 14.73 inches; W: 7.36 inches). This structure includes a temporary stream crossing and relocation of 196 linear feet of said channel. 3) Cast in place extension of 12 linear feet of an existing box culvert having a span of 5 feet and a height of 4 feet in a UNT to Salt Lick Run (WWF) located at Station 304+98, SR 40 (Latitude: 39° 57' 15"; Longitude: 79° 48' 12"; and New Salem PA Quadrangle N: 14.38 inches; W: 7.47 inches). 4) A 370-foot long, 54-inch R. C. pipe stream enclosure in an UNT to Jennings Run (WWF) located at Station 242+65, SR 43 (Latitude: 39° 56' 36"; Longitude: 79° 46' 12"; and New Salem, PA Quadrangle N: 12.41 inches; W: 2.8 inches). This structure includes a temporary crossing and relocation of 585 linear feet of said stream. 5) A 372-foot long, 42-inch R. C. pipe stream enclosure in an unnamed tributary to Fans Run (WWF) located at Station 264+86, SR 43 (Latitude: 39° 56' 49"; Longitude: 79° 46' 33"; and New Salem, PA Quadrangle N: 13.07 inches; W: 3.62 inches). This structure includes relocation of 195 linear feet of said stream. 6) Fill in 0.27 acre of PEM wetlands.

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

**E25-696, Erie-Western Pennsylvania Port Authority**, 208 East Bayfront Parkway, Suite 201, Erie, PA 16507. West Canal Basin Improvements, in the City of Erie, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 2.0 inches; W: 12.2 inches).

The applicant proposes to conduct the following activities within the West Canal Basin, Presque Isle Bay, Lake Erie:

1. To remove the existing wall and to construct and maintain a 260-foot-long soldier pile wall on the easterly portion of the south wall of West Dobbins Landing.

2. To fill the former boat hoist area near the midsection of the south wall of West Dobbins Landing and a basin area at the east end of the south wall of West Dobbins Landing. The total area of fill is 0.18 acre.

3. To construct and maintain approximately an 8-foot-wide header dock having a length of approximately 530 feet along the south wall of West Dobbins Landing.

4. To remove five existing finger piers along the south wall of West Dobbins Landing.

5. To construct and maintain two approximately 85-foot-long finger pier extensions to the existing finger piers that extend north from the north wall of the Presque Isle Yacht Club.

6. To remove the existing wall and to construct and maintain the 250-foot-long north vertical wall of the Presque Isle Yacht Club.

7. To remove an approximately 310-foot-long sheet pile wall and associated docks and to construct and maintain a 310-foot-long revetment slope 6-foot-wide header dock having a length of approximately 300 feet along the east side of the Presque Isle Yacht Club in the south portion of the West Canal Basin.

Presque Isle Bay is a perennial body of water classified as a WWF.

**E62-403, William T. Krahe, Echo Fund 1 Holdings, LP**, 701 Alpha Drive, Pittsburgh, PA 15238. Warren County Retail Center, in Conewango Township, **Warren County**, ACOE Pittsburgh District (Russell, PA Quadrangle N: 1.0 inches; W: 3.5 inches).

The applicant proposes to construct a commercial development consisting of a Wal-Mart (204,000 square feet), a Lowe's Home Improvement Center (111,000 square feet), 81,000 square feet of additional retail shops and associated parking (Russell, PA Quadrangle N: 1.0 inch; W: 3.5 inches) immediately northwest of the intersection of US Route 62 (Market Street Extension) and SR 69 (Jackson Run Road) in Conewango Township, Warren County involving: 1) to fill 0.62 acre of PEM wetland; 2) to restore 1.01 acres of wetland onsite and to enhance 0.56 acre of existing wetland onsite; 3) to construct and maintain two 3-foot-diameter HDPE stormwater outfalls discharging to Jackson Run; and 4) to construct and maintain a 3.5-foot-diameter HDPE stormwater outfall discharging to Conewango Creek. The project proposes to directly affect 0.62 acre of PEM wetlands and to restore 1.01 acres of wetland onsite and to enhance 0.56 acre of existing wetland onsite. Jackson Run is a perennial stream with a wild trout designation and classified as a CWF.

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## SPECIAL NOTICES

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

### **Public Meeting and Request for Comment for the Proposed Total Maximum Daily Load (TMDL) for the South Fork Beech Creek Watershed in Centre County**

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the South Fork Beech Creek Watershed in Centre County. The meeting will be held on September 19, 2005, at 7 p.m. at the Three Points Sportsman's Club, Clarence, PA. Individuals who plan to make a presentation at the public meeting should contact John Mital, Moshannon District Mining Office at (814) 342-8200 by 4 p.m. on Friday, September 16, 2005. The Department will consider comments in developing the final TMDL for the South Fork Beech Creek Watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the South Fork Beech Creek Watershed was established in accordance with the requirements of the Clean Water Act, Section 303(d). Two stream segments in the South Fork Beech Creek Watershed have been identified as impaired on the 2002 Pennsylvania Section 303(d) list due to depressed pH and/or high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code (Segment ID)</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
22763 and 22767	South Fork Beech Creek and Jonathon Run	6.0
22763	South Fork Beech Creek	1.7

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/ Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	N/A

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the South Fork Beech Creek Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the South Fork Beech Creek Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the South Fork Beech Creek Watershed. Written comments must be postmarked by October 7, 2005, and sent to John Mital, Geologic Specialist, Department of Environmental Protection, Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, [jmital@state.pa.us](mailto:jmital@state.pa.us).

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Three Points Sportsmen Club, contact John Mital, (814) 342-8200, [jmital@state.pa.us](mailto:jmital@state.pa.us).

The proposed TMDL for the South Fork Beech Creek Watershed can be accessed through the Department's website at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice

users) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 05-1387. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website: [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword: Participate). The "Current Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2005.

#### Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

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

#### Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### Draft Technical Guidance—Substantive Revision

DEP ID: 383-2125-108. Title: Public Water Supply Manual—Part II Community System Design Standards. Description: This document has been revised to incorporate updates in the National design standards and because of new technology. Substantial revisions have been made as follows:

1. A section on preliminary hydrogeologic information was added to "Procedures for Obtaining a Permit" in Chapter I.
2. A new table on recommended water demand data was added to "Sizing and Capacity" in Chapter II.
3. A section on aquifer testing was added to "Ground Water Sources" in Chapter III.
4. The section on the hydrogeologic "Report in Ground Water Sources" in Chapter III was revised.
5. Sections on PVC well casing, radial water collectors and naturally flowing artesian wells were added to "General Well Construction" in Chapter III.
6. A section on chlorine dioxide was added to "Disinfection" in Chapter IV.
7. Weir loadings were added to "Solids Contact Units" in Chapter IV.

8. General design criteria were added to "Tube or Plate Settlers" in Chapter IV.

9. Sections on control appurtenances and turbidimeters were added to the filtration requirements in Chapter IV.

10. Sections on filtering material and air scouring in "Rapid Rate Gravity Filters" in Chapter IV were revised.

11. The section on recycling in "Treatment Plant Wastes" in Chapter IV was revised.

12. The sections on sodium hypochlorite and ammonia were added to "Specific Chemicals" in Chapter V.

13. The section on access in "Design and Construction" in Chapter VII has been revised.

Written Comments: Interested persons may submit written comments on this draft technical guidance document by August 22, 2005. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the originator's name and address. Written comments should be submitted to Kevin McLeary, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, kmcleary@state.pa.us. Effective Date: Upon publication as final in the *Pennsylvania Bulletin*. Contact: Questions regarding the draft technical guidance document, including anyone wishing to review or receive further information, should write to the office listed previously or call (717) 772-4018.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 05-1388. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Certification Program Advisory Committee Meeting Cancellation

The Certification Program Advisory Committee (Committee) has cancelled the meeting scheduled for July 25, 2005. The next regular meeting is scheduled for November 7, 2005. Committee members and individuals who have attended prior meetings have received personal notification of this change.

Persons with questions concerning this meeting should contact Lynn Rice, (717) 787-5236, mlrice@state.pa.us.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 05-1389. Filed for public inspection July 22, 2005, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Ambulatory Surgical Facility at Ford Road Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Ambulatory Surgical Facility at Ford Road Campus has requested an exception to the requirements of 28 Pa. Code Chapters 553, 555, 557 and 563.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

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 require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 05-1390. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Application of Blair Plastic Surgery for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Blair Plastic Surgery has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 9.5.F3.c (relating to recovery stations).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 05-1391. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Application of Brandywine Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Brandywine Hospital has requested an exception to the requirements of 28 Pa. Code § 138.1 (relating to principle).

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, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 05-1392. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Application of Digestive Health Center of Indiana, P. C. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Digestive Health Center of Indiana, P. C. has requested an exception to the requirements of 28 Pa. Code §§ 555.32 and 555.33 (relating to administration of anesthesia; and anesthesia policies and procedures).

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, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 05-1393. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Application of DuBois Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that DuBois Regional Medical Center has re-

quested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.9.D.24 (relating to secured holding room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 05-1394. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Application of The Eye Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Eye Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 05-1395. Filed for public inspection July 22, 2005, 9:00 a.m.]



### Application of Harrisburg Interventional Pain Management Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Harrisburg Interventional Pain Management Center has requested an exception to the requirements of 28 Pa. Code §§ 553.31 and 559.2 (relating to administrative responsibilities; and director of nursing).

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, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
Secretary

[Pa.B. Doc. No. 05-1396. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Application of Surgery Center at Edgeworth Commons for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Surgery Center at Edgeworth Commons has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards) which requires compliance with minimum standards contained in *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 9.5.F3.c (relating to recovery stations).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons, V/TT: (717)

783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
Secretary

[Pa.B. Doc. No. 05-1397. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Laboratories Approved to Perform Blood Lead and/or Erythrocyte Protoporphyrin Determinations

The following laboratories are licensed in accordance with The Clinical Laboratory Act (35 P. S. §§ 2151—2165) and/or the Federal Clinical Laboratory Improvement Act of 1967 (42 U.S.C.A. § 263a) and are currently approved under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood for lead or erythrocyte protoporphyrin content. This approval is based on demonstrated proficiency in periodic evaluations conducted by the Bureau of Laboratories of the Department of Health (Department).

Lead poisoning is a reportable noncommunicable disease. Approved laboratories which offer blood lead testing services are required to inform the Department of actual or possible incidents of this condition in accordance with 28 Pa. Code § 27.34 (relating to reporting cases of lead poisoning). These regulations specify the following requirements for reporting by clinical laboratories.

(1) A clinical laboratory shall report all blood lead test results on both venous and capillary specimens for persons under 16 years of age to the Department's Childhood Lead Poisoning Prevention Program, Division of Maternal and Child Health, Bureau of Family Health.

(2) A clinical laboratory shall report an elevated blood lead level in a person 16 years of age or older to the Department's Division of Environmental Health Epidemiology, Bureau of Epidemiology or to other locations as designated by the Department. An elevated blood lead level is defined by the National Institute for Occupational Safety and Health (NIOSH). As of January 26, 2002, NIOSH defines an elevated blood lead level as a venous blood lead level of 25 micrograms per deciliter (µg/dL) or higher. The Department will publish in the *Pennsylvania Bulletin* any NIOSH update of the definition within 30 days of NIOSH's notification to the Department.

(3) A clinical laboratory which conducts blood lead tests on 100 or more specimens per month shall submit results electronically in a format specified by the Department.

(4) A clinical laboratory which conducts blood lead tests on less than 100 blood lead specimens per month shall submit results either electronically or by hard copy in the format specified by the Department.

(5) A laboratory which performs blood lead tests on blood specimens collected in this Commonwealth shall be licensed as a clinical laboratory and shall be specifically approved by the Department to conduct those tests.

(6) Blood lead analyses requested for occupational health purposes on blood specimens collected in this Commonwealth shall be performed only by laboratories which are licensed and approved as specified in paragraph (5) and which are also approved by the Occupational Safety and Health Administration of the United States Department of Labor under 29 CFR 1910.1025(j)(2)(iii) (relating to lead).

(7) A clinical laboratory shall complete a blood lead test within 5 work days of the receipt of the blood specimen and shall submit the case report to the Department by the close of business of the next work day after the day on which the test was performed. The clinical laboratory shall submit a report of lead poisoning using either the hard-copy form or electronic transmission format specified by the Department.

(8) When a clinical laboratory receives a blood specimen without all of the information required for reporting purposes, the clinical laboratory shall test the specimen and shall submit the incomplete report to the Department.

Erythrocyte protoporphyrin determinations may be performed as an adjunct determination to substantiate blood lead levels of 25 micrograms per deciliter or higher. Since erythrocyte protoporphyrin concentrations may not increase as a result of low-level exposures to lead, direct blood lead analysis is the only reliable method for identifying individuals with blood lead concentrations below 25 micrograms per deciliter.

Persons seeking blood lead or erythrocyte protoporphyrin analyses should determine that the laboratory employs techniques and procedures acceptable for the purpose for which the analyses are sought. Laboratories offering blood lead analysis only are designated with the letter "L" following the name of the laboratory. Those offering erythrocyte protoporphyrin analysis only are designated with the letter "P." Laboratories offering both services are designated with the letters "LP."

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. The name of a laboratory is sometimes changed but the location, personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name of the facility changed, the Clinical Laboratory Permit numbers of the facilities are included in the lists of approved laboratories above the name of the laboratory at the time the list was prepared.

The Department's blood lead proficiency testing program is approved by the United States Department of Health and Human Services in accordance with the requirements contained in the Clinical Laboratory Improvement Amendments of 1988 (42 CFR 493.901 and 493.937 (relating to approval of proficiency testing programs; and toxicology)) which are administered by the Centers for Medicare and Medicaid Services. Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Dr. Shoemaker at V/TT, (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

022912  
ACL LABORATORIES-LP  
8901 WEST LINCOLN AVE  
WEST ALLIS, WI 53227  
414-328-7945

000016  
ANGELINE KIRBY MEM HEALTH CENTER-L  
71 NORTH FRANKLIN STREET  
WILKES-BARRE, PA 18701  
570-823-5450

020506  
CENTRAL PA ALLIANCE LABORATORY-LP  
1803 MT ROSE AVENUE  
SUITE C3-C4  
YORK, PA 17403  
717-851-1426

027845  
CLINICAL REFERENCE LABORATORY-LP  
8433 QUIVIRA ROAD  
LENEXA, KS 66215  
913-492-3652

000561  
EAST PENN MFG CO INC-LP  
DEKA RD KELLER TECH CENTER  
LYONS STATION, PA 19536  
610-682-6361

000332  
ELLWOOD CITY HOSPITAL-LP  
724 PERSHING ST  
ELLWOOD CITY, PA 16117  
724-752-0081

000173  
GEISINGER MEDICAL CENTER-L  
N ACADEMY RD  
DANVILLE, PA 17822  
570-271-6338

025914  
GENOVA DIAGNOSTICS-L  
63 ZILICOA STREET  
ASHEVILLE, NC 28801  
828-253-0621

020802  
HAGERSTOWN MEDICAL LABORATORY-L  
11110 MEDICAL CAMPUS RD STE 230  
HAGERSTOWN, MD 21742  
301-790-8670

024655  
HEALTH NETWORK LABORATORIES-LP  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
610-402-8150

005618  
LAB CORP OF AMERICA HOLDINGS-LP  
6370 WILCOX ROAD  
DUBLIN, OH 43016-1296  
800-282-7300

021885  
LAB CORP OF AMERICA HOLDINGS-LP  
1447 YORK COURT  
BURLINGTON, NC 27215  
800-334-5161

001088  
LABCORP OF AMERICA HOLDINGS-LP  
69 FIRST AVE PO BOX 500  
RARITAN, NJ 08869  
908-526-2400

022715

LABONE INC-LP  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
913-888-1770

009523

LABORATORY CORP OF AMERICA-L  
13900 PARK CENTER ROAD  
HERNDON, VA 20171  
703-742-3100

000242

MAIN LINE CLIN LABS LANKENAU CP-L  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
610-645-2615

009003

MAYO CLINIC DEPT LAB MED AND PATH-LP  
200 FIRST STREET SW HILTON 530  
ROCHESTER, MN 55905  
507-284-3018

029251

MAYO MEDICAL LABORATORIES NEW ENGLAND-LP  
265 BALLARDVALE STREET  
WILINGTON, MA 01887  
978-658-3600

026302

MEDICAL ASSOCIATES PC-P  
935 HIGHLAND BLVD SUITE 4400  
BOZEMAN, MT 59715  
406-587-5123

005574

MEDTOX LABORATORIES INC-LP  
402 WEST COUNTY ROAD D  
ST PAUL, MN 55112  
651-636-7466

000203

MERCY FITZGERALD HOSPITAL-L  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
610-237-4262

000082

MERCY HOSPITAL OF PITTSBURGH-L  
PRIDE AND LOCUST STREETS  
PITTSBURGH, PA 15219  
412-232-7831

000504

NATIONAL MED SERVICES INC LAB-LP  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
215-657-4900

000807

OMEGA MEDICAL LABS/QUEST DIAGNOSTICS-L  
2001 STATE HILL ROAD SUITE 100  
WYOMISSING, PA 19610  
610-378-1900

023801

PACIFIC TOXICOLOGY LABORATORIES-LP  
9348 DE SOTO AVENUE  
CHATSWORTH, CA 91311  
818-598-3110

022533

PENNSYLVANIA DEPT OF HEALTH-LP  
110 PICKERING WAY  
LIONVILLE, PA 19353  
610-280-3464

000022

POCONO MEDICAL CENTER LAB-L  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
570-476-3544

000324

PRIMARY CARE HLTH SERV INC LAB-L  
7227 HAMILTON AVE  
PITTSBURGH, PA 15208  
412-244-4728

000255

PUBLIC HEALTH LAB CITY OF PHILA-L  
500 SOUTH BROAD STREET  
ROOM 359  
PHILADELPHIA, PA 19146  
215-685-6815

000315

QUEST DIAGNOSTICS CLINICAL LABS INC-LP  
900 BUSINESS CENTER DRIVE  
HORSHAM, PA 19044  
215-957-9300

022174

QUEST DIAGNOSTICS INCORPORATED-LP  
33608 ORTEGA HIGHWAY  
SAN JUAN CAPISTRANO, CA 92690-6130  
949-728-4000

001136

QUEST DIAGNOSTICS NICHOLS INSTITUTE-LP  
14225 NEWBROOK DRIVE  
PO BOX 10841  
CHANTILLY, VA 20153-0841  
703-802-6900

000482

QUEST DIAGNOSTICS OF PA INC-LP  
875 GREENTREE RD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
412-920-7600

025461

QUEST DIAGNOSTICS VENTURE LLC-LP  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
412-920-7631

000150

READING HOSPITAL & MED CTR-L  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
610-988-8080

022376

SPECIALTY LABORATORIES INC-L  
27027 TOURNEY ROAD  
VALENCIA, CA 91355  
310-828-6543

000151

ST JOSEPH QUALITY MEDICAL LAB-L  
215 NORTH 12TH STREET BOX 316  
READING, PA 19603  
610-378-2200

000104

THE UNIONTOWN HOSPITAL LABORATORY-L  
500 WEST BERKELEY STREET  
UNIONTOWN, PA 15401  
724-430-5143

000083  
 UPMC PRESBYTERIAN SHADYSIDE CP PUH-L  
 ROOM 5929 MAIN TOWER CHP  
 200 LOTHROP STREET  
 PITTSBURGH, PA 15213-2582  
 412-648-6000

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 05-1398. Filed for public inspection July 22, 2005, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Keep On Scratchin' II Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Keep On Scratchin' II.

2. *Price:* The price of a Pennsylvania Keep On Scratchin' II instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Keep On Scratchin' II instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "GUS NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "GUS NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and Gus Pawprint symbol (PAWPRINT).

4. *Prize Symbols:* The prize symbols and their captions located in the "GUS NUMBERS" area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN), \$2,000 (TWO THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$400, \$2,000 and \$20,000. A player can win up to ten times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,080,000 tickets will be printed for the Pennsylvania Keep On Scratchin' II instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2,000 (TWO THO) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,000.

(c) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

### Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code §§ 205.24(a) and 205.27 (relating to dining room; and lounge and recreation rooms):

Westmoreland Skilled Care Center  
 532 West Pittsburgh Street  
 Greensburg, PA 15601  
 FAC ID 750302

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.28(b) (relating to nurses' station):

Bethlen Home of the Hungarian Reformed Federation of America  
 66 Carey School Road  
 Ligonier, PA 15658-8758  
 FAC ID 021402

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(b) (relating to nursing services):

Lawson Nursing Home, Inc.  
 540 Coal Valley Road  
 Jefferson Hills, PA 15025

These requests are on file with the Department of Health (Department). Persons may receive a copy of a requests for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, paexcept@health.state.pa.us

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the address or phone numbers listed previously, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,  
*Secretary*

[Pa.B. Doc. No. 05-1399. Filed for public inspection July 22, 2005, 9:00 a.m.]

(d) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols is a Gus Pawprint symbol (PAWPRINT), and a prize symbol of \$400 (FOR HUN) appears under the Gus Pawprint symbol (PAWPRINT) on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols is a Gus Pawprint symbol (PAWPRINT), and a prize symbol of \$100 (ONE HUN) appears under the Gus Pawprint symbol (PAWPRINT) on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$40\$ (FORTY) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols is a Gus Pawprint symbol (PAWPRINT), and a prize symbol of \$40\$ (FORTY) appears under the Gus Pawprint symbol (PAWPRINT) on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$20\$ (TWENTY) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols is a Gus Pawprint symbol (PAWPRINT), and a prize symbol of \$20\$ (TWENTY) appears under the Gus Pawprint symbol (PAWPRINT) on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols is a Gus Pawprint symbol

(PAWPRINT), and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears under the Gus Pawprint symbol (PAWPRINT) on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(n) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols is a Gus Pawprint symbol (PAWPRINT), and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears under the Gus Pawprint symbol (PAWPRINT) on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols is a Gus Pawprint symbol (PAWPRINT), and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears under the Gus Pawprint symbol (PAWPRINT) on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols is a Gus Pawprint symbol (PAWPRINT), and a prize play of \$2<sup>.00</sup> (TWO DOL) appears under the Gus Pawprint symbol (PAWPRINT) on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets upon which any one of the "GUS NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1<sup>.00</sup> (ONE DOL) appears under the matching "GUS NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

*When Any Of The Gus Numbers Match Either Winning Number Win With Prize(s) Of:*

\$1 x 2  
 \$2  
 \$2 w/Pawprint  
 \$1 x 4  
 \$4  
 \$4 w/Pawprint  
 \$1 x 5  
 \$5  
 \$5 w/Pawprint  
 \$1 x 10  
 \$2 x 5  
 \$5 x 2  
 \$10  
 \$10 w/Pawprint

*Win:*  
 \$2  
 \$2  
 \$2  
 \$4  
 \$4  
 \$4  
 \$5  
 \$5  
 \$5  
 \$10  
 \$10  
 \$10  
 \$10

*Approximate Odds 1 In:*  
 30  
 30  
 30  
 50  
 50  
 50  
 150  
 150  
 75  
 500  
 500  
 500  
 375  
 115.38

*Approximate No. Of Winners Per 10,080,000 Tickets*

336,000  
 336,000  
 336,000  
 201,600  
 201,600  
 201,600  
 67,200  
 67,200  
 134,400  
 20,160  
 20,160  
 20,160  
 26,880  
 87,360

*When Any Of The Gus  
Numbers Match Either  
Winning Number Win With  
Prize(s) Of:*

	<i>Win:</i>	<i>Approximate Odds 1 In:</i>	<i>Approximate No. Of Winners Per 10,080,000 Tickets</i>
\$5 × 4	\$20	150	67,200
\$20	\$20	150	67,200
\$20 w/Pawprint	\$20	300	33,600
\$4 × 10	\$40	1,348	7,476
\$10 × 4	\$40	1,348	7,476
\$20 × 2	\$40	1,348	7,476
\$40	\$40	1,348	7,476
\$40 w/Pawprint	\$40	1,348	7,476
\$10 × 10	\$100	3,000	3,360
\$20 × 5	\$100	3,000	3,360
\$100	\$100	3,000	3,360
\$100 w/Pawprint	\$100	3,000	3,360
\$40 × 10	\$400	120,000	84
\$400	\$400	120,000	84
\$400 w/Pawprint	\$400	120,000	84
\$400 × 5	\$2,000	840,000	12
\$2,000	\$2,000	840,000	12
\$20,000	\$20,000	840,000	12

PAWPRINT = Win prize shown automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Keep On Scratchin' II instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Keep On Scratchin' II, prize money from winning Pennsylvania Keep On Scratchin' II instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Keep On Scratchin' II instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Keep On Scratchin' II or through normal communications methods.

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 05-1400. Filed for public inspection July 22, 2005, 9:00 a.m.]

## Powerball

In accordance with 61 Pa. Code § 871.21 (relating to future changes to Powerball), the Secretary of Revenue (Secretary) announces the following changes to the Powerball regulations.

The Secretary, having determined that it is impractical and contrary to the public interest to defer notice to the public of changes to the Powerball Game, has given actual knowledge of the document to the persons whom the document is primarily directed in accordance with 1 Pa. Code § 13.74 (relating to effectiveness prior to publication) by press release dated June 1, 2005, of the following changes to the Powerball regulations.

These changes will affect ticket sales beginning on Sunday, August 28, 2005, for the Powerball drawing on Wednesday, August 31, 2005. The changes to the regulation will be codified in 61 Pa. Code § 871.22(2) (relating to changes to Powerball):

(2) Changes effective for Powerball tickets sold on or after August 28, 2005:

(i) Section 871.2(a) and (b); § 871.3 definition of "basic play," "first set numbers," "panel or game," "quick pick," "ticket" and "winning number"; § 871.7(c). Powerball is a five out of 55 plus one out of 42 on-line game. The first set of numbers are selected from 1 through 55.

(ii) Section 871.9(e). Annuitized prizes shall be paid in 30 graduated payments, an initial followed by 29 annual graduated payments increasing each year at a rate determined by the MUSL Powerball Product Group. This rate, once determined, will not change over the life of the payments. The 30 payments will equal 100% of the annuitized prize. Prize payments may be rounded down to the nearest \$1,000.

For example:

If the MUSL Powerball Product Group arrived at a 4% rate of increase for a \$30 million annuitized jackpot the payment schedule would be as follows:

<i>Payment No.</i>	<i>Graduated Payments (Rounded)</i>	<i>% of Total Annuity Prize</i>
1	\$535,000	1.78300991336613%
2	\$556,000	1.85433030990078%
3	\$578,000	1.92850352229681%
4	\$601,000	2.00564366318868%
5	\$626,000	2.08586940971623%
6	\$651,000	2.16930418610488%
7	\$677,000	2.25607635354907%
8	\$704,000	2.34631940769104%
9	\$732,000	2.44017218399868%
10	\$761,000	2.53777907135862%
11	\$792,000	2.63929023421297%
12	\$823,000	2.74486184358149%
13	\$856,000	2.85465631732475%
14	\$891,000	2.96884257001774%
15	\$926,000	3.08759627281845%
16	\$963,000	3.21110012373119%
17	\$1,002,000	3.33954412868043%
18	\$1,042,000	3.47312589382765%
19	\$1,084,000	3.61205092958076%
20	\$1,127,000	3.75653296676399%
21	\$1,172,000	3.90679428543455%
22	\$1,219,000	4.06306605685193%
23	\$1,268,000	4.22558869912601%
24	\$1,319,000	4.39461224709105%
25	\$1,371,000	4.57039673697469%
26	\$1,426,000	4.75321260645368%
27	\$1,483,000	4.94334111071182%
28	\$1,543,000	5.14107475514030%
29	\$1,604,000	5.34671774534591%
30	\$1,668,000	5.56058645515974%
Payment Total	<u>\$30,000,000</u>	

(iii) Section 871.8(a) (relating to expected prize payout percentages). Determination of expected prize payout percentages is as follows:

<i>Tickets Containing The Following, In One Single Lettered Game Section</i>	<i>Prize Category</i>	<i>Prize Payment</i>	<i>Approximate Percentage of Winnings Pool Allocated to Prize Category**</i>
Five first set numbers and the Powerball number	Grand Prize	Grand Prize	60.5770%
Five first set numbers	Second Prize*	\$200,000	11.2246%
Four first set numbers and the Powerball number	Third Prize*	\$10,000	3.4222%
Four first set numbers	Fourth Prize*	\$100	1.4030%
Three first set numbers and the Powerball number	Fifth Prize*	\$100	1.6768%
Three first set numbers	Sixth Prize*	\$7	4.8126%
Two first set numbers and the Powerball number	Seventh Prize*	\$7	1.8780%
One first set number and the Powerball number	Eighth Prize*	\$4	6.3050%
The Powerball number	Ninth Prize*	\$3	8.7008%

\* Indicates a set prize.

\*\* Fifty percent of Powerball gross sales are allocated to the winnings pool for the payment of prizes.

(iv) Section 871.19. The probability of winning is as follows:

<i>Tickets Containing The Following In One Single Lettered Game Section</i>	<i>Prize Category</i>	<i>Probability of Winnings per Play</i>
Five first set numbers and the Powerball number	Grand Prize	1:146,107,962

*Tickets Containing The Following In One Single Lettered Game Section*

	<i>Prize Category</i>	<i>Probability of Winnings per Play</i>
Five first set numbers	Second Prize	1:3,563,608.8293
Four first set numbers and the Powerball number	Third Prize	1:584,431.8480
Four first set numbers	Fourth Prize	1:14,254.4353
Three first set numbers and the Powerball number	Fifth Prize	1:11,927.1806
Three first set numbers	Sixth Prize	1:290.9068
Two first set numbers and the Powerball number	Seventh Prize	1:745.4488
One first set number and the Powerball number	Eighth Prize	1:126.8849
The Powerball number	Ninth Prize	1:68.9592

(v) Section 871.20(a), (c), (j) and (l). A player may purchase the power play option for the chance to multiply set prizes won as a result of the Powerball drawing by a number ranging from 2 to 5. The power play number will be selected from among the following series of numbers: 2, 2, 2, 2, 3, 3, 3, 3, 3, 4, 4, 4, 4, 5, 5, 5 and 5. Except as otherwise provided, power play set prizes shall be paid in single, lump-sum payments determined by multiplying the Powerball set prize by the number selected in the power play drawing as follows:

<i>Prize Level</i>	<i>Powerball Set Prize Amount</i>	<i>Power Play Multiplier and Set Prize Amount</i>			
		5	4	3	2
Second Prize	\$200,000	\$1,000,000	\$800,000	\$600,000	\$400,000
Third Prize	\$10,000	\$50,000	\$40,000	\$30,000	\$20,000
Fourth Prize	\$100	\$500	\$400	\$300	\$200
Fifth Prize	\$100	\$500	\$400	\$300	\$200
Sixth Prize	\$7	\$35	\$28	\$21	\$14
Seventh Prize	\$7	\$35	\$28	\$21	\$14
Eighth Prize	\$4	\$20	\$16	\$12	\$8
Ninth Prize	\$3	\$15	\$12	\$9	\$6

The odds of various power play numbers being selected in a power play drawing are:

<i>Power Play Multiplier</i>	<i>Odds</i>
2	1:4
3	1:4
4	1:4
5	1:4

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 05-1401. Filed for public inspection July 22, 2005, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

The Department of Transportation (Department), under section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Daniel K. Carr d/b/a World Auto Electric seeking to lease highway right-of-way located underneath Ramp EF at the intersections of Fifth Avenue, Mathias Avenue and Pirl Street (Legislative Route 1066 Section 1 R/W), City of McKeesport, Allegheny County, containing

36,300± square feet or 0.833± acre, for the purpose of parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to H. Daniel Cessna, P. E., District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use should be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

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

[Pa.B. Doc. No. 05-1402. Filed for public inspection July 22, 2005, 9:00 a.m.]



### Application for Lease of Right-of-Way

The Department of Transportation (Department), under section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Massaro Properties, LLC seeking to lease highway right-of-way located at 1340 Freeport Road (Legislative Route 70 Section 4-A), O'Hara Township, Allegheny County, containing 4,830± square feet or 0.11± acre, for the purpose of parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to H. Daniel Cessna, P. E., District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use should be directed to Michael Sudar, District Property

Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

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

[Pa.B. Doc. No. 05-1403. Filed for public inspection July 22, 2005, 9:00 a.m.]

### State Transportation Commission Public Hearings

The State Transportation Commission (Commission) will be conducting public hearings and accepting written testimony as input for the development of the 2007 Transportation Program. Testimony may be project specific, issue-oriented, or both. Written testimony should be submitted to Anita Everhard, Executive Secretary, State Transportation Commission, P. O. Box 3633, Harrisburg, PA 17105-3633, (717) 787-2913, fax (717) 787-5247, aeverhard@state.pa.us.

Seven public hearings have been scheduled throughout this Commonwealth to provide the opportunity for oral testimony from the public regarding the 2007 Transportation Program. Dates and locations of the hearings are as follows:

August 5, 2005	Radisson Lackawanna Station Hotel Scranton 700 Lackawanna Avenue Scranton, PA	9 a.m.
August 18, 2005	Delaware Valley Regional Planning Commission 190 North Independence Mall West, 8th Floor Philadelphia, PA	8:30 a.m.
August 19, 2005	Lancaster Host Resort and Conference Center 2300 Lincoln Highway East Lancaster, PA	8:30 a.m.
August 31, 2005	The Casino at Lakemont Park 300 Lakemont Park Blvd. Altoona, PA	9 a.m.
September 1, 2005	The Nittany Lion Inn 200 West Park Avenue State College, PA	9 a.m.
September 22, 2005	Ambassador Banquet and Conference Center 7794 Peach Street Erie, PA	9 a.m.
September 23, 2005	Southwestern Pennsylvania Commission Regional Enterprise Tower 425 Sixth Avenue, 31st Floor Pittsburgh, PA	8 a.m.

Persons interested in presenting oral testimony at a Commission sponsored public hearing for the development of the 2007 Transportation Program who would like a time slot on the agenda or additional information should contact Anita Everhard at (717) 787-2913.

Information about the Commission public hearings can be found at the Department of Transportation website at [www.dot.state.pa.us/PennDOT/Bureaus/CPDM/Prod/Abstract.nsf](http://www.dot.state.pa.us/PennDOT/Bureaus/CPDM/Prod/Abstract.nsf).

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

[Pa.B. Doc. No. 05-1404. Filed for public inspection July 22, 2005, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Triploid Grass Carp Permit Application

Under 58 Pa. Code § 71.7 (relating to triploid grass carp), the Fish and Boat Commission (Commission) may issue permits to stock triploid grass carp in Commonwealth waters. Triploid grass carp are sterile fish that may, in appropriate

circumstances, help control aquatic vegetation. The Commission has determined consistent with 58 Pa. Code § 71.7(e)(3) to seek public input with respect to any proposed stockings of triploid grass carp in waters having a surface area of more than 5 acres.

Interested persons are invited to submit written comments, objections or suggestions about the notice to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000 within 10 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](http://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.

The following application to stock triploid grass carp in waters having a surface area of greater than 5 acres is currently undergoing staff review:

<i>Applicant</i>	<i>Water</i>	<i>Location of Water</i>	<i>Description of Water</i>	<i>Nature of Vegetation to be Controlled</i>
Sunrise Lakes c/o Bob Ramagosa	Sprint Lake	Dingman Township Pike County	20 acre lake that discharges to an unnamed tributary to Rattlesnake Creek. A 1 1/2" by 1 1/2" chain link fence at the lake outlet will serve as a fish barrier.	Thinleaf pondweed Lowly watermilfoil Bladderwort

DOUGLAS J. AUSTEN, Ph.D.,  
*Executive Director*

[Pa.B. Doc. No. 05-1405. Filed for public inspection July 22, 2005, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemaking

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

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16-34	State Athletic Commission Communicable Disease Testing	7/8/05

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 05-1406. Filed for public inspection July 22, 2005, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Agreement on Community Health Reinvestment; Notice No. 2005-07

Pursuant to section 1701-A(b) of Act 1A of 2005, the Agreement on Community Health Reinvestment is hereby published below.

This Agreement on Community Health Reinvestment (the "Agreement") is made this 2nd day of February 2005, by and among the Insurance Department of the Commonwealth of Pennsylvania (the "Department"), by Patricia H. Stromberg, in her capacity and pursuant to her authority as Deputy Insurance Commissioner, and Capital Blue Cross ("CBC"), Highmark Inc. ("Highmark"), Indepen-

dence Blue Cross ("IBC"), and Hospital Service Association of Northeastern Pennsylvania, d/b/a Blue Cross of Northeastern Pennsylvania ("NEPA") (collectively, the "Parties").

#### Recitals

A. CBC, Highmark, IBC and NEPA (collectively, the "Blue Plans"), are not-for-profit health plan corporations operating pursuant to the provisions of the Health Plan Corporations Act, 40 Pa.C.S. §§ 6101, et seq., 6301 et seq. and are subject to regulation by the Department.

B. CBC, IBC, and NEPA have traditionally and voluntarily engaged in a variety of community activities ("Community Activities").

C. Highmark has traditionally and voluntarily engaged in a variety of Community Activities. These efforts have included, but have not been limited to, full compliance with certain social and charitable health care endeavors required under a 1996 Decision and Order of the Insurance Commissioner (the "Commissioner"), Docket No. MS96-04-098.

D. The Community Activities of the Blue Plans have been designed in part to improve health care, to make health care more affordable and accessible, and to benefit the communities in the Blue Plans' respective service areas.

E. The Department and the Blue Plans wish to formalize their understanding relating to the existence, nature, and scope of the Blue Plans' Community Activities on a prospective basis.

F. This Agreement is intended to be a complete and total resolution of the issue of the Blue Plans' Community Activities (sometimes referred to, inter alia, as "social mission," "charitable and/or benevolent endeavors," or "community activities") raised in the Department's Notice dated January 17, 2004, up to and including the period of this Agreement.

Now Therefore, in consideration of the foregoing and the mutual covenants and agreements hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, the Parties agree as follows:

1. Each Blue Plan agrees to an annual financial commitment to Community Activities in the form of an annual community health reinvestment (the "Annual Community Health Reinvestment") for calendar years 2005 through 2010.

2. For purposes of this Agreement:

(a) "Health Premiums" means all Pennsylvania direct written health premiums reported by the parent and its Health Subsidiaries and Affiliates (as defined below) in their Annual Statements in proportion to any respective ownership interest. The term "Health Premiums" does not include administrative service business income or Medicare and Medicaid program premiums. "Health Premiums," as defined in this Agreement, are those premiums currently reported at Schedule T, Pennsylvania line, columns 3 and 6 of each Plan's Annual Statement.

(b) "Medicare and Medicaid Premiums" means all Pennsylvania direct written Medicare and Medicaid Premiums reported by the parent and its Health Subsidiaries and Affiliates in their Annual Statements in proportion to any respective ownership interest. "Medicare and Medicaid Premiums" are those premiums currently reported at Schedule T, Pennsylvania line, columns 4 and 5 of each Plan's Annual Statement.

(c) "Health Subsidiaries and Affiliates" means all Pennsylvania domiciled entities writing health insurance coverage.

(d) "Health Premium/State Income Tax" means all actual Commonwealth state income taxes and state premium taxes incurred on Health Premiums reported to the Pennsylvania Department of Revenue by the parent and its Health Subsidiaries and Affiliates in proportion to any respective ownership interest.

(e) "Permitted Community Health Reinvestment Endeavors" means:

(i) Health coverage programs for low income and/or uninsured persons, including, but not limited to, adultBasic, CHIP, Special Care or any similar successor programs;

(ii) Other programs or means of subsidizing or providing healthcare coverage and/or healthcare services to persons who are determined under applicable and recognized standards to be unable to pay for such coverage or services or to be without access to affordable healthcare services or coverage, including, but not limited to, rate subsidies for HIPAA and HCTC, rate subsidies for individual programs paid by any Blue Plan that have not been collected from group premiums, and operating subsidies for public health provider programs; and

(iii) Other community healthcare-related expenditures, distributions or utilizations approved by the Department, which approval shall not be unreasonably withheld.

(f) "RBC" means "risk based capital" as that term is defined at 40 P. S. §§ 221.1-B, et seq.

3. On or before December 1 of each calendar year, each Blue Plan shall submit to the Department an application (the "Application") for review by the Department setting forth the Blue Plan's proposed expenditure, distribution or other utilization of its Annual Community Health Reinvestment for the following calendar year. For calendar year 2005, the Application will be due March 1, 2005.

4. The Annual Community Health Reinvestment shall be calculated as follows:

(a) For calendar year 2005, 1.6% of Health Premiums plus 1.0% of Medicare and Medicaid Premiums as reported on each Plan's 2003 Annual Statement minus Health Premium/State Income Tax.

(b) For each succeeding calendar year in the period 2006-2010, 1.6% of Health Premiums as projected for that year by the respective Blue Plan plus 1.0% of Medicare and Medicaid Premiums as projected for that year by the respective Blue Plan minus Health Premium/State Income Tax as projected for that year by the respective Blue Plan. Beginning in calendar year 2007, and each year thereafter through 2011, on or before April 1 of each year, each Blue Plan shall submit to the Department a reconciliation of its Annual Community Health Reinvestment as provided in its Application for the prior calendar year against actual premium reported and taxes incurred for that prior calendar year. Subject to Department approval, such reconciliation shall state the manner and time within which any adjustments shall be made, and each Blue Plan shall appropriately adjust for any excess or deficiency in the actual Annual Community Health Reinvestment amount as calculated based on actual premium and taxes for the prior calendar year.

(c) Notwithstanding any other provision of this Agreement, beginning with the Application for year 2007 and for each calendar year thereafter for the term of this Agreement, the total Annual Community Health Reinvestment of any Plan shall not exceed 107.5 percent (107.5%) of the total Annual Community Health Reinvestment for that Plan in the immediately preceding calendar year.

(d) Notwithstanding any other provision in this Agreement, each Blue Plan agrees that in the event that a Blue Plan's total Annual Community Health Reinvestment amount decreases from one year to the next in excess of 5%, the percentage used to determine the Commonwealth Directed Low Income Health Insurance Portion (as defined in paragraph 5) for that Blue Plan shall be adjusted for that year such that the Commonwealth Directed Low Income Health Insurance Portion for that Blue Plan shall decrease by no more than 5% of the amount of the Commonwealth Directed Low Income Health Insurance Portion for that Blue Plan from the prior year. In no event, however, shall the adjusted percentage used to determine the Commonwealth Directed Low Income Health Insurance Portion for that Blue Plan exceed 100% of that Blue Plan's total Annual Community Health Reinvestment amount.

5. Each Blue Plan agrees that the Annual Community Health Reinvestment for each Plan shall be expended, distributed or utilized in the respective service area of that Plan and solely for Permitted Community Health Reinvestment Endeavors. Sixty percent (60%) of the Annual Community Health Reinvestment for each calendar year of this Agreement shall be dedicated to providing health insurance through state-approved programs for persons of low income, including but not limited to adultBasic (the "Commonwealth Directed Low Income Health Insurance Portion"). In the event that the Commonwealth Directed Low Income Health Insurance Portion cannot be expended, distributed or utilized in the calendar year in which it is dedicated, such amounts shall be expended, distributed or utilized in succeeding years.

6. Any Blue Plan participating in the adultBasic program or any alternative program to benefit persons of low income in any calendar year subject to this Agreement, will receive approval of rates for 2005 and thereafter for

adultBasic, and to the extent applicable for such alternative programs, as filed with the Department, or in the event such approval of rates as filed is not received, such Blue Plan will receive a credit for Actual Underwriting Losses for adultBasic, and to the extent applicable, for such alternative programs, against the sixty percent (60%) number defined in paragraph 5 above or the Blue Plan will provide a credit to the Commonwealth for adultBasic Actual Underwriting Gains. The term "Actual Underwriting Losses/Gains" means premiums earned less claims incurred, less administrative expense costs directly associated with the program as recorded on the Blue Plan's internal financials.

7. Each Blue Plan shall make available to the Department such information as the Department may reasonably require to verify the calculation, expenditure, distribution or use of a Blue Plan's Annual Community Health Reinvestment. Any such information that is proprietary or confidential, including such information that is set forth in an Application, (the "Confidential Information") shall be clearly marked prior to submission to the Department, and shall be accorded confidential treatment by the Department and not disclosed by the Department to any third party except by agreement with the Blue Plan or pursuant to Court Order. Upon receipt of any request from a third party for Confidential Information, the Department will notify the third party that the Confidential Information will not be provided. In the event that a third party institutes an action to compel the Department to disclose the Confidential Information, the Department will inform the affected Blue Plan of the Court Order in sufficient time to allow the Blue Plan to intervene or otherwise seek additional protections from having to disclose the Confidential Information. The Department may, but does not have to, assist the Blue Plan with any efforts to maintain the confidentiality of the information in any Court proceeding but in no event shall the Department oppose any such effort.

8. This Agreement may be modified or waived as to an individual Blue Plan, provided notice of the application for modification or waiver is provided to each of the other Blue Plans five (5) business days in advance of when said modification or waiver is sought from the Department. The modification or waiver shall be in writing and executed by the Department and said individual Blue Plan. Relief from the Annual Community Health reinvestment obligation may be granted by the Commissioner without application for modification or waiver if a Blue Plan's RBC ratio drops 100 points within a twelve (12) month period or below the Blue Cross Blue Shield Association's early warning level which is currently at 375% RBC, or if the Commissioner determines other good cause exists for such relief, or upon written application by a Blue Plan for other good cause shown, which includes but is not limited to any circumstance which significantly impairs, diminishes, impedes or otherwise compromises a Blue Plan's ability to meet its Annual Community Health Reinvestment obligation as that obligation is defined in this Agreement, or any circumstance which suggests that the need for the Annual Community Health Reinvestment is significantly diminished, or in the event any court of competent jurisdiction issues a decision or order against any Blue Plan or legislation is enacted that substantially alters the terms or purpose of this Agreement. A decision by the Commissioner not to grant the requested modification or waiver will be in the form of a determination, as to which judicial review is available as provided by Pennsylvania law. After a Blue Plan seeks modification or waiver of the Agreement under this paragraph, the

passage of sixty (60) days or any decision by the Commissioner that does not satisfy the Blue Plan's request for modification or waiver shall constitute a determination, as to which judicial review is available as provided by Pennsylvania law.

9. In the event a Blue Plan submits a written application seeking modification of or relief from its Annual Community Health Reinvestment obligation, the Department may retain attorneys, appraisers, independent actuaries, independent certified public accountants or other professionals and examiners, the cost of which shall be borne by the Blue Plan seeking such modification or relief. The Blue Plan's obligation hereunder will not exceed \$75,000.

10. Notwithstanding any other provision to the contrary, all obligations of a respective Blue Plan shall terminate and the Agreement shall become null and void as to that Blue Plan: (i) in the event that the Blue Plan no longer is a Health Plan Corporation under 40 Pa.C.S. §§ 6101 et seq., 6301 et seq.; or (ii) in the event legislation is enacted that impacts the state tax payments or assessments of a Health Plan Corporation in a manner that is intended to or has the effect of being adverse and discriminatory to the Blue Plans in comparison to other insurers and obligates that Blue Plan to make state tax payments or assessments greater than the contributions required under this Agreement.

11. After the effective date of this Agreement, if disputes arise relating to the implementation of the Agreement or any of its terms or conditions, the Parties agree that the dispute shall be submitted to the Commissioner for resolution. Thereafter, the passage of thirty (30) days or any decision by the Commissioner that does not resolve the dispute in a manner acceptable to the Blue Plan shall constitute a determination, as to which judicial review is available as provided by Pennsylvania law.

12. This Agreement and the Annual Community Health Reinvestment hereunder shall supersede and replace Highmark's required "social or charitable health care endeavors" obligations pursuant to the 1996 Decision and Order of the Commissioner.

13. Neither the entry into this Agreement, nor the discussions in connection with its negotiation and execution, shall constitute evidence of wrongdoing or culpability or an admission by any Party of liability or obligation to any other Party for any purpose, or a waiver of any defense or position any Party could raise in any forum.

14. Unless sooner terminated as provided herein, this Agreement shall terminate and have no further force and effect after December 31, 2010, except to the extent necessary for any Blue Plan to adjust for any excess or deficiency as required by paragraphs 4 or 6 for any prior calendar year.

15. This Agreement may be executed in one or more counterparts, all or any of which shall be regarded for all purposes as one original, and constitute and be but one and the same instrument. Delivery of the executed Agreement by facsimile or other electronic means shall be equally effective as the delivery of the original Agreement.

16. Nothing in this Agreement, express or implied, is intended to, nor shall it in any way be construed to, create or convey any rights or remedies in or to any individual or entity other than the Parties, nor shall this Agreement or any provision hereof constitute a waiver or

relinquishment of any legal right of any Party to otherwise challenge or appeal any action or decision hereunder or arising from any other action of any other Party.

17. In the event any dispute arises among the Parties with regard to the interpretation of any term of this Agreement, all of the Parties shall be considered collectively to be the drafting party, and any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall be inapplicable.

18. All prior discussions, agreements and understandings concerning the subject of this Agreement are completely merged and integrated into this Agreement.

19. This Agreement and all amendments, supplements, modifications, waivers and consents shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania.

20. No part of this Agreement shall be modified or waived in any respect except by a writing.

21. By its signature affixed hereto, each Party acknowledges that it has read this Agreement, fully understands the agreements, covenants, obligations, conditions, and terms contained herein, and has had the advice of counsel pertaining thereto, prior to the time of execution.

22. The Parties agree and acknowledge that each provision of this Agreement, including the Recitals and the terms, form the essential subject matter of this Agreement and the Recitals and the terms of this Agreement shall not be severable.

23. Each Party represents and warrants that it has the requisite power and authority to enter into this Agreement and that the signatory is duly authorized to execute this Agreement on behalf of that Party.

24. This Agreement shall be binding upon all Parties and their successors and assigns.

25. The division of this Agreement into paragraphs and subparagraphs and the use of captions and headings in connection therewith, are solely for convenience and shall have no legal effect in construing the provisions of this Agreement.

PENNSYLVANIA INSURANCE DEPARTMENT

BY: /s/ Patricia H. Stromberg  
Patricia H. Stromberg  
Deputy Commissioner

CAPITAL BLUE CROSS

BY: /s/ Anita M. Smith  
Anita M. Smith  
President and Chief Executive Officer

HIGHMARK INC.

BY: /s/ Kenneth R. Melani, M.D.  
Kenneth R. Melani, M.D.  
President and Chief Executive Officer

HOSPITAL SERVICE ASSOCIATION OF  
NORTHEASTERN PENNSYLVANIA

BY: /s/ Denise S. Cesare  
Denise S. Cesare  
President and Chief Executive Officer

INDEPENDENCE BLUE CROSS

BY: /s/ Joseph A. Frick  
Joseph A. Frick  
President and Chief Executive Officer  
SARAH H. LAWHORNE,  
Deputy Insurance Commissioner

[Pa.B. Doc. No. 05-1407. Filed for public inspection July 22, 2005, 9:00 a.m.]

**Capital BlueCross; Experience Rated Basic Hospitalization Programs; Rate Filing**

On June 30, 2005, Capital BlueCross submitted rate filing No. 05-N to the Insurance Department (Department) for its review and approval formulas for new funding arrangements and minor modifications for current funding arrangements for experience rated basic hospitalization products. The new funding arrangements are Prospective Defined Quarterly, Retro-Insured and Retro-Insured Defined Quarterly. An effective date of January 1, 2006, is requested.

A copy of the filing is available on the Department's website: [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, 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*.

M. DIANE KOKEN,  
Insurance Commissioner

[Pa.B. Doc. No. 05-1408. Filed for public inspection July 22, 2005, 9:00 a.m.]

**Capital BlueCross; Experience Rated Prescription Drug Programs; Rate Filing**

On July 7, 2005, Capital BlueCross submitted rate filing No. 05-O to the Insurance Department (Department) for its review and approval formulas for new funding arrangements and minor modifications for current funding arrangements for experience rated prescription drug products. The new funding arrangements are Prospective Defined Quarterly, Retro-Insured and Retro-Insured Defined Quarterly. An effective date of January 1, 2006, is requested.

A copy of the filing is available on the Department's website: [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary,

ary, 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*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 05-1409. Filed for public inspection July 22, 2005, 9:00 a.m.]

**Repeal of Outdated Bulletins and Notices; Notice No. 2005-08**

The Insurance Commissioner formally repeals the following bulletin notices. The notices were issued to provide general information, guidance in advance of the promulgation of a regulation or announce a change in law or Insurance Department practice. The insurance industry is now familiar with the information contained in these notices or the information is outdated and no longer relevant or necessary for the proper regulation of the insurance industry in this Commonwealth.

<i>Notice No.</i>	<i>Date</i>	<i>Title</i>
2005-03	03/19/2005	Workers' Compensation Security Fund Assessment
2004-08	10/30/2004	Workers' Compensation Security Fund Assessment
2004-06	07/24/2004	Repeal of Outdated Bulletins and Notices
2000-02	02/12/2000	Codification of Statutory Accounting Principles
1998-04	07/25/1998	Codification of Statutory Accounting Principles

Questions regarding this notice should be addressed to Peter J. Salvatore, Regulatory Coordinator, 1326 Strawberry Square, Harrisburg, PA 17120, (717) 787-4429, fax (717) 772-1969, psalvatore@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 05-1410. Filed for public inspection July 22, 2005, 9:00 a.m.]

**PENNSYLVANIA GAMING CONTROL BOARD**

**Manufacturer Fee Schedule**

The Pennsylvania Gaming Control Board (Board), under 4 Pa.C.S. § 1208 (relating to collection of fees and fines), has developed the following fee and deposit schedule for the licensing and permitting of manufacturers, their key employees, key employee qualifiers and gaming employees. The Board also sets forth the fee and deposit for the filing of an application for a key employee or key employee qualifier waiver in 4 Pa.C.S. § 1311 (relating to slot machine license application business entity requirements).

**Manufacturer Fee Schedule**

	<i>Frequency</i>	<i>Manufacturers</i>
<b>LICENSE FEES</b>		
1st Year	Annual	\$50,000
Renewal	Annual	\$25,000
<b>APPLICATION FEES</b>		
*Entity (Per Entity)	Annual	\$5,000
*Key Employee/Qualifiers	Annual	\$2,500
*Key Employee/Qualifiers Waiver	Annual	\$350
Employee (Gaming)	Annual	\$350
Employee (Nongaming)		
Registrants	Permanent	N/A

\*Nonrefundable fee for the entity and for each key employee and qualifier. Additional costs above these amounts shall be reimbursed to the Board by the applicants prior to issuance of the license.

THOMAS A. DECKER,  
*Chairperson*

[Pa.B. Doc. No. 05-1411. Filed for public inspection July 22, 2005, 9:00 a.m.]

**PENNSYLVANIA MUNICIPAL RETIREMENT BOARD**

**Hearing Scheduled**

A hearing has been scheduled, as authorized by the Pennsylvania Municipal Retirement Law (53 P. S. §§ 881.101—881.413), in connection with the Pennsylvania Municipal Retirement Board's denial of the claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Pennsylvania Municipal Retirement Board, 1010 North 7th Street, Suite 301, Eastgate Center, Harrisburg, PA 17102.

August 22, 2005 Mickey L. Thomas 1:30 p.m.  
(Disability Retirement)

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Tina Eisenhart at (717) 787-2065 to discuss how the Pennsylvania Municipal Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 16 Pa. Code § 91.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JAMES B. ALLEN,  
*Secretary*

[Pa.B. Doc. No. 05-1412. Filed for public inspection July 22, 2005, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Natural Gas Service

**A-125141 and A-125141F0002. Orwell Natural Gas Company.** Application of Orwell Natural Gas Company for: 1) a certificate of public convenience to provide natural gas service in portions of Farmington, Highland and Millcreek Townships, Clarion County; Millstone Township, Elk County; Barnett and Jenks Township, Forest County; and Barnett, Eldred and Heath Townships, Jefferson County; and 2) for approval of the transfer by sale, lease or other device of the property and rights of CRG, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before August 8, 2005. 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:* Orwell Natural Gas Company and CRG, Inc.

*Through and By Counsel:* James P. Melia, Esquire, Kirkpatrick & Lockhart, Nicholson Graham LLP, 240 North Third Street, Harrisburg, PA 17101-1507

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1413. Filed for public inspection July 22, 2005, 9:00 a.m.]

## Natural Gas Service

**A-125141F0003 and A-125141F0004. Orwell Natural Gas Company.** Application of Orwell Natural Gas Company for: 1) a certificate of public convenience to provide natural gas service in the Borough of Bruin, Butler County; and 2) for approval of the transfer by sale, lease or other device of the property and rights of Walker Gas and Oil Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before August 8, 2005. 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:* Orwell Natural Gas Company and Walker Gas and Oil Company

*Through and By Counsel:* James P. Melia, Esquire, Kirkpatrick & Lockhart, Nicholson Graham LLP, 240 North Third Street, Harrisburg, PA 17101-1507

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1414. Filed for public inspection July 22, 2005, 9:00 a.m.]

## Petition/Application for a Finding

**P-00052150. PPL Interstate Energy Company.** Petition/application of PPL Interstate Energy Company for a finding that the expansion of its operations/control room building to increase security is reasonably necessary for the convenience or welfare of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before August 8, 2005. 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:* PPL Interstate Energy Company

*Through and By Counsel:* Anthony D. Kanagy, Esquire, Morgan, Lewis & Bockius, LLP, One Commerce Square, 417 Walnut Street, Harrisburg, PA 17101-1904

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1415. Filed for public inspection July 22, 2005, 9:00 a.m.]

## Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, by August 15, 2005. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Application of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under the application.**

**A-00121912. Caring Hearts Ambulance & Medical Transportation Service of Pennsylvania** (2168 A Old Harrisburg Road, Gettysburg, Adams County, PA 17325), a corporation of the Commonwealth—persons, in paratransit service, between points in the Counties of Adams, York, Dauphin, Franklin and Cumberland.

**Application of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as *common carriers* for the transportation of *household goods* as described under the application.**

**A-00121909. Kenneth Brantley t/d/b/a Kenneth Brantley Transportation** (367 Chapel Avenue, Allentown, Lehigh County, PA 18103)—household goods in use, between points in the Counties of Lehigh, Bucks, Mont-

gomery and the City and County of Philadelphia, and from points in said territory, to points in Pennsylvania, and vice versa.

**Application of the following for amendment to the certificate of public convenience 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-00106294, F. 4, Am-A. Blair Cab, Inc. t/a Pelton Limousine** (219 East Sixth Avenue, Altoona, Blair County, PA 16602)—discontinuance of service and cancellation of the certificate—persons, in limousine service, between points in the Counties of Blair and Cambria, and from points in said counties, to points in Pennsylvania, and return.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1416. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Telecommunications

**A-311037F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and Arch Wireless Operating Company, Inc.** Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and Arch Wireless Operating Company, Inc. for approval of a paging interconnection agreement under sections 251, 252 and/or 332 of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Arch Wireless Operating Company, Inc. by its counsel, filed on July 1, 2005, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of a paging interconnection agreement under sections 251, 252 and/or 332 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the joint petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of The United Telephone Company of Pennsylvania d/b/a Sprint and Arch Wireless Operating Company, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1417. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Telecommunications

**A-310782F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and IDT America, Corporation.** Joint petition for approval of a master interconnection, collocation and resale agreement between The United Telephone Company of Pennsylvania d/b/a Sprint and IDT America, Corporation under sections 251 and 252 of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and IDT America, Corporation, by its counsel, filed on July 6, 2005, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of a master interconnection, collocation and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of The United Telephone Company of Pennsylvania d/b/a Sprint and IDT America, Corporation's joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1418. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Telecommunications

**A-310870F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and Metrocall, Inc.** Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and Metrocall, Inc. for approval of a paging interconnection agreement under sections 251, 252 and/or 332 of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Metrocall, Inc., by its counsel, filed on July 1, 2005, at the Pennsylvania Public Utility Commission (Commission) a joint petition for approval of a paging interconnection agreement under sections 251, 252 and/or 332 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the joint petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of The United Telephone Company of Pennsylvania d/b/a Sprint and Metrocall, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 05-1419. Filed for public inspection July 22, 2005, 9:00 a.m.]

### Telecommunications

**A-311014F7001. Verizon North, Inc. and Armstrong Telecommunications, Inc.** Joint petition of Verizon North, Inc. and Armstrong Telecommunications, Inc. for approval of an interconnection agreement and amendment no. 1 under section 252 of the Telecommunications Act of 1996.

Verizon North, Inc. and Armstrong Telecommunications, Inc., by its counsel, filed on July 6, 2005, at the Pennsyl-





# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
PA Department of Community and Economic Development  
374 Forum Building  
Harrisburg, PA 17120  
800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services

Location: Harrisburg, Pa.

Duration: 12/1/93-12/30/93

Contact: Procurement Division  
787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:  
Vendor Services Section  
717-787-2199 or 717-787-4705

### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

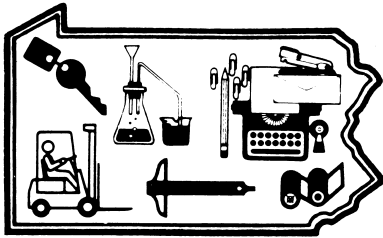
(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## DO BUSINESS WITH STATE AGENCIES

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. The bureau is, by law, the central repository for all state contracts over \$5,000. Contract Specialists can supply you with descriptions of contracts, names of previous bidders, pricing breakdowns and other information. They can also direct you to the appropriate person and agency looking for your product or service. Copies of state contracts are also available. (Duplicating and mailing costs may apply). For more information, visit us online at [www.patreaury.org](http://www.patreaury.org).

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania Treasury Department  
 201 Finance Building  
 Harrisburg, PA 17120  
 Phone: (717) 787-2990 or 1-800-252-4700  
 Fax: (717) 772-0977

ROBERT P. CASEY, Jr.,  
*State Treasurer*



### Commodities

**71105** This bid is for 315 ft. of 2 inch schedule 80 black pipe butt ends; 315 ft. of 4 inch of schedule 80 black pipe butt ends; 315 ft. of 2 inch ips x 2 inch thick foamglass insulation with pittwrap ss-1 jacketing; 315 ft of 4 inch ips x 2 thick foamglass insulation with pittwrap ss-1 jacketing. Any questions can be directed to the purchasing department at 610-740-3427.

**Department:** Public Welfare  
**Location:** Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498  
**Duration:** 5 days after bid awarded.  
**Contact:** Robert Mitchell, (610) 740-3425

**CN00015612** Grate Bars Keys, 3/4". 2C-4270-A. Vendors will need to be registered with the Commonwealth of Pennsylvania Central Vendor Master Unit in order to be awarded a bid. Vendors may register on-line at [www.vendorregistration.state.pa.us](http://www.vendorregistration.state.pa.us) or by calling the toll free number 1-866-775-2868. Bids may be requesting by fax to 570-587-7108. Please provide the following information when requesting bids: Name of Vendor, Address, Phone Number, Point of Contact (and their phone number) and Vendor Number. All Bids must arrive prior to the Bid opening date and time to be considered, and become property of the Commonwealth once submitted. Bid packages cannot be faxed.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** Aug. 15 - Oct. 15, 2005  
**Contact:** Barbara Masko, (570) 587-7292

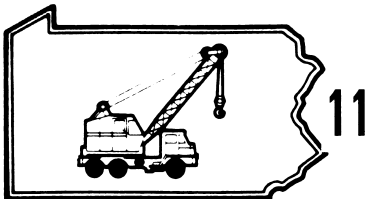
**CN00015619** Return Rail Key Assembly K-7-C2. Vendors will need to be registered with the Commonwealth of Pennsylvania Central Vendor Master Unit in order to be awarded a bid. Vendors may register on-line at [www.vendorregistration.state.pa.us](http://www.vendorregistration.state.pa.us) or by calling the toll free number 1-866-775-2868. Bids may be requested by sending a fax to 57-587-7108. Please provide the following information when requesting bids: Name of Vendor, Address, Phone Number, Point of Contact (and their phone number) and Vendor Number. All Bids must arrive prior to the Bid opening date and time to be considered, and become property of the Commonwealth once submitted. Bid Packages cannot be faxed.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** Aug. 15 - Sept. 30, 2005  
**Contact:** Barbara Masko, (570) 587-7292

**ADV-256** Indiana University of Pennsylvania (IUP), a member of the PA State System of Higher Education, is seeking bids for replacement parts only which will be used to overhaul Cooper-Bessemer Engine at the S. W. Jack Cogeneration Plant. Requests for copies of bid package should be made in writing referencing Advertisement #ADV-256 and directed to Mrs. Roxie M. Johnson, Purchasing Agent, IUP Purchasing Services, Robertshaw Building, 650 South 13th Street, Indiana, PA 15705-1087; Fax: 724.357.2670; Email: [Roxie.Johnson@iup.edu](mailto:Roxie.Johnson@iup.edu). Requests for bid package will be accepted until August 1, 2005, and bid packages will be mailed out shortly after this date. The university encourages responses from small and disadvantaged, minority, and women-owned firms.

**Department:** State System of Higher Education  
**Location:** Indiana University of Pennsylvania, Indiana, PA 15705  
**Contact:** Mrs. Roxie M. Johnson, (724) 357-3077

## SERVICES



### Demolition—Structural Only

**0088-A09** The Pennsylvania Department of Transportation will be accepting sealed bids for the sale and removal of both commercial and residential dwellings located along State Route 0088 (also known as Library Road) in the City of Pittsburgh and the Borough of Castle Shannon, Allegheny County. Contractors will be required to demolish or remove all structure(s), outbuildings, and site improvements. The contractor will also be required to comply with all Local, State, and FHWA regulations. For bid information, specifications, and further information, please contact Mr. Michael Sudar, District Property Manager at (412) 429-4830.

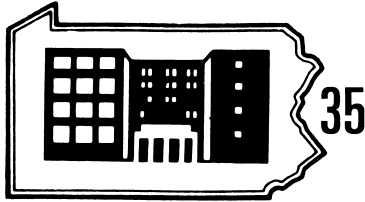
**Department:** Transportation  
**Location:** City of Pittsburgh and Borough of Castle Shannon  
**Duration:** 30 days from Notice to Proceed  
**Contact:** Demolition, (412) 429-4830

**0079-A23** The Pennsylvania Department of Transportation will be accepting sealed bids for the sale and removal of both commercial and residential dwellings located adjacent to State Route 0079 (along Brookside Drive) in the Township of Robinson, Allegheny County. Contractors will be required to demolish or remove all structure(s), outbuildings, and site improvements. The contractor will also be required to comply with all Local, State, and FHWA regulations. For bid information, specifications, and further information, please contact Mr. Michael Sudar, District Property Manager at (412) 429-4830.

**Department:** Transportation  
**Location:** Township of Robinson  
**Duration:** 30 days from Notice to Proceed  
**Contact:** Demolition, (412) 429-4830

**0065-A11** The Pennsylvania Department of Transportation will be accepting sealed bids for the sale and removal of both commercial and residential dwellings located along State Route 0065 (also known as Ohio River Boulevard) in the Borough of Avalon, Allegheny County. Contractors will be required to demolish or remove all structure(s), outbuildings, and site improvements. The contractor will also be required to comply with all Local, State, and FHWA regulations. For bid information, specifications, and further information, please contact Mr. Michael Sudar, District Property Manager at (412) 429-4830.

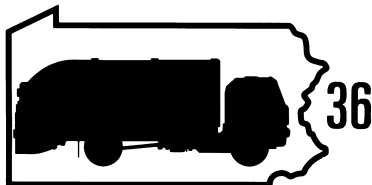
**Department:** Transportation  
**Location:** Borough of Avalon  
**Duration:** 30 days from Notice to Proceed  
**Contact:** Demolition, (412) 429-4830



### Real Estate Services

**93876** LEASE OFFICE SPACE TO THE COMMONWEALTH OF PA. Proposals are invited to provide the Department of Education with 1,953 useable square feet of office space in Philadelphia County, PA within the following boundaries: Broad Street West to 20th Street and Walnut Street North to Arch Street, Philadelphia, PA. Downtown locations will be considered. For more information on SFP #93876 which is due on August 15, 2005 visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) and click on Real Estate to download a SFP package or call (717) 787-0952.

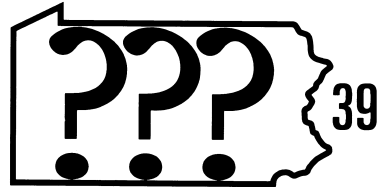
**Department:** Education  
**Location:** 505 North Office Building, Harrisburg, PA 17125  
**Contact:** Cynthia T. Lentz, (717) 787-0952



### Sanitation

**8919** Trash and rubbish removal services for the PA State Police, Skippack Station, for the period September 1, 2005 to June 30, 2008. Service to be rendered TWICE (2) a week for trash, ONCE (1) a month for cardboard, and TWICE (2) a month for recycling materials. Detailed Work Schedule & Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Troop K, Skippack Station, 2047C Bridge Road, Schwenksville, PA 19473, contact - Cpl. Robert Johnson, 610-584-1250, ext. 220  
**Duration:** 09/01/05 to 06/30/08  
**Contact:** Sandy Wolfe, (717) 705-5951



### Miscellaneous

**21stCCLC20052008** 21st Century Community Learning Centers (CCLC) Grant to Provide After School Programming Available. 21st CCLC grant funds are available to provide academic and cultural enhancement activities to students and their families when school is not in session (before school, after school, and/or during holidays or summer recess). The primary goal of these Centers is to assist students to meet state and local standards for core subjects, such as reading and mathematics, by providing students with academic enrichment opportunities. Any public or private organization may apply for 21st CCLC funding if it proposes to serve: 1. Students who primarily attend: a. schools eligible for schoolwide programs under [Title I] section 1114, or b. schools that serve a high percentage of students [at least 40 percent] from low-income families; and 2. The families of students described in item 1 above. Examples of agencies that are eligible to apply for these funds include, but are not limited to: local educational agencies (LEAs), non-profit community-based organizations (CBOs), Family Centers, city or county government agencies, faith-based organizations, higher education institutions, for-profit corporations and consortia of two or more of such agencies, organizations, or entities. It is mandated that eligible entities collaborate with LEAs when applying for funds. The 21st Century Community Learning Centers Request-for-Application (RFA) may be secured through these methods: Online at PDE's website: [www.pde.state.pa.us/21stcclc](http://www.pde.state.pa.us/21stcclc); Email Request: [mwoff@state.pa.us](mailto:mwoff@state.pa.us); Voice Telephone Request: (717) 783-6466; Text Telephone TTY: (717) 783-8445. Applications must be received at the Department, 333 Market Street, 5th floor; Harrisburg, PA 17126-0333; by 4 p.m. on August 12, 2005. A Pre-proposal conference to address technical questions regarding the application process and related state and federal requirements will be held on Tuesday, July 26, 2005 from 1:00 p.m. until 3:00 p.m. at Holiday Inn Harrisburg East; 4751 Lindle Road; Harrisburg, PA 17111. For driving directions call (717) 939-7841 or visit their website at: [www.hieast.com](http://www.hieast.com). Pre-registration is required by contacting Ms. Shileste Overton-Morris at: [smorris@csc.csiu.org](mailto:smorris@csc.csiu.org) or (717) 763-1661. Responses to questions asked at the pre-proposal conferences will be posted on [www.pde.state.pa.us/21stcclc](http://www.pde.state.pa.us/21stcclc) after the pre-proposal conference.

**Department:** Education  
**Duration:** 2005-2008  
**Contact:** Quibila Divine, 717-783-6466

[Pa.B. Doc. No. 05-1424. Filed for public inspection July 22, 2005, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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JAMES P. CREEDON.  
*Secretary*