

NOTICES

DEPARTMENT OF AGRICULTURE

Notice of Right-to-Know Procedures—Public Access to Information

TITLE: Notice of Right-to-Know Procedures—Public Access to Information

EFFECTIVE DATE: September 27, 2004. This notice supplants a December 26, 2002 notice on the same subject.

AUTHORITY: This notice is issued pursuant to the Right-to-Know Law, 65 P. S. §§ 66.1—66.9 and Pennsylvania Office of Administration Management Directive 205.36.

GENERAL REQUIREMENT: Persons requesting access to records kept by the Pennsylvania Department of Agriculture (PDA) pursuant to the Right-to-Know Law (RTKL) should follow the directions provided in this notice. PDA will follow the procedures described in this notice in responding to such requests.

PURPOSE: This notice modifies PDA's existing records management procedures to: (1) fulfill its obligations under Pennsylvania Right-to-Know Law (RTKL), as amended by Act 100 of 2002; and (2) comply with the requirement of Management Directive 205.36 that an agency such as PDA give appropriate notice of its RTKL policy.

APPLICABILITY: The provisions of this notice apply to all requests under the RTKL regarding any PDA records. These provisions apply to all recorded information, regardless of whether the information exists in written or electronic format.

DISCLAIMER: The provisions of this notice are intended to supplement existing requirements. Nothing in these provisions shall affect regulatory requirements. These provisions are not an adjudication or regulation. There is no intent on the part of PDA to give these provisions that weight or deference. This document establishes the framework within which PDA will exercise its administrative discretion in the future. PDA reserves the discretion to deviate from the provisions of this notice if circumstances warrant.

REQUESTING ACCESS TO RECORDS

PDA maintains thousands of records in its Harrisburg headquarters and 7 Regional Offices spread throughout the Commonwealth. It also retains records at several remote records storage facilities. It will help persons seeking access to records held by PDA to have an understanding of the difference between a "record" and a "public record." Definitions of these terms are as follows:

Public record. Any document that satisfies the general definition of "public record" set forth in the RTKL, that does not fall within any of the exceptions set forth therein. The general definition consists of two parts: (i) any account, voucher or contract dealing with the receipt or disbursement of funds by an agency or its acquisition, use or disposal of services or of supplies, materials, equipment or other property, and (ii) any minute, order or decision by an agency fixing the personal or property rights, privileges, immunities, duties or obligations of any person or group of persons. The statutory exemptions are

as follows: The term "public records" shall not mean any report, communication or other paper, the publication of which would disclose the institution, progress or result of an investigation undertaken by an agency in the performance of its official duties, except those reports filed by agencies pertaining to safety and health in industrial plants; it shall not include any record, document, material, exhibit, pleading, report, memorandum or other paper, access to or the publication of which is prohibited, restricted or forbidden by statute law or order or decree of court, or which would operate to the prejudice or impairment of a person's reputation or personal security, or which would result in the loss by the Commonwealth or any of its political subdivisions or commissions or State or municipal authorities of Federal funds, excepting therefrom however the record of any conviction for any criminal act.

Record. Any document maintained by an agency, in any form, whether public or not.

To help locate the appropriate records, the Department suggests the following:

1. Informal Requests for Access to Records.

The majority of requests for access to public records kept by PDA can be handled on an informal basis.

If a person seeks a copy of a statute, regulation, policy, or general information, a good starting point is the PDA website (www.agriculture.state.pa.us).

PDA regularly provides more types of records for public inspection than are required by the RTKL, and does not require that informal requests to view and copy records be submitted according to a particular procedure. If a person seeks access to a public record, a telephone request to the appropriate RTKL Liaison will—in most instances—result in the requested public record being photocopied and mailed or made available to the requester. PDA has at least two designated RTKL Liaisons at each of its regional offices, and within each bureau at its headquarters building, in Harrisburg. The names, addresses and telephone numbers of the RTKL Liaisons are listed below, in Appendices "A" and "B."

In many cases, a visit to PDA's website or a brief telephone call to the appropriate RTKL Liaison can help focus the records request and save time. Although PDA is not legally obligated to provide information through telephone calls or the PDA website, the agency appreciates that many RTKL requests can be resolved quickly and efficiently through this type of communication, and will try to be responsive to informal RTKL requests reaching PDA through these channels.

2. Formal Written Requests for Access to Records.

In order for a person seeking access to records to have the ability to enjoy the legal rights and remedies provided for in the RTKL, a request for access to records must be in writing, and must be received by the "Right-to-Know Law Coordinator." A request may not be oral, or offered anonymously. A request must, at a minimum, include: (1) the name of the requester; (2) a statement of whether the requester is a resident of the Commonwealth of Pennsylvania; (3) the address to which PDA should send its response; and (4) a clear identification or description of the records sought, with sufficient specificity to enable PDA to ascertain which records are being requested. PDA encourages (but does not require) the use of the Request

Form that appears below, in Appendix "C." Written requests for access to records may be delivered to the Right-to-Know Law Coordinator by mail, personal delivery or facsimile transmission (fax), but may not be delivered by e-mail.

If the written request is delivered by mail or personal delivery, it should be delivered to the following person:

Fred Wertz, Right-to-Know Law Coordinator
 Pennsylvania Department of Agriculture
 Bureau of Administrative Services
 2301 North Cameron Street
 Harrisburg, PA 17110-9408

If the written request is delivered by fax, it must be sent to the following:

Fred Wertz, Right-to-Know Law Coordinator
 (717) 772-2780

The business hours of PDA are from 8:00 a.m. to 4:00 p.m., from Monday through Friday, except those days when the offices of PDA are closed for all or part of a day due to a state holiday; pursuant to executive order; due to severe weather (such as a blizzard or ice storm); due to natural or other disaster; or due to the request or direction of local, state or federal law enforcement agencies or officials.

3. Schedule of Fees.

PDA is not required to provide a person with copies of requested records—only access to those records that are "public records" under the RTKL.

As referenced below, PDA will provide photocopies of public records without charge for copying or postage if the records comprise ten or fewer pages and can fit in a standard business envelope.

If PDA's fees for copying the records requested are more than \$100, the fees must be paid before PDA will make any copies. The most efficient method by which to make payment is by certified check or money order. Either of these payment methods will result in the prompt copying of the requested material. If payment is by standard check, though, PDA will wait until the check clears before making the requested copies. PDA will not accept cash payments.

a. Photocopies. One "photocopy" is either a single-sided copy or one side of a double-sided copy. For originals that are 11" x 17" or smaller, PDA does not charge for the first 10 photocopies and charges \$0.15 for each photocopy in excess of the first 10. For maps and other oversize documents, the charge is \$2.50 per photocopy or the actual cost to the PDA if the photocopying is not done by PDA.

b. Other materials. PDA charges the following for copying each of the following records: PC diskette—\$5.00; CD—\$7.00; microfilm or microfiche—\$3.00 for the first copy and \$1.50 for each additional copy; paper printouts from microfiche—\$0.50; aperture card—\$0.75.

c. Staff time & postage. PDA does not charge for first class postage if the copies fit in a standard business envelope. Otherwise, PDA charges for the cost of postage. There is no charge for staff time for locating records or preparing the records for review. PDA charges \$15.00 per hour for staff time for redacting records, for leaving a PDA office to accomplish off-premises copying, for traveling in order to retrieve records and for other tasks.

d. Certified copies. PDA charges \$8.00 per sealed impression for official certification of copies.

e. Copying not done at PDA offices. Requesters are prohibited from removing any records from any PDA office. The charges for copying that cannot be done at a PDA office, such as copying of videocassette tapes, is the actual charge to PDA for the copying, plus the \$15.00 per hour charge for PDA staff time.

f. Charges for retrieving off-site records. If a requester seeks access to records that have been sent to off-site locations, the charge is the cost of transporting those records to and from the PDA office, including the \$15.00 per hour charge for PDA staff time. PDA will provide the requester an estimate of these charges before retrieving the records.

g. Charges for special copying. The above list is not exhaustive. PDA retains the discretion to impose reasonable charges for copying or record retrieval not described above.

4. Exceptions: Challenging a Full or Partial Denial (or Deemed Denial) of Access to Public Records.

PDA may deny access to a public record in several ways. In summary, denial may be in the form of a letter denying—in whole or in part—a written request for access, or may be a "deemed denial" if PDA does not respond to a written request for access within the time frames prescribed by the RTKL. In either event, the requester has the right to file "exceptions" challenging PDA's denial.

It will help persons seeking to challenge a denial of access to records held by PDA to have an understanding of the following terms:

Business day. Any Monday, Tuesday, Wednesday, Thursday or Friday, except those days when the offices of PDA are closed for all or part of a day due to a state holiday; pursuant to executive order; due to severe weather (such as a blizzard or ice storm); due to natural or other disaster; or due to the request or direction of local, state or federal law enforcement agencies or officials.

Exceptions. A written administrative appeal filed with an agency by a requester challenging the agency's denial or deemed denial of the requester's RTKL request.

Exceptionor. A person who files exceptions to a full or partial denial of a request for access to records by PDA.

RTKL Exceptions Official. Any official or employee designated by the agency head to consider exceptions, conduct hearings, as appropriate, and issue final determinations resolving those exceptions.

RTKL Exceptions Unit. The office designated by the agency head to receive and docket exceptions filed by requesters

a. Time within which Exceptions must be filed. A person who seeks to file exceptions to PDA's full or partial denial of a request for access to records must do so within 15 business days of the mailing date of PDA's written denial, or within 15 days of the date the request is deemed denied.

b. Format and content of Exceptions. Exceptions must be in writing, and must state the basis for the requester's position that the record with respect to which access has been denied is a public record. Exceptions should address the reasons stated by PDA for denying the request, unless the request was deemed denied. Exceptions may (but need not) contain a request for a hearing before the RTKL Exceptions Official.

c. Submitting Exceptions to the RTKL Exceptions Office. Written exceptions may be submitted to the RTKL Exceptions Office by: (1) regular U.S. mail (in which case the mailing date shall be the date of the postmark on the envelope or, if the postmark is illegible, the date immediately preceding the date upon which the RTKL Exceptions Office receives the exceptions, and the mailing date shall be considered the filing date); or (2) by personal delivery, facsimile transmission, parcel delivery service courier service or similar means of delivery (in which case the filing date shall be the date the exceptions are received at the RTKL Exceptions Office). Exceptions may not be submitted by e-mail. Exceptions should be delivered to the following person:

Marilyn Heck, Right-to-Know Law Exceptions Official
 Pennsylvania Department of Agriculture
 Bureau of Administrative Services
 2301 North Cameron Street
 Harrisburg, PA 17110-9408

If the written request is delivered by fax, it must be sent to the following:

Marilyn Heck, Right-to-Know Law Exceptions Official
 (717) 772-2780

d. Procedure for Resolving Exceptions. Unless otherwise agreed to by PDA, the Exceptor and the RTKL Exceptions Official, the following procedures shall apply:

- Within 7 business days after the filing of the exceptions, PDA may submit to the RTKL Exceptions Official a written response to the exceptions.
- If the RTKL Exceptions Official decides to conduct an administrative hearing, the Exceptor will be notified of the date, time, and place. The RTKL Exceptions Official may condition having an administrative hearing on the Exceptor's agreement to a final determination more than 30 days after the exceptions were mailed.
- The RTKL Exceptions Official may: (1) require that each party, in advance of the administrative hearing, provide a list of witnesses and exhibits to the opposing party and the RTKL Exceptions Official; and (2)

at the subsequent administrative hearing, limit the witnesses and exhibits to only those identified on the list.

- Unless otherwise determined by the RTKL Exceptions Official, the administrative hearing will be conducted during a single business day. The RTKL Exceptions Official may limit the time within which each party must present its witnesses and exhibits. The Exceptor will present evidence first.
- Testimony of witnesses at an administrative hearing will be under oath and recorded by a court reporter.
- If an administrative hearing is held, the strict rules of evidence will not be applied. The RTKL Exceptions Official may admit into evidence testimony and exhibits that are reasonably probative and relevant. Any brief or legal argument must be presented at or before the hearing.
- The General Rules of Administrative Practice and Procedure will not apply. The RTKL Exceptions Official shall rule on procedural matters regarding the exceptions on the basis of justice, fairness, and expeditious resolution.
- The RTKL Exceptions Official may designate another person to conduct hearings or otherwise assist the Exceptions Official.

e. Review of Exceptions. The RTKL Exceptions Official may—but need not—convene a hearing on the exceptions. The decision as to whether to convene a hearing is not appealable. The RTKL Exceptions Official must issue a written “final determination” by mailing it to the requester within 30 days of the mailing date of the exceptions (or the filing date, if the exceptions are delivered to the RTKL Exceptions Official by means other than by regular U. S. mail), unless this time period is waived by the Exceptor. If the final determination denies the request for access to records, it will contain a written explanation of the reasons for denial. A final determination may be appealed to the Commonwealth Court, in accordance with the Right-to-Know Law.

DENNIS C WOLFF,
Secretary

APPENDIX “A”

List of Right-to-Know Law Liaisons at PDA Regional Offices

OFFICE	COUNTIES COVERED	TELEPHONE NUMBER	RIGHT-TO-KNOW LAW LIAISON AND ALTERNATE
PDA Region I Office 13410 Dunham Road Meadville, PA 16335	Clarion, Crawford, Elk, Erie, Forest, Jefferson, McKean, Mercer, Venango and Warren	(814) 332-6890	Paula Sleptzoff
PDA Region II Office 542 County Farm Road Suite #102 Montoursville, PA 17754	Cameron, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Tioga and Union	(570) 433-2640	Sherri Holtzman, Margaret (Peggy) Bird
PDA Region III Office Rt. 92 South, P. O. Box C Tunkhannock, PA 18657	Bradford, Carbon, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne and Wyoming	(570) 836-2181	Ann Morgan, Joan Sott

OFFICE	COUNTIES COVERED	TELEPHONE NUMBER	RIGHT-TO-KNOW LAW LIAISON AND ALTERNATE
PDA Region IV Office 6 McIntyre Rd. Gibsonia, PA 15044	Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Washington and Westmoreland	(724) 443-1585	Irene Corvi, Marilyn Rebholz
PDA Region V Office 1307 7th Street Cricket Field Plaza Altoona, PA 16601	Bedford, Blair, Cambria, Clearfield, Centre, Fulton, Huntingdon, Juniata, Mifflin and Somerset	(814) 946-7315	Michael Marino, Patricia Winters
PDA Region VI Office State Farm Show Complex 1030 Maclay Street Harrisburg, PA 17110	Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York	(717) 346-3223	Tom Oyler, Sally Seeley
PDA Region VII Office Route 113, P. O. Box 300 Creamery, PA 19430	Berks, Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton, Philadelphia and Schuylkill	(610) 489-1003	Phyliss Starr, Larry Sidorowicz

Appendix "B"

List of Right-to-Know Law Liaisons at PDA Bureaus, Commissions and Offices

Bureaus:

Office Name	Right-to-Know Law Liaison and Alternate	Telephone Number
Bureau of Administrative Services	Marilyn Heck, Fred Wertz	(717) 787-4854
Bureau of Animal Health and Diagnostic Services	Dr. Jeanine Staller, Joyce McLaughlin, Sue Berkheimer	(717) 772-2852
Bureau of Dog Law Enforcement	Mary Bender, Rick Burd	(717) 787-4833
Bureau of Farm Show	Norine Bahnweg, Chris Seiple	(717) 787-5373
Bureau of Farmland Preservation	Maggie Hanshue, Clara Roy	(717) 783-3167
Bureau of Food Distribution	Nancy Derr, Sandy Hopple	(717) 787-2387
Bureau of Food Safety and Laboratory Services	Lenchen Radle, Norma Burrs	(717) 787-4315
Bureau of Market Development	Shawn Fair, Stacy Rakocy	(717) 783-1450 (717) 783-3181
Bureau of Plant Industry	Joe Uram John Breitsman	(717) 772-5212 (717) 772-5215
Bureau of Ride and Measurement Standards	Sheila Strubhar, Kenneth Deitzler	(717) 787-9089

Other Offices:

Press Office	Kristina Watson	(717) 787-5085
Equine Toxicology and Research Laboratory	Mark Kaher	(610) 436-3501
Hardwoods Development Council	Keith Craig, D. Wayne Bender	(717) 772-3715

Commissions:

State Harness Racing Commission	Anton Lepler, Fonda Civitello	(717) 787-5196
State Horse Racing Commission	Dan Tufano, Sara Freed	(717) 787-1942

The mailing address of each Bureau, office or commission listed above is as follows:

(Name of Bureau, Office or Commission)
ATTN: (Name of Right-to-Know Law Liaison)
Pennsylvania Department of Agriculture
2301 North Cameron Street
Harrisburg, PA 17110-9408

Official Use Only—RTKL
Request tracking Number

Official Use Only—
Date Stamp

Pennsylvania Department of Agriculture
Right-to-Know Law Coordinator
Bureau of Administrative Services
2301 North Cameron Street
Harrisburg, PA 17110-9408

PDA Right-To-Know Law Record Request Form

Name of Requester: _____
(Please print) Last First MI

Signature: _____ Date: _____

Mailing Address: _____
Street/P. O. Box
City State Zip Code

Telephone Number: _____ Fax Number: _____
Optional Optional

Is the requester a resident of the Commonwealth of Pennsylvania? (Check one) Yes _____ No _____

If "yes," provide the address of the resident, if different from the Mailing Address provided above: _____

Please identify each of the documents that is subject to this request. You must identify these documents with sufficient specificity so we may ascertain whether we have these documents and how to locate them.

Please check one of the following:

- ____ I am only requesting access to the documents identified above.
- ____ I am only requesting a copy of the documents identified above.
- ____ I am requesting access to the documents identified above and a copy of those documents.

If you are requesting a copy of the documents identified above, please check one of the following:

- ____ I want a paper copy of the documents.
- ____ I want a computer-readable copy of the documents, if available in that format (e. g., diskette or compact disk).
- ____ Other (please specify): _____

[Pa.B. Doc. No. 04-1856. Filed for public inspection October 8, 2004, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 28, 2004.

BANKING INSTITUTIONS

Mutual Holding Company Reorganization

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-24-04	Prudential Savings Bank Philadelphia Philadelphia County	Philadelphia	Filed

Application represents reorganization into a mutual holding company to be known as Prudential Mutual Holding Company.

Holding Company Acquisition

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
9-27-04	Leesport Financial Corp., Wyomissing, to acquire 100% of the voting shares of Madison Bancshares Group, Ltd., Blue Bell	Wyomissing	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-27-04	Leesport Bank, Wyomissing, and The Madison Bank, Blue Bell Surviving Institution— Leesport Bank, Wyomissing	Wyomissing	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-22-04	Mid Penn Bank Millersburg Dauphin County	5500 Allentown Boulevard Harrisburg Dauphin County	Approved
9-22-04	Mid Penn Bank Millersburg Dauphin County	17 North Second Street Harrisburg Dauphin County	Approved
9-22-04	Integrity Bank Camp Hill Cumberland County	One Marketway South York York County	Approved
9-22-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 3701 State Route 88 Finleyville Washington County	Approved
9-22-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 1700 New Butler Road New Castle Lawrence County	Approved
9-22-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 3230 Wilmington Road New Castle Lawrence County	Approved
9-22-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 223 Grove City Road Slippery Rock Butler County	Approved
9-22-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	205 Lancaster Avenue Devon Chester County	Approved

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<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-22-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Spring House Village Plaza Bethlehem Pike Spring House Montgomery County	Approved
9-23-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Audubon Acme 110 Black Horse Pike Audubon Camden County, NJ	Filed
9-23-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Moorestown Acme 350 Young Avenue Moorestown Burlington County, NJ	Filed
9-23-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Washington Township Acme 415 Egg Harbor Road Sewell Washington Township Gloucester County, NJ	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-20-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 2801 East Carson Street Pittsburgh Allegheny County <i>From:</i> 1401 Carson Street Pittsburgh Allegheny County	Effective
9-22-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 12 Chestnut Road Paoli Chester County <i>From:</i> 10 East Lancaster Avenue Paoli Chester County	Approved
9-22-04	S & T Bank Indiana Indiana County	<i>To:</i> 12900 Frankstown Road Pittsburgh Allegheny County <i>From:</i> 12262 Frankstown Road Pittsburgh Allegheny County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
9-21-04	Belco Community Credit Union, Harrisburg, and WellSpan Federal Credit Union, York Surviving Institution— Belco Community Credit Union, Harrisburg	Harrisburg	Withdrawn

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-1857. Filed for public inspection October 8, 2004, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0057797	Philip and Lisa Barday 1502 Hilltown Pike Hilltown, PA 18927	Bucks County Hilltown Township	UNT to Neshaminy Creek	Y
PA0053201	Roy Ann Diner 1318 Route 309 Sellersville, PA 1896	Bucks County West Rockhill Township	Three Mile Run	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0087106	Freedom Valley Worship Center 3185 York Road Gettysburg, PA 17325	Adams County Straban Township	UNT to Swift Run 7-F	Y
PA0087955	Cassville Water & Sewer Authority P. O. Box 48 Cassville, PA 16623	Huntingdon County Cass Township	UNT Little Trough Creek 11-D	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0100200	Reynolds Disposal Company 301 Arlington Drive Greenville, PA 16125-8214	Pymatuning Township Mercer County	Unnamed tributary to Shenango River 20-A	Y
PA0102547	Oak Springs Mobile Home Part, Inc. P. O. Box 9122 Cranberry Township, PA 16066-0035	Cranberry Township Butler County	Unnamed tributary to Brush Creek 20-C	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.

PA0243949, Sewage, SIC 3272—3274, **Landis Block and Concrete Company, Inc.**, County Line Road and Chestnut Street, Telford, PA 18969. This facility is in Hilltown Township, **Bucks County**.

Description of Proposed Activity: The facility manufactures concrete products and conducts mixing operations for ready-mix cement products. There are three outfalls associated with this facility. Outfalls S01 and S02 discharge stormwater runoff from the manufacturing operations areas to an unnamed tributary to Mill Creek and Outfall S03 discharges stormwater from the office and front parking lot area to the municipal separate storm sewer, which ultimately discharges to Skippack Creek.

The receiving stream, Mill Creek, is in the State Water Plan watershed 3E (Perkiomen) and classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Philadelphia Suburban Water Company is on the Perkiomen Creek, approximately 25 miles below the point of discharge.

The proposed effluent limits for Outfalls S01 and S02 are based on average event stormwater runoff:

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	50	100	100	
Oil and Grease	Monitor and Report			
pH	between 6.0 and 9.0 at all times			

In addition to the effluent limits, the permit contains the following major special conditions: discharge is to a dry swale and shall not create a health hazard or nuisance; Maintain Best Management Practices; and monitor stormwater discharge once per 6 months.

PA0050075, Sewage, SIC 4952, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is in Willistown Township, **Chester County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated sewage from the Willistown Woods STP.

The receiving stream, unnamed tributary to Hunters Run, is in the State Water Plan watershed 3G and classified for HQ-TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Media Borough Water Filtration Plant is on Ridley Creek, 9.6 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.175 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	12		8.5	17
(11-1 to 4-30)	18		12	24
TSS	25		17	34
NH ₃ as N				

NOTICES

Parameter	Mass (lb/day)		Concentration (mg/l)
	Average Monthly	Average Monthly	Instantaneous Maximum (mg/l)
(5-1 to 10-31)	1.3	0.9	1.8
(11-1 to 4-30)	3.6	2.5	5.0
Phosphorus as P	1.5	1.0	2.0
TRC		0.05	0.12
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 6.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

In addition to the effluent limits, the permit contains the following major special conditions: operator notification; remedial measures if unsatisfactory effluent; no stormwater; acquire necessary property rights; change of ownership; chlorine minimization; proper sludge disposal; watershed/TMDL reopener; I-Max limits; and laboratory certification.

PA0043818, Industrial Waste, **G. R. O. W. S. Landfill, A Division of Waste Management Disposal Services of Pennsylvania, Inc.**, 1121 Bordentown Road, Morrisville, PA 19067. This application is for renewal of an NPDES permit to discharge treated landfill leachate wastewater and stormwater from the G. R. O. W. S. Landfill IWWTP in Falls Township, **Bucks County**. This is an existing discharge to Delaware River (Zone 2).

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.1 mgd are as follows:

Parameter	Average Annual (mg/l)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
BOD ₅		53	106	132.5
BOD ₅ % Removal		95% removal per DRBC requirements		
Total Suspended Solids		30	60	75
Total Dissolved Solids		10,000	20,000	25,000
Oil and Grease		15	30	30
Fecal Coliform		200 colonies/100 ml as a geometric average		
pH		within limits of 6.0—9.0 standard units at all times		
Temperature				Monitor and Report
Ammonia (as N)		35	70	87.500
CBOD ₂₀		62 (lbs/day)	124 (lbs/day)	
True Color (Pt-Co)				1,500
Nitrate-Nitrite (as N)		Monitor and Report	Monitor and Report	
Total Organic Nitrogen		Monitor and Report	Monitor and Report	
Total Residual Chlorine		0.5	1.0	1.2
Antimony, Total		0.450	0.900	1.130
Arsenic, Total		0.050	0.100	0.125
Beryllium		0.005	0.010	0.0125
Boron		5.640	10.500	14.100
Chromium, Hex.		Monitor and Report	Monitor and Report	
Chromium, Total		0.050	0.100	0.125
Cadmium, Total		0.005	0.010	0.0125
Aluminum, Total		0.275	0.550	0.680
Cobalt, Total		0.050	0.100	0.125
Iron, Total		2.500	5.000	6.300
Barium		0.100	0.200	0.250
Mercury		0.0019	0.0038	0.0047
Nickel		0.300	0.600	0.750
Silver		Monitor and Report	Monitor and Report	
Cyanide, Total		0.100	0.200	0.250
Vanadium		Monitor and Report	Monitor and Report	
Phenol		0.050	0.100	0.125
Phenols, Total		0.270	0.540	0.680
Thallium		0.100	0.200	0.250
Copper, Total		0.050	0.100	0.125
Lead, Total		0.036	0.072	0.090
Manganese		1.000	2.000	2.500
Zinc, Total		0.300	0.600	0.750
Bromoform	0.540			6.480
Total Halomethanes	0.027			0.324
Chloroform		0.010	0.020	0.025
Chloromethane		0.100	0.200	0.250
Methylene Chloride		0.100	0.200	0.250
Toluene		0.050	0.100	0.125
Butyl Benzyl Phthalate		0.010	0.020	0.025

<i>Parameter</i>	<i>Average Annual (mg/l)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
2-Chloronaphthalene		0.010	0.020	0.025
Diethyl Phthalate		0.025	0.050	0.063
Lindane		0.010	0.020	0.025
Isophorone		0.050	0.100	0.125
Acetone		0.109	0.218	0.273
2-Butanone		0.210	0.420	0.525
1,2,3-Trichloropropane		0.100	0.200	0.250
Xylene		0.010	0.020	0.025
1-Propanol		0.550	1.100	1.350
2-Propanol		0.540	1.100	1.350
4,4-DDT		0.00004	0.00008	0.0001
Tetrahydrofuran		0.025	0.050	0.063
P-cresol		0.050	0.100	0.125
2-Hexanone		0.015	0.030	0.037
4-Methyl-2-Pentanone		0.015	0.030	0.037
Dibromomethane		0.010	0.020	0.025
1,1,1-Trichloroethane		0.100	0.200	0.250
1-2,Trans Dichloroethylene		0.030	0.060	0.075
Benzene		0.050	0.100	0.125
1-1 Dichloroethane		0.090	0.180	0.230
Chlorobenzene		0.050	0.100	0.125
Di-N-Butyl Phthalate		0.830	1.660	2.080
Pentachlorophenol		Monitor and Report	Monitor and Report	
1-2, Dichloroethane		Monitor and Report	Monitor and Report	
Tetrachloroethylene		Monitor and Report	Monitor and Report	
Trichloroethylene		Monitor and Report	Monitor and Report	
Toxicity (TUc)			Monitor and Report	
PCBs Total			Monitor and Report	

The proposed effluent limits for Outfalls 003, 004, 006 and 009—012 (stormwater) are as follows:

<i>Parameter</i>	<i>Average Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	Monitor and Report	Monitor and Report
TSS	Monitor and Report	Monitor and Report
Oil and Grease	Monitor and Report	Monitor and Report
pH	Monitor and Report	Monitor and Report
Lead (Total)	Monitor and Report	Monitor and Report
Total Organic Carbon	Monitor and Report	Monitor and Report
Chromium (Total)	Monitor and Report	Monitor and Report
Barium (Total)	Monitor and Report	Monitor and Report
Cadmium (Total)	Monitor and Report	Monitor and Report
Mercury (Total)	Monitor and Report	Monitor and Report
Selenium (Total)	Monitor and Report	Monitor and Report
Ammonia	Monitor and Report	Monitor and Report
Arsenic (Total)	Monitor and Report	Monitor and Report
Cyanide (Total)	Monitor and Report	Monitor and Report
Nitrate plus Nitrite Nitrogen	Monitor and Report	Monitor and Report
Iron (Dissolved)	Monitor and Report	Monitor and Report
Magnesium (Dissolved)	Monitor and Report	Monitor and Report

The EPA waiver is in effect.

Other Requirements: effective disinfection; remedial measure; right to modify the permit; BOD₅ % removal; specified test methods; ownership test methods; effluent chlorine minimization; proper sludge disposal; definition—annual average; TMDL—WLA data requirements; toxicity-chronic monitoring; inst. maximum sampling requirement; twice per month sampling requirements; stormwater outfalls requirements; TRC/TTHM monitoring requirements; definitions—total halomethanes; grab sampling requirements; monitoring of untreated leachate quality and quantity; control of stormwater runoff; management of leachate discharge rate; removal of 100% pollutant loading from nonhazardous waste stream outside DRBC area; DRBC pollutant loading and recordkeeping requirements; permit reopener clause; and PCBs minimization plan.

PA0057819, Sewage, SIC 4952, **New Hanover Township Authority**, 2943 North Charlotte Street, Gilbertsville, PA 19525-9718. This proposed facility is in New Hanover Township, **Montgomery County**.

Description of Proposed Activity: Discharge of treated sewage from New Hanover Township Authority's sewage treatment plant.

The receiving stream, Swamp Creek, is in the State Water Plan, Watershed 3E Perkiomen Creek Basin and classified for TSF. The nearest downstream public water supply intake for the Philadelphia Suburban Water Company is on the Perkiomen Creek at RMI 0.98, 16.67 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.825 million gallons per day.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	40		50
Total Suspended Solids	30	45		60
NH ₃ -N				
(5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	12.0			24.0
Phosphorous as P				
(4-1 to 10-31)	2.0			4.0
Dissolved Oxygen	5.0 minimum			
Fecal Coliform	200 # Col/100 ml			
pH (STD)	6.0 minimum			9.0

In addition to the effluent limits, the permit contains the following major special conditions: remedial measures; no stormwater; sewage sludge disposal; TMDL/WLA analysis; laboratory certification; and operations and maintenance plan.

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

PA0064351, Industrial, **Keystone Potato Products, LLC**, P. O. Box 27, Hegins, PA 17938-0027. This proposed facility is in Frailey Township, **Schuylkill County**.

Description of Proposed Activity: Application for NPDES permit to discharge industrial waste from a potato dehydration facility.

The receiving stream, Middle Creek, is in the State Water Plan watershed no. 7D and classified for CWF. The nearest downstream public water supply intake for the Pennsylvania American Water Company is on the Swatara Creek, approximately 30 miles below the point of discharge.

The proposed effluent limits for Outfall 301 based on a batch discharge design flow rate of 1.035 MGD. The design flow is 0.142 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
BOD ₅	68	136	7.8	15.7
Total Suspended Solids	220	440	25	50
Total Dissolved Solids			526	796
pH	6 to 9 at all times			
Dissolved Oxygen	minimum 5.0 at all times			
Total Iron	Monitor and Report			

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

PA0007625, SIC Codes 3949, 3944 and 3089, Industrial Waste, **Hedstrom Corporation**, P. O. Box 432, Bedford, PA 15522-0432. This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Raystown Branch Juniata River in Bedford Township, **Bedford County**.

The receiving stream is classified for TSF, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Saxton Municipal Water Authority on the Raystown Branch Juniata River, approximately 49 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.050 MGD are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
pH		from 6.0 to 9.0 inclusive	
Total Suspended Solids	30	60	75
CBOD		Monitor and Report	
COD		Monitor and Report	
Oil and Grease	15		30
Total Cadmium	0.14	0.29	0.37
Total Chromium	1.71	2.77	3.46
Total Copper	0.46	0.92	1.15
Total Lead	0.43	0.86	1.07
Total Nickel	2.38	4.76	5.95
Total Silver	0.13	0.27	0.34
Total Zinc	1.48	2.96	3.70

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Cyanide	0.65	1.2	1.6
Total Toxic Organics		2.13	

The proposed effluent limits for Outfall 002 for a design flow of 0.020 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		from 6.0 to 9.0 inclusive	
Temperature		Monitor and Report	

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

The EPA waiver is in effect.

PA0051781, Industrial Waste, SIC Code 4941, **Reading Area Water Authority**, 815 Washington Street, Reading, PA 19601. This facility is in Ontelaunee Township, **Berks County**.

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

The receiving stream, Maiden Creek, is in Watershed 3-C and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is the Pottstown Borough on the Schuylkill River, approximately 30 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 3.0 MGD are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	750	1,500	30	60	75
pH				6.0 to 9.0 at all times	
Total Residual Chlorine			0.134	0.439	
Total Aluminum	100	200	4.0	8.0	10
Total Manganese	25	50	1.0	2.0	2.5
Total Iron	50	100	2.0	4.0	5.0

The proposed effluent limits for Outfall 002 based on a design flow of 0.26 MGD are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	65	130	30	60	75
pH				6.0 to 9.0 at all times	
Total Residual Chlorine			0.134	0.439	
Total Aluminum	8.67	17	4.0	8.0	10
Total Manganese	2.17	2.34	1.0	2.0	2.5
Total Iron	2.34	8.68	2.0	4.0	5.0

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

The EPA waiver is in effect.

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

PA0252701, Industrial Waste, SIC, 4922, **Dominion Transmission, Inc.**, 1201 Pitt Street, Pittsburgh, PA 15221. This application is for issuance of an NPDES permit to discharge groundwater from the South Bend Compressor Station in South Bend Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Crooked Creek, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Buffalo Township Municipal Authority at Freeport, 29.4 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.0025 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TSS			35		70
Iron			3.5		7.0

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Manganese			2.0		4.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0035882, Sewage, **S-2 Properties**, P. O. Box 24509, Pittsburgh, PA 15234. This application is for renewal of an NPDES permit to discharge treated sewage from the Placid Manor Mobile Home Park STP in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Little Sewickley Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority, McKeesport Plant, on the Youghiogheny River.

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.6			5.2
(11-1 to 4-30)	5.0			10.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.06			0.15
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0094617, Sewage, **Lawrence and Robbie Rose, Robbie Coal & Fuel, Inc.**, 1159 University Drive, Dunbar, PA 15431. This application is for renewal of an NPDES permit to discharge treated sewage from the Robbie Mobile Home Park STP in Georges Township, **Fayette County**.

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

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen (5-1 to 10-31)	4.0			8.0
(11-1 to 4-30)	6.0			12.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.07			0.15
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0218308, Sewage, **Outside In School of Experiential Education**, R. R. 1, Box 293, Bolivar, PA 15923. This application is for renewal of an NPDES permit to discharge treated sewage from the Outside In School of Experiential Education STP in Fairfield Township, **Westmoreland County**.

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

Outfall 001: existing discharge, design flow of 0.0045 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	6.5			13.0
(11-1 to 4-30)	19.5			39.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 as a geometric mean			
Total Residual Chlorine	1.0			2.5
Dissolved Oxygen	not less than 4.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0024571, Sewage, **Cranberry Township, Brush Creek WPCF**, 2525 Rochester Road, Suite 400, Cranberry, PA 16066-6499. This proposed facility is in Cranberry Township, **Butler County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Beaver Falls Municipal Authority—Eastvale Plant intake on the Beaver River at Eastvale, approximately 27 miles below point of discharge.

The receiving streams, Brush Creek (Outfalls 001 and 005) and UNT—Brush Creek (Outfalls 002—004), are in watershed 20-C and classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.5 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 (MGD)	XX	XX			
CBOD ₅					
(5-1 to 10-31)	375	563	10	15	20
(11-1 to 4-30)	751	1,126	20	30	40
Total Suspended Solids	1,126	1,689	30	45	60
NH ₃ -N					
(5-1 to 10-31)	75.1		2		4
(11-1 to 4-30)	188		5		10
Fecal Coliform					
(5-1 to 9-30)	200/100 ml as a geometric average				
(10-1 to 4-30)	2,200/100ml as a geometric average				
Total Residual Chlorine			0.18		0.59
Dissolved Oxygen	minimum of 5 mg/l at all times				
Phosphorus as "P"	75.1		2		4
pH	6.0 to 9.0 standard units at all times				

The proposed effluent limits for Outfalls 002—004 are based on a design flow of n/a 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 (MGD)	XX				

This discharge shall comply with the effluent limitations as required for Outfall 001.

The proposed effluent limits for Outfall 005 are based on a design flow of n/a MGD.

Parameter	Loadings			Concentrations	
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
	The discharge shall consist of uncontaminated stormwater runoff from the treatment plant site.				

XX—Monitor and report on monthly DMRs.

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)

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

WQM Permit No. 3601405 Amendment 04-2, Sewerage, **Black Rock Retreat Association**, 1345 Kirkwood Pike, Quarryville, PA 17566. This proposed facility is in Colerain Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for medications to the wastewater treatment facility.

WQM Permit No. 2186430 Amendment 04-1, Sewerage, **Nelson Mobile Home Park**, 16 Betty Nelson Court, Lot 8, Carlisle, PA 17013. This proposed facility is in Lower Franklin Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization for the installation of a tertiary filter.

WQM Permit No. 3604203, CAFO, **Ron Kreider, Kreider Farms**, 1461 Lancaster Road, Manheim, PA 17545. This proposed facility is in Penn Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the installation of two HDPE liners in existing earthen manure lagoons.

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

WQM Permit No. 6504203, Industrial Waste, **Elliott Turbomachinery Company Inc.**, 901 North Fourth Street, Jeannette, PA 15644-0800. This proposed facility is in Jeannette City, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of an industrial wastewater treatment facility to serve the Elliott Turbomachinery Co.

WQM Permit No. 0304401, Sewerage, **Kittanning Borough Municipal Authority**, 300 South McKean Street, Kittanning, PA 16201. This proposed facility is in Kittanning Borough, **Armstrong County**.

Description of Proposed Action/Activity: Application for the construction and operation of a Phase I sewer separation to serve Kittanning Borough.

WQM Permit No. 6572410-A2, Sewerage, **Western Westmoreland Municipal Authority**, 12441 Route 993, North Huntingdon, PA 15642. This proposed facility is in North Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for proposed improvements at the Authority's Brush Creek Wastewater Treatment Plant.

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

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

NPDES Permit

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010904015	Gorski Engineering Pulse Technologies Development 1 Iron Bridge Drive Collegeville, PA 19426-2042	Bucks	Milford Township	Unnamed tributary Molasses Creek HQ

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

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

NPDES Permit

<i>No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024504023	Abeel Street Partners 5097 Milford Rd. E. Stroudsburg, PA 18301	Monroe	Middle Smithfield Township	Marshalls Creek HQ-CWF
PAI024504024	Pocono Mountain School District P. O. Box 200 Swiftwater, PA 18370	Monroe	Paradise Township	Swiftwater Creek HQ-CWF
PAI024504025	Department of Transportation Engineering District 5-0 1713 Lehigh St. Allentown, PA 18103	Monroe	Tobyhanna and Kidder Townships	Tunkhannock Creek HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024504026	Shawnee Tabernacle Church 16 Carriage Square Tobyhanna, PA 18466	Monroe	Coolbaugh Township	Devils Hole Creek EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804034	William Eisel Intermediate Unit 20 6 Danforth Drive Easton, PA 18045-7899	Northampton	Bushkill Township	Bushkill Creek HQ-CWF
PAI024804035	Moravian College Attn: Kimberly Sherr 1200 Main St. Bethlehem, PA 18018	Northampton	City of Bethlehem	Monocacy Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q180-R	Kidspace Corporation 4085 Independence Dr. Schnecksville, PA 18078	Lehigh	North Whitehall Township	UNT to Jordan Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033604001	Black Rock Retreat Association 1345 Kirkwood Pike Quarryville, PA 17566	Lancaster	Colerain Township	West Branch Octoraro Creek HG-CWF, MF
PAI035004001	Department of Transportation Engineering District 8-0 Saville Stockpile Yard 2140 Herr Street Harrisburg, PA 17103	Perry	Saville Township	UNT to Buffalo Creek HQ-CWF

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

Potter County Conservation District: 107 Market St., Coudersport, PA, (814) 274-0396.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS105509-1	Department of Conservation and Natural Resources Bureau of State Parks P. O. Box 8451 Harrisburg, PA 17105	Potter	West Branch Township	Lyman Run HQ-CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

PUBLIC WATER SUPPLY (PWS) PERMIT

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final 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 determi-

nation 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., Public Water Supply.

Applicant	Rivers Edge Mobile Home Park
Township or Borough	Lower Mt. Bethel Township
County	Northampton
Responsible Official	Arlene Tishuk, Owner 2129 Riverton Road Bangor, PA 18013 (610) 498-2131
Type of Facility	Community Water System
Consulting Engineer	Brian D. Swanson, P. E. Swanson Engineering, PC 435 Green Ridge Street Scranton, PA 18509 (570) 558-2727
Application Received Date	September 17, 2004
Description of Action	Application for construction of a replacement well.

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

Application No. 0504505 MA, Minor Amendment, Public Water Supply.

Applicant	Bedford Township Municipal Authority
Municipality	Bedford Township
County	Bedford
Responsible Official	Owen K. Crist P. O. Box 371 Bedford, PA 15522
Type of Facility	PWS
Consulting Engineer	Timothy A. Cooper, P. E. Stiffler McGraw & Associates Inc. 19 N. Juniata Street Hollidaysburg, PA 16648
Application Received Date	September 15, 2004

Description of Action	Installation of 6,075 LF of water main, valves and five fire hydrants to serve the Village of Wolfsburg and surrounding area.
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Application No. 3104502 MA, Minor Amendment, Public Water Supply.

Applicant	Petersburg Water Authority
Municipality	Petersburg Borough
County	Huntingdon
Responsible Official	Ralph L. Taylor, Board Member P. O. Box 257 Petersburg, PA 16669
Type of Facility	PWS
Consulting Engineer	Mark V. Glenn, P. E. Gwin, Dobson & Foreman, Inc. 3121 Fairway Dr. Altoona, PA 16602-4475

Application Received Date	September 10, 2004
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Description of Action	Replacement of intake tower and lines in reservoir.
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Application No. 0704501 MA, Minor Amendment, Public Water Supply.

Applicant	Altoona City Authority
Municipality	Logan Township
County	Blair
Responsible Official	Mark A. Perry, Director of Operations 20 Greenwood Road Altoona, PA 16602-7114

Type of Facility	PWS
Consulting Engineer	Mark V. Glenn, P. E. Gwin, Dobson & Foreman, Inc. 3121 Fairway Dr. Altoona, PA 16602-4475

Application Received Date	September 13, 2004
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Description of Action	Installation 7,325 feet of 12-inch and 16-inch ductile iron waterline and required appurtenances to serve the proposed Logantown Development.
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Application No. 2104504 MA, Minor Amendment, Public Water Supply.

Applicant	Aqua Pennsylvania Inc.
Municipality	Monroe Township
County	Cumberland
Responsible Official	Richard T. Subasic, Executive Vice President, General Manager 204 East Sunbury Street Shamokin, PA 17872

Type of Facility	PWS
Consulting Engineer	William A. LaDieu, P. E. CET Engineering Services 1240 N. Mountain Road Harrisburg, PA 17112

Application Received Date	September 14, 2004
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Description of Action This permit application is for a 280,000-gallon finished water storage tank at Aqua Pennsylvania, Inc.—White Rock Acres Water System.

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

Permit No. 9996274, Public Water Supply.

Applicant **Garelick Farms of New Jersey**
 Township or Borough Burlington, NJ
 Responsible Official Eric A. Bayer, Plant Manager
 Type of Facility Out-of-State Bottled Water System
 Application Received Date September 23, 2004
 Description of Action Applicant requesting a minor permit amendment to change company name from Cumberland Farms, Inc. to Garelick Farms of New Jersey and to use the Temple Springs source in Williamstown Borough, Dauphin County. Bottled water to be sold in this Commonwealth under the brand names Spring Brook Farms Natural Spring Water, Nature's Pride Natural Spring Water, Tuscan Spring Water, Pathmark Natural Spring Water and Ideal Mountain Springs Naturally Refreshing Spring Water.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial

area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

Chen Property, Limerick Township, **Montgomery County**. Greg Van Hook, INTEX Environmental Group, Inc., 6205 Easton Rd., Pipersville, PA 18972 on behalf of Wu Chen, 26 West Ridge Pike, Limerick, PA 19468 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with MTBE as a result of a release or releases at the Limerick Mobil Service Station. The site is to be developed as a retail shopping center. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Herald* on August 16, 2004.

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

Dura-Bond Pipe, LLC, formerly Bethlehem Steel Corporation, Steelton Borough, **Dauphin County**. Alliance Environmental Services, Inc., 1414 North Cameron Street, Suite B, Harrisburg, PA 17130, on behalf of Capital Region Economic Development Corporation, 3211 North Front Street, Harrisburg, PA 17110 and Dura-Bond Pipe, LLC, 2716 South Front Street, Steelton, PA 17113, submitted a Notice of Intent to Remediate concerning remediation of site soils and groundwater contaminated with lead and arsenic, metals, VOCs and SVOCs. Dura-Bond proposes to continue operation of a steel pipe fabrication facility at this site. The applicant proposes to remediate the site as a Special Industrial Area.

ITT Engineered Processed Solutions Group, Borough of Columbia, **Lancaster County**. ENSR International, 2005 Cabot Boulevard West, Suite 100, Langhorne,

PA 19047, on behalf of ITT Engineered Process Solutions Group, 10 Mountainview Road, Upper Saddle River, NJ 07458, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with gasoline. The applicant seeks to remediate the site to a Statewide Health Standard.

The Promenade at Carlisle, Borough of Carlisle, **Cumberland County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Seven Gables Estates Partnership, c/o Landis & Black, 36 South Hanover Street, Carlisle, PA 17013, submitted a revised Notice of Intent to Remediate site soils and groundwater contaminated by diesel fuel from an underground storage tank. The applicant seeks to remediate the site to a combination of Statewide Health and Site-Specific Standards.

Former Carlisle Shoe, Swatara Township, **Dauphin County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Eshenaur's Fuel Inc., 2900 Herr Street, Harrisburg, PA 17103, submitted a Notice of Intent to Remediate site soils contaminated by fuel oil from an underground storage tank. The applicant seeks to remediate the site to a Statewide Health Standard.

Laird Plastic, Swatara Township, **Dauphin County**. Quad Three Group Inc., 72 Glenmaura National Boulevard, Moosic, PA 18507, on behalf of McCarthy Tire, 1111 Agnes Street, Harrisburg, PA 17104, submitted a Notice of Intent to Remediate site soil contaminated by no. 2 fuel oil from an underground storage tank. The future use of the property will be for warehousing of new tires. The applicant seeks to remediate the site to a Statewide Health Standard.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Koppers Wood Treating Facility (Former), Dunbar Township, **Fayette County**. Jeffrey R. Hale, P. G., Key Environmental, Inc., 1200 Arch Street, Suite 200, Carnegie, PA 15106 (on behalf of Kurt Paschl, Beazer East, Inc., c/o Three Rivers Management, Inc., One Oxford Centre, Suite 3000, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with inorganics, other organics and PAHs. The applicant proposes to remediate the site to meet the Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Connellsville Daily Courier* on August 23, 2002

Wheeling Pittsburgh Steel Corporation, Allenport Plant, Allenport Borough, **Washington County**. David N. Olson, P. G., One Triangle Lane, Suite 200, Export, PA 15632-9255 (on behalf of Bud E. Smith, Wheeling-Pittsburgh Steel Corporation, 1134 Market Street, W9A, Wheeling, WV 26003) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with organics and PCBs. The applicant proposes to remediate the site to meet the Site-Specific Standard.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

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

Renewal Applications Received

The Pennsylvania State University, 6 Eisenhower Parking Deck, University Park, PA 16802-2116, License No. PA-HC0153. Received on September 22, 2004.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR104. Vortex Recycling, 526 S. Jefferson St., New Castle, PA 16101. The application covers processing of used oil filters. The proposed processing is limited to separation of waste oil and used oil filters and mechanical processing of used oil filters. The processing will lead to beneficial use of scrap metal and waste oil. The application was accepted by the Central Office on September 14, 2004.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. 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, the Municipal Waste Planning, Recycling and Waste Reduction Act 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. 400510. GlaxoSmithKline Pharmaceuticals, 900 River Rd., Conshohocken, PA 19428-2647, Upper Merion Township, **Montgomery County**. The application was received for a 10-year permit renewal for the reference facility. The application was received by the Southeast Regional Office on September 27, 2004.

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

Permit ID No. 101571. Mostoller Landfill, Inc., 7095 Glades Pike, Somerset, PA 15501. Application for a major permit modification to expand the permit boundary of a municipal waste landfill in Brothers Valley and Somerset Townships, **Somerset County**, was received in the regional office on September 22, 2004.

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

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

Permit Application No. 100265. Grand Central Sanitary Landfill, Inc., 1963 Pen Argyl Road, Pen Argyl, PA 18072. On September 23, 2004, the regional office returned the original and copies of a Vegetative Cover Demonstration Project application for this municipal waste landfill in Plainfield Township, **Northampton County**. The regional office is presently monitoring a similar demonstration project, which will evaluate different types of permanent vegetative cover. At this time, the Department will not entertain another demonstration project, which is of a similar nature.

DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Applications for Determination of Applicability Received under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and residual waste regulations for a general permit to operate residual waste processing facilities and/or the beneficial use of residual waste other than coal ash.

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

General Permit Application No. WMGM001D002. Granger Energy of Honey Brook, LLC, 16980 Wood Road, Lansing, MI 48906-1044. The Bureau of Land Recycling and Waste Management has received an application for a determination of applicability (DOA) under General Permit WMGM001. General Permit WMGM001D002 is for the processing and beneficial use of landfill gas, generated at Lanchester Landfill, as an alternate fuel to drive industrial boilers and residential furnaces. The Department determined the DOA application to be administratively complete on September 24, 2004.

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

AIR QUALITY

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.

35-318-088: Gentex Corp. (P. O. Box 315, Carbondale, PA 18407) for construction of a coating line with atmospheric emissions to be controlled by an existing air cleaning device at their facility at 324 Main Street in Fell Township, **Lackawanna County**.

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

36-03076D: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506) for modification of the existing limestone crushing plant at their Weaverland Quarry in East Earl Township, **Lancaster County**. The crushing plant is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Pro-

cessing Plants. The proposed modifications will not appreciably change emissions from the facility.

67-05007: Adhesives Research, Inc. (P. O. Box 100, Glen Rock, PA 17327) for modification of their adhesive coating facility in Springfield Township, **York County**. The facility is requesting a Plant-wide Applicability Limit on VOC emissions to provide greater operating flexibility.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 823-7584.

AMS 04167: Frankford Plating, Inc. (2505 Orthodox Street, Philadelphia, PA 19137) for installation of a Chromium plating tank and a boiler in Philadelphia, **Philadelphia County**.

AMS 4207: Wayne Mills Co., Inc. (130 West Berkley Street, Philadelphia, PA 19144) for installation of a no. 4 oil fired 200 hp boiler in Philadelphia, **Philadelphia County**.

AMS 04213: Philadelphia Gas Works (3101 East Venango Street, Philadelphia, PA 19122) for installation of an Ethylene Glycol heater in Philadelphia, **Philadelphia County**.

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

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

46-0154A: Eye Designs LLC (220 West 5th Avenue, Trappe, PA 19426) for installation of a spray booth in Trappe Borough, **Montgomery County**. This facility is a State-only facility. The facility wide VOC emission limit will remain at 24 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

06-05040A: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536) for modification of the scrap dryer controlled by a fabric collector and HEPA filter in Richmond Township, **Berks County**. The modification involves the approval to remove an existing wetted packed bed scrubber as a control device for the scrap dryer. The source is subject to 40 CFR Part 63, Subpart X, National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelters. The source will still be subject to monitoring, work practices, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements. The facility is presently covered by the Title V Operating Permit 06-05040. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

22-03052B: Harman Stove Co. (325 Mountain House Road, Halifax, PA 17032) for construction of two paint booths for a stove coating operation in Jackson Township, **Dauphin County**. The primary emissions from the sources are VOCs. The potential VOC emissions from each booth is 5.5 tpy and the estimated actual VOC

emissions from both booths are about 5.5 tons per year. When the sources are constructed, this Plan Approval will be incorporated into Operating Permit 22-03052 in accordance with 25 Pa. Code § 127.450 (Administrative Amendment). The plan approval will contain restrictions, monitoring, recordkeeping and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-03147A: A and M Composting, Inc. (2022 Mountain Road, Manheim, PA 17545) for increasing the capacity of their sludge composting facility in Penn Township, **Lancaster County**. Emissions will be controlled by biofilters. Estimated emissions after the biofilters are 53 tons per year of ammonia and 5 tons per year of VOCs. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

36-05136: Granger Energy of Honey Brook, LLC (481 South Churchtown Road, Narvon, PA 17555) for construction of a landfill gas treatment plant at their Chester County Solid Waste Management Authority's Lanchester Landfill in Caernarvon Township, **Lancaster County**. There are no expected emissions from the operation of this facility. The treatment plant is subject to 40 CFR Part 60, Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills, and 40 CFR Part 63, Subpart AAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. The plan approval and Title V operating permit will include monitoring, recordkeeping and reporting requirements along with work practices to ensure the facility complies with all applicable air quality standards.

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

17-309-024A: Mt. Savage Specialty Refractories Co. (P. O. Box 60, Curwensville, PA 16833) for construction of a crusher and a mixer and reactivation of various other pieces of equipment (conveyors, hoppers, bagging machines, and the like) in a refractories manufacturing plant in Pike Township, **Clearfield County**.

The fugitive PM emissions from the equipment to be constructed and reactivated will be controlled by four fabric collectors and a cartridge collector. The resultant particulate matter emissions to atmosphere will no greater than 1.77 tons per year, of which no more than .23 ton per year will be PM10.

The Department's review of the information submitted by Mt. Savage Specialty Refractories Company indicates that the equipment to be constructed and reactivated will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the fugitive air contaminant emission requirements of 25 Pa. Code § 123.1, the applicable particulate matter emission limitation of 25 Pa. Code § 123.13 and the best available technology requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the

Department proposes to issue plan approval for the construction of the crusher and mixer and the reactivation of the remainder of the equipment identified in the plan approval application.

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

1. The permittee shall process only Mulcoa 47, Mulcoa 60, refractory bats, calcined clay and such additives as are identified in the plan approval application unless prior Department approval has been obtained to process additional materials.

2. The equipment shall not operate more than 2,080 hours in any 12 consecutive month period. Records shall be maintained of the number of hours the equipment operates each month.

3. The bagging machine and supersack filling station shall not operate simultaneously.

4. The particulate matter concentration in the exhaust of each fabric collector or cartridge collector shall not exceed .01 grain per dry standard cubic foot.

5. There shall be no visible air contaminant emissions in the exhaust of any of the collectors (other than water vapor or steam). Additionally, there shall be no fugitive air contaminant emissions other than those the Department determines to be of minor significance.

6. Each collector shall be equipped with instrumentation to monitor the pressure differential across the collector on a continuous basis.

7. The bags or cartridges in each collector shall be cleaned at each once in every 3 hours of continuous operation. At any time the bags in a collector are being cleaned, the equipment ducted to that collector shall not be operated.

8. Spare filter bags and cartridges shall be kept on hand.

9. Any air compressor supplying compressed air to any of the collectors shall be equipped with an air dryer and an oil trap.

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

10-171B: Butler Color Press (119 Bonnie Dr., Butler, PA 16003). In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department intends to issue a plan approval to discontinue use of solvent recovery system and allow disposal of used solvent offsite as hazardous waste in the City of Butler, **Butler County**. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date. Issuance of the plan approval is recommended with the appropriate conditions in the plan approval.

10-001 ERC: AK Steel Corporation (Route 8 South, Butler, PA 16003-0832). The Department intends to issue an Air Quality Emission Reduction Credit Approval for 200.01 tons of NO_x emission reduction credits from the elimination of the use of nitric acid at their Butler Works in Butler, **Butler County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 823-7584.

AMS 04119: NEL Metal Restorations (2127 Margaret Street, Philadelphia, PA 19124) for installation of a decorative chrome-plating bath in the City of Philadelphia, **Philadelphia County**. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

AMS 04089: The Philadelphia Phillies (3300 South 7th Street, Philadelphia, PA 19148) for installation of three 8 mmBtu/hr dual fired boilers, one 1,818 bhp diesel

peak shaving generator and one 2,889 bhp diesel peak shaving generator in the City of Philadelphia, **Philadelphia County**. Nitrogen oxide emissions from these sources are limited to 18 tons per rolling 12-month period. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

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

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

37-00121: Flowline—Division of Markovitz Enterprises, Inc. (1400 New Butler Road, New Castle, PA 16107) for reissuance of a Title V Permit to operate a valves and fittings production facility. The facility is in New Castle, **Lawrence County**. The facility's major emissions include a degreaser boiler, plasma torch cutting, hand grinding stations (4), a batch vapor degreaser, acid cleaning and miscellaneous natural gas fired furnaces. The facility is major facility for Title V due to its potential to emit an HAP (trichloroethylene (TCE)).

43-00142: Salem Tube Inc. (951 4th Street, Reynolds Industrial Park, Greenville, PA 16125) for reissuance of a Title V Permit to operate a process steel tube manufacturing facility in Pymatuning Township, **Mercer County**. The facility's major emissions include degreaser system boiler, miscellaneous natural gas usage, a TCE degreasing system, (4) annealing furnaces, general solvent cleaning, lubricating operations, a TCE storage tank and solvent cleaning degreaser. The facility is a Title V facility due to its potential to emit trichloroethylene, an HAP.

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

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

06-03126: Lehigh Cement Co. (204 Windsor Avenue, Hamburg, PA 19526) for a specialty cement manufacturing facility controlled by various fabric collectors in Windsor Township, **Berks County**. The plant is not subject to Title V (State-only operating permit). The plant has the potential to emit 23 tons per year of particulate. The permit will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the plant 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.

19-00018: Catawissa Lumber and Specialty Co. (P. O. Box 176, Catawissa, PA 17820) for their woodworking facility in the Borough of Catawissa, **Columbia County**. The facility's main sources include one woodwaste no. 2 fuel oil fired boiler, one no. 2 fuel oil fired boiler and various woodworking equipment. The facility has the potential to emit SO_x, NO_x, CO, PM (PM₁₀), VOCs and HAPs below the major emission thresholds. The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and

reporting conditions regarding compliance with all applicable requirements are included.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 823-7584.

S04-004: Septa Berridge/Courtland Maintenance Shop (200 West Wyoming Avenue, Philadelphia, PA 19140) for operation of a transit maintenance shop in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 300 HP boilers, two 150 HP boilers, three \leq mmBtu hot water heaters, four spray booths, two spray booth heaters, three parts washers and three sheet-fed, offset lithographic presses.

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

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department of Envi-

ronmental Protection (Department). A copy of an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

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

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

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

Coal Applications Received

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

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

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: (1) surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas, active areas

disturbed by coal refuse disposal activities and mined areas backfilled and revegetated; and (2) drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

32040105 and NPDES Permit No. PA0249637, KMP Associates, Inc., 1094 Lantz Road, Avonmore, PA 15618, commencement, operation and restoration of a bituminous surface mine in Conemaugh Township, **Indiana County**, affecting 6.7 acres. Receiving streams: unnamed tributaries to Big Run to Big Run to Blacklegs Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received September 15, 2004.

32040104 and NPDES Permit No. PA0249629. KMP Associates, Inc., 1094 Lantz Road, Avonmore, PA 15618, commencement, operation and restoration of a bituminous surface mine in Young Township, **Indiana County**, affecting 40.5 acres. Receiving streams: unnamed tributary to Whiskey Run to Whiskey Run to Blacklegs Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received September 15, 2004.

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

40840202R4 and NPDES Permit No. PA0613703. Silverbrook Anthracite, Inc. (1 Market Street, Laflin, PA 18702), renewal of an existing coal refuse reprocessing operation in Laflin Borough, **Luzerne County** affecting 30.3 acres, receiving stream: Gardner Creek. Application received September 22, 2004.

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

16890110 and NPDES Permit No. PA0207659. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous surface trip and tippie refuse disposal operation in Limestone Township, **Clarion County** affecting 175.6 acres. Receiving streams: Sloan Run and two unnamed tributaries to Parsons Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received September 21, 2004.

33960108 and NPDES Permit No. PA0227315. Opal Industries, Inc. (P. O. Box 980, Latrobe, PA 15650). Transfer of an existing bituminous surface strip operation in Ringgold Township, **Jefferson County** affecting 54.1 acres. Receiving streams: unnamed tributaries to Painter Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Transfer from MSM Coal Company, Inc. Application received September 21, 2004.

37820108 and NPDES Permit No. PA0604658. Ambrosia Coal and Construction Co. (R. R. 1, Box 422, Edinburg, PA 16116-9801). Renewal of an existing bituminous surface strip operation in North Beaver Township, **Lawrence County** affecting 225.0 acres. Receiving streams: unnamed tributaries to Sugar Creek (WWF). There are no potable surface water supply intakes within 10 miles downstream. Application received September 23, 2004.

37840104 and NPDES Permit No. PA0108324. Ambrosia Coal and Construction Co. (R. R. 1, Box 422, Edinburg, PA 16116-9801). Renewal of an existing bituminous surface strip, auger and tippie refuse disposal operation in North Beaver Township, **Lawrence County** affecting 400.0 acres. Receiving streams: unnamed tributary to Hickory Run (TSF). There are no potable surface

water supply intakes within 10 miles downstream. Application received September 23, 2004.

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

14040102 and NPDES Permit No. PA0243850. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847-0096). Commencement, operation and restoration of a bituminous surface mine permit in Snow Shoe Township, **Centre County** affecting 60.1 acres. Receiving streams: unnamed tributary to North Fork Beech Creek (CWF). Application received September 21, 2004.

14040103 and NPDES Permit No. PA 0243876. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847-0096). Commencement, operation and restoration of a bituminous surface mine permit in Snow Shoe Township, **Centre County** affecting 44.5 acres. Receiving streams: unnamed tributary to North Fork Beech Creek (CWF). Application received September 21, 2004.

Noncoal Permit Applications Received

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

59040301 and NPDES Permit No. PA0243850. Paul T. Hall (R. R. 2, Box 204, Tioga, PA 16946). Commencement, operation and restoration of a large industrial minerals (sand and gravel) permit in Lawrence Township, **Tioga County** affecting 9.6 acres. Receiving streams: Daily Creek, tributary to Tioga River (WWF). Application received September 15, 2004.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the

specified program. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-966. David Baver, 187 West Eighth Street, P. O. Box 217, Pennsburg, PA 18073, Upper Hanover Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a new driveway crossing over Molasses Creek (TSF) to provide access to a landlocked property off of Mack Road. The proposed driveway consists of two metal culvert arches measuring 22-feet long, 13-feet wide by 6.92-feet high. The site is about 500 feet southeast of intersection of Kutztown Road and Mack Road (East Greenville, PA USGS Quadrangle N: 2.5 inches; W: 4.25 inches).

E09-878. David and Carrie Keller, 18 Lodi Hill Road, Upper Black Eddy, PA 18972, Bridgeton, Township, **Bucks County**, ACOE Philadelphia District.

To maintain an existing boat launch to remove the existing floating dock and to construct and maintain 992 square feet of new floating dock in and along the Delaware River (WWF, MF). The site is at 1469 River Road (Frenchtown, NJ-PA N: 11.00 inches; W: 13.75 inches).

E51-211. Portside Residences, Pier 28, LP, 170 Walton Road, P. O. Box 1650, Blue Bell, PA 19422-0465, City and County of Philadelphia.

To reconstruct and maintain Pier 28 South and to construct and maintain a 16-story apartment complex within the Delaware River (WWF-MF). The bottom three stories of the apartment complex will be a parking garage. The proposed pier will partially sit on the footprint of the pile remnants of the existing pier. Work will involve the placement of approximately 728 steel piles in the river to provide structural support. Leasehold of the property within Commonwealth submerged lands was authorized by an act of General Assembly. This site is just north of the Dockside Residences at Pier 30 South along Columbus Boulevard (a/k/a Delaware Avenue) and approximately 5,000 feet south of the Ben Franklin Bridge (Philadelphia, PA-NJ Quadrangle N: 11.75 inches; W: 2.3 inches).

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

E55-199. Barry and Michelle Heim, R. R. 1, P. O. Box 163, Port Treverton, PA 17864. Water Obstruction

and Encroachment Permit application in Union Township, **Snyder County**, ACOE Susquehanna River Basin District (Dalmatia, PA Quadrangle N: 14.3 inches; W: 0.1 inch).

To construct and maintain a steel I-beam bridge measuring 30 feet wide with an underclearance of 5 feet containing reinforced concrete abutments measuring 8 feet wide by 6 feet high by 1 foot thick in Silver Creek along Silver Creek Road, 1 mile northeast of the intersection with SR 0015 S. This project proposes to have a minimal impact on Silver Creek (WWF). The project does not propose to impact any jurisdictional wetlands.

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

E43-317. Hermitage Municipal Authority. Bobby Run Stream Restoration Project in City of Hermitage, **Mercer County**, ACOE Pittsburgh District (Sharon East, PA Quadrangle N: 4.7 inches; W: 12.2 inches).

To operate and maintain a stream restoration and realignment project utilizing natural channel design principals along a total reach of approximately 1,045 linear feet of the channel of Bobby Run beginning at Broadway Avenue and extending upstream to Lynnwood Road adjacent to the east side of the Hermitage Municipal Authority Water Pollution Control Plant. Construction was authorized by DEP Permit No. EP4304602 issued on September 22, 2004.

E61-270. Randall A. Sherman, 2206 Route 38, Emlenton, PA 16373. Bridge over Richey Run in Richland Township, **Venango County**. ACOE Pittsburgh District (Emlenton, PA Quadrangle N: 11.7 inches; W: 6.2 inches).

The applicant proposes to operate and maintain a single span steel grate bridge with concrete abutments having a clear span of 35 feet, a maximum underclearance of 6.5 feet and an instream length of 12 feet at a point across Richey Run (CWF, perennial) approximately 250 feet east of the intersection of SR 38 and T550. This application is after the fact. A portion of the project has already been completed. The project proposes to directly affect a total of approximately 20 linear feet of stream channel.

DAM SAFETY

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

D67-536EA. Logan's Reserve Development LLC, 7061 Columbia Gateway Drive, Columbia, MD 21046, Springfield Township, **York County**, ACOE Baltimore District.

Project proposes to breach and remove Logan's Reserve Pond No. 3 Dam across a tributary to East Branch Codorus Creek (CWF) for the purpose of restoring the stream to a free flowing condition. The dam is approximately 1,400 feet west of the intersection of Water Street (T522) and Decker Road (T501) (Glen Rock, PA Quadrangle N: 21.5 inches; W: 13.3 inches).

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N</i>
PA0092223 Industrial Waste	BASF Corporation 370 Frankfort Road Monaca, PA 15061	Beaver County Potter Township	Ohio River	N
PA0034851 Sewage	Parker Area Authority P. O. Box 342 Parker, PA 16049	Armstrong County Parker City	Allegheny River	Y
PA0044971 Sewage	B. P. O.E. Lodge P. O. Box 2026 3200 Milligantown Road Lower Burrell, PA 15068	Westmoreland County Lower Burrell City	Little Pucketa Creek	Y

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N</i>
PA0091049 Sewage	United States Health and Human Services Centers for Disease Control & Prevention National Institute for Occupational Safety and Health P. O. Box 18070 Pittsburgh, PA 15236	Fayette County Springhill Township	Rubies Run—Dragoo Hallow	Y
PA0097047 Sewage	Westmoreland County Ind. Park Auth. 601 Courthouse Square Greensburg, PA 15601	Westmoreland County Sewickley Township	Little Sewickley Creek	Y
PA0098388 Sewage	Patusan Trading Company, Inc. 5490 Highway 217 North Blairsville, PA 15717	Indiana County Blacklick Township	Greys Run	Y
PA0216631 Sewage	Regis Kraisinger 139 Quarry Street Mount Pleasant, PA 15664	Westmoreland County East Huntingdon Township	UNT of Sherrick Run	Y
PA0218154 Sewage	Partnership of Robert Gearhart, Deborah Bomberger and Anthony Tommasone 610 Midland-Beaver Road Beaver, PA 15009	Beaver County Industry Borough	Ohio River	Y
PA0218251 Sewage	Westmoreland Dept. of Public Works R. D. 12, Box 203 Donohoe Road Greensburg, PA 15601	Westmoreland County Washington Township	Unnamed tributary of Beaver Run	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N ?</i>
PA0221325	Abbey Woods Homeowners Association P. O. Box 407 Zelienople, PA 16063-0407	Jackson Township Butler County	Unnamed tributary to Brush Creek 20-C	Y
PA0210153	Coinco Inc. d/b/a MORCO Manufacturing 125 High Street Cochranon, PA 16314	Cochranon Borough Crawford County	Unnamed tributary to French Creek 16-D	Y
PA0222844	Ellwood Industrial Facilities Company Oxygen Generation Plant 700 Moravia Street New Castle, PA 16101	City of New Castle Lawrence County	Shenango River 20-A	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. PA0040991, Industrial Waste, **ConocoPhillips Company**, 1400 Park Avenue, Linden, NJ 07036-1610. This proposed facility is in the City of Philadelphia, **Philadelphia County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge stormwater from the Philadelphia Terminal into Frankford Creek in Watershed 3J.

NPDES Permit No. PA0036897, Sewage, **Borough of South Coatesville**, 136 Modena Road, Coatesville, PA 19320. This proposed facility is in South Borough, **Chester County**.

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

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

NPDES Permit No. PA0021229, Sewage, **Littlestown Borough Authority**, 46 East King Street, Littlestown, PA 17340-1612, Union Township, **Adams County**.

Final notice is given that the Department, after public notice, issued an NPDES permit.

This notice reflects changes from the notice published at 33 Pa.B. 1735 (April 5, 2003).

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	1.5	XXX	3
(11-1 to 4-30)	4.5	XXX	9
Total Phosphorus			
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

Total Copper limitations have been removed from this permit.

Total Residual Chlorine limitations have been removed from this permit.

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

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

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

WQM Permit No. 0404402, Sewerage, **Shippingport Borough**, P. O. Box 76, Shippingport, PA 15077-0076. This proposed facility is in Shippingport Borough, **Beaver County**.

Description of Proposed Action/Activity: Construction of sewage treatment plant and sewer extensions to serve Shippingport Borough.

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

WQM Permit No. 1604403, Sewerage, **LeRoy P. and Jannette M. Towner**, 8s Cherry Hill Lane, Lucinda, PA 16235. This proposed facility is in Knox Township, **Clarion County**.

Description of Proposed Action/Activity: Sewage discharge for a single residence.

WQM Permit No. WQG018310, Sewerage, **Suzanne Phillips**, R. R. 1, Box 401, New London, NH 03257. This proposed facility is in Fairview Township, **Erie County**.

Description of Proposed Action/Activity: Sewage discharge for a single residence.

WQM Permit No. 4304411, Sewerage, **Bruce M. Shaffer**, 21 Linda Drive, Transfer, PA 16154. This proposed facility is in Pymatuning Township, **Mercer County**.

Description of Proposed Action/Activity: Sewage discharge for a single residence.

WQM Permit No. WQG018309, Sewerage, **John C. Engles, Jr.**, 1505 Lane Road, Waterford, PA 16441. This proposed facility is in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: Sewage discharge for a single residence.

WQM Permit No. 4304413, Sewerage, **David W. Ryland**, 387 Stonepile School Road, Mercer, PA 16137. This proposed facility is in East Lackawannock Township, **Mercer County**.

Description of Proposed Action/Activity: Sewage discharge for a single residence.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010904006	QVC Realty Partners Quakertown Veterinary Clinic 2250 North Bethlehem Pike Quakertown, PA 18951	Bucks	Milford Township	Unami Creek HQ

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011504022	Echo Dell Builders, Inc. Subdivision 402 Echo Dell Road Downingtown, PA 19335	Chester	East Brandywine Township	Unnamed tributary East Branch Brandywine Creek HQ-TSF-MF
PAI011504037	Devland Corporation Fieldbrook Associates Subdivision P. O. Box 935 Paoli, PA 19301	Chester	East Whiteland Township	Valley Creek EV
PAI011504054	B & B Homes, Inc. John Benson—1935 Swedesford Road Development Suite 200, 112 Moores Road Malvern, PA 19355	Chester	Tredyffrin Township	Valley Creek EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033604001	Black Rock Retreat Association 1345 Kirkwood Pike Quarryville, PA 17566	Lancaster	Colerain Township	West Branch Octoraro Creek HG-CWF, MF
PAI035004001	Department of Transportation Engineering District 8-0 Saville Stockpile Yard 2140 Herr Street Harrisburg, PA 17103	Perry	Saville Township	UNT to Buffalo 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

NOTICES

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General Permit Type—PAG-2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Kennett Township Chester County	PAG2001504075	Jerrold McCarron 1020 Broad Run Road Landenberg, PA 19350	Unnamed tributary Red Clay Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Tinicum Township Delaware County	PAG2002304042	Mobil Pipe Line Company P. O. Box 2220 Houston, TX 77252	Delaware River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG2002304048	Chetty Builders, Inc. 511 Schoolhouse Road Suite 100 Kennett Square, PA 19348	Tributary West Branch Chester Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015104015	United States Postal Service USPS Philadelphia—Vehicle Maintenance Facility 7500 Lindburgh Boulevard Philadelphia, PA 19153-9997	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Smithfield Township Monroe County	PAG2004504002	VNA Hospice c/o Mark Hodgson, CEO 502 Independence Rd. East Stroudsburg, PA 18301	Brodhead Creek TSF, MF	Monroe County Conservation District (570) 629-3060
Wayne Township Schuylkill County	PAG2005404025	Branch Homes, Inc. 3470 Sweet Arrow Lake Rd. Pine Grove, PA 17963	Little Swatara Creek CWF	Schuylkill County Conservation District (570) 622-3742
Silver Spring Township Cumberland County	PAG2002104036	Bent Creek Lot 5 RSM Associates, LP 1000 Bent Creek Blvd. Mechanicsburg, PA 17050	Conodoguinet WWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Silver Spring Township Cumberland County	PAG2002104043	Millers Gap Road Silver Spring Township 6475 Carlisle Pike Mechanicsburg, PA 17050	UNT to Conodoguinet WWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Silver Spring Township Cumberland County	PAG2002104044	Outer Banks, LP Robert Borden 2171 Tall Oaks Lane York, PA 17403	Hogestown Run CWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Middlesex Township Cumberland County	PAG2002104030	Pennterra Fortune Land Company Lewis Eisaquirre 1800 Avenue of the Stars Los Angeles, CA 90067	Conodoguinet WWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Centre County College Township	PAR10F105R	Donald Smith Innovation Capital Partners US Steel Tower Suite 1400 600 Grant St. Pittsburgh, PA 15219	UNT Spring Creek CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Centre County College Township	PAG2001404011	Kim Lane Wal-Mart Stores Inc. 2001 SE 10th St. Bentonville, AR 72712	UNT Spring Creek	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lycoming County City of Williamsport	PAG2004104008	Kirk Sears Lift Inc. 5210 East Trindle Rd. Mechanicsburg, PA 17050	West Branch Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003
Northumberland County Point Township	PAG2004904010	Brian P. Long P. O. Box 323 Northumberland, PA 17857	UNT Susquehanna River WWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Snyder County Middlecreek Township	PAG2005504008	Ray Rowe R. R. 3, Box 258 Selinsgrove, PA 17870	Middle Creek TSF	Snyder County Conservation District 403 W. Market St. Middleburg, PA 17842 (570) 837-0007, Ext. 112
Tioga County Jackson Township	PAG2005904002	Jackson Township Municipal Authority P. O. Box 61 Millerton, PA 16936	Hammond Creek CWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801
Beaver County Center Township	PAG2000404016	Joseph S. Crognale 2194 Montour Street Coraopolis, PA 15108	Unnamed tributary to Shaffer's Run WWF	Beaver County Conservation District (724) 774-7090
Cambria County Richland Township	PAG2001104009	Michael Smith 933 Eisenhower Blvd. Johnstown, PA 15904	Unnamed tributary to Stonycreek River CWF	Cambria County Conservation District (814) 472-2120
Washington County Chartiers Township	PAG2006304020	Adlin D. Strimel 223 Fairmeadow Circle Houston, PA 15342	Unnamed tributary to Chartiers Creek WWF	Washington County Conservation District (724) 228-6774
Butler County Penn Township	PAG001004015	Richard E. Kelly Butler County Airport 475 Airport Road Butler, PA 16001	Glade Run WWF	Butler Conservation District (724) 284-5270
Crawford County Vernon Township	PAG2002004004	Brian Anderson Universal Development 1607 Motor Inn Drive Girard, OH 44420	UNT Van Horne Creek WWF	Crawford Conservation District (814) 724-1793
Clarion County Redbank and Porter Townships	PAG2081604002	EOG Resources, Inc. 400 Southpointe Blvd. Suite 300 Canonsburg, PA 15317	Middle Run, Leisure Run and unnamed tributaries to Leisure Run CWF	Northwest Region Oil and Gas Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6860
Perry Township Jefferson County	PAG2103304003	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476	Perryville Run CWF to Mahoning Creek WWF	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476 (717) 783-1311

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General Permit Type—PAG-3

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lower Merion Township Montgomery County	PAR140018	Georgia Pacific Corp. 600 Righters Ferry Rd. Bala Cynwyd, PA 19044	Schuylkill River 3F Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Pottstown Borough Montgomery County	PAR200042	Merit Mfg. Corp. 319 Circle of Progress Dr. Pottstown, PA 19464	Manatawny Creek 3D Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Dauphin County Swatara Township	PAR803671	Pittsburgh Terminals Corporation Harrisburg Petroleum Storage Terminal P. O. Box 2621 Harrisburg, PA 17105	UNT Spring Creek WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lebanon County Richland Borough	PAR803672	Leffler Energy Richland Bulk Storage Facility 225 East Main Street Richland, PA 17087	UNT to Mill Creek WWF	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
City of St. Marys Elk County	PAR118340	GE Thermometrics, Inc. 967 Windfall Road Saint Marys, PA 15857-3397	Unnamed tributary to Elk Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Berks County Caernarvon Township	PAG043616	Wade Smith 1475 Elverson Road Elverson, PA 19520	East Branch Conestoga River WWF/7-G	SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Knox Township Clarion County	PAG048983	LeRoy P. and Jannette M. Towner 82 Cherry Lane Lucinda, PA 16235	Paint Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Fairview Township Erie County	PAG048998	Suzanne Phillips R. R. 1, Box 401 New London, NH 03257	Dry tributary to Bear Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pymatuning Township Mercer County	PAG048985	Bruce M. Shaffer 21 Linda Drive Transfer, PA 16154	Shenango River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Waterford Township Erie County	PAG048997	John C. Engles, Jr. 1505 Lane Road Waterford, PA 16441	Unnamed tributary to French Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
East Lackawannock Township Mercer County	PAG048991	David W. Ryland 387 Stonepile School Road Mercer, PA 16137	Unnamed tributary to Neshannock Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Hempfield Township Mercer County	PAG048591	Robert E. Lacey 3 Werner Road Greenville, PA 16125	Unnamed tributary to Little Shenango River	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Venango Township Erie County	PAG048553	Joshua D. Trayer 13530 Tower Road Wattsburg, PA 16442	Unnamed tributary to West Branch of French Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Hermitage Mercer County	PAG048636	Robert J. Thomas 2500 Orangeville Road Hermitage, PA 16148-1325	Big Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of Hermitage Mercer County	PAG048635	Christopher F. Stewart 2510 Orangeville Road Hermitage, PA 16148	Big Run	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Adams Township Butler County	PAG048638	William L. Kennedy 132 Lynwood Drive Evans City, PA 16033	Unnamed tributary to Breakneck Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Sugar Grove Township Warren County	PAG048653	Gary W. Hodges P. O. Box 363 Sugar Grove, PA 16350-0363	Unnamed tributary to Stillwater Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
Quincy Township Franklin County	PAG083591	Quincy Sewer Authority Quincy Wastewater Treatment Plant 7575 Mentzer Gap Rd. Waynesboro, PA 17268	SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-13

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG130017	Phoenixville Borough 140 Church Street Phoenixville, PA 19320	Chester	Phoenixville	French Creek Schuylkill River

**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.

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

Permit No. 0903505, Public Water Supply.

Applicant **Buckingham Township**
P. O. Box 413
Buckingham, PA 18912

Township Buckingham

County **Bucks**

Type of Facility PWS

Consulting Engineer Castle Valley Consultants
10 South Clinton Street
Suite 302
Doylestown, PA 18901

Permit to Construct October 30, 2003
Issued

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

Permit No. 4604503, Public Water Supply.

Applicant **Telford Borough Authority**
122 Penn Avenue
Telford, PA 18969

Township West Rockhill

County **Montgomery**

Type of Facility PWS

Consulting Engineer Spotts, Stevens & McCoy, Inc.
1047 N. Park Road
Reading, PA 19610

Permit to Construct September 21, 2004
Issued

Permit No. 1504507, Public Water Supply.

Applicant **North Coventry Water Authority**
P. O. Box 394
Pottstown, PA 19464

Township North Coventry

County **Chester**

Type of Facility PWS

Consulting Engineer Spotts, Stevens, & McCoy, Inc.
1047 N. Park Road
Reading, PA 19610

Permit to Construct September 27, 2004
Issued

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

Operations Permit issued to **Pulsar Petroleum of Reading, Inc.**, P. O. Box 159, Macungie, PA 18064, PWS ID 3390436, Weisenberg Township, **Lehigh County** on September 14, 2004, for the operation of facilities approved under Construction Permit No. 3902503.

Operations Permit issued to **Pleasant Valley School District, Polk Elementary School**, Route 209, Brodheadsville, PA 18322, PWS ID 2450378, Polk Township, **Monroe County** on September 16, 2004, for the operation of facilities approved under Construction Permit No. 4504502.

Operations Permit issued to **Messinger Enterprises, LLC**, 3260 Melanie Court, Bethlehem, PA 18020, PWS ID 3486530, Palmer Township, **Northampton County** on September 16, 2004, for the operation of facilities approved under Construction Permit No. 4804502.

Operations Permit issued to **Stroudsburg Municipal Authority**, 410 Stokes Avenue, East Stroudsburg, PA 18301, PWS ID 2450034, Stroud, Pocono and Paradise Townships, **Monroe County** on September 17, 2004, for the operation of facilities approved under Construction Permit No. 4502501 issued on May 8, 2003.

Operations Permit issued to **East Allen Township Municipal Authority**, 5344 Nor-Bath Boulevard, Northampton, PA 18067-9062, PWS ID 3480021, East Allen Township, **Northampton County** on September 20, 2004, for the operation of facilities approved under Construction Permit Minor Amendment.

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

Permit No. 0703501, Public Water Supply.

Applicant **Freedom Township Water & Sewer Authority**

Municipality Allegheny, Blair and Freedom Townships

County **Blair**

Type of Facility	New consecutive water system that will receive its source of supply from the Altoona City Authority. The system will serve the customers in Freedom Township, Newry Borough and Blair Township. The system will consist of 14,700 feet of 12-inch waterline and 22,300 feet of 8-inch waterline and fire hydrants. A booster chlorination facility will be at the metering station.	Permit to Construct Issued	September 20, 2004
Consulting Engineer	Steven R. McGraw, P. E. Stiffler, McGraw & Associates Inc. 19 N. Juniata Street P. O. Box 156 Hollidaysburg, PA 16648	Permit to Construct Issued	September 16, 2004
Permit to Construct Issued	September 27, 2004	<p>Permit No. 3604509, Public Water Supply.</p> <p>Applicant Borough of Akron</p> <p>Municipality Borough of Akron</p> <p>County Lancaster</p> <p>Type of Facility Installation of nitrate treatment to address the nitrate contamination of well no. 8.</p> <p>Consulting Engineer David T. Lewis, P. E. ARRO Consulting Inc. 270 Granite Run Drive Lancaster, PA 17601</p>	
Permit to Construct Issued	September 27, 2004	<p>Operations Permit issued to Hillandale Gettysburg LP, 7010932, Tyrone Township, Adams County on September 14, 2004, for the operation of facilities approved under Construction Permit No. 0103511.</p> <p>Operations Permit issued to PADE—PA Auto Dealers Exchange, 7670315, Conewago Township, York County on September 7, 2004, for the operation of facilities approved under Construction Permit No. 6704506.</p> <p><i>Northcentral Region: Water Supply Management Program Manager; 208 West Third Street, Williamsport, PA 17701.</i></p>	
Applicant	Oley Township Municipal Authority	Permit to Construct Issued	September 16, 2004
Municipality	Oley Township	<p>Permit No. Minor Amendment, Public Water Supply.</p> <p>Applicant Pennsylvania American Water Company</p> <p>Township or Borough Bradford Township</p> <p>County Clearfield</p> <p>Responsible Official William C. Kelvington, Vice President Operations Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033</p>	
County	Berks	Type of Facility	PWS—Operation
Type of Facility	The project includes construction of a new community water well (well no. 4), well house, disinfection system and transmission mains.	Permit Issued Date	August 22, 2004
Consulting Engineer	Russell M. Smith, P. E. Spotts Stevens and McCoy Inc. 345 North Wyomissing Boulevard Reading, PA 19610-0307	Description of Action	Replacement of the existing Dale Water Booster Station.
Permit to Construct Issued	September 7, 2004	<p>Permit No. Minor Amendment, Public Water Supply.</p> <p>Applicant Williamsport Municipal Water Authority</p> <p>Township or Borough City of Williamsport</p> <p>County Lycoming</p> <p>Responsible Official Larue F. VanZile, Director of Engineering Williamsport Municipal Water Authority 253 West Fourth Street Williamsport, PA 17701</p>	
Applicant	Lazy K Campgrounds Inc.	Type of Facility	PWS—Operation.
Municipality	Colebrookdale and Washington	Permit Issued Date	September 27, 2004
County	Berks	Description of Action	Sandblasting and painting of the Youngman finished water storage tank.
Type of Facility	Project is for new Well No. 3 at 21 gpm.		
Consulting Engineer	Joseph H. Body, P. E. Box 188 Virginville, PA 19564		
Permit to Construct Issued	September 15, 2004		
Applicant	Highland Estates		
Municipality	Greenwich Township		
County	Berks		
Type of Facility	Construct well no. 5 for public water supply to Highland Estates Mobile Home Park.		
Consulting Engineer	Cynthia L. Zawrotuck, P. E. ARRO Consulting Inc. 270 Granite Run Drive Lancaster, PA 17601		

Permit No. Minor Amendment, Public Water Supply.

Applicant **Aqua PA, Inc.**
 Township or Borough Coal Township
 County **Northumberland**
 Responsible Official Richard T. Subasic, Executive Vice President/General Manager
 Aqua Pennsylvania, Inc.
 204 East Sunbury Street
 Shamokin, PA 17872-4859
 Type of Facility PWS—Construction.
 Consulting Engineer Mary Jo Brown
 Environmental Scientist
 CET Engineering Services
 1240 North Mountain Road
 Harrisburg, PA 17112
 Permit Issued Date September 27, 2004
 Description of Action Construction of a finished water storage tank at the Coal Township Industrial Park.

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

Operations Permit issued to Watergait Community Water Association, 10 Northgait Drive, Slippery Rock, PA 16057, PWS ID 6430078, Liberty Township, **Mercer County**, on September 15, 2004, for the operation of new well and treatment plant, as approved under Construction Permit No. 4302502.

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>
Upper Macungie Township	8330 Schantz Road Breinigsville, PA 18031	Lehigh

Plan Description: The approved Plan revision for new land development consists of 138 single-family residential lots and 215 townhouses on a 113-acre tract. A proposed gravity collection system will be installed to connect the development to an existing Upper Macungie Township Authority manhole at the intersection of Hamilton Boulevard and Weilers Road. Lehigh County Authority will convey the sewage to the City of Allentown Wastewater Treatment Facility. Public water will be supplied to the project by Lehigh County Authority. The proposed development is between Mosser Road, Twin Ponds Road and the Route 222 by-pass in Upper Macungie Township, Lehigh County. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Pine Grove Borough, Pine Grove Township and Washington Township	c/o Pine Grove Joint Treatment Authority P. O. Box 426 Pine Grove, PA 17963	Schuylkill

Plan Description: The approved plan provides for relocating the proposed 1.5 MGD wastewater treatment plant to a site on the east side of Interstate 81; reducing the length and diameter of the proposed influent force main; elimination of the borings under Interstate 81; reconfiguration of the low pressure sewer system and modifications to the wastewater treatment plant design. All other aspects of the Act 537 Update Revision approved by the Department on August 9, 2002, including the sewer service area, are unchanged by this Plan Amendment. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jay Township	81 West Teaberry Street P. O. Box 186 Weedville, PA 15868	Elk

Plan Description: The approved plan provides for the construction of a sanitary sewer collection and conveyance system for the Caledonia and Scattertown areas of Jay Township and the installation of a belt filter press at the existing Weedville wastewater treatment plant. 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.

HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

Proposed Consent Order and Agreement

RSR-Jones Chemical Site, City of Erie, Erie County

Under section 1113 of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. § 6020.1113), the Department of Environmental Protection (Department) has agreed to a de minimis settlement with the Bessemer & Lake Erie Railroad Company (Bessemer) to resolve Bessemer's liability for the RSR-Jones Chemical Site (Site), City of Erie, Erie County, approximately 6.5 acres in size (42° 06' 28.2" north latitude and 80° 06' 29.0" west longitude on the Erie South topographic quadrangle).

In the past, wastes containing hazardous substances were disposed at the Site and these wastes contaminated the environment at the Site. As owners of a small portion of the Site during the time of the release and threatened release of hazardous substances at the Site, Bessemer is a "responsible person" as defined in section 103 of the HSCA (35 P. S. § 6020.103). Under the terms of the settlement, Bessemer will donate a parcel it owns adjacent to the Site to the current owner of the Site, Erie Warehouse Properties, LLC, for use as part of the response action. This donation will aid in the operation and maintenance of the response implemented at the Site.

The specific terms of this settlement are set forth in the Consent Order and Agreement (Agreement) with Bessemer. The Department will receive and consider comments relating to the Agreement for 60 days from the date of this public notice. The Department has the right to withdraw its consent to the Agreement if the comments concerning the Agreement disclose facts or considerations

that indicate that the Agreement is inappropriate, improper, or not in the public interest.

After the public comment period, the Department's settlement with Bessemer shall be effective upon the date that the Department notifies Bessemer, in writing, that this Agreement is final and effective in its present form and that the Department has filed a response to significant written comments to the Agreement, or that no comments were received.

The Agreement is available for inspection and copying at the Department's office at 230 Chestnut Street, Meadville, PA. Comments may be submitted, in writing, to Mark E. Gorman, Program Manager, Department of Environmental Protection, Hazardous Sites Cleanup, 230 Chestnut Street, Meadville, PA 16335. Further information may be obtained by contacting Mark Gorman, (814) 332-6648. TDD users should contact the Department through the Pennsylvania Relay Service at (800) 645-5984.

Settlement under the HSCA and CERCLA

The Department, under the authority of the HSCA (35 P. S. §§ 6020.101—6020.1305) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C.A. §§ 9601—9675), has entered into a Prospective Purchaser Agreement (PPA) with DCI—Station Square, L. P., DCI—Station Square, LLC, Dewey Commercial Investors, L. P. and the Commonwealth of Pennsylvania, State Employees Retirement System (collectively, Settlers) regarding a property at 1190 Church Road (Site), Montgomery County.

The Site consists of approximately 35 acres with all improvements thereon in Lansdale Borough, Montgomery County, more properly described as Montgomery County Tax Parcel Nos. 56-00-01327-00-3 and 11-00-02048-002-2. The Site was formerly used by Ford Electronics and Refrigeration Company to manufacture radios, clocks, televisions, picture tubes and automobile control devices. Respondents intend to develop the Site for commercial and/or residential purposes and intend to remediate the Site to a residential standard under the Land Recycling and Environmental Remediation Standards Act.

The Site is also within the boundaries of the North Penn Area 7 NPL Site under CERCLA. Under the authority of CERCLA and the HSCA, the EPA and the Department are conducting and will conduct various response actions to address the release or threatened release of hazardous substances or contaminants at the North Penn Area 7 NPL Site. Other than potential liability associated with the purchase of the Site, Settlers have asserted, and the Department has no information to indicate otherwise, that they neither caused, contributed to, nor are otherwise liable for any contamination either at the Site or at the North Penn Area 7 NPL Site. Settlers have agreed to resolve their potential liability to the United States with regard to the North Penn Area 7 NPL Site in an Agreement with the EPA docketed at CERC-PPA-2001-0003. Under the terms of the PPA with the Department, Settlers will contribute \$2,000 towards response costs incurred and to be incurred by the Department associated with the Site and will agree not to exacerbate any existing contamination at the Site in exchange for a covenant not to sue and contribution protection from the Commonwealth.

This notice is provided under section 1113 of the HSCA. The PPA may be examined from 8 a.m. to 4 p.m. at the Department's offices at 2 East Main Street, Norristown, PA 19401 by contacting either George Horvat at (484)

250-5717 or Anderson Lee Hartzell at (484) 250-5866. A public comment period on the PPA will extend for a period of 60 days from the date of publication of this notice. Interested persons may submit written comments regarding the PPA to the Department by submitting them to George Horvat at the previous 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.

Nozensky Junkyard, Kenneth Square Borough and Kenneth Township, **Chester County**. Matthew J. Gordon, Walter B. Satterthwaite Assoc., Inc., 720 Old Fern Hill Rd., West Chester, PA 19380 has submitted a Work Plan for RI concerning remediation of site soil and groundwater contaminated with drums, tires scrap metal and phenolic circuits boards. The report is intended to document remediation of the site to meet the Special Industrial Area Standard.

Brittany Square, New Britain Township, **Bucks County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406 has submitted a Remedial Investigation and Cleanup Plan Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Blosinenski Farm, East Brandywine Township, **Chester County**. Michael S. Welsh, P.E. on behalf of Andrew Ruskay and Anthony Wilson, ACR Machine, Inc., 21 North 10th Street, Coatesville, PA 19320 has submitted a Remedial Investigation Report concerning remediation of site soil contaminated with glass, metal and ash. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Bryn Mawr Rehabilitation, Willistown Township, **Chester County**. Robert A. White and Paul Gruntmyer, Lewis Environmental Group, P. O. Box 639, Royersford, PA 19468 on behalf of Bryn Mawr Hospital, 414 Paoli Pike, Malvern, PA has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the 90-Day Cleanup Standard.

131 Rockhill Rd. Prop., Lower Merion Township, **Montgomery County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LL, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Richard Heany, OPG Residential Holdings, LP, 700 S. Henderson Rd., Suite 225, King of Prussia, PA 19406 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline, diesel fuel and unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

PECO Oreland MGP, Springfield Township, **Montgomery County**. Allan Fernandes, P. G., Environmental Affairs Dept., PECO Energy Co., 2301 Market St., S21-2, P. O. Box 8699, Philadelphia, PA 19101-8699 on behalf of has submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

PECO Ardmore Service Bldg., Lower Merion Township, **Montgomery County**. Ethan Myer and Bruce Middleman, P. G., Jacques Whitford Co., Inc., 450 S. Gravers Rd., Suite 105, Plymouth Meeting, PA 19462 on behalf of PECO Energy Co., Real Estate & Facilities Division, 2301 Market St., N3-3, Philadelphia, PA has submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with diesel fuel, leaded gasoline, MTBE and unleaded gasoline; and site groundwater contaminated with chlorinated solvents, diesel fuel, leaded gasoline, MTBE and unleaded gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Swede Square Shopping Center, East Norriton Township, **Montgomery County**. James M. Connor, URS Corp., 2325 Maryland Rd., Willow Grove, PA 19090 on behalf of Skip Genuardi, Genuardi's Market, LP, 470 Norristown Rd., Suite 300, Blue Bell, PA 19422 has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvent and other organics; and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Atlantic Metals Corp. Prop., City of Philadelphia, **Philadelphia County**. Donald A. Coleman, Penn E & R, 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Jim Thackray, Thackray Crane Rental, Inc., 2071 Byberry Dr., Philadelphia, PA 19116 has submitted a Work Plan for RI concerning remediation of site soil and groundwater contaminated with nos. 4 and 5 fuel oil and leaded gasoline. The report is intended to document remediation of the site to meet the Special Industrial Area Standard.

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

Dura-Bond Pipe, LLC, formerly Bethlehem Steel Corporation, Steelton Borough, **Dauphin County**. Alliance Environmental Services, Inc., 1414 North Cameron Street, Suite B, Harrisburg, PA 17130, on behalf of Capital Region Economic Development Corporation, 3211 North Front Street, Harrisburg, PA 17110 and Dura-Bond Pipe, LLC, 2716 South Front Street, Steelton, PA 17113, submitted a Baseline Environmental Report concerning remediation of site soils and groundwater contaminated with lead and arsenic, metals, VOCs and SVOCs. The site is being remediated as a Special Industrial Area.

Dana Structural Solutions International Division, Reading City, **Berks County**. MACTEC Engineering and Consulting, Inc., 5205 Militia Hill Road, Plymouth Meeting, PA 19462, on behalf of Dana Structural Solutions International-Division, Robeson and Weiser Streets, Reading, PA 19612-3459, submitted a Final Report concerning remediation of site soils and groundwater contaminated with PCBs, lead, heavy metals, BTEX, PHCs, PAHs and solvents. The report is intended to document remediation of the site to a combination of the Statewide Health and Site-Specific Standards.

Former Myers and List Site, Wrightsville Borough, **York County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Glenn Myers, P. O. Box 303, Wrightsville, PA 17368, submitted a Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline, unleaded gasoline and MTBE. The report is intended to document remediation of the site to a combination of the Statewide Health and Site-Specific Standards.

Former Ace Rentals Facility, City of Lancaster, **Lancaster County**. Synergy Environmental Inc., 607 Washington Street, Reading, PA 19601, on behalf of Ace Rents, Inc., 1103 Ranck Mill Road, Lancaster, PA 17602 and the Redevelopment Authority of the County of Lancaster, 150 North Queen Street, Lancaster, PA 17603, submitted a Final Report concerning remediation of site soils contaminated with petroleum products. The report was submitted within 90 days of the release and is intended to document remediation of the site to the Statewide Health Standard.

Lancaster Multi-Purpose Stadium, City of Lancaster, **Lancaster County**. Synergy Environmental Inc., Center City Executive Centre, 607 Washington Street, Reading, PA 19601, on behalf of Redevelopment Authority of the County of Lancaster, 150 N. Queen Street, Suite 110, Lancaster, PA 17603-3562, submitted a Baseline Environmental Report concerning remediation of site soils and groundwater contaminated with VOCs, SVOCs, PCBs, heavy metals and petroleum products. The site is being remediated as a special industrial area.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Koppers Wood Treating Facility (Former), Dunbar Township, **Fayette County**. Jeffrey R. Hale, P. G., Key Environmental, Inc., 1200 Arch Street, Suite 200, Carnegie, PA 15106 (on behalf of Kurt Paschl, Beazer East, Inc., c/o Three Rivers Management, Inc., One Oxford Centre, Suite 3000, Pittsburgh, PA 15219) has submitted a Remedial Investigation Report and Risk Assessment Report concerning remediation of site soil and groundwater contaminated with inorganics, other organics and PAHs. The reports are intended to document remediation of the site to meet the Statewide Health and Site-Specific Standards.

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

Debbie Shaulis Heating Oil Spill Cleanup, Lackawannock Township, **Mercer County**. Scott Whipkey, RAR Engineering Group, 1135 Butler Ave., New Castle, PA 16101 (on behalf of Mike Lowery, Owner, 1145 Bend Rd., Mercer, PA 16137) has submitted a Final Report concerning remediation of site soil and groundwater contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

tion, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Wright Prop., East Marlborough Township, **Chester County**. James H. Mulry, P. G. and Martin Liebhardt, Mulry and Cresswell Env., Inc., 1691 Horseshoe Pike, Manor Prof. Bldg., Suite 3, Glenmoore, PA 19343 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 3, 2004.

Atlantic Metals Corp. Prop., City of Philadelphia, **Philadelphia County**. Donald A. Coleman, Penn E & R, 2755 Bergey Rd., Hatfield, PA 19440 on behalf of Jim Thackray, Thackray Crane Rental, Inc., 2071 Byberry Dr., Philadelphia, PA 19116 has submitted a Work Plan concerning the remediation of site soil and groundwater contaminated with nos. 4 and 5 fuel oil and leaded gasoline. The Work Plan was approved by the Department on September 23, 2004.

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

Dura-Bond Pipe, LLC, formerly Bethlehem Steel Corporation, Steelton Borough, **Dauphin County**. Alliance Environmental Services, Inc., 1414 North Cameron Street, Suite B, Harrisburg, PA 17130, on behalf of Capital Region Economic Development Corporation, 3211 North Front Street, Harrisburg, PA 17110 and Dura-Bond Pipe, LLC, 2716 South Front Street, Steelton, PA 17113, submitted a Work Plan concerning remediation of site soils and groundwater contaminated with lead and arsenic, metals, VOCs and SVOCs. The site is being remediated as a Special Industrial Area. The Work Plan was approved by the Department on August 11, 2004.

Hanover Shoe Farms, Union Township, **Adams County**. Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Hanover Shoe Farms, Inc., P. O. Box 339, Hanover, PA 17331-0339, submitted a Final Report concerning remediation of site soils contaminated with fuel oil no. 2. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on August 31, 2004.

Lancaster Laboratories, Inc., Upper Leacock Township, **Lancaster County**. ARM Group, Inc., P. O. Box 797, Hershey, PA 17033-0797, on behalf of Lancaster Laboratories, Inc., 2425 New Holland Pike, P. O. Box 12425, Lancaster, PA 17605-2425, submitted a Final Report concerning remediation of site soils and groundwa-

ter contaminated with VOCs, SVOCs, PCBs, pesticides and metals. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 7, 2004.

FCI USA, Inc., Hanover, Penn Township, York County. HRP Associates, Inc., 4811 Jonestown Road, Suite 235, Harrisburg, PA 17109, on behalf of FCI USA, Inc., 825 Old Trail Road, Etters, PA 17319, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with VOCs. The applicant is seeking to attain a combination of the Statewide Health and Site-Specific Standards. The report was approved by the Department on September 9, 2004.

Precision Offset Printing Company, Centre Township, Berks County. UAI Environmental, Inc., 607 Commerce Drive, Reading, PA 19607, on behalf of Precision Offset Printing Company, P. O. Box 675, Leesport, PA 19533, submitted a Final Report concerning remediation of site groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to the Statewide Health Standard. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 14, 2004.

Former Dauphin Dental Laboratories, Middle Paxton Township, Dauphin County. BL Companies, Inc., 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Patricia Bracale, 1240 Mountain Road, Dauphin, PA 17018, submitted a combined Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with leaded gas, unleaded gas and MTBE. The combined report demonstrated attainment of a combination of the Statewide Health and Site-Specific Standards and was approved by the Department on September 14, 2004.

V & S Sandwiches, Wyomissing Borough, Berks County. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of David Mogel, 11 State Hill Road, Wyomissing, PA 19610, submitted a combined Remedial Investigation/Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline. The combined report demonstrated attainment of the Site-Specific Standard and was approved by the Department on September 16, 2004.

Linden Hall School for Girls, Borough of Lititz, Lancaster County. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Linden Hall School for Girls, 212 East Main Street, Lititz, PA 17543, submitted a Final Report concerning remediation of site soils and groundwater contaminated with no. 2 fuel oil. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 21, 2004.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

American Electric Facility (Former), City of Pittsburgh, Allegheny County. Ruth C. Mannebach, NPN Environmental, 1631 Headland Drive, St. Louis, MO 63026 (on behalf of Om Chopra, Thomas & Betts, 8155 T & B Blvd., 4B-35, Memphis, TN 38125) has submitted a Final Report concerning remediation of site soil contaminated with PAHs and lead. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 21, 2004.

HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

Hazardous Waste Transporter License Renewed

Vickery Transportation, Inc., 18375 E. 345 Street, Grammer, IN 47236. License No. PA-AH0698. Effective September 27, 2004.

Ameritech Environmental Services, Inc., P. O. Box 539, Eliot, ME 03903. License No. PA-AH0677. Effective September 22, 2004.

Chemical Solvents, Inc., 3751 Jennings Road, Cleveland, OH 44109. License No. PA-AH0049. Effective September 10, 2004.

Eldredge, Inc., 898 Fern Hill Road, West Chester, PA 19380. License No. PA-AH0056. Effective September 7, 2004.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act, the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1–6019.6) and regulations to transport infectious and chemotherapeutic waste.

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

Infectious and Chemotherapeutic Waste Transporter License Renewed

The Pennsylvania State University, 6 Eisenhower Parking Deck, University Park, PA 16802-2116. License No. PA-HC0153. Effective September 24, 2004.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits Issued under the Solid Waste Management Act, 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.

Permit No. 101224. Waste Mgmt. of Delaware Valley South, 408 S. Oak Ave., P. O. Box 427, Primos, PA 19108, Upper Darby Township, Delaware County. This permit renewal is being issued to Waste Management of Delaware Valley South for the continued operation of its municipal waste transfer facility. The permit was issued by the Southeast Regional Office on September 21, 2004.

Permit No. 101069. Southeastern Chester County Refuse Authority, 261 W. Street Rd., Kennett Square, PA 19348-1615, London Grove Township, Chester County. This amended waste management permit is for implementation of a radiation protection action plan, meteorological monitoring plan, sewage sludge acceptance procedures and the determination of a new trust corpus amount. The permit was issued by the Southeast Regional Office on September 22, 2004.

Permit No. 400658. Hatfield Township Municipal Authority, 3200 Advance Lane, Colmar, PA 18915-9766, Hatfield Township, **Montgomery County**. This amended waste management permit is to modify the Radiation Protection Action Plan for the previous facility. The permit was issued by the Southeast Regional Office on September 22, 2004.

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

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

Permit No. 100934, Blue Ridge Landfill, Greene Township, **Franklin County**. The permit modification issued August 31, 2004, is for an increase in Average and Maximum Daily Volume. Compliance with the terms and conditions set forth in the permit is mandatory. Individuals have the right to file an appeal as to these terms and conditions.

Persons interested in reviewing the modification permit should contact John Krueger, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

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

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

46-302-228GP: Naval Air Station—Joint Reserve Base (Code 89, Environmental Division, Building 78, Willow Grove, PA 19090) on September 23, 2004, to operate a low NOx burner in Horsham Township, **Montgomery County**.

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

GP3-11-07-03014: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) on September 24, 2004, for portable nonmetallic mineral processing plants under GP3 in Taylor Township, **Blair County**.

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

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

09-0035C: EnPro Industries, Inc. (23 Friends Lane, Newtown, PA 18940) on September 23, 2004, to operate an ammonia etching process in Newtown Township, **Bucks County**.

23-0001W: Sunoco Inc.—R and M (100 Green Street, Marcus Hook, PA 19061) on September 24, 2004, to operate a desulphurize gasoline (tier II) in Marcus Hook Borough, **Delaware County**.

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

48-309-123: Hercules Cement Co. (501 Center Street, Stockertown, PA 18083) on September 20, 2004, to reactivate the no. 1 stock-house railcar load-out system and associated air cleaning device at their facility in Stockertown Borough, **Northampton County**.

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

22-05034B: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17105) on September 23, 2004, to construct a pulverized mineral processing operation, Hummelstown Quarry in South Hanover Township, **Dauphin County**.

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

26-00554A: Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) on September 15, 2004, to construct a coal preparation plant at Pletcher Surface Mine in Saltlick Township, **Fayette County**.

32-00206B: AMFIRE Mining Co. LLC (One Energy Place, Latrobe, PA 15650) on September 20, 2004, to increase throughput at Clymer Tipple Mine in Cherryhill Township **Indiana County**.

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

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

09-0157: Barrett Asphalt, Inc. (7503 Weymouth Road, Hammonton, NJ 08037) on September 22, 2004, to operate a bituminous concrete drum-mix plant in Falls Township, **Bucks County**.

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

55-399-005: Professional Building Systems, Inc. (72 East Market Street, Middleburg, PA 17842) on September 24, 2004, to operate a modular home manufacturing facility on a temporary basis until January 22, 2005, in Middleburg Borough, **Snyder County**. The plan approval has been extended.

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

43-290B: Winner Steel, Inc. (277 Sharpsville Avenue, Sharon, PA 16146) on September 19, 2004, to install a new no. 3 continuous steel strip galvanizing line furnace in the City of Sharon, **Mercer County**. This is a State-only facility.

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

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

23-00017: Exelon Generation Co. (No. 1 Industrial Highway, Philadelphia, PA 19101) on September 21, 2004, to amend the operation of a facility Title V Operating Permit in Eddystone Borough, **Delaware County**.

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

06-05063: Boyertown Foundry Co. (P. O. Box 443, New Berlinville, PA 19545) on September 21, 2004, to renew operation of their gray iron foundry in the Borough of Boyertown and Colebrookdale Township, **Berks County**.

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

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

06-03010: Brenntag Northeast, Inc. (P. O. Box 13788, Reading, PA 19612-3788) on September 21, 2004, to operate their Reading (Huller Lane) chemical distribution facility in Ontelaunee Township, **Berks County**.

06-03090: Western Berks Refuse Authority (455 Poplar Neck Road, Birdsboro, PA 19508) on September 17, 2004, to operate a municipal solid waste landfill controlled by an enclosed ground flare in Cumru Township, **Berks County**.

31-05018: Texas Eastern Transmission, LP (P. O. Box 1642, Houston, TX 77251-1642) on September 21, 2004, for a State-only Operating Permit to operate a natural gas compressor station at their Entriken Compressor Station in Todd Township, **Huntingdon County**.

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

08-00023: Faithful Companions Pet Cemetery (R. D. 2, Box 210, Ulster, PA 18850) on September 14, 2004, issued State-only Operating Permit for their pet cremation facility in Smithfield Township, **Bradford County**. The facility's main sources include two natural gas fired animal crematory incinerators. The State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

14-00009: Mount Nittany Medical Center (1800 East Park Avenue, State College, PA 16803) on August 10, 2004, issued State-only Operating Permit for their general medical and surgical hospital facility in College Township, **Centre County**. The facility's main sources include three natural gas/no. 2 fuel oil fired boilers, one natural gas fired boiler, two natural gas fired emergency generators and six no. 2 fuel oil fired emergency generators. The State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

08-00008: Guthrie Robert Packer Hospital (One Guthrie Square, Sayre, PA 18840 on August 20, 2004, issued State-only (Synthetic Minor) Operating Permit for their general medical and surgical hospital facility in Sayre Borough, **Bradford County**. The facility's main sources include three natural gas/no. 2 fuel oil fired

boilers and four diesel fired emergency generators. The State-only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

63-00147: International Paper, Inc.—84 North/84 South Facilities (72 Wilson Road, Eighty Four, PA 15301) on September 22, 2004, to operate corrugated box manufacturing processes at the 84 North and 84 South facilities respectively in North Strabane Township, **Washington County**.

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

10-00220: ESM Manufacturing LP (955 Saxonburg Blvd., Saxonburg, PA 16056) on September 23, 2004, for a Natural Minor Operating Permit for emissions from their nonmetallic mineral processing facility in Adams Township, **Butler County**.

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

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

36-05005: Viking Cabinetry Group, LLC (215 Diller Avenue, New Holland, PA 17557) on September 23, 2004, to install four paint booths at their facility in New Holland Borough, **Lancaster County**. This Title V Operating Permit was administratively amended to reflect a change of ownership from Heritage Custom Kitchens, Inc. This is Revision No. 1.

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

59-00010: Eagle Family Foods, Inc. (125 East Avenue, Wellsboro, PA 16901) on September 23, 2004, to authorize the use of natural gas in a no. 2 fuel oil-fired boiler via minor operating permit modification in Wellsboro Borough, **Tioga County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

02030101 and NPDES Permit No. PA0250414. Teodori Enterprises (P. O. Box 616, Lawrence, PA 15055). Permit issued for commencement, operation and reclamation of a bituminous surface mining site in North Fayette Township, **Allegheny County**, affecting 155.4 acres. Receiving streams: unnamed tributaries to North Branch and North Branch of Robinson Run. Application received May 5, 2003. Permit issued September 24, 2004.

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

24890101 and NPDES Permit No. PA0105082. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824). Renewal of an existing bituminous strip, tippie refuse disposal and coal ash placement operation in Fox and Horton Townships, **Elk County** affecting 377.0 acres. This renewal is issued for reclamation only. Receiving streams: Boderocco Run, Brandy Camp Creek and unnamed tributary to Little Toby Creek. Application received March 22, 2004. Permit issued September 16, 2004.

33733009 and NPDES Permit No. PA0602779. P. and N. Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767). Renewal of an existing bituminous strip and auger operation in Gaskill Township, **Jefferson County** affecting 336.2 acres. This renewal is issued for reclamation only. Receiving streams: Stoney Run and unnamed tributaries to Clover Run. Application received July 19, 2004. Permit issued September 15, 2004.

16940103 and NPDES Permit No. PA0211974. RFI Energy, Inc. (555 Philadelphia Street, Indiana, PA 15701). Renewal of an existing bituminous strip, tippie refuse disposal and coal ash placement operation in Perry Township, **Clarion County** affecting 764.0 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributary to the Allegheny River, unnamed tributary to the Clarion River. Application received June 17, 2004. Permit issued September 15, 2004.

33040102 and NPDES Permit No. PA0242519. MSM Coal Company, Inc. (P. O. Box 243, DuBois, PA 15801). Commencement, operation and restoration of a bituminous strip operation in Union Township, **Jefferson County** affecting 30.5 acres. Receiving streams: unnamed tributary to Little Mill Creek. Application received March 29, 2004. Permit issued September 17, 2004.

33030109 and NPDES Permit No. PA0242446. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242). Commencement, operation and restoration of a bituminous strip operation in Winslow Township and Reynoldsville Borough, **Jefferson County** affecting 34.0 acres. Receiving streams: unnamed tributary to Soldier Run. Application received August 13, 2003. Permit issued September 21, 2004.

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

11841603. NPDES Permit No. PA0235377, Cooney Bros. Coal Company (Box 246, Cresson, PA 16630), to renew the permit for the Sonman Preparation Plant in Portage Township, **Cambria County** and related NPDES permit. No additional discharges. Permit issued September 21, 2004.

56743704. NPDES Permit No. PA0214931, Robindale Energy Service, Inc. (1001 Broad Street,

Suite 130, Johnstown, PA 15906), to transfer the permit for the Penn Pocahontas Coal Refuse Site in Brothersvalley Township, **Somerset County** from Penn Pocahontas Coal Company. No additional discharges. Permit issued September 23, 2004.

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

32040102 and NPDES Permit No. PA0249491. Britt Energies, Inc., 2450 Philadelphia Street, Indiana, PA 15701, commencement, operation and restoration of a bituminous surface mine in Center Township, **Indiana County**, affecting 201.2 acres. Receiving streams: Yellow Creek, Two Lick Creek, Blacklick Creek, Conemaugh River and Tearing Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 26, 2004. Permit issued September 21, 2004.

Noncoal Permits Actions

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

64040801. John Petroski (R. R. 1 Box 100, Pleasant Mount, PA 18453), commencement, operation and restoration of a quarry operation Starrucca Borough, **Wayne County** affecting 5.0 acres, receiving stream: none. Application received April 30, 2004. Permit issued September 22, 2004.

58040835. Meshoppen Stone, Inc. (P. O. Box 127, Meshoppen, PA 18630), commencement, operation and restoration of a quarry operation in Auburn Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received June 11, 2004. Permit issued September 22, 2004.

58040836. Brent L. Salsman (R. R. 3 Box 35, Meshoppen, PA 18630), commencement, operation and restoration of a quarry operation in Auburn Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received June 14, 2004. Permit issued September 22, 2004.

19040801. Rueben Albertson (70 Albertson Road, R. R. 2 Box 223T, Orangeville, PA 17859), commencement, operation and restoration of a quarry operation in Fishing Creek Township, **Columbia County** affecting 5.0 acres, receiving stream: none. Application received June 18, 2004. Permit issued September 22, 2004.

58040847. Theodore R. Walworth (P. O. Box 14, Hallstead, PA 18822), commencement, operation and restoration of a quarry operation in Gibson Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received August 4, 2004. Permit issued September 22, 2004.

45040801. Bruce N. George (R. R. 1 Box 331, Kunkletown, PA 18058), commencement, operation and restoration of a quarry operation in Eldred Township, **Monroe County** affecting 5.0 acres, receiving stream: none. Application received April 27, 2004. Permit issued September 23, 2004.

49040801. K & T Excavating, Inc. (1041 Strawbridge Road, Northumberland, PA 17857), commencement, operation and restoration of a quarry operation in Point Township, **Northumberland County** affecting 5.0 acres, receiving stream: none. Application received June 2, 2004. Permit issued September 23, 2004.

52042802. Springbrook Enterprises, Inc. (HC 8 Box 8210, Hawley, PA 18428), commencement, operation and restoration of a quarry operation in Blooming Grove

Township, **Pike County** affecting 5.0 acres, receiving stream: none. Application received June 14, 2004. Permit issued September 23, 2004.

58040846. Robert J. Johnson, Jr. (11 Second Street, Laceyville, PA 18623), commencement, operation and restoration of a quarry operation in Auburn Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received August 4, 2004. Permit issued September 23, 2004.

5677SM1C6 and NPDES Permit No. PA0223263. Watsontown Brick Company (P. O. Box 68, Watsontown, PA 17777), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Delaware Township, **Northumberland County**, receiving stream: West Branch Susquehanna River. Application received August 9, 2004. Renewal issued September 24, 2004.

58040839. Robert A. Stankiewicz (R. R. 2, Box 147, Kingsley, PA 18826), commencement, operation and restoration of a bluestone quarry operation in Bridgewater Township, **Susquehanna County** affecting 4.0 acres. Receiving stream: tributary to Hop Bottom Creek. Application received June 28, 2004. Permit issued September 24, 2004.

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

37940302. G. L. McKnight, Inc. (P. O. Box 773, Slippery Rock, PA 16057). Renewal of NPDES Permit No. PA0212041 in Scott and Plain Grove Townships, **Lawrence County**. Receiving streams: unnamed tributary to Slippery Rock Creek. Application received July 19, 2004. Permit issued September 15, 2004.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

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

45044034. Rick Rufe Drilling & Blasting (R. R. 6 Box 63608, Saylorsburg, PA 18353) and **Austin Powder Company** (P. O. Box 289, Northampton, PA 18067), construction blasting at Lot 13 Kettle Ridge in Hamilton Township, **Monroe County** with an expiration date of October 13, 2005. Permit issued September 21, 2004.

09044028. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting at Deer Valley Housing Development in Warrington Township, **Bucks County** with an expiration date of October 14, 2005. Permit issued September 21, 2004.

15044038. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting at Fieldbrook Housing Development in East Whiteland Township, **Chester County** with an expiration date of October 14, 2005. Permit issued September 21, 2004.

15044039. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting at Cedar Mill Crossing Housing in North Coventry Township, **Chester County** with an expiration date of October 14, 2005. Permit issued September 21, 2004.

22044101. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting at Clover Hill Industrial Park in West Hanover Township, **Dauphin County** with an expiration date of September 30, 2005. Permit issued September 21, 2004.

36044106. Keystone Blasting Services (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Lansdale Development in Manheim Township, **Lancaster County** with an expiration date of September 30, 2005. Permit issued September 21, 2004.

36044107. Gerlach's Drilling & Blasting (172 Bender Mill Road, Lancaster, PA 17603), construction blasting on Brubaker Farm in East Donegal Township, **Lancaster County** with an expiration date of September 30, 2005. Permit issued September 21, 2004.

36044108. Gerlach's Drilling & Blasting (172 Bender Mill Road, Lancaster, PA 17603), construction blasting on Keller Tract—Rasberry Hills Commons in Lititz Borough and Warwick Township, **Lancaster County** with an expiration date of September 30, 2005. Permit issued September 21, 2004.

48044032. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting at Hanover Corporate Center in Hanover Township, **Northampton County** with an expiration date of October 16, 2005. Permit issued September 22, 2004.

48044031. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting at Hanover Crossing North in Hanover Township, **Northampton County** with an expiration date of October 20, 2005. Permit issued September 22, 2004.

48044033. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting at Hanover Corporate Center in Hanover Township, **Northampton County** with an expiration date of October 20, 2005. Permit issued September 22, 2004.

67044045. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting at Highland Development in Springettsbury Township, **York County** with an expiration date of September 30, 2005. Permit issued September 22, 2004.

21044069. Anrich, Inc. (1271 South Gulph Road, Wayne, PA 19087) and **DC Guelich Explosives Co., Inc.** (P. O. Box 245, Thomasville, PA 17364), construction blasting at South Middleton Township Municipal Authority Sewer Project in South Middleton Township, **Cumberland County** with an expiration date of September 30, 2005. Permit issued September 22, 2004.

67044046. ABEL Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting at Buttonwood Farms Phases 4 and 5 in Hallam Borough, **York County** with an expiration date of September 30, 2005. Permit issued September 22, 2004.

15044040. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380), construction blasting at Park Family Property/Comcast Building in West Whiteland Township, **Chester County** with an expiration date of October 20, 2005. Permit issued September 22, 2004.

67044103. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting Pleasant View in Fairview Township, **York County** with an expiration date of September 30, 2005. Permit issued September 22, 2004.

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

14044023. Stone Valley Construction (P. O. Box 369, Pine Grove Mills, PA 16868), for construction blasting in Ferguson Township, **Centre County**, with an expected duration of 102 days. Permit issued September 17, 2004.

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

02044006. BFI Waste Systems of North America, Inc. (P. O. Box 47, Imperial, PA 15126), for construction blasting at the Imperial Landfill in Findlay Township, **Allegheny County** with an expected duration of 185 days. Permit issued September 20, 2004.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-951. Congregation Beth Or, 700 Penllyn Blue Bell Pike, Spring House, PA 19477, Upper Dublin Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the Congregation Beth Or Synagogue Facility in the vicinity of an unnamed tributary to the Park Creek (WWF-MF) and adjacent wetlands:

1. To relocate 317 linear feet of stream channel along an unnamed tributary of Park Creek starting at endwall 4 and terminating at the proposed modified reservoir.

2. To construct and maintain 119 linear feet of stream enclosure along the relocated channel reach as noted in Item 1. The enclosure consists of 19 linear feet of 24-inch RCP, 27 linear feet of 36-inch RCP, 66 linear feet of 48-inch RCP, associated fill, manholes, endwalls, riprap protection and stormwater outfall structures to accommodate a new access road from Butler Pike. Also associated with this activity is a proposed 8-inch water line.

3. To install and maintain a 1 1/2-inch sanitary sewer force main across a portion of the relocated channel noted in Item 1.

4. To place fill within the abandoned stream channel and 0.11 acre of adjacent wetlands.

5. To modify a reservoir impounded by a nonjurisdictional dam to facilitate the widening of the Welsh Road and Butler Pike intersection. Reservoir modification will include shifting the reservoir to the east, dredging to remove accumulated sediment and the construction of a forebay and footbridge. Work also includes regrading of the shoreline slopes of the reservoir to establish a wetland replacement area.

The issuance of this permit constitutes approval of an Environmental Assessment for impacts associated with the removal and reconstruction of an on-stream nonjurisdictional dam and appurtenant outlet works which will extend under Welsh Road. The site is approximately 400 feet northwest of the intersection of Butler Pike and Welsh Road (Ambler, PA USGS Quadrangle N: 10.70 inches; W: 9.10 inches).

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

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

E02-1147-A1. Allegheny County Department of Public Works, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-2904. Cochran Mills Road stream bank stabilization and outfall in Jefferson Hills Borough, **Allegheny County**, Pittsburgh ACOE District (Glassport, PA Quadrangle N: 9.9 inches; W: 13.9 inches) (Latitude: 40° 18' 29" and 79° 58' 29"). To amend Permit E02-1147 which authorized the construction and maintenance of a 140-foot long soldier beam and lagging wall and to replace an existing 24-inch CMP outfall pipe with a new 24-inch CMP outfall pipe along the left bank of Lick Run (TSF) for the purpose of improving the slope stability of Cochran Mill Road. The project is along the west side of Cochran Mills Road approximately 100 feet south of its intersection with McElhaney Road in Jef-

ferson Hills Borough, Allegheny County. This amendment will authorize the removal of existing structures, the construction and maintenance of various outfalls to Lick Run (TSF) and the construction and maintenance of an approximately 295-foot long soldier beam and lagging wall the R7 riprap along the face along the left bank of the same stream for the purpose of improving the slope stability of Cochran Mills Road. The project is along the west side of Cochran Mills Road approximately 1,500 feet south of its intersection with McElhanev Road.

E02-1440. M. R. W. Realty, LLC, 11040 Perry Highway, Wexford, PA 15090. Relocate an unnamed tributary to North Fork Pine Creek in Pine Township, **Allegheny County**, Pittsburgh ACOE District (Mars, PA Quadrangle N: 2.1 inches; W: 8.3 inches and Latitude: 40° 38' 00" and Longitude: 80° 03' 30"). To place and maintain fill in 0.21 acre of wetlands (PEM/PSS) and to relocate and maintain 425.0 linear feet of an unnamed tributary to North Fork Pine Creek (CWF) for the purpose of constructing the proposed Best Tile Distributors Development. The project is on the east side of Schwinderman Road, approximately 1,000 feet north from the intersection of Wallace Drive and Schwinderman Road and will impact 0.21 acre of wetlands (PEM/PSS) and 425.0 linear feet of stream channel. To compensate for the wetland impacts, the applicant proposes to construct 0.23 acre of replacement wetlands.

E02-1474. Duquesne Light Company, 1800 Seymour Street, 2nd Floor, Pittsburgh, PA 15233. Construct an outfall on Chartiers Creek in Collier Township, **Allegheny County**, Pittsburgh ACOE District (Pittsburgh West, PA Quadrangle N: 1.7 inches; W: 13.0 inches and Latitude: 40° 23' 03" and Longitude: 80° 05' 36"). To construct and maintain an 18-inch diameter outfall structure on the left bank of Chariters Creek (WWF) for the purpose of constructing a parking lot at the Duquesne Light Woodville Substation site. The project is on the east side of SR 50 (Washington Pike) approximately 400 feet north from its intersection with Pittsburgh and Washington Pike Road and will impact approximately 5.0 feet of stream channel.

E03-419. Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 26301. To repair pipeline LN-19 in Boggs, Burrell, Kiskiminetas, Kittanning, Mahoning, Plumcreek, Redbank, South Bend, Valley and Wayne Townships, **Armstrong County**, Pittsburgh ACOE District. The project starts south of the Westmoreland/Armstrong County line (Vandergrift, PA Quadrangle N: 8.75 inches; W: 4.6 inches and Latitude: 40° 32' 53" and Longitude: 79° 31' 59") and ends south of Armstrong/Clarion County line (New Bethlehem, PA Quadrangle N: 2.15 inches; W: 6.95 inches and Latitude: 41° 00' 43" and Longitude: 79° 18' 01"). To repair, operate and maintain an existing 21.0-mile, 20-inch diameter gas pipeline (LN-19) across three tributaries to Roaring Run (CWF), Crooked Creek (WWF), three tributaries to Crooked Creek (WWF), Long Run (WWF), a tributary to Long Run (WWF), Cherry Run (CWF), two tributaries to Cherry Run (CWF), Spra Run (WWF), Cowanshannock Creek (TSF), three tributaries to Cowanshannock Creek (WWF), South Fork Pine Creek (WWF), two tributaries to South Fork Pine Creek (WWF), North Fork Pine Creek (WWF), Scrubgrass Creek (CWF), three tributaries to Scrubgrass Creek (CWF), five tributaries to Mahoning Creek (CWF) and a tributary to Redbank Creek (CWF).

E32-463. Department of Transportation, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701. Dual pipes in the Conemaugh River in West Wheatfield Town-

ship, **Indiana County**, Pittsburgh ACOE District (Rachelwood, PA Quadrangle N: 22.6 inches; W: 17.2 inches and Latitude: 40° 22' 28" and Longitude: 79° 7' 25"). To remove the existing structures and: (1) to construct and maintain dual 48-inch diameter, 40-foot long RCC pipes (6-inch depressed invert) in an unnamed tributary to the Conemaugh River (CWF); and (2) to construct and maintain an R-7 rock-lines channel for a distance of 20 feet at the outlet end of the dual pipes on SR 2008, Segment 70 offset 3535. The project proposes to directly affect 60 linear feet of perennial stream. No vegetated wetlands will be impacted.

E65-851. Department of Transportation, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. Box culvert in Upper Burrell Township, **Westmoreland County**, Pittsburgh ACOE District (New Kensington East, PA Quadrangle N: 2.85 inches; W: 9.0 inches and Latitude: 40° 30' 57" and Longitude: 79° 41' 23"). To remove the existing structures and: (1) to construct and maintain a precast reinforced concrete box culvert having a single waterway opening 16.0 feet wide by 8.0 feet high (1.0 foot depressed invert) and 46.1 feet long with concrete wingwalls in an unnamed tributary to Pucketa Creek (TSF) on SR 0366, Section F01; (2) to construct and maintain a temporary crossing consisting of five 72-inch diameter corrugated metal pipes upstream of the proposed bridge in an unnamed tributary to Pucketa Creek (TSF); and (3) to temporarily place and maintain fill in 0.0068 acre of PFO wetland for the purpose of constructing the temporary crossing.

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

E24-237. Donald Wassel, R. D. 8, Box 298A, Greensburg, PA 15601. Trout Run Camp pedestrian footbridge in Benetzette Township, **Elk County**, ACOE Baltimore District (Weedville, PA Quadrangle N: 13.1 inches; W: 2.2 inches).

To maintain the existing cable supported pedestrian bridge having a 91-foot span length, a 40-inch instream width and an approximate 10-foot minimum clearance over Trout Run (TSF) at a point approximately 4,000 feet northwest of the intersection of SR 0555 and Front Street.

E42-310. Kinzua Valley Trail Club, 37 Mud Puddle Road, Westline, PA 16740. Libby Run Pedestrian Bridge in Hamilton Township, **McKean County**, ACOE Pittsburgh District (Westline, PA Quadrangle N: 5.7 inches; W: 8.2 inches).

To construct and maintain a pedestrian footbridge having a clear span of approximately 10 feet, an instream length of 15 feet and a rise of 3 feet (minimum) across Libby Run (HQ-CWF) along the existing railroad grade at a point approximately 200 feet north of the confluence with Kinzua Creek.

[Pa.B. Doc. No. 04-1858. Filed for public inspection October 8, 2004, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website: www.dep.state.pa.us (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 2004.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

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

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have 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: 563-2504-001. Title: Conventional Bonding for Land Reclamation—Coal. Description: The Department requires coal mining activities to be bonded in an amount that covers the Department's cost to complete the site's reclamation plan. This guidance describes the regulatory and statutory requirements for determining bond amounts. The document was finalized and became effective August 4, 2001, published at 31 Pa.B. 4239 (August 4, 2001). Recent changes were made to the document to enhance its clarity. These changes include: adding definitions for "mining area," "operational area" and "multiple bench"; eliminating the one time allowance of "Temporary Exceedance" of pit volumes; adding clarifying language to the section that describes when a reclaimed area can be left out of the operational area; deleting references to the Land Maintenance Financial Guarantees program; modifying the publication of bond rate guidelines to annually instead of publishing guidelines in December; expanding the narrative describing what information is required for the Annual Review; and including waivers for partial submittal of annual review information. In addition to these changes, other modifications were made including: explaining why underground mines and preparation plants are reviewed for proper bonds for major permit actions instead of requiring the submittal of annual reviews; adding a section about when and how reclamation fees are still collected; and removing barrier restrictions to make the Commonwealth's program compatible with the Federal regulations. Written Comments: Interested persons should submit written comments on technical guidance document 563-2504-001 by November 8, 2004. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to John Meehan, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, johmeehan@state.pa.us. Questions regarding the technical guidance document should be directed to John Meehan at (717) 787-5103 or by e-mail.

Final Technical Guidance

DEP ID: 012-5500-001 Title: 2005 Environmental Education Grants Program Manual and Forms. Description:

This manual is a guide for eligible organizations interested in applying for the Department's Environmental Education (EE) grants program. The manual provides information on eligibility and details on how to apply for a grant, as well as the operational procedures required if a grant is awarded. The Environmental Education Act (act) (35 P. S. §§7521—7528) was signed into law on June 22, 1993. The act established a policy that EE is critically important to all citizens in this Commonwealth; created an EE fund from 5% of the Department's pollution fine moneys; and created the EE grants program for the distribution of the EE fund money. The act requires the Department to provide the guidance contained in this manual for public review and comment in the *Pennsylvania Bulletin*. Substantive changes were made to the manual, which were advertised for public comment at 34 Pa.B. 3985 (July 24, 2004). The Department did not receive comments on the manual during the public comment period. Effective Date: October 1, 2004.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1859. Filed for public inspection October 8, 2004, 9:00 a.m.]

Laboratory Accreditation Advisory Committee Meeting Cancellation

The Laboratory Accreditation Advisory Committee (Committee) meeting scheduled for Tuesday, October 12, 2004, has been cancelled. The next meeting of the Committee is scheduled for Tuesday, December 14, 2004.

Questions concerning this meeting should be directed to Richard Sheibley, (717) 705-2425, rsheibley@state.pa.us.

Persons with a disability who require accommodations to attend the December 14, 2004, meeting should contact the Department of Environmental Protection (Department) at (717) 705-2425 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1860. Filed for public inspection October 8, 2004, 9:00 a.m.]

State Water Plan; Water Resources Regional Committee Meetings Schedule for October 2004

Following is a list of October 2004 meetings of the six water resources regional committees (regional committees) associated with the Department of Environmental Protection (Department). These schedules and an agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department's website: www.dep.state.pa.us (DEP Keyword: Participate).

The regional committees were created under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of a new State Water Plan (plan) for this Commonwealth. The regional committees' purpose is to develop the regional component of the overall plan and to provide recommendations to the Statewide Water Resources Committee, which is charged under 27 Pa.C.S. Chapter 31 to develop the plan.

The October 2004 meeting dates of the six regional committees are as follows:

Ohio Water Resources Regional Committee

The October meeting of the Ohio Water Resources Regional Committee will be held at 10 a.m. at the following location:

October 18, 2004 Allegheny County Sanitary Authority (ALCOSAN)
3300 Preble Avenue
Pittsburgh, PA 15233-1092

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Great Lakes Water Resources Regional Committee

The October meeting of the Great Lakes Water Resources Regional Committee will be held at 10 a.m. at the following location:

October 12, 2004 Erie County Conservation District
Headwaters Park
1927 Wager Road
Erie, PA 16509

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Delaware Water Resources Regional Committee

The October meeting of the Delaware Water Resources Regional Committee will be held at 9:30 a.m. at the following location:

October 14, 2004 Grey Towers National Historic Landmark
151 Grey Towers Drive
P. O. Box 188
Milford, PA 18337

Questions concerning this meeting should be directed to Derrick McDonald, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-5619, emcdonald@state.pa.us.

Upper/Middle Susquehanna Water Resources Regional Committee

The October meeting of the Upper/Middle Susquehanna Water Resources Regional Committee will be held at 10 a.m. at the following location:

October 21, 2004 Centre County Solid Waste Authority
253 Transfer Road
Bellefonte, PA 16823

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Potomac Water Resources Regional Committee

The October meeting of the Potomac Water Resources Regional Committee will be held at 10 a.m. at the following location:

October 15, 2004 Franklin County Planning Commission
218 North Second Street
Chambersburg, PA 17201

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Persons with a disability who require accommodations to attend a meeting should contact the Department at (717) 705-2425 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1861. Filed for public inspection October 8, 2004, 9:00 a.m.]

Storage Tank Advisory Committee, Fees Subcommittee Meeting

The Storage Tank Advisory Committee's (Committee) Fee Subcommittee will meet at 9 a.m. on October 13, 2004, on the 10th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg PA. The purpose of this meeting is to continue discussions for developing a registration fee structure to support the storage tanks program. The next meeting of the full Committee is scheduled for 10 a.m. on Tuesday, December 7, 2004, on the 10th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg PA.

Questions concerning the Fee Subcommittee meeting should be directed to Charles Swokel, (717) 772-5599, cswokel@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Ruth Carmen at (717) 772-5831 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-1862. Filed for public inspection October 8, 2004, 9:00 a.m.]

DEPARTMENT OF HEALTH

Availability of Educational and Informational Materials Concerning Vaccination Against the Influenza Virus and Pneumococcal Disease

In accordance with section 4(b) of the Elderly Immunization Act (35 P.S. § 634.4(b)); an act providing for immunization against the influenza virus and pneumococcal disease for elderly persons, the Department of Health (Department) is issuing notice of the availability of educational and informational materials concerning vaccination against the influenza virus and pneumococcal disease for hospitals and other facilities providing ongoing medical care. The information is available on the Depart-

ment's website at www.health.state.pa.us and the website of the Federal Centers for Disease Control and Prevention (CDC) at www.cdc.gov/nip/vaccine/pneumo and www.cdc.gov/flu. The CDC's website contains the information in languages other than English.

The Department is also strongly encouraging health care providers to provide to each person receiving the influenza or pneumococcal vaccine the current relevant Vaccine Information Statement (VIS), which can be downloaded from either website. The VIS contains specific information relating to the benefits and risks that may be connected with the receipt of these vaccinations.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Alice Gray, Director, Division of Immunization, (717) 787-5681, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,
Secretary

[Pa.B. Doc. No. 04-1863. Filed for public inspection October 8, 2004, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

York County Nursing Home
118 Pleasant Acres Road
York, PA 17402

Ohesson Manor
276 Green Avenue
Lewistown, PA 17044

Centre Crest
502 East Howard Street
Bellefonte, PA 16823-2199

Pennswood Village
1382 Newtown Langhorne Road
Newtown, PA 18940
FAC ID 164002

Buffalo Valley Lutheran Village
889 Fairground Road
Lewisburg, PA 17837-1299

The Williamsport Home
1900 Ravine Road
Williamsport, PA 17701

The following long-term care nursing facility is seeking an exception to 28 Pa. Code §§ 205.38(b) and 205.39(b) (relating to toilet facilities; and toilet room equipment):

Brookline Manor and Retirement Village
R. D. 1 Box 463
Mifflintown, PA 17059

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the previous address, for speech and/or hearing impaired persons, V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M.D., M.P.H.,
Secretary

[Pa.B. Doc. No. 04-1864. Filed for public inspection October 8, 2004, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Fee Increase for Ambulance Services

The Department of Public Welfare (Department) announces that fees on the Medical Assistance (MA) Program Fee Schedule for ambulance services will be increased, effective with dates of service on and after July 1, 2004.

Ambulance companies provide a direct link to medically necessary health care for MA recipients in this Commonwealth. The costs associated with the provision of ambulance services have increased substantially over the years. In recent years the price of gasoline alone has taxed this industry immensely, compounded by increased costs for state-of-the-art life-saving equipment and certified, trained staff.

For MA recipients to continue to have access to this vital service, the Department will increase the MA fee for the following procedure codes on the MA Program Fee Schedule:

<i>Procedure Code</i>	<i>Description of Service</i>	<i>Current Fee</i>	<i>Increased Fee Effective July 1, 2004</i>
W0011	Mileage	\$1 per mile after the first 20 miles (round trip)	\$2 per mile after the first 20 miles (round trip)
W0012	VASC Certified, Nonemergency Transportation Service	\$60	\$120

<i>Procedure Code</i>	<i>Description of Service</i>	<i>Current Fee</i>	<i>Increased Fee Effective July 1, 2004</i>
W0013	VASC Certified, Nonemergency Transportation Service, Other Unusual Circumstances	\$60	\$120
W0015	VASC Certified, Emergency (Prehospital) Transportation Service	\$60	\$120
W0016	Advanced Life Support (ALS) Service with Transport (Prehospital)	\$100	\$200
W0017	Advanced Life Support (ALS) Service Without Transport (Prehospital)	\$40	\$80
W0018	Specialized Services (Critical Care, with Transport, Interfacility Cases such as Neonatal, Prenatal or Cardiac Care Service)	\$100	\$200

Fiscal Impact

The estimated cost relating to Fiscal Year 2004-2005 is \$6.378 million (\$3.212 million in State funds). Of this amount, \$3.218 million (\$1.669 million in State funds) relates to the Outpatient program while \$3.16 million (\$1.543 million in State funds) is for MA—Capitation services.

The estimated cost for Fiscal Year 2005-2006 is \$10.639 million (\$5.272 million in State funds). Of this amount, \$4.023 million (\$2.065 million in State funds) relates to the Outpatient program while \$6.616 million (\$3.207 million in State funds) is for MA—Capitation services.

Public Comment

Interested persons are invited to submit written comments to this notice within 30 days of publication to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy's Secretary Office, Attn: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments will be considered in future revisions to the MA Program Fee Schedule. Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-400. (1) General Fund;

	<i>Outpatient</i>	<i>Capitation</i>
(2) Implementing Year 2004-05 is	\$1,669,000	\$1,543,000
(3) 1st Succeeding Year 2005-06 is	\$2,065,000	\$3,207,000
2nd Succeeding Year 2006-07 is	\$2,133,000	\$3,311,000
3rd Succeeding Year 2007-08 is	\$2,133,000	\$3,311,000
4th Succeeding Year 2008-09 is	\$2,133,000	\$3,311,000
5th Succeeding Year 2009-10 is	\$2,133,000	\$3,311,000

	<i>Outpatient</i>	<i>Capitation</i>
(4) 2003-04 Program—	\$727,979,000	\$2,298,102,000
2002-03 Program—	\$666,832,000	\$1,863,772,000
2001-02 Program—	\$705,750,000	\$1,711,084,000

(7) MA—Outpatient and Capitation; (8) recommends adoption. Costs for 2004-05 have been included in Act 7-A of 2004, the General Appropriation Act of 2004.

[Pa.B. Doc. No. 04-1865. Filed for public inspection October 8, 2004, 9:00 a.m.]

Inpatient Hospitals Qualifying for Medical Assistance Disproportionate Share Payments for the Period July 1, 2003 through June 30, 2004

On July 1, 1988, the Department of Public Welfare (Department) implemented a disproportionate share payment system. Under 55 Pa. Code §§ 1151.54(i), 1163.67(k) and 1163.459(j) (relating to disproportionate share payments), the Department is required to annually publish the names of each inpatient acute care general hospital, rehabilitation hospital and private psychiatric hospital qualifying for a disproportionate share payment and their respective disproportionate share payment percentage.

A. Disproportionate Share for Acute Care General Hospitals, Rehabilitation Hospitals and Private Psychiatric Hospitals.

The following lists identify the inpatient acute care general hospitals, psychiatric units and rehabilitation units of acute care general hospitals, rehabilitation hospitals and private psychiatric hospitals eligible for disproportionate share payments for the period July 1, 2003, through June 30, 2004, and their respective payment percentages. For all inpatient facilities, disproportionate share payments are calculated as a percentage of projected MA inpatient income.

Payment period July 1, 2003, to June 30, 2004, disproportionate share payment percentages:

Acute Care General Hospitals

ALBERT EINSTEIN MED CTR	4.45%
ALFRED I. DUPONT INSTITUTE	9.41%
BARNES KASSON HOSPITAL	4.59%
CHARLES COLE MEMORIAL HOSPITAL	4.83%
CHILDREN'S HOSPITAL OF PHILADELPHIA	8.47%
CHILDREN'S HOSPITAL OF PITTSBURGH	9.27%
CLEARFIELD HOSPITAL	4.78%
DIVINE PROVIDENCE—WILLIAMSPORT	5.96%
DUBOIS REGIONAL MED CTR	10.00%
HIGHLAND HOSPITAL	3.08%
INDIANA HOSPITAL	3.45%
KENSINGTON HOSPITAL	4.66%
MAGEE WOMEN'S	6.23%
MEMORIAL HOSPITAL—TOWANDA	5.46%
MERCY HOSP OF PHILA	4.75%
MONSOUR MEDICAL CENTER	6.04%
NPHS—GIRARD	1.00%
NPHS—ST. JOE'S	7.44%
PRESBYTERIAN MED CTR OF UPHS	2.96%
PUNXSUTAWNEY AREA HOSPITAL	4.04%
TEMPLE EAST	3.99%
TEMPLE UNIVERSITY CHILDREN'S MEDICAL CTR	15.00%
TEMPLE UNIVERSITY HOSPITAL	6.29%
THS—HAHNEMANN UNIV HOSPITAL	3.58%
THS—MED COLL OF PA HOSP	4.71%
THS—PARKVIEW	4.46%
THS—ST. CHRISTOPHER'S	14.00%
TITUSVILLE AREA HOSP	4.81%
UPMC—BEDFORD	9.00%
VALLEY FORGE	6.05%
WAYNE COUNTY MEMORIAL	5.54%
WEST VIRGINIA UNIV HOSPITALS, INC.	5.48%

Private Psychiatric Hospitals

BELMONT CENTER	3.92%
CLARION PSYCHIATRIC CENTER	6.33%
DEVEREAUX-MAPLETON PSYCH CTR	10.00%
EUGENIA HOSPITAL	2.97%
FAIRMOUNT BHS	3.00%
FIRST HOSPITAL WYOMING VALLEY	5.60%
FOUNDATIONS BEHAVIORAL HEALTH	7.49%
FRIENDS HOSPITAL	2.60%
HORSHAM PSYCHIATRIC HOSPITAL	4.59%
MEADOWS PSYCHIATRIC CENTER	7.44%
MONTGOMERY COUNTY MH/MR ER SVS	4.85%
NATIONAL HOSPITAL FOR KIDS IN CRISIS	9.00%

NORTHWESTERN INSTITUTE OF PSYCHIATRY	6.51%
PHILHAVEN	5.60%
SOUTHWOOD PSYCHIATRIC HOSPITAL	7.25%
<i>Psychiatric Units of Acute Care Hospitals</i>	
ALBERT EINSTEIN	2.97%
DIVINE PROVIDENCE—WILLIAMSPORT	3.83%
DUBOIS REGIONAL MEDICAL CENTER	3.02%
HIGHLAND HOSPITAL	2.19%
INDIANA HOSPITAL	2.03%
MERCY HOSP OF PHILADELPHIA	3.14%
MONSOUR MEDICAL CENTER	3.88%
NPHS—GIRARD	1.00%
PRESBYTERIAN MED CNTR OF UPHS	2.12%
TEMPLE UNIVERSITY HOSP	4.02%
THS—HAHNEMANN UNIV HOSP	2.47%
THS—MEDICAL COLLEGE OF PA HOSP (EPPI)	3.12%
THS—PARKVIEW HOSPITAL	2.98%
<i>Drug and Alcohol Units of Acute Care Hospitals</i>	
NPHS—ST JOSEPHS	9.00%
PRESBYTERIAN MED CNTR OF UPHS	2.24%
VALLEY FORGE	6.91%
<i>Private Drug and Alcohol Hospitals</i>	
EAGLEVILLE HOSPITAL	3.57%
<i>Medical Rehab Units of Acute Care Hospitals</i>	
ALBERT EINSTEIN	4.50%
DUBOIS REGIONAL MEDICAL CENTER	4.63%
MONSOUR MEDICAL CENTER	6.89%
TEMPLE UNIVERSITY HOSP	7.26%
<i>Freestanding Rehab Hospitals</i>	
CHILDRENS INSTITUTE OF PITTSBURGH	6.75%
CHILDRENS SEASHORE HOUSE	10.00%

B. Additional Disproportionate Share Payments

Additional disproportionate share payments are made to inpatient facilities with a Medicaid inpatient utilization rate of not less than 1% which have provided services to persons who have been determined to be low income by meeting the income and resource standards for the State's general assistance program.

The payment adjustments are paid directly proportional to the payment received for either general assistance recipients for all hospital services or Title XIX recipients, 21 years of age or older but under 65 years of age, for services rendered by institutions for mental diseases under the fee-for-service and capitation programs.

The following hospitals are eligible for this payment adjustment:

Acute Care General Hospitals

ABINGTON MEMORIAL HOSPITAL
ALBERT EINSTEIN MED CTR
ALFRED I. DUPONT INSTITUTE
ALTIQUIPPA COMMUNITY HOSP
ALLEGHENY GENERAL HOSPITAL
ALLEGHENY KISKI

ALTOONA HOSPITAL
 AMERICAN ONCOLOGIC
 ARMSTRONG COUNTY MEMORIAL
 ASHLAND REGIONAL
 BARNES KASSON HOSPITAL
 BLOOMSBURG HOSPITAL
 BON SECOURS
 BRADFORD REGIONAL
 BRANDYWINE HOSPITAL
 BROOKVILLE HOSPITAL
 BROWNSVILLE GENERAL HOSPITAL
 BRYN MAWR HOSPITAL
 BUCKTAIL MEDICAL CENTER
 BUTLER COUNTY MEMORIAL
 CANONSBURG GENERAL HOSPITAL
 CARLISLE HOSPITAL
 CENTRAL MONTGOMERY HOSP
 CHAMBERSBURG HOSPITAL
 CHARLES COLE MEMORIAL HOSPITAL
 CHESTER COUNTY HOSPITAL
 CHESTNUT HILL HOSPITAL
 CHILDREN'S HOSPITAL OF PHILADELPHIA
 CHILDREN'S HOSPITAL OF PITTSBURGH
 CHS—BERWICK HOSPITAL
 CLARION HOSPITAL
 CLEARFIELD HOSPITAL
 COMMUNITY HOSPITAL OF LANCASTER
 COMMUNITY MED CTR—SCRANTON
 CONEMAUGH VALLEY HOSP
 CORRY MEMORIAL
 CROZER CHESTER MEDICAL CENTER
 DELAWARE COUNTY MEMORIAL
 DIVINE PROVIDENCE—WILLIAMSPORT
 DOYLESTOWN HOSPITAL
 DUBOIS REGIONAL MED CTR
 EASTON HOSPITAL
 ELK REGIONAL
 ELLWOOD CITY
 ENDLESS MTS. HLTH SYS
 EPHRATA COMMUNITY
 EVANGELICAL COMMUNITY
 FORBES REGIONAL HOSPITAL
 FRANKFORD HOSPITAL
 FRICK COMMUNITY
 FULTON COUNTY MEDICAL CENTER
 GEISINGER MEDICAL CENTER
 GEISINGER WYOMING VALLEY
 GETTYSBURG HOSPITAL
 GNADEN HUETTEN MEMORIAL
 GOOD SAMARITAN—LEBANON
 GOOD SAMARITAN—POTTSVILLE
 GRAND VIEW HOSPITAL
 GREENE COUNTY MEMORIAL
 HAMOT MED CTR
 HANOVER HOSPITAL
 HAZLETON GENERAL HOSPITAL
 HIGHLAND HOSPITAL
 HOLY REDEEMER
 HOLY SPIRIT HOSPITAL
 HOSPITAL OF THE UNIVERSITY OF PENNA
 INDIANA HOSPITAL
 JAMESON MEMORIAL HOSPITAL
 JC BLAIR
 JEANES HOSPITAL
 JEFFERSON HOSPITAL
 JENNERSVILLE REGIONAL HOSP
 JERSEY SHORE HOSPITAL
 KANE COMMUNITY
 KENSINGTON HOSPITAL
 LANCASTER GENERAL
 LANCASTER REGIONAL MED CTR
 LANKENAU HOSPITAL
 LATROBE AREA
 LEHIGH VALLEY HOSP—MUHLENBERG
 LEHIGH VALLEY HOSPITAL
 LEWISTOWN HOSPITAL
 LIFECARE HOSPITALS OF PITTSBURGH
 LOCK HAVEN HOSP
 M S HERSHEY MEDICAL CENTER
 MAGEE WOMEN'S
 MARIAN COMMUNITY
 MEADVILLE MED CTR
 MEDICAL CENTER, BEAVER. PA
 MEMORIAL HOSP—YORK
 MEMORIAL HOSPITAL—TOWANDA
 MERCY CATHOLIC FITZGERALD
 MERCY HOSP—NANTICOKE
 MERCY HOSP—PGH
 MERCY HOSP—WILKES-BARRE
 MERCY HOSP OF PHILA
 MERCY HOSPITAL—SCRANTON
 MERCY JEANNETTE HOSPITAL
 MERCY SUBURBAN—NORRISTOWN
 MEYERSDALE COMMUNITY HOSPITAL
 MID VALLEY HOSPITAL
 MILLCREEK COMMUNITY HOSPITAL
 MINERS HOSPITAL OF N CAMBRIA
 MINERS MEMORIAL MEDICAL CENTER
 MONONGAHELA VALLEY
 MONSOUR MEDICAL CENTER
 MONTGOMERY HOSPITAL MED CTR
 MOSES TAYLOR
 MT. NITTANY MED CTR
 MUNCY VALLEY HOSPITAL
 NASON HOSPITAL
 NAZARETH HOSPITAL
 NPHS—GIRARD
 NPHS—ST. JOE'S
 OHIO VALLEY GENERAL
 PALMERTON HOSPITAL
 PAOLI MEMORIAL HOSPITAL
 PENNSYLVANIA HOSPITAL OF UPHS
 PHILIPSBURG AREA HOSPITAL
 PHOENIXVILLE HOSPITAL OF UPHS
 PINNACLE HEALTH HOSPITALS
 POCONO MED CTR
 POTTSTOWN MEMORIAL
 POTTSVILLE HOSPITAL
 PRESBYTERIAN MED CTR OF UPHS
 PUNXSUTAWNEY AREA HOSPITAL
 READING HOSPITAL AND MED CTR
 RIDDLE MEMORIAL HOSPITAL
 ROBERT PACKER HOSP
 ROXBOROUGH MEMORIAL
 SACRED HEART—ALLENTOWN
 SAINT JOSEPH MED CTR—HAZLETON
 SEWICKLEY VALLEY HOSPITAL
 SHAMOKIN AREA COMMUNITY HOSPITAL
 SHARON REGIONAL HEALTH SYSTEM
 SOLDIERS AND SAILORS MEMORIAL
 SOMERSET HOSPITAL
 ST. AGNES MED CTR
 ST. CLAIR MEMORIAL
 ST. JOSEPH MED CTR—READING
 ST. LUKE'S—BETHLEHEM
 ST. LUKE'S—QUAKERTOWN
 ST. MARY'S—LANGHORNE
 ST. VINCENT HLTH CTR
 SUBURBAN GENERAL HOSPITAL—PGH
 SUNBURY COMMUNITY

TEMPLE EAST
 TEMPLE LOWER BUCKS HOSPITAL
 TEMPLE UNIVERSITY CHILDREN'S MEDICAL CTR
 TEMPLE UNIVERSITY HOSPITAL
 THOMAS JEFFERSON UNIV HOSPITAL
 THS—GRADUATE HOSPITAL
 THS—HAHNEMANN UNIV HOSPITAL
 THS—MED COLL OF PA HOSP
 THS—PARKVIEW
 THS—ST. CHRISTOPHER'S
 THS—WARMINSTER
 TITUSVILLE AREA HOSP
 TROY COMMUNITY
 TYLER MEMORIAL HOSPITAL
 TYRONE HOSPITAL
 UNIONTOWN HOSPITAL
 UNITED COMMUNITY HOSPITAL
 UPMC—BEDFORD
 UPMC—BRADDOCK
 UPMC—HORIZON
 UPMC—LEE REGIONAL
 UPMC—MCKEESPORT
 UPMC—NORTHWEST MED CTR
 UPMC—PASSAVANT—CRANBERRY
 UPMC—PRESBYTERIAN-SHADYSIDE UNIV HOSP
 UPMC—SOUTH SIDE
 UPMC—ST. MARGARET
 VALLEY FORGE
 WARREN GENERAL HOSPITAL
 WASHINGTON HOSPITAL
 WAYNE COUNTY MEMORIAL
 WAYNESBORO HOSPITAL
 WEST VIRGINIA UNIV HOSPITALS, INC.
 WESTERN PENNSYLVANIA
 WESTMORELAND REGIONAL
 WILLIAMSPORT HOSPITAL & MED CTR
 WILLS EYE HOSPITAL
 WINDBER MED CTR
 WYOMING VALLEY HLTH CARE SYS
 YORK HOSPITAL

Private Drug and Alcohol

EAGLEVILLE HOSPITAL

Freestanding Rehab Hospitals

ALLIED SERVICES REHAB HOSPITAL
 BRYN MAWR REHAB HOSPITAL
 CHESTNUT HILL SPRINGFIELD CENTER
 CHILDREN'S HOME OF PITTSBURGH
 CHILDREN'S INSTITUTE
 CHILDREN'S SEASHORE HOUSE
 GOOD SHEPHERD REHAB HOSPITAL
 H/S HARMARVILLE
 H/S MECHANICSBURG REHAB
 H/S READING REHAB HOSPITAL
 H/S REHAB HOSPITAL OF ERIE
 H/S REHAB HOSPITAL OF YORK
 H/S REHAB OF ALTOONA
 H/S REHAB OF NITTANY VALLEY
 H/S REHAB OF SEWICKLEY
 JOHN HEINZ INSTITUTE
 MAGEE MEMORIAL REHAB HOSPITAL
 H/S PENN STATE GEISENGER REHAB HOSP
 UPMC REHABILITATION HOSPITAL

Private Psychiatric Hospitals

BELMONT CENTER FOR COMP TREATMENT
 CLARION PSYCHIATRIC CENTER
 DEVEREUX—MAPLETON PSYCH CTR
 EUGENIA HOSPITAL

FAIRMOUNT BHS
 FIRST HOSPITAL
 FOUNDATIONS BEHAVIORAL HEALTH
 FRIENDS HOSPITAL
 HORSHAM CLINIC
 KIRKBRIDE CENTER
 MEADOWS PSYCHIATRIC CENTER
 MONTGOMERY COUNTY EMERGENCY SERVICE, INC
 NATIONAL HOSPITAL FOR KIDS IN CRISIS
 NORTHWESTERN INSTITUTE OF PSYCHIATRY
 PHILHAVEN
 SOUTHWOOD PSYCH HOSPITAL

Medical Rehab Units of Acute Care Hospitals

ABINGTON MEMORIAL HOSP
 ALBERT EINSTEIN
 BON SECOURS HOLY FAMILY REG H. S.
 CARLISLE REGIONAL MEDICAL CENTER
 CHAMBERSBURG HOSPITAL
 COMMUNITY HOSP—LANCASTER
 CONEMAUGH VALLEY HOSP
 CROZER-CHESTER MED CNTR
 DELAWARE CNTY MEM HOSP
 DOYLESTOWN HOSPITAL
 DUBOIS REG MED CNTR
 EASTON HOSPITAL
 FRANKFORD
 GEISINGER—WYOMING VALLEY
 GNADEN HUETTEN MEMORIAL HOSP—MRU
 GOOD SAMARITAN HOSPITAL—LEBANON
 HAZELTON GENERAL HOSPITAL MRU
 HOSP OF THE UNIV OF PA
 JAMESON MEMORIAL
 MERCY JEANNETTE HOSP
 JEFFERSON HEALTH SERVICES
 LANCASTER GENERAL HOSP
 LANCASTER REGIONAL MEDICAL CENTER
 MERCY CATHOLIC—FITZGERALD
 MERCY HOSPITAL—PITTSBURGH
 MILTON S. HERSHEY MED CTR
 MONONGAHELA VALLEY HOSP
 NAZARETH
 PINNACLE HEALTH HOSPITALS
 POTTSVILLE HOSPITAL
 PRESBYTERIAN UNIV—PGH
 SEWICKLEY VALLEY HOSPITAL
 ST AGNES MEDICAL CNTR
 ST MARY HOSP—LANGHORNE
 ST VINCENT HEALTH CNTR
 SUBURBAN GENERAL HOSPITAL—PGH
 THS—WARMINSTER HOSPITAL
 TEMPLE UNIVERSITY HOSP
 THOMAS JEFFERSON UNIV HOSP
 UPMC—HORIZON
 UPMC—LEE HOSP
 UPMC—MCKEESPORT
 UPMC—NORTHWEST MED CTR
 UPMC—SOUTHSIDE
 UPMC—ST MARGARET
 WESTMORELAND HOSPITAL
 WILLIAMSPORT HOSPITAL

Drug and Alcohol Units of Acute Care Hospitals

BUTLER COUNTY MEMORIAL
 HAMOT MEDICAL CENTER
 MEADVILLE MED CTR
 MONSOUR MEDICAL CENTER D & A
 NPHS—ST JOSEPHS HOSP
 PRESBY MED CTR OF UNIV OF PA HLTH SYST

UPMC—HORIZON—SHENANGO VALLEY
VALLEY FORGE
WESTMORELAND

Psychiatric Units of Acute Care Hospitals

ABINGTON MEMORIAL
ALBERT EINSTEIN
ALIQUIPPA COMMUNITY HOSPITAL
ALLEGHENY GENERAL
ALLEGHENY—KISKI MED CTR
ALTOONA
ARMSTRONG COUNTY MEMORIAL
BERWICK HOSP CENTER
BLOOMSBURG HOSP
BON SECOURS HOLY FAM REG H. S.
BRADFORD
BRANDYWINE HOSPITAL
BROWNSVILLE
BRYN MAWR HOSP
BUTLER COUNTY MEMORIAL
CENTRE COMMUNITY
CHAMBERSBURG HOSPITAL
COMMUNITY MEDICAL CENTER
CONEMAUGH VALLEY
CORRY MEMORIAL
CROZER CHESTER
DIVINE PROVIDENCE—WMSPT
DUBOIS REGIONAL MED CNTR
ELK REGIONAL HEALTH CENTER
EHRATA COMMUNITY
FORBES REG HOSP
FRANKFORD HOSP—BUCKS CO CAMPUS
GEISINGER MEDICAL CENTER
GNADEN HUETTEN
GRANDVIEW
HAMOT MEDICAL CENTER
HAZELTON GEN HOSP
HIGHLAND HOSPITAL
HOLY SPIRIT
HOSP—UNIVERSITY OF PA
INDIANA HOSPITAL
J C BLAIR
JAMESON MEMORIAL HOSP
JEFFERSON HEALTH SERV
LANCASTER REGIONAL MED CTR
LANCASTER GENERAL
LATROBE AREA
LEHIGH VALLEY HOSPITAL
LEHIGH VALLEY HOSP—MUHLENBERG
LEWISTOWN
MARIAN COMMUNITY HOSPITAL
MEADVILLE MED CNTR
MEDICAL CENTER, BEAVER PA., THE
MEMORIAL HOSP—YORK
MERCY CATHOLIC—FITZGERALD
MERCY HOSPITAL OF PHILADELPHIA
MERCY HOSPITAL—PGH
MERCY HOSPITAL—WILKES-BARRE
MILLCREEK COMMUNITY HOSPITAL
MILTON S. HERSHEY MED CTR
MONONGAHELA VALLEY
MONSOUR MED CNTR
MONTGOMERY
MOSES TAYLOR
NAZARETH
NPHS—GIRARD
PAOLI MEMORIAL
PENNSYLVANIA HOSPITAL/UPHS
PINNACLE HEALTH HOSPITALS

POCONO HOSPITAL
POTTSTOWN MEMORIAL MED CTR
POTTSVILLE HOSPITAL
PRESBYTERIAN MED CNTR OF UPHS
PRESBYTERIAN UNIV HOSP—PGH
READING HOSPITAL
ROBERT PACKER
SACRED HEART HOSP—ALLENTOWN
SEWICKLEY VALLEY HOSP
SHAMOKIN AREA COMM HOSP
SHARON REGIONAL HLTH SYST
SOLDIERS AND SAILORS
SOMERSET HOSP CNTR FOR HEALTH
ST CLAIR MEMORIAL
ST JOSEPH MED CTR—READING
ST LUKES OF BETHLEHEM
ST LUKES—QUAKERTOWN
ST VINCENT
TEMPLE UNIVERSITY HOSPITAL
TEMPLE—LOWER BUCKS
THOMAS JEFFERSON
THS—HAHNEMANN UNIV HOSP
THS—MEDICAL COL OF PA HOSP (EPPI)
THS—PARKVIEW HOSPITAL
THS—WARMINSTER HOSPITAL
UNIV OF PITT MED CTR—BRADDOCK
UNIV OF PITT MED CTR—MCKEESPORT
UNIV OF PITT MED CTR—SOUTHSIDE PSY
UPMC—NORTHWEST MED CTR
WARREN GENERAL
WASHINGTON
WESTERN PENN
WESTMORELAND
YORK HOSPITAL

C. Additional Class of Disproportionate Share Payments

Effective March 1, 1998, the Department established a new class of disproportionate share payments to hospitals which render uncompensated care and which the Department has determined are experiencing significant revenue loss as a result of MA program revisions under the act of May 16, 2002 (P. L. 175, No. 35).

Effective January 15, 1999, the Department revised its previously established new class of disproportionate share payments to include a Charity Care component of the Community Access Fund. A disproportionate share payment will be made to qualifying hospitals based on each hospital's percentage of charity care cost to the total charity care costs of all qualifying hospitals. The Department also established a disproportionate share payment for those hospitals which the Department has determined advanced its goal of enhanced access to multiple types of medical care in economically distressed areas of this Commonwealth.

The following hospitals qualify for this payment:

A I DUPONT
ABINGTON MEMORIAL
ALBERT EINSTEIN
ALLEGHENY GENERAL
ALLIQUIPPA COMMUNITY
BARNES KASSON
BRADDOCK MEDICAL CENTER
CHARLES COLE MEMORIAL
CHILDRENS HOSP OF PHILA
CLARION
CLEARFIELD
CROZER CHESTER MED CTR
DOYLESTOWN

DUBOIS REGIONAL MED CTR
 EAGLEVILLE
 EASTON HOSPITAL
 EVANGELICAL COMMUNITY
 FRANKFORD
 FULTON COUNTY MEDICAL CTR
 GEISINGER MEDICAL CENTER
 GRADUATE HOSPITAL
 HAMOT MEDICAL CENTER
 HOSP OF THE UNIV OF PA
 INDIANA HOSPITAL
 J C BLAIR
 JAMESON MEMORIAL
 LANKENAU
 LEHIGH VALLEY
 LOCK HAVEN
 MAGEE WOMENS
 MEADVILLE MED CTR
 MEMORIAL HOSP BEDFORD
 MEMORIAL HOSP TOWANDA
 MERCY CATHOLIC—FITZGERALD
 MERCY HOSPITAL OF PHILA
 MERCY HOSPITAL—PGH
 MERCY JEANNETTE HOSPITAL
 MILTON S. HERSHEY MED CTR
 NORTH PHILA HEALTH SYSTEM
 NPHS—GIRARD
 PRESBYT MED CTR OF PHILA
 PRESBYT UNIV HOSPITAL—PGH
 PUNXSUTAWNEY
 READING HOSPITAL
 SOLDIERS AND SAILORS
 ST AGNES
 ST LUKES OF BETHLEHEM
 TEMPLE UNIVERSITY HSP
 TEMPLE/EPISCOPAL
 THOMAS JEFFERSON
 THS—HAHNEMANN HOSPITAL
 THS—MED COLL HOSP—MAIN
 THS—PARKVIEW HOSPITAL
 TITUSVILLE
 UPHS—PENNSYLVANIA HOSPITAL
 VALLEY FORGE
 WAYNE COUNTY MEMORIAL
 WEST VIRGINIA
 WESTERN PENN
 YORK HOSPITAL

Public Comment

Interested persons are invited to submit written comments to this notice within 30 days of this publication. Comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-398. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 04-1866. Filed for public inspection October 8, 2004, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Santa's List 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 Santa's List.

2. *Price:* The price of a Pennsylvania Santa's List instant lottery game ticket is \$3.

3. *Play Symbols:* Each Pennsylvania Santa's List instant lottery game ticket will contain four play areas designated as "Game 1," "Game 2," "Game 3" and "Game 4." The play symbols located in the four play areas are 35 distinctive play symbols. Each Pennsylvania Santa's List instant lottery game ticket will also contain a "YOUR SYMBOLS" area consisting of 20 of the 35 distinctive play symbols in a 5 x 4 grid. The play symbols located in the four play areas and in the "YOUR SYMBOLS" area are: Snowman Symbol, Mitten Symbol, Wreath Symbol, Earmuff Symbol, Hat Symbol, Tree Symbol, Drum Symbol, Sleigh Symbol, Candle Symbol, Ornament Symbol, Trumpet Symbol, Gingerbread Man Symbol, Bag of Toys Symbol, Holly Symbol, Bell Symbol, Reindeer Symbol, Scarf Symbol, Star Symbol, Boot Symbol, Candy Cane Symbol, Snowflake Symbol, Package Symbol, Santa Symbol, Snow Shovel Symbol, Coat Symbol, Jingle Bell Symbol, Lights Symbol, Stocking Symbol, Angel Symbol, Money Bag Symbol, Coins Symbol, Moon Symbol, Dollar Sign Symbol, Horse Shoe Symbol and Bar Symbol.

4. *Prizes:* The prizes that can be won in this game are \$3, \$6, \$9, \$12, \$30, \$90, \$300 and \$30,000. The player can win up to four times on each ticket.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 4,320,000 tickets will be printed for the Pennsylvania Santa's List instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three play symbols, in either "Game 3" or "Game 4," appearing in a diagonal line and having a corresponding prize arrow with a prize amount of \$30,000 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$30,000.

(b) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three play symbols, in either "Game 1" or "Game 2" appearing in a diagonal line and having a corresponding prize arrow with a prize amount of \$300 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$300.

(c) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three play symbols, in either "Game 3" or "Game 4," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$300 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three

play symbols, in either "Game 1," "Game 2," "Game 3" or "Game 4," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$90 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$90.

(e) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three play symbols, in either "Game 1," "Game 2," "Game 3" or "Game 4," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$30 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$30.

(f) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three play symbols, in either "Game 3" or "Game 4," appearing in a vertical line and having a corresponding prize arrow with a prize amount of \$12 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$12.

(g) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three play symbols, in either "Game 1" or "Game 2," appearing in a horizontal line and having a corresponding prize arrow with a prize amount of \$12 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$12.

(h) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three play symbols, in either "Game 1," "Game 2," "Game 3" or "Game 4," appearing in a vertical line and having a corresponding prize arrow with a prize amount of \$9 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$9.

(i) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three play symbols, in either "Game 1," "Game 2" or "Game 4," appearing in a vertical line and having a corresponding prize arrow with a prize amount of \$6 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$6.

(j) Holders of tickets in which three of the "YOUR SYMBOLS" play symbols match the same exact three play symbols, in either "Game 1," "Game 2" or "Game 3," appearing in a vertical line and having a corresponding prize arrow with a prize amount of \$3 appearing in that prize arrow, on a single ticket, shall be entitled to a prize of \$3.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Win With Prize(s) of:</i>	<i>Win:</i>	<i>Approximate Odds of 1 In:</i>	<i>Approximate No. of Winners Per 4,320,000 Tickets</i>
\$3	\$3	6.17	699,840
\$6	\$6	25	172,800
\$3 × 2	\$6	33.33	129,600
\$9	\$9	100	43,200
\$3 × 4	\$12	200	21,600
\$9 + \$3	\$12	200	21,600
\$12	\$12	166.67	25,920
\$6 × 3	\$18	500	8,640
\$12 + \$6	\$18	500	8,640
\$30	\$30	250	17,280
\$6 × 2 + \$9 × 2	\$30	500	8,640
\$9 × 3 + \$3	\$30	500	8,640
\$12 × 2 + \$3 × 2	\$30	500	8,640
\$90	\$90	597.01	7,236
\$30 × 3	\$90	600	7,200
\$300	\$300	12,000	360
\$90 × 3 + \$30	\$300	13,333	324
\$30,000	\$30,000	720,000	6

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Santa's List instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Santa's List, prize money from winning Pennsylvania Santa's List 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 Santa's List instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Santa's List or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 04-1867. Filed for public inspection October 8, 2004, 9:00 a.m.]

Pennsylvania Sleigh Ride Riches 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 Sleigh Ride Riches.

2. *Price:* The price of a Pennsylvania Sleigh Ride Riches instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Sleigh Ride Riches instant lottery game ticket will contain a “SLEIGH NUMBERS” area and a “YOUR PACKAGE NUMBERS” area. The play symbols and their captions located in the “SLEIGH 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) and 16 (SIXTN). The play symbols and their captions located in the “YOUR PACKAGE 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) and Snowflake Symbol (SNOFLK).

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR PACKAGE NUMBERS” area are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$500 and \$10,000. A player can win up to 8 times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania Sleigh Ride Riches instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” play symbols matches any of the “SLEIGH NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching “YOUR PACKAGE NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” play symbols matches any of the “SLEIGH NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching “YOUR PACKAGE NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” play symbols matches any of the “SLEIGH NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching “YOUR PACKAGE NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” play symbols matches

any of the “SLEIGH NUMBERS” play symbols and a prize symbol of \$40\$ (FORTY) appears under the matching “YOUR PACKAGE NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” is a Snowflake Symbol (SNOFLK), and a prize symbol of \$20\$ (TWENTY) appears under the Snowflake Symbol (SNOFLK), on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” play symbols matches any of the “SLEIGH NUMBERS” play symbols and a prize symbol of \$20\$ (TWENTY) appears under the matching “YOUR PACKAGE NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” is a Snowflake Symbol (SNOFLK), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Snowflake Symbol (SNOFLK), on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” play symbols matches any of the “SLEIGH NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching “YOUR PACKAGE NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” is a Snowflake Symbol (SNOFLK), and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the Snowflake Symbol (SNOFLK), on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” play symbols matches any of the “SLEIGH NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching “YOUR PACKAGE NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” play symbols matches any of the “SLEIGH NUMBERS” play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears under the matching “YOUR PACKAGE NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(l) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” is a Snowflake Symbol (SNOFLK), and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the Snowflake Symbol (SNOFLK), on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets upon which any one of the “YOUR PACKAGE NUMBERS” play symbols matches any of the “SLEIGH NUMBERS” play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the matching “YOUR PACKAGE NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

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 Your Package
Numbers Match Either
Sleigh Number;
Win With
Prize(s) of:

Prize(s) of:	Win:	Approximate Odds of 1 In:	Approximate No. of Winners Per 8,400,000 Tickets
\$2	\$2	9.38	896,000
\$4	\$4	100	84,000
\$2 × 2	\$4	100	84,000
\$2 w/Snowflake	\$4	21.43	392,000
\$5	\$5	25	336,000
\$10	\$10	1,500	5,600
\$5 × 2	\$10	500	16,800
\$4 × 2 + \$2	\$10	500	16,800
\$2 × 5	\$10	500	16,800
\$5 w/Snowflake	\$10	50	168,000
\$20	\$20	1,500	5,600
\$5 × 4	\$20	1,500	5,600
\$4 × 5	\$20	750	11,200
\$10 × 2	\$20	750	11,200
\$10 w/Snowflake	\$20	107.14	78,400
\$40	\$40	4,000	2,100
\$5 × 8	\$40	4,000	2,100
\$10 × 4	\$40	4,000	2,100
\$20 w/Snowflake	\$40	4,000	2,100
\$100	\$100	30,000	280
\$20 × 5	\$100	30,000	280
\$10 × 6 + \$20 w/Snowflake	\$100	30,000	280
\$500	\$500	120,000	70
\$100 × 5	\$500	120,000	70
\$10,000	\$10,000	1,200,000	7

Snowflake = Double the prize shown

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Sleigh Ride Riches 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 Sleigh Ride Riches, prize money from winning Pennsylvania Sleigh Ride Riches 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 Sleigh Ride Riches 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 Sleigh Ride Riches or through normal communications methods.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 04-1868. Filed for public inspection October 8, 2004, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Grand Central Sanitary Landfill, Inc. v. Commonwealth of Pennsylvania, Department of Environmental Protection; Doc. Nos. 2004-014-MG and 2004-165-MG

The Commonwealth of Pennsylvania, Department of Environmental Protection (Department) and Grand Central Sanitary Landfill, Inc. have agreed to a Stipulation of Withdrawal Without Prejudice of the previous matters.

On December 8, 2003, and June 17, 2004, the Commonwealth issued permit renewals to the Solid Waste Disposal and/or Processing Permit No. 100265 for the Grand Central Sanitary Landfill. The permit renewals ultimately extended the permit for the Grand Central Sanitary Landfill until December 31, 2007. Grand Central Sanitary Landfill, Inc. filed two appeals challenging each of the permit renewals.

The parties have now agreed to a Stipulation of Withdrawal Without Prejudice, the major provisions of which include: the appeals shall be withdrawn upon approval of the Stipulation of Withdrawal Without Prejudice by the Environmental Hearing Board (Board); and the dockets in the previously captioned matters shall be marked withdrawn. The Stipulation of Withdrawal Without Prejudice shall in no way limit or restrict the ability of Grand Central Sanitary Landfill, Inc. to: (a) submit future requests for renewal of the permit; (b) assert the objections raised in the appeals and any future action, appeal, permit modification, permit renewal, plan or application; or (c) assert the objections raised in its

appeals in response to future actions by the Department or any other person or entity.

Copies of the full Stipulation of Withdrawal Without Prejudice are in the hands of Robert D. Fox, Esquire, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, (484) 430-2312; and Lance H. Zeyher, Esquire, Office of Regional Counsel, Department of Environmental Protection, Office of Chief Counsel, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2519. Copies of the full Stipulation of Withdrawal Without Prejudice are also available at the offices of the Board and may be reviewed by interested parties on request during normal business hours.

Interested parties have 30 days from publication of this notice to submit comments with respect to the Stipulation of Withdrawal Without Prejudice.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 04-1869. Filed for public inspection October 8, 2004, 9:00 a.m.]

FISH AND BOAT COMMISSION

Temporary Changes to Fishing Regulations; Dutch Fork Lake, Washington County

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to modify temporarily fishing regulations at Dutch Fork Lake, Washington County, in anticipation of a draw down of the lake. The Executive Director is lifting all seasons, sizes and creel limits for all species, effective immediately and until fish salvage operations are complete. The Executive Director has found that this action is necessary and appropriate for the management of fish and to conserve and preserve fishing opportunities.

The Executive Director has caused these temporary modifications to fishing regulations to be posted in the vicinity of the lake, and the modified regulations are fully effective and enforceable. These temporary modifications will be in effect until further notice but in no event will they remain in place after January 1, 2005.

The Executive Director, acting under the authority of 58 Pa. Code § 103.3(d) (relating to restriction for special areas), also has taken immediate action to close Dutch Fork Lake to boating. This restriction is effective immediately and will remain in effect until further notice. The Executive Director has taken this action because he has determined that a hazard will exist during the draw down period that may threaten the safety of persons, property or both. Restrictions under this section are fully effective and enforceable in accordance with the law.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 04-1870. Filed for public inspection October 8, 2004, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

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

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
8-3	Department of General Services General Conditions of Contract	9/24/04
8-4	Department of General Services Instructions to Bidders	9/24/04
7-378	Environmental Quality Board Small Sources of NOx, Cement Kilns and Large Internal Combustion Engines	9/29/04

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 04-1871. Filed for public inspection October 8, 2004, 9:00 a.m.]

INSURANCE DEPARTMENT

Conseco Senior Health Insurance Company; Rate Increase Filing for Long Term Care Policy ATL-LTC-6; Rate Filing

Conseco Senior Health Insurance Company is requesting approval to increase the premium 25% for the Long Term Care Series ATL-LTC-6 and the associated riders. The American Travelers Life Insurance Company originally issued these forms. The average premium will increase from \$2,149 to \$2,543 and will affect 3,086 policyholders in this Commonwealth.

Unless formal administrative action is taken prior to December 23, 2004, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website: www.ins.state.pa.us. To access the filing, select "Consumer Information" on the left side. Under "General Information," click on "Notices." The pdf copy is at the "Filing.pdf" link following the name of the filing.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square,

Harrisburg, PA 17120, rmathur@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1872. Filed for public inspection October 8, 2004, 9:00 a.m.]

Preferred Professional Insurance Company; Physicians and Surgeons Liability Rate Filing

On September 27, 2004, the Insurance Department (Department) received from the Preferred Professional Insurance Company (Company) a filing for a rate level change in physicians and surgeons liability rates.

The Company requests a 15% across-the-board increase in base rates effective January 1, 2005.

Unless formal administrative action is taken prior to November 11, 2004, the subject filing may be deemed approved by operation of law.

The filing is available for review on the Department's website: www.ins.state.pa.us. To access the filing, under "Quick Links," click "Rate filings published in the PA Bulletin."

Copies of the filing are also available for public inspection during normal working hours, by appointment, at the Department's regional offices in Harrisburg, Philadelphia and Pittsburgh.

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, kcreighton@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-1873. Filed for public inspection October 8, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by November 1, 2004. Documents filed in support of the applications are available for inspection and copying at the Office of the

Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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-00098375, Folder 1, Am-E. Herzog Trucking Company, Inc. (200 Delaware Street, Honesdale, Wayne County, PA), a corporation of the Commonwealth—discontinuance of service—household goods in use: (1) from points within 10 miles by the usually traveled highways of the limits of the Borough of Honesdale, Wayne County, to other points in Pennsylvania, and vice versa; (2) between points in the County of Wayne; (3) between points in the Borough of Honesdale, Wayne County, and within 10 miles by the usually traveled highways of the limits of said borough; and (4) from points in the Borough of Honesdale, Wayne County, and within 10 miles by the usually traveled highways of the limits of said borough, to points within 40 miles by the usually traveled highways of the limits of said borough, and vice versa; provided no haul shall exceed a distance of 40 miles from point of origin to point of destination. *Attorney:* Kenneth A. Olsen, 33 Philhower Road, Lebanon, NJ 08833.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 04-1874. Filed for public inspection October 8, 2004, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

October 21, 2004 Matthew J. Taylor (D) 1 p.m.
(Death Benefit)

Persons with a disability who wish to attend the listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the

requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 04-1875. Filed for public inspection October 8, 2004, 9:00 a.m.]

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

November 10, 2004 Sandra Rohrbach 1 p.m.
(Adjustment of Error)
Grant McCormick 2:30 p.m.
(Multiple Service)

Persons with a disability who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director, (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 04-1876. Filed for public inspection October 8, 2004, 9:00 a.m.]
