

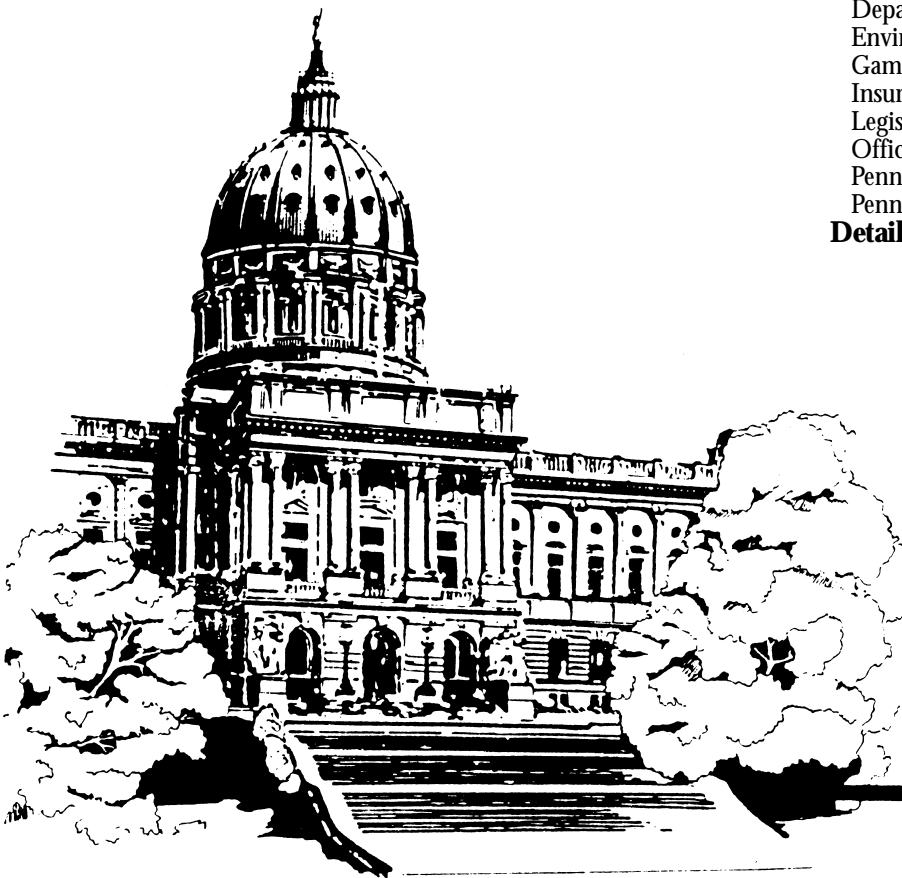
PENNSYLVANIA BULLETIN

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(Master Transmittal Sheet):**

No. 386, January 2007

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)	52 Pa. Code (Public Utilities)
Statements of Policy	Statements of Policy
9 27	69 29
7 Pa. Code (Agriculture)	58 Pa. Code (Recreation)
Adopted Rules	Proposed Rules
130e 194	135 315
22 Pa. Code (Education)	Temporary Rules
Adopted Rules	401 21
49 209	425 21
25 Pa. Code (Environmental Protection)	491a 23
Adopted Rules	Proposed Rules
93 11	147 211
126 209	204 Pa. Code (Judicial System General Provisions)
34 Pa. Code (Labor and Industry)	Adopted Rules
Statements of Policy	71 311
123 317	231 Pa. Code (Rules of Civil Procedure)
40 Pa. Code (Liquor)	Adopted Rules
Adopted Rules	200 312
5 16	Proposed Rules
11 16	4000 7
13 16	234 Pa. Code (Rules of Criminal Procedure)
17 16	Adopted Rules
49 Pa. Code (Professional and Vocational Standards)	10 312
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7 20	Unclassified 255

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE OF LAW [204 PA. CODE CH. 71]

Amendment of Rules 321 and 322 of the Pennsylvania Bar Admission Rules; No. 406 Supreme Court Rules; Doc. No. 1

Order

Per Curiam:

And Now, this 2nd day of January, 2007, Rules 321 and 322 of the Pennsylvania Bar Admission Rules are amended to read as follows.

To the extent that notice of proposed rulemaking would be required by Pennsylvania Rule of Judicial Administration No. 103 or otherwise, the immediate amendment of Pa.B.A.R. 321 and 322 is hereby found to be required in the interest of justice and efficient administration. This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration No. 103(b) and the amendment adopted hereby shall be effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE OF LAW

CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter C. RESTRICTED PRACTICE OF LAW CERTIFIED LEGAL INTERNS

Rule 321. Requirements for formal participation in legal matters by law students **and law school graduates**.

(a) *General rule.* The requirements for eligibility for formal participation in legal matters by a law student **or law school graduate** pursuant to Rule 322 (relating to authorized activities of certified legal interns) are:

(1) Enrollment in **or graduation from** an accredited law school **or a law school that has been approved by the Board which has filed and is actively pursuing an application for accreditation with the American Bar Association; [unless the] provided that students who attend or graduated from a law school that is located in a jurisdiction that has a program permitting law students to participate in legal matters, which does not afford students attending law school in Pennsylvania the same privilege or opportunity to formally participate in legal matters as a law student in the jurisdiction as is granted to students attending law school in the jurisdiction, shall not be eligible to participate in legal matters pursuant to Rule 322.**

(2) Completion of legal studies amounting to at least three semesters, or the equivalent if the law school is on a basis other than the semester basis.

(3) Existence and maintenance of certification as prescribed in Subdivision (b) of this rule.

(4) Introduction to the judge or **[district justice] magisterial district judge** before whom the law student **or law school graduate** is appearing by a member of the bar of this Commonwealth.

(5) Absence of a request for or receipt by the law student **or law school graduate** of compensation or remuneration of any kind for his or her services from the person on whose behalf the law student **or law school graduate** renders services. This paragraph shall not prevent:

(i) An attorney or a law school, legal services program, defender association, or government unit from paying compensation to the law student **or law school graduate**.

(ii) Any person other than the law student **or law school graduate** from making such charges for services as such person may otherwise properly require.

(b) *Certification.* Only those law students **or law school graduates** shall be eligible for the benefits of Rule 322 who have been certified by the dean of their law school as being of good character and competent legal ability, and as being adequately trained to perform as a legal intern. The certification shall be made by filing one copy thereof with the Prothonotary. The certification:

(1) Shall be in writing on a form prescribed by the Board and shall remain in effect until the expiration of **[18] 24** months after it is filed, or until the announcement of the results of the first bar examination following the completion of the study of law by the student **or law school graduate**, whichever is earlier. In the case of a student **or law school graduate** who passes that examination, **[or who is not required to take an examination,]** the certification shall continue in effect until the student **or law school graduate** is admitted to the bar.

(2) May be withdrawn at any time by the dean by filing a notice to that effect with the Prothonotary. It is not necessary that the notice state the cause for withdrawal.

(3) May be terminated by the Court at any time without notice or hearing and without any showing of cause.

* * * * *

Rule 322. Authorized activities of certified legal interns.

(a) *General rule.* Subject to the restrictions of this subdivision, a certified legal intern may with the approval of a supervising attorney:

(1) Appear before any government unit (other than the Supreme, Superior or Commonwealth Courts) in any civil or criminal matter on behalf of any indigent, if the person on whose behalf the legal intern is appearing consents to

such appearance. The supervising attorney must be personally present throughout the proceedings where the legal intern is appearing on behalf of the defendant in a criminal matter where the defendant has the right to counsel under any provision of law.

(2) Appear in any civil or criminal matter on behalf of the Commonwealth, if the Attorney General (or the prosecuting attorney in the case of a criminal matter) or his or her authorized representative consents to such appearance. The approval of the supervising attorney and the consent of the party represented required by this subdivision shall be in writing and filed of record in the matter and shall be brought to the attention of the judge or [**district justice**] **magisterial district judge** or the presiding officer of the other government unit.

(b) *Preparation of papers.* A certified legal intern may engage in other activities, under the general supervision of a member of the bar of this Commonwealth, but outside the personal presence of the attorney, including:

(1) Preparation of pleadings and other documents to be filed in any matter in which the legal intern is eligible to appear [**or**] **and in any appeals therefrom** in the Supreme, Superior or Commonwealth Courts.

* * * * *

[Pa.B. Doc. No. 07-80. Filed for public inspection January 19, 2007, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 200]

Damages for Delay

Rule 238. Damages for Delay in an Action for Bodily Injury, Death or Property Damage.

* * * * *

Addendum to Explanatory Comment

The prime rate as set forth in the first edition of the *Wall Street Journal* for a particular year is the basis for calculating damages for delay under Pa.R.C.P. 238 as revised November 7, 1988. The prime rate published in the first edition of the *Wall Street Journal* for each of the years specified is as follows:

<i>Date of Publication</i>	<i>Prime Rate Percentage</i>
January 2, 2007	8 1/4
January 3, 2006	7 1/4
January 3, 2005	5 1/4
January 2, 2004	4
January 2, 2003	4 1/4
January 2, 2002	4 3/4
January 2, 2001	9 1/2
January 3, 2000	8 1/2
January 4, 1999	7 3/4
January 2, 1998	8 1/2
January 2, 1997	8 1/4

Official Note: The prime rate for the years 1980 through 1996 may be found in the Addendum to the Explanatory Comment published in the *Pennsylvania*

Bulletin, volume 33, page 634 (2/1/03) and on the web site of the Civil Procedural Rules Committee at <http://www.aopc.org>.

By the Civil Procedural Rules Committee

R. STANTON WETTICK, Jr.,
Chair

[Pa.B. Doc. No. 07-81. Filed for public inspection January 19, 2007, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 10]

Order Amending Rule 1001; No. 352 Criminal Procedural Rules; Doc. No. 2

Order

Per Curiam:

Now, this 5th day of January, 2007, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been published before adoption at 35 Pa.B. 1416 (February 26, 2005), and in the *Atlantic Reporter* (Second Series Advance Sheets, Vol. 865), and a Final Report to be published with this *Order*:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule of Criminal Procedure 1001 is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective March 6, 2007.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 10. RULES OF CRIMINAL PROCEDURE FOR THE PHILADELPHIA MUNICIPAL COURT AND THE PHILADELPHIA TRAFFIC COURT

Rule 1001. Disposition of Criminal Cases—Philadelphia Municipal Court.

* * * * *

(D) The attorney for the Commonwealth may file with the Municipal Court Clerk of Quarter Sessions a written certification to exercise the Commonwealth's right to a jury trial in a Municipal Court case. The attorney for the Commonwealth shall serve a copy of the certification on counsel for the defendant, or the defendant if unrepresented, and on the President Judge of Municipal Court. Upon receipt of the certification, the President Judge shall promptly schedule a preliminary hearing, and the case shall be conducted as provided in Rules 541, 542, and 543. When a case is held for court, the case shall remain in the Common Pleas Court through final disposition.

Comment

This rule, which defines "Municipal Court Case," is intended to ensure that the Municipal Court will take dispositive action, including trial and verdict when appropriate, in any criminal case that does not involve a felony, excluding summary cases under the Vehicle Code. The latter are under the jurisdiction of the Philadelphia Traffic Court, see 42 Pa.C.S. §§ 1301—1303, 1321.

Paragraph (D) was added in 2007 in accord with the 1998 amendment to article I, § 6 of the Pennsylvania Constitution that provides that “the Commonwealth shall have the same right to trial by jury as does the accused.” See *Commonwealth v. Hargraves*, 883 A.2d 616 (Pa. Super. 2005), allocatur denied, 587 Pa. 711, 898 A.2d 1069 (Pa. 2006). The filing and service requirement in paragraph (D) must be accomplished as provided in Rule 576. Once a case is bound over to Common Pleas Court, the trial judge may not remand the case to the Municipal Court for any reason, even if the right to jury trial is waived.

Official Note: Present Rule 6001 adopted March 28, 1973, effective March 28, 1973, replacing prior Rule 6001; amended June 28, 1974, effective July 1, 1974; paragraph (C) added February 10, 1975, effective immediately; title amended July 1, 1980, effective August 1, 1980; Comment revised January 28, 1983, effective July 1, 1983; amended June 19, 1996, effective July 1, 1996; amended August 28, 1998, effective immediately; renumbered Rule 1001 and Comment revised March 1, 2000, effective April 1, 2001; amended August 24, 2004, effective August 1, 2005; amended January 5, 2007, effective March 6, 2007.

Committee Explanatory Reports:

* * * * *

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [1477] 1478 (March 18, 2000).

* * * * *

Final Report explaining the January 5, 2007 amendments adding paragraph (D) concerning the Commonwealth's right to a jury trial in a Municipal Court case published with the Court's Order at 37 Pa.B. 313 (January 20, 2007).

FINAL REPORT¹

Amendments to Pa.R.Crim.P. 1001

Commonwealth Right to Jury Trial in the Philadelphia Municipal Court

On January 5, 2007, effective March 6, 2007, upon the recommendation of the Criminal Procedural Rules Committee, the Court amended Rule 1001. The changes provide a procedure for the transfer of cases from the Philadelphia Municipal Court to the Court of Common Pleas when the Commonwealth intends to assert its right to jury trial in a misdemeanor case.

Background

The Criminal Procedural Rules Committee, for some time, had under consideration a suggestion by one of its members that Rule 1001 (Disposition of Criminal Cases—Philadelphia Municipal Court) be amended to accommodate in misdemeanor cases in Philadelphia the Commonwealth's right to a jury trial as established by the 1998 amendment to Article I, § 6 of the Pennsylvania Constitution providing “the Commonwealth shall have the same right to a trial by jury as does the accused.”² The recent Superior Court decision in *Commonwealth v. Hargraves*, 883 A.2d 616 (2005), appeal denied, 587 Pa. 711, 898 A.2d 1069 (Pa. 2006), added impetus to the discussion of this issue.

¹ The Committee's Final Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

² The 1999 amendments to Rule of Criminal Procedure 620 (Waiver of Jury Trial) similarly acknowledged the Commonwealth's right to trial by jury.

The Philadelphia Municipal Court's jurisdiction over misdemeanors and the prohibition on jury trials in Municipal Court originally were established in 1968 in Schedule Article 5, § 16 of the Pennsylvania Constitution. The statutory jurisdictional authority for the Municipal Court initially was provided in 1976 in the Judicial Code, 42 Pa.C.S. § 1123, which states that the Municipal Court has jurisdiction over “Criminal offenses by any person (other than a juvenile) for which no prison term may be imposed . . . of not more than five years” The statute specifically states that a defendant has no right to a jury trial in Municipal Court but shall have the right of appeal for trial de novo, including the right to trial by jury, to the court of common pleas. Rule 1001, originally adopted in 1973, provides a procedure for transfer to the Court of Common Pleas and by-passing of Municipal Court proceedings in two situations. The first is upon the certification of the defense counsel in order to assert the right to jury trial. The second is upon certification by both defense and prosecution upon the grounds that the trial before the Municipal Court would be so time consuming as to unduly disrupt court business. In either case, approval for such a transfer must be granted by the President Judge of the Court of Common Pleas.

Because both 42 Pa.C.S.A. § 1123 and Rule 1001 were established well before the 1998 constitutional amendment that established the Commonwealth's right to a jury trial, the constitutional, statutory, and rule provisions are silent on how to effectuate the Commonwealth's jury trial right in misdemeanor cases in Philadelphia creating a procedural gap. This procedural gap became a divisive issue in Philadelphia resulting in *Commonwealth v. Hargraves*, supra. The Superior Court reversed the denial of the Commonwealth's petition to transfer the case from the Municipal Court to the court of common pleas for trial by jury, finding that this is the only manner in which the Commonwealth would be able to exercise its right to jury trial in Municipal Court cases, noting, inter alia, that the right to appeal for a trial de novo would not be available to the Commonwealth in a case in which the defendant has been found not guilty by the Municipal Court judge. The Superior Court also specifically rejected the claim that an absence of a procedure in Rule 1001 precluded allowance of the Commonwealth's request for transfer.

In view of this background, the Committee concluded that there was a need to rectify the procedural gap in the rules within the parameters enumerated in *Hargraves*.

Discussion of Amendment to Rule 1001

Noting that Rule 1001(C) provides a vehicle to by-pass Municipal Court proceedings for the defendant's assertion of the right to jury trial, the Committee agreed a new paragraph would be added to Rule 1001 that would similarly effectuate the Commonwealth's right to trial by jury in such cases. Relying on recommendations from the Ad Hoc Subcommittee that was formed to develop the procedures for the exercise of the Commonwealth's right to a jury trial,³ the Committee recommended a procedure that would have the Commonwealth file a certification with the Municipal Court Clerk of Quarter Sessions with copies to the defense and the President Judge of the Municipal Court, without time limits. The Committee reasoned that requiring the Commonwealth to file their

³ The Committee appointed an Ad Hoc Subcommittee made up of representatives of the Philadelphia Municipal and Common Pleas Courts to assist the Committee in developing the procedures that affect Philadelphia only. The members of the Ad Hoc Subcommittee were Philadelphia Administrative Judge Fitzgerald, Municipal Court President Judge Presentza, Court Administrator for the First Judicial District David Lawrence, Municipal Court Deputy Court Administrator Kathleen Rapone, and representatives of the Philadelphia District Attorney's Office, the Philadelphia Public Defender's Office, and the Committee.

jury trial certification within a specified time limit would unnecessarily place a limitation on the Commonwealth that is not placed on the defense.

Accordingly, new paragraph (D) requires, upon the filing of a written certification by the attorney for the Commonwealth stating that the Commonwealth is seeking a trial by jury, that a case presently in the Municipal Court be promptly scheduled for a preliminary hearing and thereafter conducted as a regular court case pursuant to Rules 541, 542, and 543.

Recognizing that double jeopardy issues are implicated when the Commonwealth seeks an appeal from a Municipal Court decision, the Committee recommended that the transfer of such cases be mandatory in order to preserve the Commonwealth's right to a jury trial. Thus, unlike the other transfer provisions in Rule 1001(C), new paragraph (D) does not provide for the approval of the President Judge of the Court of Common Pleas.

The Comment to Rule 1001 is revised to include a cross-reference to *Hargraves*, and an instruction that the filing and service requirements in new paragraph (D) must be accomplished as provided in Rule 576. Once a case proceeds under the provisions of paragraph (D) and is bound over to the Court of Common Pleas, it may not be returned to the Municipal Court for any reason, including a later waiver of jury trial.

Finally, a cross-reference to the constitutional provision establishing the Commonwealth's right to a jury trial is added to the Rule 1001 Comment.

[Pa.B. Doc. No. 07-82. Filed for public inspection January 19, 2007, 9:00 a.m.]

SUPREME COURT

Schedule of Holidays for Year 2008 for Staffs of the Appellate Courts and the Administrative Office of Pennsylvania Courts; No. 296 Judicial Administration; Doc. No. 1

Order

Per Curiam:

And Now, this 4th day of January, 2007 it is hereby ordered that the following paid holidays for calendar year 2008 will be observed on the dates specified below by all employees of the appellate courts and the Administrative Office of Pennsylvania Courts:

January 1, 2008	New Year's Day
January 21, 2008	Martin Luther King, Jr. Day
February 18, 2008	Presidents' Day
March 21, 2008	Good Friday
May 26, 2008	Memorial Day (Observed)
July 4, 2008	Independence Day
September 1, 2008	Labor Day
October 13, 2008	Columbus Day (Observed)
November 4, 2008	Election Day
November 11, 2008	Veterans Day
November 27, 2008	Thanksgiving Day
November 28, 2008	Day After Thanksgiving
December 25, 2008	Christmas Day

[Pa.B. Doc. No. 07-83. Filed for public inspection January 19, 2007, 9:00 a.m.]

Sessions of the Supreme Court of Pennsylvania for the Year 2008; No. 176 Appellate Court Rules; Doc. No. 1

Order

Per Curiam:

And Now, this 4th day of January, 2007 it is ordered that the argument/administrative sessions of the Supreme Court of Pennsylvania shall be held in the year 2008 as follows:

Pittsburgh (Administrative Session)	January 10
Philadelphia (Administrative Session)	February 7
Pittsburgh	March 3 through March 7
Philadelphia	April 14 through April 18
Harrisburg	May 12 through May 16
Pittsburgh (Administrative Session)	June 5
Pittsburgh	September 8 through September 12
Philadelphia	October 20 through October 24
Harrisburg	December 1 through December 5

Additional argument/administrative sessions may be scheduled as the Court deems necessary.

[Pa.B. Doc. No. 07-84. Filed for public inspection January 19, 2007, 9:00 a.m.]

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 135]

Lands and Buildings; Licenses for Rights-of-Way

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its October 3, 2006, meeting, proposed to add Subchapter L (relating to licenses for rights-of-way).

The proposed rulemaking will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the October 3, 2006, meeting of the Commission. Comments can be sent, until January 22, 2007, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Commission last set rights-of-way license fees by policy in 1999. The Commission has since determined that its current rights-of-way license fee structure occasionally fails to capture the proper value of some rights-of-way licenses. In an effort to assemble a rights-of-way license structure that better captures the appropriate value of its resources, the Commission is proposing to add Subchapter L to establish regulations governing the granting of rights-of-way licenses on Commission-owned lands and waters.

Section 721(a) of the code (relating to control of property) provides "The administration of all lands and waters owned, leased or otherwise controlled by the commission shall be under the sole control of the Director, and the commission shall promulgate regulations . . . for its use and protection as necessary to properly manage these lands or waters." Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The addition of Subchapter L was proposed under this authority.

2. Regulatory Requirements

The proposed rulemaking will add Subchapter L to establish regulations governing the granting of rights-of-way licenses on Commission-owned lands and waters.

3. Persons Affected

Persons wishing to obtain rights-of-way licenses on Commission owned lands and water will be affected by the proposed rulemaking.

4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

5. Effective Date

The proposed rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding the proposed rulemaking, contact Richard A. Palmer, Acting Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

CARL G. ROE,
Executive Director

Fiscal Note: 48-241. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 135. LANDS AND BUILDINGS

Subchapter L. LICENSES FOR RIGHTS-OF-WAY

(*Editor's Note:* The following subchapter is new and is printed in regular type to enhance readability.)

Sec.

135.221. Scope.

135.222. Definitions.

135.223. Application process and application and processing fee.

135.224. Damage assessments.

135.225. Annual fees and security requirements.

§ 135.221. Scope.

This subchapter provides for licensing rights-of-way across land to which title has been acquired for the Commission's use. Except as noted, this subchapter does not apply to Letters of Authorization or leases for natural resources recovery that are approved by the Commission under other provisions of law.

§ 135.222. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

Application and processing fee—A one time cost recovery charge that reimburses the Commission in advance for some of the expected administrative costs incurred in the processing of right-of-way applications, assignments and amendments.

Double stumpage—A multiple of two times the value of timber as calculated under standard operating procedure of the Commission.

Inflationary provision—An automatic adjustment to the license fee.

Late fee—A charge imposed upon license fees remaining unpaid after the due date.

License fee—A yearly charge that compensates the Commission annually in advance for the privilege of using the property as outlined in the license.

License for right-of-way—A revocable permission for uses as allowed under section 725 of the code (relating to rights-of-way, easements and licenses).

Surface damage assessment—A one time cost recovery fee that reimburses the Commission in advance for loss of shrubs and herbaceous growth, wildlife food and cover, or other habitat and management impacts and environmental degradation, whether permanent or temporary in nature.

Temporary road use permits—Temporary permit for use of existing State game lands roads which would otherwise be licenses for rights-of-way, but which are limited in duration to 12 months or less.

Timber damage assessment—A one time cost recovery charge that reimburses the Commission in advance for timber damage, whether permanent or temporary in nature.

§ 135.223. Application process and application and processing fee.

(a) *Application process.* A person or entity desiring a license for right-of-way shall submit a completed application, an alternatives analysis and a nonrefundable application and processing fee made payable to the "Pennsylvania Game Commission."

(b) *Application and processing fee.* There will be assessed an application and processing fee of \$150, payable to the "Pennsylvania Game Commission," at the time of application. This fee is nonrefundable whether the license is ultimately approved or denied.

§ 135.224. Damage assessments.

(a) *Surface damage assessment.* A minimum fee of \$400 per acre or partial acre, prorated for each acre over 1, will be charged.

(b) *Timber damage assessment.* Cutting of timber products shall be assessed the greater of double stumpage value or as assessed by conducting a comprehensive timber value assessment. Values for timber or areas not originally assessed but damaged during the construction process, may be assessed at any time and billed to the licensee.

(c) *Multiple assessment.* Both surface damage assessments and timber damage assessments will be charged.

§ 135.225. Annual fees and security requirements.

(a) *License fee.* The Commission will negotiate charges and fees as it deems conditions and circumstances warrant, with an assessed minimum annual license fee consisting of an areal minimum of \$200 per acre or partial acre impacted, prorated for every acre over 1, plus a linear minimum of 5¢ per foot. Rates and fees established may be adjusted annually in accordance with the Consumer Price Index (CPI) of the immediately preceding license year.

(b) *Late fees.* Late fees may be assessed in accordance with Commonwealth or Commission policies, or regulations governing late payments.

(c) *Security requirements.* Licenses shall require a bond or other security. The amount of the bond shall be based upon the estimated cost of the removal of the facilities, reclamation and revegetation of the site. Licenses which include reclamation, revegetation and maintenance of Commission roads require security at a minimum of \$2,500 per mile.

[Pa.B. Doc. No. 07-85. Filed for public inspection January 19, 2007, 9:00 a.m.]

STATEMENTS OF POLICY

Title 34—LABOR AND INDUSTRY

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CH. 123]

Uninsured Employer Guaranty Fund

The Department of Labor and Industry (Department), Bureau of Workers' Compensation, adds Chapter 123, Subchapter I (relating to Uninsured Employer Guaranty Fund—statement of policy) to read as set forth in Annex A. This statement of policy provides guidance regarding Article XVI of the Workers' Compensation Act (act) (77 P. S. §§ —), as amended by the act of November 9, 2006 (P. L. 1362, No. 147) (Act 147). Article XVI of the act, as amended by Act 147, became effective January 8, 2007.

A. Effective Date

This statement of policy will be effective upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

Interested parties may obtain further information and provide comments regarding this statement of policy by writing to John T. Kupchinsky, Director, Bureau of Workers' Compensation, P. O. Box 15121, Harrisburg, PA 17105-5121. This statement of policy will also be available on the Department's website at www.dli.state.pa.us.

C. Statutory Authority

This statement of policy is issued under the authority of section 435 of the act (77 P. S. § 991), which authorizes the Department to adopt regulations that are reasonably calculated to explain and enforce the provisions of the act. Section 435 of the act charges the Department with promulgating rules and regulations that are reasonably calculated to expedite the reporting and processing of injury cases; insure full payment of compensation when due; expedite the hearing and determination of claims for compensation; and provide notice to disabled employees of their rights under the act. In addition, section 1608 of the act (77 P. S. § —), as amended by Act 147, specifically authorizes the Department to promulgate regulations for the administration and enforcement of Article XVI of the act.

D. Purpose

On November 9, 2006, Governor Edward G. Rendell signed Act 147 into law. Pertinently, Act 147 added Article XVI to the act. Article XVI establishes and funds the Uninsured Employer Guaranty Fund (Fund), which provides benefits to injured employees of uninsured employers. Article XVI of the act requires that an injured worker notify the Fund within 45 days after the injured worker knew that the employer was uninsured. Further, Act 147 prohibits an injured worker from filing a claim petition against the Fund until at least 21 days after notice of a claim is made to the Fund.

This statement of policy does not constitute a rule or regulation with the force and effect of law. This statement of policy is issued so that all parties will have a clear

understanding of their rights and obligations under Article XVI of the act. The Department intends to promulgate regulations for this purpose as soon as practical.

STEPHEN M. SCHMERIN,
Secretary

(*Editor's Note:* Title 34 of the Pa. Code is amended by adding a statement of policy in §§ 123.801—123.805 to read as set forth in Annex A.)

Fiscal Note: 12-80. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 34. LABOR AND INDUSTRY

PART VIII. BUREAU OF WORKERS' COMPENSATION

CHAPTER 123. GENERAL PROVISIONS—PART II

Subchapter I. UNINSURED EMPLOYER GUARANTY FUND—STATEMENT OF POLICY

Sec.

- 123.801. Uninsured Employer Guaranty Fund.
- 123.802. Notice to the Uninsured Employer Guaranty Fund.
- 123.803. Prerequisites for filing claim petition for benefits from Fund.
- 123.804. Filing of claim petition for benefits from the Fund.
- 123.805. Rights of Fund.

§ 123.801. Uninsured Employer Guaranty Fund.

The Department of Labor and Industry (Department) adopts this statement of policy so that all parties will have a clear understanding of their rights and obligations under the act, as amended by Act 147 of 2006 (P. L. 1362, No. 147) (Act 147). This subchapter does not constitute a rule or regulation with the force and effect of law. The Department intends to promulgate regulations for this purpose as soon as practicable.

§ 123.802. Notice to the Uninsured Employer Guaranty Fund.

(a) For purposes of Article XVI of the act (77 P. S. §§ —), an injured worker who seeks benefits from the Uninsured Employer Guaranty Fund (Fund) shall notify the Fund of a claim within 45 days from the date upon which the injured worker knew that the employer was uninsured.

(b) Compensation will not be paid from the Fund until notice is given.

(c) Notice to the Fund shall consist of completing and mailing the form designated as "Notice of Claim Against Uninsured Employer" (Notice) to the Department of Labor and Industry (Department) at the address listed on the form. The Department may reject any incomplete Notice.

(d) The Notice will be deemed filed as of the date of the Notice's deposit in the United States Mail, as evidenced by a United States Postal Service postmark, properly addressed, with postage or charges prepaid. If a United States Postal Service Postmark is not present, the date of the Department's actual receipt of the Notice is the filing date.

§ 123.803. Prerequisites for filing claim petition for benefits from Fund.

(a) Upon the filing of a completed "Notice of Claim Against Uninsured Employer" (Notice), the Uninsured Employer Guaranty Fund (Fund) will determine whether it will commence making payments.

(b) An injured worker may not seek an award against the Fund unless the worker completes and files the form designated as the "Claim Petition for Benefits from the Uninsured Employer Guaranty Fund."

(c) A "Claim Petition for Benefits from the Uninsured Employer Guaranty Fund" may not be filed until at least 21 days after the injured worker filed the Notice as required in § 123.802 (relating to notice to the Uninsured Employer Guaranty Fund).

(d) A completed "Claim Petition for Benefits from the Uninsured Employer Guaranty Fund" will be deemed filed upon the later of either of the following:

(1) The date of the petition's deposit in the United States Mail, as evidenced by a United States Postal Service postmark, properly addressed, with postage or charges prepaid; or, if no United States Postal Service Postmark is present, as of the Department's receipt of the petition.

(2) Twenty-one days after the filing of the Notice identified in § 123.802.

(e) The Department may reject any incomplete petition.

§ 123.804. Filing of claim petition for benefits from the Fund.

(a) If an injured worker attempts to file a "Claim Petition for Benefits from the Uninsured Employer Guaranty Fund" before filing the "Notice of Claim Against

Uninsured Employer" (Notice) required under § 123.802 (relating to notice to the Uninsured Employer Guaranty Fund), the Department will return the petition to the injured worker and instruct the worker to complete a Notice.

(b) A Claim Petition for Workers' Compensation (LIBC—362) filed against an employer may not act as a claim against the Uninsured Employer Guaranty Fund (Fund) or be deemed notice to the Fund.

(c) An injured worker seeking an award of benefits from the Fund shall file the "Claim Petition for Benefits from the Uninsured Employer Guaranty Fund" with the Bureau and shall serve the Fund and the alleged employer at the addresses identified on the petition. The Fund is not required to answer a petition which does not conform to this section.

§ 123.805. Rights of Fund.

The Uninsured Employer Guaranty Fund (Fund) is not prejudiced by an agreement, admission or stipulation concerning the compensability, facts or legal conclusions relating to an injury underlying a claim against the Fund unless the Fund is a party to and specifically endorses the agreement, admission or stipulation.

[Pa.B. Doc. No. 07-86. Filed for public inspection January 19, 2007, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking (Department) under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending January 9, 2007.

BANKING INSTITUTIONS Section 112 Application

<i>Date</i>	<i>Name of Individual</i>	<i>Location</i>	<i>Action</i>
12-22-06	George W. Connell, to acquire up to 19.99% of the common stock of Bryn Mawr Bank Corporation, Bryn Mawr	Bryn Mawr	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-19-06	Allegiance Bank of North America Bala Cynwyd Montgomery County	552 Lancaster Avenue Berwyn Easttown Township Chester County	Opened
1-2-07	Harleysville Savings Bank Harleysville Montgomery County	Arbour Square 695 Main Street Harleysville Montgomery County (Limited Service Facility)	Opened
1-3-07	Graystone Bank Lancaster Lancaster County	39 North Market Street Frederick Frederick County, MD	Filed
1-3-07	Graystone Bank Lancaster Lancaster County	1830 South Atherton Street State College Centre County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-15-06	Pennsylvania Business Bank Philadelphia Philadelphia County	1401 Walnut Street Philadelphia Philadelphia County	Effective
12-30-06	Union Bank and Trust Company Pottsville Schuylkill County	Weis Supermarket Route 61 and Clair Avenue Pottsville Schuylkill County	Effective

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>
1-4-07	Alcose Credit Union, White Oak, and Artcraft Credit Union, North Huntingdon Surviving Institution— Alcose Credit Union, White Oak	White Oak	Filed

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

VICTORIA A. REIDER,
Acting Secretary

[Pa.B. Doc. No. 07-87. Filed for public inspection January 19, 2007, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

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

PA0244228, Industrial Waste, **Rahns Construction Material Company**, SIC Nos. 3273 and 3272. Facility Mailing address: 430 Bridge Road, Rahns, Perkiomen Township, PA 19426-4195.

Description of activity: This application is for an NPDES permit to discharge industrial stormwater/wastewater from production processes.

The receiving river, Perkiomen Creek, is in the State Water Plan Watershed 3E-Perkiomen and is classified for TSF, migratory fishes, aquatic life, water supply and recreation. The nearest downstream potable water supply is Aqua PA and is approximately 4 miles below the point of discharge.

The proposed effluent limits for Outfalls 001 and 002 are based on stormwater runoff.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Annual</i>	<i>Maximum Daily</i>	<i>Maximum (mg/l)</i>
Total Suspended Solids (Issuance through Year 1) (Year 2 through expiration)			Monitor and Report	Monitor and Report	
			50	100	
pH (Issuance through Year 1) (Year 2 through Expiration)			Monitor and Report	Monitor and Report	
			6.0		9.0
Oil and Grease			Monitor and Report	Monitor and Report	
Iron, Total			Monitor and Report	Monitor and Report	

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

1. Solids disposal according to applicable regulations.
2. Monitor Outfalls twice per year.

PA0012467, Industrial Waste, SIC 4613, **Laurel Pipeline Company, LP**, P. O. Box 368, 5002 Buckeye Road, Emmaus, PA 18049. This proposed facility is located in Bethel Township, **Delaware County**.

Description of proposed activity: Renewal of an NPDES permit to discharge stormwater, treated groundwater and hydrostatic test water from Booth Station IWTP.

The receiving stream, an UNT to Green Creek, is in the State Water Plan Watershed 3G and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua PA main system is located on Chester Creek and is 5.1 miles below the point of discharge.

The proposed effluent limits for monitoring point 101 are based on a design flow of 70,000 gpd.

<i>Parameters</i>	<i>Concentration (mg/l)</i>		<i>Instantaneous</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Maximum (mg/l)</i>
Benzene	0.005	0.01	0.013
Total BETX	0.1	0.2	0.25
Ethylbenzene	Monitor and Report	Monitor and Report	
Toluene	Monitor and Report	Monitor and Report	
Xylene, Total	Monitor and Report	Monitor and Report	
Iron, Dissolved (Issuance through Year 1) (Year 2 through Expiration)			Monitor and Report
			7.0
pH	6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 001 are as follows:

<i>Parameters</i>	<i>Concentration (mg/l)</i>		<i>Instantaneous</i>
	<i>Average Monthly</i>	<i>Average Daily</i>	<i>Maximum (mg/l)</i>
Gasoline Range Organics			Monitor and Report
Diesel Range Organics			Monitor and Report
Oil and Grease		15	30
Phosphorus, Total	Monitor and Report		

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

1. Remedial Measures if Unsatisfactory Effluent.
2. Change of Ownership.
3. Product Contaminated Stormwater Runoff.
4. No Stripper Tower Cleaning Water Discharge.

5. Visual Inspection.
6. I-Max Limitation.
7. Hydrostatic Test Water Discharge Requirements.
8. Groundwater Monitoring.

NPDES Permit No. PA0056413, Sewage, SIC 4952, **Lower Salford Township Authority Mainland Sewage Treatment Plant**, 57 Main Street, Mainland, PA 19451 in Lower Salford Township, **Montgomery County**, PA.

Description of activity: Renewal of sewage treatment plant's NPDES permit to discharge effluent to Skippack Creek.

The receiving water, Skippack Creek, is in the State Water Plan Watershed 3E-Perkiomen and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua-PA is located on Perkiomen Creek and is approximately 12 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an approved annual average flow of 0.90 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	10.0	15.0		20.0
(11-1 to 4-30)	20.0	30.0		40.0
Total Suspended Solids	20.0	30.0		40.0
Ammonia as N				
(5-1 to 10-31)	1.4			2.8
(11-1 to 4-30)	4.2			8.4
Phosphorus as P				
(Issuance through 6-30-09)	2.0			4.0
(4-1 to 10-31)	0.32			0.64
(Effective 7-1-09 through expiration)				Monitor and Report
(11-1 to 03-31)				
(Effective 7-1-09 through expiration)	0.64			1.28
Fecal Coliform*	200 col/100 ml			1,000 col/100 ml
Dissolved Oxygen	5.0 (Min.)			
Lead, Total				Monitor and Report
Copper, Total				
(Issuance through 6-30-09)				
(7-1-09 through expiration)	0.014			0.022
pH				
(Standard Units)	6.0 (minimum)			9.0 (maximum)

*Ultra-Violet Disinfection.

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

1. Conduct In-Stream Monitoring for Copper, Lead and Hardness.
2. Proper Sludge Disposal.

NPDES Permit No. PA0057061, Sewage, SIC 4952, **Upper Frederick Township Ivy Ridge Sewage Treatment Plant**, Upper Frederick Township, P. O. Box 597, Frederick, PA, **Montgomery County**, PA 19435.

Description of activity: Renewal of sewage treatment plant's NPDES permit to discharge effluent to an UNT to Sciotto Creek.

The receiving water, an UNT to Sciotto Creek, is in the State Water Plan Watershed 3E-Perkiomen and is classified for TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua-PA is located on Perkiomen Creek and is approximately 13 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an approved annual average flow of 0.0215 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅				
(5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	40		50
Total Suspended Solids	20	30		40
Ammonia as N				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	4.0			8.0
Phosphorus (as P)				
Total Residual Chlorine	1.5			3.0
Fecal Coliform	0.2			
Fecal Coliform	200 #/100 ml			1,000 col/100 ml
	(Geometric Mean)			

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen	5.0 (Min.)			
pH (Standard Units)	6.0 (Min.)			9.0 (Max.)

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

1. Ensure chlorine dosages do not cause adverse stream impact.
2. Proper sludge disposal.

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

PA-0031127, Sewage, **Borough of Northampton**, 1401 Laubach Avenue, Northampton, PA 18067-0070. This proposed facility is located in Northampton Borough, **Northampton County**.

The receiving stream, Hokendaqua Creek, is in the State Water Plan Watershed 2C and is classified for CWF. The nearest downstream public water supply intake for Keystone Water Co. is located on Delaware River is more than 50 miles below the point of discharge.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	14.5		
Dissolved Oxygen		A minimum of 5.0 mg/l at all times.	
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	
pH		6.0 to 9.0 standard units at all times.	

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

1. WETT Stormwater for 002 and 003

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

Application No. PA 0020885, Sewage, **Borough of Mechanicsburg**, 36 West Allen Street, Mechanicsburg, PA 17055-6257. This facility is located in Silver Spring Township, **Cumberland County**.

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

The receiving stream, Conodoguinet Creek, is in Watershed 7-B and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Steelton Municipal Waterworks is located on the Susquehanna River, approximately 19.3 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.08 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	9.0		18
(11-1 to 4-30)	16		32
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Total Phosphorus		5,065 lbs per year annual	
Total Nitrogen		37,990 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

In addition to the effluent limits, the permit contains the following major special conditions:
 Schedule for compliance with Chesapeake Bay Tributary Strategy.
 Stormwater conditions.

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

The EPA waiver is not in effect.

Application No. PA 0026077, Sewage, **Borough of Carlisle**, 53 West South Street, Carlisle, PA 17013. This facility is located in Middlesex Township, **Cumberland County**.

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

The receiving stream, Conodoguinet Creek, is in Watershed 7-B, and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on the Susquehanna River, approximately 12.8 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 4.625 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	70
Total Suspended Solids	30	45	85
NH ₃ -N			
(5-1 to 10-31)	3.6		10
(11-1 to 4-30)	10.8	30	
Total Residual Chlorine	0.5		1.6
Total Phosphorus	1.0		2.8
Total Phosphorus		17,047 lbs per year annual	
Total Nitrogen		127,852 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.
2. Stormwater conditions.
3. Implement pretreatment program.

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

The EPA waiver is not in effect.

Application No. PA 0038415, Sewage, **East Pennsboro Township**, 98 South Enola Drive, Enola, PA 17025. This facility is located in East Pennsboro Township, **Cumberland County**.

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

The receiving stream, Conodoguinet Creek, is in Watershed 7-B and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Steelton Municipal Waterworks is located on the Susquehanna River, approximately 3.85 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 3.7 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	4.5		9.0
(11-1 to 4-30)	12		24
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Total Phosphorus		9,011 lbs per year annual	
Total Nitrogen		67,579 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.
2. Stormwater conditions.

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

The EPA waiver is not in effect.

Application No. PA 0030643, Sewage, **Borough of Shippensburg**, 111 North Fayette Street, Shippensburg, PA 17257-0129. This facility is located in Southampton Township, **Franklin County**.

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

The receiving stream, Middle Spring Creek, is in Watershed 7-B and is classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Borough of Carlisle is located on the Conodoguinet Creek, approximately 39 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 3.3 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.5		5.0
(11-1 to 4-30)	7.5		15
Total Residual Chlorine	0.26		0.87
Total Phosphorus	0.50		1.0
Free Cyanide	0.0082	0.0164 Daily Maximum	0.0205
Total Aluminum	0.782	1.564 Daily Maximum	1.95
Total Phosphorus		8,036 lbs per year annual	
Total Nitrogen		60,273 lbs per year annual	
TKN	Monitor		
NO ₂ + NO ₃ -N	Monitor		
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.
2. Stormwater conditions.
3. Implement a pretreatment program.

Part C requirements for toxics are briefly listed as:

1. Water quality based effluent goals for Total Aluminum.
2. Requirements to submit the first phase of a toxics reduction evaluation within 2 years of permit issuance.
3. Conditions for future permit modifications.
4. Procedures for granting time extensions to achieve final water quality based effluent limitations.
5. Procedures for demonstrating alternative site-specific bioassay based effluent limitations.
6. Procedures for demonstrating alternative method detection limits.

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

The EPA waiver is not in effect.

Application No. PA 0026875, Sewage, **Borough of Hanover**, 44 Frederick Street, Hanover, PA 17331. This facility is located in Conewago Township, **Adams County**.

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

The receiving stream, South Branch of Conewago Creek, is in Watershed 7-F and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for New Oxford Municipal Authority is located on the South Branch Conewago Creek, approximately 5 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 4.5 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22	40
(11-1 to 4-30)	20	30	54
Total Suspended Solids	30	45	81
NH ₃ -N			
(5-1 to 10-31)	1.5		4.0
(11-1 to 4-30)	3.0		8.1
Total Residual Chlorine	0.17		0.57
Total Phosphorus	2.0		5.4
Total Phosphorus		10,959 lbs per year annual	
Total Nitrogen		82,191 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0020826, Sewage, **Dover Township**, 2480 West Canal Road, Dover, PA 17315. This facility is located in Conewago Township, **York County**.

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

The receiving stream, Little Conewago Creek, is in Watershed 7-F and is classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is located on the Susquehanna River, approximately 27 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 8.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Total Phosphorus	2.0		4.0
Total Phosphorus		19,482 lbs per year annual	
Total Nitrogen		146,117 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0026808, Sewage, **Springettsbury Township**, 3501 North Sherman Street, York, PA 17402. This facility is located in Springettsbury Township, **York County**.

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

The receiving stream, Codorus Creek, is in Watershed 7-H and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is located on the Susquehanna River, approximately 12.35 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 15 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	3.0		6.0
Total Residual Chlorine	0.33		1.07
Total Phosphorus	2.0		4.0
Total Phosphorus		36,529 lbs per year annual	
Total Nitrogen		273,969 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0026263, Sewage, **York City Sewer Authority**, 17 East Market Street, York, PA 17401. This facility is located in Manchester Township, **York County**.

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

The receiving stream, Codorus Creek, is in Watershed 7-H and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is located on the Susquehanna River, approximately 17 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 are:

<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)	15	22	30
(11-1 to 4-30)	20	30	40
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	1.7		3.4
(11-1 to 4-30)	2.1		4.2
Total Residual Chlorine	Monitor and Report		
Total Phosphorus	2.0		4.0
Total Phosphorus		Monitor and Report lbs per year annual	
Total Nitrogen		Monitor and Report lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

The proposed effluent limits for Outfall 002 for a design flow of 26 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22	30
(11-1 to 4-30)	20	30	40
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	1.7		3.4
(11-1 to 4-30)	2.1		4.2
Total Residual Chlorine	Monitor and Report		
Total Phosphorus	2.0		4.0
Total Nitrogen		63,317 lbs per year annual	
TKN		474,880 lbs per year annual	
NO ₂ + NO ₃ -N		Monitor	
Dissolved Oxygen		Monitor	
pH		Minimum of 5.0 at all times	
Fecal Coliform		From 6.0 to 9.0 inclusive	
(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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0020923, Sewage, **New Oxford Municipal Authority**, 409 Water Works Road, New Oxford, PA 17350-1511. This facility is located in Oxford Township, **York County**.

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

The receiving stream, South Branch Conewago Creek, is in Watershed 7-F and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is located on the Susquehanna River, approximately 66 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.788 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	3.5		7.0
(11-1 to 4-30)	7.5		15
Total Residual Chlorine	0.22		0.73
Total Phosphorus	2.0		4.0
Total Phosphorus		4,354 lbs per year annual	
Total Nitrogen		32,657 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a geometric average	
(5-1 to 9-30)		2,000/100 ml as a geometric average	
(10-1 to 4-30)			

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0026735, Sewage, **Swatara Township Authority**, 8675 Paxton Street, Hummelstown, PA 17036. This facility is located in Swatara Township, **Dauphin County**.

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

The receiving stream, Swatara Creek, is in Watershed 7-D and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Borough Municipal Authority is located on the Susquehanna River, approximately 27 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 6.3 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	19	30	38
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	6		12
(11-1 to 4-30)	18		36
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2		4
Total Phosphorus		15,342 lbs per year annual	
Total Nitrogen		115,067 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0026484. Sewage, **Derry Township Municipal Authority** (Clearwater Road WWTP), 670 Clearwater Road, Hershey, PA 17033-2453. This facility is located in Derry Township, **Dauphin County**.

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

The receiving stream, Swatara Creek, is in Watershed 7-D and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Hummelstown Water Pennsylvania is located on the Swatara Creek, approximately 2.7 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 5.02 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	20	32	40
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	
NH ₃ -N			
(5-1 to 10-31)	7		20
(11-1 to 4-30)	21		
Total Phosphorus	2.0		5.6
Total Phosphorus		12,225 lbs per year annual	
Total Nitrogen		91,688 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0081868, Sewage, **Fairview Township Authority**, 599 Lewisberry Road, New Cumberland, PA 17070-2399. This facility is located in Fairview Township, **York County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-E and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is located on the Susquehanna River, approximately 25 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.726 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	Monitor and Report		Monitor and Report
Total Residual Chlorine	1.0		2.0
Total Phosphorus	2.0		4.0
Total Phosphorus		1,778 lbs per year annual	
Total Nitrogen		13,333 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0026051, Sewage, **Chambersburg Borough**, 100 South Second Street, Chambersburg, PA 17201. This facility is located in Chambersburg Borough, **Franklin County**.

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

The receiving stream, Conococheague Creek, is in Watershed 13-C and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Hagerstown, MD is located on the Potomac River, approximately 43 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 6.8 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	15	22	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	3.5		7.0
(11-1 to 4-30)	10		20
Total Phosphorus		16,560 lbs per year annual	
Total Nitrogen		124,199 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0027189, Sewage, **Lower Allen Township Authority**. This facility is located in Fairview Township, **York County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-E and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is located on the Susquehanna River, approximately 25 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 6.25 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N	Monitor and Report		Monitor and Report
Total Phosphorus	2.0		4.0
Total Phosphorus		15,221 lbs per year annual	
Total Nitrogen		114,154 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0026441, Sewage, **Lemoyne Borough**, Three Lowther Street, Lemoyne, PA 17043. This facility is located in Lemoyne Borough, **Cumberland County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-E and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is located on the Susquehanna River, approximately 27 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.088 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	19		38
Total Phosphorus	2.0		4.0
Total Residual Chlorine	1.0		2.0
Total Phosphorus		5,085 lbs per year annual	
Total Nitrogen		38,136 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0021067, Sewage, **Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552. This facility is located in East Donegal Township, **Lancaster County**.

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

The receiving stream, Little Chickies Creek, is in Watershed 7-G and is classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Columbia Water Company is located on the Susquehanna River, approximately 6 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.53 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	4.5		9.0
(11-1 to 4-30)	13.5		27
Total Residual Chlorine	0.43		1.4
Total Phosphorus	2.0		4.0
Total Phosphorus		3,726 lbs per year annual	
Total Nitrogen		27, 945 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0020320, Sewage, **Lititz Sewer Authority**, 50 Lititz run Road, Lititz, PA 17543. This facility is located in Warwick Township, **Lancaster County**.

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

The receiving stream, Lititz Run, is in Watershed 7-J and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Lancaster Municipal Water Authority is located on the Conestoga River, approximately 10 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 3.85 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	10	15	20
(11-1 to 4-30)	15	22.5	30
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	4.5		9.0
Total Residual Chlorine	0.19		0.63
Total Phosphorus	2.0		4.0
Total Phosphorus		9,376 lbs per year annual	
Total Nitrogen		70,319 lbs per year annual	
TKN		Monitor	
NO ₂ + NO ₃ -N		Monitor	
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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0020664, Sewage, **Middletown Borough Authority**, 60 West Emaus Street, Middletown, PA 17057. This facility is located in Middletown Borough, **Dauphin County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-C and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Columbia Water Company is located on the Susquehanna River, approximately 18 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.2 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N	Monitor		
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Total Nitrogen		5,358 lbs per year annual	
TKN		40,182 lbs per year annual	
NO ₂ + NO ₃ -N		Monitor	
Dissolved Oxygen		Monitor	
pH		Minimum of 5.0 at all times	
Fecal Coliform		From 6.0 to 9.0 inclusive	
(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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0042269, Sewage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603. This facility is located in Manor Township, **Lancaster County**.

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

The receiving stream, Dry Run, is in Watershed 7-J and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Safe Harbor Power Plant is located on the Susquehanna River, approximately 7 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 15.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	8.5		17
(11-1 to 4-30)	Monitor		Monitor
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Total Nitrogen		36,529 lbs per year annual	
TKN		273,969 lbs per year annual	
NO ₂ + NO ₃ -N		Monitor	
Dissolved Oxygen		Monitor	
pH		Minimum of 5.0 at all times	
Fecal Coliform		From 6.0 to 9.0 inclusive	
(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	

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

1. Schedule for compliance with Chesapeake Bay Tributary Strategy.

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

The EPA waiver is not in effect.

Application No. PA 0259934, Sewage, **Fredrick Soliday**, 479 Camp Strause Road, Fredericksburg, PA 17026. This facility is located in Bethel Township, **Lebanon County**.

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

The receiving stream, Bear Hole Run, is in Watershed 7-D and is classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Lebanon Water Authority is located on the Swatara Creek, approximately 13.41 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of .0004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
Total Residual Chlorine	Monitor and Report	
pH	From 6.0 to 9.0 inclusive	
Fecal Coliform	200/100 ml as a geometric average	

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

The EPA waiver is in effect.

Application No. PA 0259951, Sewage, **Jody Bradley**, R. D. 1, Box 643, Claysburg, PA 16625. This facility is located in Greenfield Township, **Blair County**.

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

The receiving stream, an UNT to Smokey Run, is in Watershed 11-A and is classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough Water Authority is located on the Juniata River, approximately 140 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0005 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Total Suspended Solids	10	20
Total Residual Chlorine	Monitor and Report	
Dissolved Oxygen	Minimum of 5.0 at all times	
pH	From 6.0 to 9.0 inclusive	
Fecal Coliform	200/100 ml as a geometric average	

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

The EPA waiver is in effect.

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

PA0092801, Sewage, **Community College of Allegheny County**, 800 Allegheny Avenue, Pittsburgh, PA 15233. This application is for renewal of an NPDES permit to discharge treated sewage from West Hills Center STP in North Fayette Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Ephemeral to an UNT to North Branch Robinson 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 West View Borough Municipal Authority.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0239861, Sewage. **Cochranton Borough**, 109 East Adams Street, Cochranton, PA 16314. This proposed facility is located in Wayne Township, **Crawford County**.

Description of proposed activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NOD;3, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Water Company located on the Allegheny River and is approximately 53 miles below point of discharge.

The receiving stream, the UNT to French Creek, is in Watershed 16-D and classified for WWF, aquatic life, water supply and recreation.

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

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX	XX			
CBOD ₅	14	21	10	15	20
Total Suspended Solids	14	21	10	15	20
Fecal Coliform (5-1 to 9-30)			200/100 ml as a geometric average		
(10-1 to 4-30)			2000/100 ml as a geometric average		
Total Residual Chlorine			Not Detectable		
NH ₃ -N (5-1 to 10-31)	4.4		3		6
(11-1 to 4-30)	13		9		18
Phosphorus	2.9		2		4
Dissolved Oxygen			Minimum 3		
pH			6.0 to 9.0 standard units at all times		

XX—Monitor and report on monthly DMRs.

The EPA Waiver is in effect.

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

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

WQM Permit No. 4606408, Sewerage, **Borough of Royersford**, 300 Main Street, Royersford, PA 19468. This proposed facility is located in Upper Providence Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sewage treatment plant.

WQM Permit No. 4606409, Sewerage, **Franconia Township Sewer Authority**, 671 Allentown Road, P. O. Box 128, Franconia, PA 18924. This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sanitary pump station.

WQM Permit No. 4606410, Sewerage, **Whitpain Township**, P. O. Box 800, 960 Wentz Road, Blue Bell, PA 19422. This proposed facility is located in Whitpain Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sanitary pump station serving 30 proposed townhouses.

WQM Permit No. 0906411, Sewerage, **Warwick Township Water and Sewer Authority**, P. O. Box 315, Jamison, PA 18929. This proposed facility is located in Warwick Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a effluent pump station to convey treated effluent to discharge 002.

WQM Permit No. 1506419, Sewerage, **William Henry Apartments**, 1086 West King Road, Malvern, PA 19355. This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Action/Activity: Construction and operation of sewage treatment plant.

WQM Permit No. 0906412, Sewerage, **Wrightstown Township**, 738 Penns Park Road, Wrightstown, PA 18940. This proposed facility is located in Wrightstown Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a gravity collection sewers, effluent storage and disposal utilizing drip irrigation.

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

WQM Permit No. 5206407, **Aqua Pennsylvania, Inc.**, HC6, Box 6040, Palmyra Professional Center, Hawley, PA 18428. This proposed facility is located in Lackawaxen Township, **Pike County**, PA.

Description of Proposed Action/Activity: This project is for the construction of a sewage pumping station and force main to convey Woodloch Pines wastewater to exiting Woodloch Springs wastewater treatment facility.

WQM Permit No. 5206408, **David Holbert**, 125 Rocky Riff Farm Road, Lackawaxen, PA 18435. This proposed facility is located in Lackawaxen Township, **Pike County**, PA.

Description of Proposed Action/Activity: This project is for the construction of a treatment facility to replace an existing malfunctioning system for a single-family residence.

WQM Permit No. 5206406, **Forest Glen Estates, LLC**, 155 3rd Street, Brooklyn, NY 11231-4822. This proposed facility is located in Delaware Township, **Pike County**, PA.

Description of Proposed Action/Activity: This project is for the construction of a wastewater treatment plant and spray irrigation system to service the Forest Glen Estates, a 135 single-family home development. The projected sewage flows are 33,750 gpd.

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

WQM Permit No. 6776406, **Amendment 06-1**, Sewerage, **Manchester Township Municipal Authority**, 3200 Farmtrail Road, York, PA 17406. This proposed facility is located in Manchester Township, **York County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation at the Lewisberry Road Relief Interceptor—Project No. 12, to replace 1,356 L.F. of 8" PVC/DI main with 10" PVC/DI sanitary sewer piping.

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

WQM Permit No. 6306202, **Industrial Waste, Duquesne Light Company**, 1800 Seymour Street, Pittsburgh, PA 15233. This proposed facility is located in Union Township, **Washington County**.

Description of Proposed Action/Activity: Application for permit to construct and operate a closed residual waste (coal combustion by-products) landfill.

WQM Permit No. 6306409, Sewerage, **South Strabane Township Sanitary Authority**, 550 Washington Road, Washington, PA 153014. This proposed facility is located in South Strabane Township, **Washington County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sanitary sewage pump station.

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

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

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010906028	Jeffrey Sacks 338 Grape Street Warminster, PA 18974	Bucks	West Rockhill Township	Unami Creek HQ
PAS10G478R	Wilkinson Heritage, LLC 1020 Broad Run Road Landenberg, PA 19350	Chester	Franklin Township	Big Elk Creek HQ-TSF-MF
PAI011506098	Malvern Hill Associates, LP 2701 Renaissance Blvd, 4th Fl. King of Prussia, PA 19406	Chester	East Whiteland Township	Little Valley Creek EV

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011507001	Bentley Communities, LP 1595 Paoli Pike, Suite 202 P. O. Box 1906 West Chester, PA 19380	Chester	West Vincent Township	French Creek EV
PAI011507002	Oxford Area School District 125 Bell Tower Lane Oxford, PA 19363	Chester	Oxford Borough and East Nottingham Township	Little Elk Creek HQ-TSF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806037	Polaris Properties, Inc. 7562 Penn Drive, Suite 100 Allentown, PA 18106	Northampton	Hanover Township	Monocacy Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023906025	Rick Koze Kay Builders 5930 Hamilton Blvd. Wescosville, PA 18106	Lehigh	Upper Macungie Township	Cedar Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023507001	James Kanavy P. O. Box 525 Moscow, PA 18444	Lackawanna	Moscow Borough	Roaring Brook HQ-CWF
PAI023507002	North Pocono School District 701 Church St. Moscow, PA 18444	Lackawanna	Covington Township	Roaring Brook HQ-CWF

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

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

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4606508, Public Water Supply

Applicant **Upper Hanover Authority**
 Township Upper Hanover
 County **Montgomery**
 Responsible Official William F. Kalb, Jr.
 Type of Facility PWS
 Consulting Engineer Gilmore and Associates, Inc.
 Application Received Date October 6, 2006
 Description of Action Construction of a booster station building and appurtenances.

Permit No. 1506508, Public Water Supply

Applicant **Aqua Pennsylvania, Inc.**
 Township Schuylkill
 County **Chester**
 Responsible Official Karl Kyriss
 Type of Facility PWS
 Consulting Engineer CET Engineering Services
 Application Received Date December 19, 2006
 Description of Action Construction of two high-lift pump stations and a chemical feed building, modifications to two existing clearwells and installation of external piping at the Pickering West Water Treatment Plant.

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

Application No. 3906508, Public Water Supply.

Applicant **Nestle Waters North America Inc.**
 Lynn Township, **Lehigh County**
 Responsible Official Eric Andreus, Natural Resource Mgr.
 Nestle Waters North America Inc.
 405 Nestle Way
 Breinigsville, PA
 Type of Facility Bottled Water Source
 Consulting Engineer Edward E. Davis, P. E.
 Forino Company, LP
 555 Mountain Home Road
 Sinking Spring, PA
 Application Received Date 12/29/06
 Description of Action The addition of a source, Mattos Spring, to the loading facility at Hoffman/Frontier 1 Springs. Bottling occurs at the Nestle Breinigsville plant.

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

Permit No. 5688507-T1A1, Public Water Supply.

Applicant **United Mobile Homes, Inc.**,
 Somerset Estates Mobile Home Park
 1873 Husband Road
 Somerset, PA 15501
 Township or Borough Somerset Township
 Responsible Official Jeffrey Yorick, Vice President of Engineering
 United Mobile Homes, Inc.
 Somerset Estates Mobile Home Park
 1873 Husband Road
 Somerset, PA 15501
 Type of Facility Mobile home park
 Consulting Engineer The EADS Group, Inc.
 1126 Eighth Avenue
 Altoona, PA 16602
 Application Received Date January 2, 2006
 Description of Action Installation of a booster pump station and sequestering of iron and manganese.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

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

Application No. 0406505MA, Minor Amendment.

Applicant **Brighton Township Municipal Authority**
 1300 Brighton Road
 Beaver, PA 15009
 Township or Borough Brighton Township
 Responsible Official Bryan Dehart
 Authority Manager
 Brighton Township Municipal Authority
 1300 Brighton Road
 Beaver, PA 15009
 Type of Facility Pump station
 Consulting Engineer Lennon, Smith
 Souleret Engineering, Inc.
 846 Fourth Avenue
 Coraopolis, PA 15108
 Application Received Date December 12, 2006
 Description of Action Replacement of the existing pumps and addition of a liquid hypochlorite feed system for rechlorination at the High School Pump Station

Application No. 6507501MA, Minor Amendment.

Applicant **Highridge Water Authority**
 17 Maple Avenue
 Blairsville, PA 15717

Township or Borough	Burrell Township
Responsible Official	George Sulkosky Executive Director Highridge Water Authority 17 Maple Avenue Blairsville, PA 15717
Type of Facility	Water storage tank
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street, P. O. Box 853 Latrobe, PA 15650
Application Received Date	January 8, 2007
Description of Action	Construction of a 520,000 gallon aboveground water storage tank known as the Penn View Tank, a valve vault, control building, 490 LF of 8" waterline and an access drive to the tank.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department (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:

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

Defense National Stockpile Center Marietta Depot, East Donegal Township, **Lancaster County**. Parsons Corporation, 290 Elwood Davis Road, Suite 312, Liverpool, NY 13088, on behalf of General Services Administration, Property Disposal Division (4PR), 401 West Peachtree Street, Suite 820, Atlanta, GA 30308 and the Defense National Stockpile Center, 8725 John J. Kingman Road, Suite 3229, Fort Belvoir, VA 22060, submitted a Notice of Intent to Remediate site soils, groundwater and surface water contaminated with metals. Future use of the site will be commercial/industrial.

Sindall Trucking Services, Inc., New Holland Borough, **Lancaster County**. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Sindall Trucking Services, Inc., 461 Diller Avenue, P. O. Box 165, New Holland, PA 17557, submitted a Notice of Intent to Remediate groundwater and soil contaminated with waste oil leaked during removal of a UST. The applicant seeks to remediate the site to the Statewide Health Standard. The property is a trucking company and will remain so in the future. This notice corrects a previous notice published on December 2, 2006.

DETERMINATION FOR APPLICABILITY FOR INFECTIOUS AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS

Applications for Determination of Applicability for General Permit Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Infectious and Chemotherapeutic Waste Regulations for a General Permit to Operate Infectious and Chemotherapeutic Waste Processing Facilities.

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

General Permit Application Number WMGI005 D003. Sanofi Pasteur, Inc., Intersection of Highways 611 and 314, Swiftwater PA 18370-0187. General Permit Number WMGI005 authorizes processing infectious waste. The processing is limited to chemical and thermal inactivation. The application for determination of applica-

bility was found to be administratively complete by Central Office on January 5, 2007.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application received, under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate Solid Waste Processing or Disposal Area or Site.

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

Permit ID No. 603414. Hapchuk, Inc., 226 Rankin Road, Washington, PA 15301. Request for final closure and release of bond for the former Hapchuk Septage Treatment Facility located in North Bethlehem Township, **Washington County**, was received in the Regional Office on November 30, 2006.

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

Permit Application No. 400246. DELCORA, 100 E. 5th St., Chester PA 19013-4508, City of Chester, **Delaware County**. This application was received for renewal of the waste permit for the sludge incinerator located at DELCORA's Western Regional Treatment Plant. The application was received by Southeast Regional Office on December 21, 2006.

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.

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

30-00099G: Allegheny Energy Supply Co., LLC (800 Cabin Hill Drive, Greensburg, PA 15601) for installation of flue gas desulfurization materials handling systems at Hatfield's Ferry Power Station in Monongahela/Cumberland Townships, **Greene County**.

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

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

36-03161A: Compass Quarries, Inc. d/b/a Independence Construction Materials (P. O. Box 130, 47 McIlvaine Road, Paradise, PA 17562-0130) for modification of the material dryer to utilize Nos. 4—6 fuel oil and waste derived liquid fuel in Paradise Township, **Lancaster County**. The modification has the potential to increase NOx emissions by 25 tons per year (tpy) when combusting Nos. 5 and 6 fuel oil. The plan approval will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

38-05037A: Zimmerman Chair Shop (1486 Colebrook Road, Lebanon, PA 17042-9507) for installation of four booths and a curing tunnel in North Cornwall Township, **Lebanon County**. The wood surface coating and manufacturing operation will be subject to the wood surface

coating regulations found in 25 Pa. Code §§ 129.101—129.107 in addition to those found in 25 Pa. Code § 129.52. The facility will not be subject to 40 CFR Part 63, Subpart JJ since potential emissions of VOCs and HAPs will remain below major source thresholds, respectively. Actual VOC and HAP emissions are not expected to exceed 21 and 7 tons per 12-month rolling total, respectively. The plan approval and subsequent State-only operating permit will include emission limitations, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-03138A: Duke Energy Field Services, LP (370 17th Street, Suite 2500, Denver, CO 80202) for construction of a new propane terminal in West Manchester Township, **York County**. Estimated potential facility-wide atmospheric VOC emissions are less than 18 tpy. This is a non-Title V (State-only) facility. Standard recordkeeping and operating restrictions will be included to keep the facility operating within all applicable air quality requirements.

OPERATING PERMITS

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

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

09-00037: CMS Gilbreth Packaging Systems (3001 State Road, Croydon, PA 19021) for renewal/administrative amendment of the Title V Operating Permit in Bristol Township, **Bucks County**. The initial permit was issued on January 18, 2001. The proposed permit is being administratively amended to formally incorporate conditions from the previously issued Plan Approval Nos. 09-0037B, 09-0037C and 09-0037D and to incorporate conditions from Plan Approval No. 09-0037E for the installation of an automated parts washer, that uses n-propyl acetate as the cleaning solvent. The facility is a primary producer of pressure sensitive labels that results in the emission of VOCs and NOx. As a result of potential emissions of VOCs the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not reflect any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

46-00061: Department of Corrections—Graterford State Correction Institution. (Route 29, Graterford, PA 19426) for installation of three standby diesel generators, each rated at 1,500 kW in Skippack Township, **Montgomery County**. This is a Title V facility. The Title V Operating Permit 46-00061 is being amended to incorporate conditions from Plan Approval No. 46-329-014, total emissions from the three diesel generators are as follows: 19.38 tpy of NOx, 1.17 tpy of CO, 0.36 tpy of VOCs and 0.59 tpy of PM. There were no hourly or annual sulfur emission limits in the plan approval; however, the sulfur content in the diesel fuel is restricted to 0.2%, by weight. The amended Title V Operating Permit will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

46-00169: Constantia Colmar, Inc. (92 County Line Road, Colmar, PA 18915) for a non-Title V Facility, State-only, Synthetic Minor Operating Permit in Hatfield Township, **Montgomery County**. Constantia Colmar, Inc. (Constantia), prints on aluminum foil, shrink film and film laminations in its production of flexible packaging for the pharmaceutical, confectionary, beverage, cosmetics, snack food and other industries. The primary pollutants emitted from the facility are VOCs, most of which result from the operation of four printing presses. Constantia operates and maintains a regenerative thermal oxidizer to capture and control VOC emissions from the printing presses (and other sources), which are located within a permanent total enclosure. To avoid being a major source of VOC emissions, the facility is subject to an emission restriction of 24.7 tpy. The permit will contain monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

23-00099: Haven Memorial Park (2500 Concord Road, Chester, PA 19013) for operation of a human crematory in Chester Township, **Delaware County**. The permit is for a non-Title V (State-only) facility. The source of air emissions are two two-stage human crematory units, both firing on natural gas. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00123: Wesco Industrial Products, Inc. (1250 Welsh Road, Lansdale, PA 19446) for a non-Title V facility, State-only Operating Permit in Montgomery Township, **Montgomery County**. Wesco Industrial Products operates a material handling equipment-manufacturing facility. The sources of emissions are two paint lines. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

39-00066: Eastern Industries, Inc.—Whitehall Quarry (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18042) for operation of a stone crushing plant in Whitehall Township, **Lehigh County**. The facility has the potential to emit major quantities of PM above Title V emission thresholds. The facility shall operate as a Synthetic Minor facility by limiting processing of stone to 2,000,000 tpy. The State-only (Synthetic Minor) operating permit also includes emissions, monitoring, recordkeeping, reporting, testing and any additional conditions designed to ensure compliance with all applicable Federal and State air pollution control requirements.

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

31-03033: Stone Valley Welding (11582 Guyer Road, Huntingdon, PA 16652-9019) for operation of a roll-off waste container fabrication facility in Jackson Township, **Huntingdon County**. The facility-wide (State-only) operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

25-00006: Russell Standard Corp. (8124 Route 97, Union City, PA 16438) for a reissuance Synthetic Minor Permit to operate a hot mix asphalt plant located in Le Boeuf Township, **Erie County**. The significant sources are parallel flow drum hot mix asphalt plant, fugitives from storage piles and fugitive from cold aggregate handling. The facility has taken a restriction on production not exceeding 434,000 tpy to qualify as a Synthetic Minor facility.

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 (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 30-Day pH*	35 mg/l	70 mg/l	90 mg/l
Alkalinity greater than acidity*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

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

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

Permit No. 63831302. Eighty Four Mining Company, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit the Mine No. 84 in Amwell, North Bethlehem and West Bethlehem Township, **Washington County** to perform stream remediation.

tion as may be necessary for five areas of Shipe Run, six areas of Potato Run, seven areas of Brush Run and four areas of Little Tenmile Creek to alleviate subsidence pooling impacts from longwall mining bound by the following points on the Amity USGS Quad, N: 14.07 inches; W: 5.36 inches to N: 18.82 inches; W: 3.26 inches to N: 20.83 inches; W: 8.83 inches to N: 15.99 inches; W: 10.71 inches. No additional discharges. Application received: November 13, 2006

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

Permit No. 56050107 and NPDES No. PA0249866. Future Industries, Inc., (P. O. Box 157, Meyersdale, PA 15552). Revision of a bituminous surface mine to include variance for mining within 100 feet of a UNT to Buffalo Creek and Township Road 653 in Brothersvalley Township, **Somerset County**, affecting 124.4 acres. Receiving streams: Buffalo Creek and UNTs to Buffalo Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Meyersdale Municipal Authority. Application received: December 27, 2006.

Permit No. 32010108 and NPDES No. PA0249017. Britt Energies, Inc. (2450 Philadelphia Street, Indiana, PA 15701). Permit renewal for reclamation only of a bituminous surface and auger mine in Center Township, **Indiana County**, affecting 50.0 acres. Receiving streams: UNT to Yellow Creek and Yellow Creek, classified for the following uses: CWF and TSF. There are no potable water supply intakes within 10 miles downstream. Application received: December 29, 2006.

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

26010102 and NPDES Permit No. PA0203009. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal application for reclamation only of an existing bituminous surface mine, located in Saltlick Township, **Fayette County**, affecting 131.9 acres. Receiving streams: UNTs to Little Champion Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 4, 2007.

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

16060109 and NPDES Permit No. PA0258245. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface strip operation in Monroe Township, **Clarion County** affecting 44.0 acres. Receiving streams: Five UNTs to Piney Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 mile downstream. Application received: December 28, 2006.

1475-16060109-E-1. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to construct a temporary stream crossing

over UNT 3 to Piney Creek for the purpose of placing a culvert in the UNT to Piney Creek. Receiving streams: Five UNTs to Piney Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 mile downstream. Application received: December 28, 2006.

10020101 and NPDES Permit No. PA0242098. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of a bituminous surface strip operation in Cherry Township, **Butler County** affecting 31.6 acres. Receiving streams: UNT to Findlay Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: January 5, 2007.

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

49773204C7. Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934). Correction to an existing anthracite coal refuse reprocessing, surface mine, refuse disposal and preparation facility operation to include coal ash disposal in Mt. Carmel, Conyngham and Butler Townships, Northumberland, **Columbia and Schuylkill Counties** affecting 958 acres, receiving stream: none. Application received: December 22, 2006.

40930102C8. Mammoth Anthracite, LLC, (P. O. Box Q, Milnesville, PA 18239). Correction to an existing anthracite surface mine and coal refuse reprocessing operation to include a coal preparation plant in Hazle Township, **Luzerne County** affecting 474.0 acres, receiving stream: Nescopeck Creek. Application received: December 22, 2006.

54071010. JJ & W Coal Company, (121 New Philadelphia Road, Kaska, PA 17959). Commencement, operation and restoration of an anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 126.6 acres, receiving stream: Little Schuylkill River, classified for the following use: CWF. Application received: January 2, 2007.

COAL APPLICATIONS RETURNED

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

Permit Number: 30841316. Consol Pennsylvania Coal Company, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Bailey Mine and Prep Plant in Richhill Township, **Greene County** to install the Crabapple East Access Road, to install the Crabapple East Access Road. Application received: November 29, 2006. Application withdrawn: January 2, 2006.

Noncoal Applications Received

Effluent Limits

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

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

¹ The parameter is applicable at all times.

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

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

03852303. McVile Mining Company (301 Market Street, Kittanning, PA 16201). Application received for transfer of permit currently issued to the Board of Supervisors of South Buffalo Township for continued operation and reclamation of a small noncoal surface mining site located in South Buffalo Township, **Armstrong County**, affecting 10 acres. Receiving stream: Allegheny River. Transfer application received: December 14, 2006.

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

06010301C4 and NPDES Permit No. PA0224146. Berks Products Corporation, (P. O. Box 421, Reading, PA 19603). Renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Maxatawny Township, **Berks County**, receiving stream: groundwater of Maiden Creek Watershed, classified for the following use: CWF. Application received: December 26, 2006.

38870301C7 and NPDES Permit No. PA0595543. Pennsy Supply, Inc., (P. O. Box 3331, Harrisburg, PA 17105). Correction to an existing quarry operation to update the NPDES permit for discharge of treated mine drainage, stream variance and update the blasting plan in North Annville and North Londonderry Townships and Annville Borough, **Lebanon County** affecting 1,045.8 acres, receiving streams: Killinger and Quittaphilla Creek. Application received: December 28, 2006.

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 (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(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-763. Malvern Hill Associates, LP, 2701 Renaissance Boulevard, 4th Floor, King of Prussia, PA 19406, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstructions and encroachments associated with a proposed Worthington Mixed-Use Residential and Retail Redevelopment situated in and along the Little Valley Creek (EV).

1) To remove approximately 1,000 linear feet of stream enclosure and associated fill which conveys Little Valley Creek under the former Worthington Steel facility and to construct and maintain in its place approximately 1,360 linear feet of restored natural stream channel and associated floodplain riparian area. The restoration will include construction of a temporary bypass stream enclosure, retaining walls and riparian zone plantings.

2) To construct and maintain 55 linear feet of 80-foot span BEBO Bridge across Little Valley Creek associated with the construction of the proposed Highland Way Road and associated utilities.

3) To place fill within 0.02 acre of wetland (PFO) associated with the approach to Highland Way Bridge noted previously.

4) To remove the existing bridge and approach fill to the former 84 Lumber Facility and to restore and maintain 56 linear feet of stream channel.

5) To construct and maintain approximately 45 linear feet of 48-foot span 10-foot rise, Con-Span Bridge across a reach of the restored Little Valley Creek associated with the construction of the proposed Little Valley West Road and associated utilities.

6) To construct and maintain approximately 186 linear feet of 42-foot span 14-foot rise, Con-Span open bottom stream enclosure across a reach of the restored Little Valley Creek associated with the construction of the proposed Worthington Boulevard and associated utilities.

7) To construct and maintain approximately 35 linear feet of 60-foot span, 13-foot rise, Con-Span Bridge across a reach of the restored Little Valley Creek associated with the construction of the proposed Little Valley East Road and associated utilities.

8) To place fill along approximately 195 linear feet of an unnamed intermittent tributary of Little Valley Creek associated with a retaining wall appurtenant to retail building R-7.

9) To install and maintain stormwater outfall three of an unspecified diameter pipe along an unnamed perennial spring ditch, which is a tributary of Little Valley Creek. Outfall 3 is associated with the stormwater facilities appurtenant to the retail building R-7. Outfall 3 is a modification of an existing stormwater management facility consisting of twin 42-inch CMP stormwater conduits that outfall to an intermittent tributary of Little Valley Creek.

10) To install and maintain stormwater outfall five of an unspecified diameter pipe along Little Valley Creek. Outfall 5.01 is associated with the bio-retention facility 2 and stormwater facilities appurtenant to the retail building R-6.

11) To remove approximately 470 linear feet of existing stream enclosure which conveys the central unnamed perennial tributary of Little Valley Creek under the former industrial building 1 thru 6 and the 84 Lumber Facility. Then, to construct and maintain, in its place, approximately 900 linear feet of stream enclosure consisting of the following pipes and junctions: Endwall 1, 80 LF of 48" RCP, inlet 2, 222 LF of 60" RCP, Manhole 2, 94 LF of 60" RCP, Manhole 3, 228 LF of 60" RCP, Manhole 4, 258 LF of 60" RCP, Manhole 5, 20 LF of 60" RCP and Outfall 5. These activities are associated with Retail Building R-6, M-6 and M-7 including various associated utilities across the proposed enclosure.

12) To remove 150 linear feet of existing stream enclosure, which conveys the eastern unnamed perennial tributary of Little Valley Creek under the former railroad line. Then, to construct and maintain, in its place, approximately 260 linear feet of stream enclosure consisting of the following pipes and junctions: Endwall, 96 LF of 72" RCP, Manhole 6, 80 LF of 72" RCP, Manhole 7, 90 LF of 72" RCP, Manhole 8 and an existing unspecified arch structure. The enclosure will be relocating the flow around the proposed Residential building C-8 including various associated utilities across the proposed enclosure.

13) Work also includes construction of the stormwater facilities and associated outfalls (outfall 6, outfall 7) at several locations.

The project will impact approximately 2,000 linear feet of watercourse and 0.02 acre of wetland resulting in approximately 1,035 feet of stream under proposed structure and a stream restoration of approximately 1,400 linear feet of stream. The subject site is a former steel production facility known as "Worthington Steel," as well as the several adjacent parcels, including a former 84 Lumber Yard, industrial buildings and PECO right-of-way, situated southeast of the intersection of Moorehall Road (SR 0029) and Matthews Road (T-584) (Malvern, PA Quadrangle N: 9.23 inches W: 2.17 inches).

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

E52-204. Finan Family Trust, 830 Twin Lakes Road, Shohola, PA 18458, in Shohola Township, **Pike County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 14-foot wide steel driveway crossing of Twin Lakes Creek (HQ-CWF) having a 38-foot span and a 6-foot underclearance. The project is located

on the north side of T-446 (Parkers Glen Road) approximately 1.7 miles north of SR 1007 (Woodtown Road). (Shohola, PA-NY Quadrangle N: 8.2 inches; W: 2.1 inches).

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

E55-210. Fish and Boat Commission, 450 Robinson Lane, Bellefonte, PA 16823-9616. Bridge Crossing Walker Lake approach, in Adams Township, **Snyder County**, ACOE Baltimore District (Beavertown, PA Quadrangle Latitude 40-47-49, Longitude 77-11-60).

The Fish and Boat Commission proposes to abandon an existing ford and replace it with a bridge structure over an UNT to the North Branch of Middle Creek. The bridge is intended to have a span of 16 feet and an underclearance of 2.7 feet. The structure is intended to overtop during high water events to avoid displacing floodwaters. This project does not impact any wetlands and shall impact less than 50 linear feet of stream. The project is located 4 miles north on SR 235 from Beaver Springs and at the end of T-473, Spillway Drive, Adams Township, Snyder County.

E14-487. Robert S. McGrail-Peasley, 2045 Runville Road, Bellefonte, PA 16823. Berm/bridge/culvert, in Boggs Township, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches).

To construct and maintain: 1) 340 foot long by 2 foot wide by 2 foot high earthen berm on the top of the right bank of an UNT to Wild Cat Run for the purpose of protecting an earthen road from flood waters; 2) a wooden pedestrian bridge with a 19-foot clear span and 4-foot underclearance across Wild Cat Run for private use; 3) a 24-inch diameter HDPE culvert with a rock headwall to make a new road crossing near the upstream limit of the earthen berm, located 3,100 feet upstream of the intersection of Gum Stump Road and Runville Road (SR 144) (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches) in Boggs Township, Centre County. This project proposes to impact 340 linear feet of the UNT to Wild Cat Run and 5 linear feet of Wild Cat Run that are tributaries to Wallace Run, which is classified as a HQ-CWF and proposes no wetland impacts.

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

E42-325. Universal Well Services, Inc., 201 Arch Street, Meadville, PA 16335. Bradford Facility, in Bradford Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 41°, 56', 05"; W: 78°, 38', 36" inches).

To conduct the following activities associated with construction of a base of operations southeast of the intersection of High Street Extension and Rutherford Run Road:

1. Fill a total of 0.48 acre of wetlands (0.31 acre PEM and 0.17 acre PSS).

2. Construct and maintain a 100-foot long, 142-inch wide by 91-inch high corrugated metal pipe stream enclosure in Rutherford Run.

3. To realign a total of approximately 400 feet of the channel of Rutherford Run, including the 100-foot long enclosure.

4. To place fill within the floodway of Rutherford Run along the approximate 400-foot reach extending upstream from High Street Extension, including the 100-foot long enclosure.

Project proposes the creation of 0.75 acre of replacement wetland on property located along the east bank of Tunungwant Creek north of Owens Way.

E43-337. Dominion Peoples, 5600 Community Center Drive, Gibsonia, PA 15044. Kimberly Drive Pipeline Installation. Liberty Township, **Mercer County**, ACOE Pittsburgh District. (Grove City Quadrangle, N: 41° 08' 03"; W: 80° 05' 48")

To install, operate and maintain 875 feet of 4-inch plastic pipe for a gas utility line by directional drilling under a wetland (PFO1C). Earth disturbance will be minimal (less than 0.02 acre) and outside of the wetland area. The line will run from North Liberty Drive to Kimberly Drive north of Brian Way. Installation of this structure was authorized by Department Emergency Permit No. EP4306603

DAM SAFETY

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

D02-099. Consolidation Coal Company (CONSOL ENERGY), 4000 Brownsville Road, South Park, PA

15129. To operate and maintain the dam known as 14 North Impoundment for the purpose of treating acid mine drainage. The 40-ft. high dam, classified as high hazard, was constructed in 1969 and modified in 1998. In 1989, a permit application was submitted to modify, operate and maintain the dam. The Division of Dam Safety review had determined that revised modification plans, dated May 1995, were acceptable pending certification by the engineer and the addition of an approved Erosion and Sedimentation Control Plan. After the Department's District Mining Office approved the Erosion and Sedimentation Control Plan as a revision to the Post Mining Activity Permit, the owner constructed the modifications without the dam permit being issued. The "as-built" spillway was constructed with a bottom width of 18-ft. whereas the modification plans had specified a 25-ft. width. On November 13, 2006, the applicant submitted "as-built" plans and associated spillway capacity calculations as required by the Department to continue the permit application review process. An up-dated Emergency Action Plan will also be required prior to issuance of a permit. The dam is located across a tributary to Campbell Run, at a point approximately 1.1 miles north-west of the confluence of Campbell Run with Guys Run, in (New Kensington West, PA Quadrangle N: 8.50 inches; W: 16.7 inches) Indiana Township, **Allegheny County**.

ACTIONS

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

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

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of

practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0060763	Middle Smithfield Township Municipal Authority 25 Municipal Drive East Stroudsburg, PA 18301	Middle Smithfield Township Monroe County	Bushkill Creek HQ-CWF 1E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0046019 Industrial Waste	Flying J, Inc. 122 Fitzhenry Road Smithton, PA 15479	Westmoreland County South Huntingdon Township	Drainage Swale to UNT (Dutch Hollow) to Youghioghney River (001—006)	Y
PA0205656 Industrial Waste	Kinder Morgan Liquids Terminals, LLC 702 Washington Avenue P. O. Box 253 Dravosburg, PA 15034-0253	Allegheny County Dravosburg Borough	Monongahela River	Y
PA0217026 Industrial Waste	Cemline Corporation P. O. Box 55 Cheswick, PA 15024	Allegheny County Harmar Township	Allegheny River	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0000809	Aqua PA Inc.—Shenango Water Treatment Plant 644 North Water Avenue Sharon, PA 16145-1515	City of Sharon Mercer County	Shenango River 20-A	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Actions

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

NPDES Permit No. PA0057126, Industrial Waste, **Hess Corporation**, 1 Hess Plaza, Woodbridge, NJ 07095. This proposed facility is located in City of Coatesville, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to an existing 7,200 gpd discharge from a groundwater remediation system at the Former Hess Corporation Service Station 38291 The receiving stream is West Branch Brandywine Creek in Watershed 3H.

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

NPDES Permit No. PA0081922, Sewage, **Lewisberry Area Joint Authority**, P. O. Box 363, Lewisberry, PA 17339. This proposed facility is located in Lewisberry Borough, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to Bennett Run in Watershed 7-F.

NPDES Permit No. PA0248037, Sewage, **Bethel Township Municipal Authority**, Village of Bethel Wastewater Treatment Plant, P. O. Box 24, Bethel, PA 19507. This proposed facility is located in Bethel Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Little Swatara Creek in Watershed 7-D.

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

NPDES Permit No. PA0252859, Industrial Waste, **CNX Gas Company, LLC**, 100 Evergreen Drive, Waynesburg, PA 15370. This proposed facility is located in Fallowfield Township, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for the discharge of industrial waste.

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

NPDES Permit No. PA0239909, Sewerage, **Wesley H. Schmidt**, 239 Dufford Road, Evans City, PA 16033. This proposed facility is located in Forward Township, **Butler County**.

Description of Proposed Action/Activity: This is a single-residence sewage treatment plant discharging to a UNT to Connoquenessing Creek in Watershed 20-C.

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

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

WQM Permit No. 0906407, Sewerage, **Warwick Township Water and Sewer Authority**, 1733 Township Greene, P. O. Box 315, Jamison, PA 18929. This proposed facility is located in Warwick Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a wastewater treatment plant.

WQM Permit No. 0906409, Sewerage, **Waste Management Disposal Services of Pennsylvania, Inc.**, 1121 Bordentown Road, Morrisville, PA 19067. This proposed facility is located in Falls Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a pump station and force main.

WQM Permit No. WQG02460635, Sewerage, **Franconia Township**, P. O. Box 128, 671 Allentown Road, Franconia, PA 18924. This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a pump station and sewer extension.

WQM Permit No. WQG02460634, Sewerage, **Hatfield Township**, 1950 School Road, Hatfield, PA 19440. This proposed facility is located in Hatfield Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a low pressure individual pump station and sewer extension.

WQM Permit No. 1506416, Sewerage, **Pennsylvania American Water**, 800 West Hersheypark Drive, Hershey, PA 17033. This proposed facility is located in South Coatesville Borough, **Chester County**.

Description of Action/Activity: Construction of a interceptor to replace an existing interceptor that is currently undersized.

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

WQM Permit No. WQG022209, Sewerage, **Hanover Township**, 3630 Jacksonville Road, Bethlehem, PA 18017-9303. This proposed facility is located in Hanover Township, **Northampton County**, PA.

Description of Proposed Action/Activity: This project is for the construction of a sewage pump station with a proposed flow of 83,300 gpd to service the Hanover Corporate Center South.

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

WQM Permit No. 0606407, Sewerage, **Bethel Township Municipal Authority**, P. O. Box 24, Bethel, PA 19507. This proposed facility is located in Bethel Township, **Berks County**.

Description of Proposed Action/Activity: Permit approval for the construction and operation of sewerage facilities consisting of a new 0.205 mgd extended aeration wastewater treatment plant with denitrification and a new sanitary sewer system with two new pump stations with a design peak instantaneous flow rate capacity of 0.3075 mgd.

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

WQM Permit No. 4306403, Sewerage, **Skyline Development, Inc.**, P. O. Box 806, Indianola, PA 15051. This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for modifications and improvements to an existing treatment lagoon system serving the Summit Estates Mobile Home Park including the installation of aeration and disinfection systems.

WQM Permit No. 1006407, Sewerage, **Wesley H. Schmidt**, 239 Dufford Road, Evans City, PA 16033. This proposed facility is located in Forward Township, **Butler County**.

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

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010905002	Milford Township P. O. Box 86 Spinnerstown, PA 18968	Bucks	Milford Township	UNT Molasses Creek HQ
PAI010906014	Buckingham Ridgeview, LP 2347 Iris Court Jamison, PA 18929	Bucks	Buckingham Township	UNT Paunnacussing Creek HQ-CWF
PAI010906024	Nottingham Building Group, LLC 375 Ivyland Road Warminster, PA 18974	Bucks	Milford Township	Tributary Unami Creek HQ-TSF
PAS10G444R	West Vincent Associates 707 Eagleview Boulevard Exton, PA 19341	Chester	West Vincent Township	Birch Run Creek EV
PAI011506064	Michael and Carolyn Desfor 3049 Merlin Road Chester Springs, PA 19425	Chester	Charlestown Township	Pigeon Creek/Manatawny French Creek Watershed HQ-TSF
PAI011506069	Boxwood Five Partners, LP 416 Boxwood Road Rosemont, PA 19010	Chester	East Pikeland Township	Pickering Creek HQ-TSF
PAI011506078	E. Kahn Development Co. 55 Country Club Drive Suite 200 Downingtown, PA 19335	Chester	East Whiteland Township	Valley Creek EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024505017	Mahlon Zimmerman 490 Milway Road Ephrata, PA 17522	Monroe	Jackson Township	Trout Lake HQ-CWF
PAI024506023	Stroud Commons, LLC 3805 Edwards Road Suite 410 Cincinnati, OH 45209	Monroe	Stroud Township	Pocono Creek HQ-CWF
PAI024505030	Joseph Dipipi Wood Haven Dev. Co. 1744 West Main Street Stroudsburg, PA 18360	Monroe	Stroud Township	Big Meadow Run HQ-CWF
PAS10Q2372	Liberty Property Trust, LLP 1510 Valley Ctr. Parkway Suite 240 Bethlehem, PA 18017	Lehigh	Upper Macungie Township	Iron Run Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI035006005	Jared Sawyer and Josh Bell 8407 Spring Road New Bloomfield, PA 17068	Perry	Saville Township	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 Small Flow Treatment Facilities
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 (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

General Permit Type—PAG-02

Facility Location

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
New Britain Borough Bucks County	PAG2000906158	Steven D. Gilmore 350 East Butler Avenue New Britain, PA 18901	Pine Run/Cooks Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Solebury Township Bucks County	PAG2000906160	Nancy Lyons 5 Kingswoods Drive New Hope, PA 18938	Pidcock Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Rockhill Township Bucks County	PAG2000906152	JWMI, LP 670 Lawn Avenue Suite 2A Sellersville, PA 18960	Lake Nockamixon TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG2000906156	Cheyenne Enterprises 1470 Schirra Drive Ambler, PA 19002	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Rockhill Township Bucks County	PAG2000906128	Derstine's Foods 3245 State Road Sellersville, PA 18960	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Bradford Township Chester County	PAG2001506065	Diament Building Corporation P. O. Box 471 Uwchlan, PA 19480	East Branch Brandywine Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Pikeland Township Chester County	PAG2001506056	Margaret H. Shick 1107 Hares Hill Road Phoenixville, PA 19460	French Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Valley Township Chester County	PAG2001506024	All County Partnership 2500 East High Street Suite 610 Pottstown, PA 19464	Sucker Run WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Valley Township Chester County	PAG2001505078	Wickford Chase, LLC 501 Trestle Place Downingtown, PA 19335	Rock Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG2002306061	Michael Tyson 206B South Whitford Road Exton, PA 19341	West Branch Chester Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Aston Township Delaware County	PAG2002306010	Gary G. Whelan, Inc. 137 Commons Court Chadds Ford, PA 19317	Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Frederick Township Montgomery County	PAG2004606122	John J. Zacharias 9 View Road Perkiomenville, PA 18074	UNT Perkiomenville Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Horsham Township Montgomery County	PAG2004606133	Commerce Bank NA 9000 Atrium Way Mount Laurel, NJ 08054	Pennypack Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Horsham Township Montgomery County	PAG2004606126	James Owens 206 Cedar Hill Road Ambler, PA 19002	Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG2004605191	Lower Merion Township 75 East Lancaster Avenue Ardmore, PA 19003	Mill Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Gwynedd Township Montgomery County	PAG2004606165	WB Homes, Inc. 404 N Sumneytown Park Suite 200 North Wales, PA 19454	Towamencin Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG2004606015	The Cutler Group, Inc. 5 Apollo Road Suite 1 Plymouth Meeting, PA 19462	Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Hanover Township Montgomery County	PAG2004606074	Sapphire Heller 357 S. Gulph Road Suite 300 King of Prussia, PA 19406	Swamp Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2004606047	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA 19044	UNT Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Skippack Township Montgomery County	PAG2004605057	TH Properties 345 Main Street Harleysville, PA 19438	Skippack Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Moreland Township Montgomery County	PAG2004606118	John Capponi 12701 Verda Drive Philadelphia, PA 19154	Pennypack Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2004605157	Audubon Land Development 2620 Egypt Road Norristown, PA 19403	Doe and Norma Runs TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Providence Township Montgomery County	PAG2004605187	Limerick Office Campus, LP 615 Willowbrook Lane West Chester, PA 19382	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106050	University City Science Center 3701 Market Street Philadelphia, PA 19104	Schuylkill Tidal WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Philadelphia Philadelphia County	PAG2015106054	Sandmeyer Partnership, LP 7136 James Street Philadelphia, PA 19135	Pennypack Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106071	First Philadelphia Holdings, LLC 3000 Atrium Way Suite 219 Mont Laurel, NJ 08054	Delaware River CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Nanticoke City Luzerne County	PAG2004006043	Luzerne County Comm. College 1333 Prospect Street Nanticoke, PA 18634-3899	Nanticoke Creek Watershed CWF	Luzerne County Cons. Dist. (570) 674-7991
Wilkes-Barre City Luzerne County	PAG2004006046	City of Wilkes-Barre 40 East Market Street Wilkes-Barre, PA 18711	Susquehanna River WWF	Luzerne County Cons. Dist. (570) 674-7991
Hazle Township Luzerne County	PAG2004006032	CAN DO, Inc. Attn: Kevin O'Donnell One South Church Street, 200 Renaissance Center Hazleton, PA 18201	Stony Creek CWF	Luzerne County Cons. Dist. (570) 674-7991
Bethlehem Township Northampton County	PAG2004806026	Forest City Comm. Group Dev. 300 Park Manor Drive Pittsburgh, PA 15205	Tributary to Lehigh River CWF	Northampton County Cons. Dist. (610) 746-1971
Lehigh Township Northampton County	PAG2004806037	Roger Persing 2626 Walbert Avenue Allentown, PA 18104	Bertsch Creek CWF	Northampton County Cons. Dist. (610) 746-1971
Pittston Township Luzerne County	PAG2004006042	Robert K. Mericle Mericle 1122 Oak Street, LLC Mericle Oak St, LLC Mericle 1130 Oak, LLC 100 Baltimore Drive Wilkes-Barre, PA 18702	Tributary to Susquehanna River CWF	Luzerne County Cons. Dist. (570) 674-7991
Hampden Township Cumberland County	PAG2002106037	Jamestown Square William Keeley P. O. Box 7100 Mechanicsburg, PA 17055	Conodoguinet Creek WWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Shippensburg Township Cumberland County	PAG2002106048	Hotpoint Townhouse Development Shippensburg University Foundation 1871 Old Main Drive Shippensburg, PA 17257	Middlespring Creek CWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
West Pennsboro Township Cumberland County	PAG2002106044	William McKeehan 235 Springview Road Carlisle, PA 17013	Mount Rock Spring WWF	Cumberland County Conservation District 43 Brookwood Avenue Carlisle, PA 17013 (717) 240-7812
Maidencreek Township Berks County	PAG2000606067	Angelo Corrado Corrado Development, LLC 965 Park Road Blandon, PA 19510-9458	Willow Creek CWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 (610) 372-4657, ext. 201

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Reading Berks County	PAG2000606097	David Wolf Carpenter Technology Corporation P. O. Box 14662 Reading, PA 19612-4662	Bernhart's Creek WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-9710 (610) 372-4657, ext. 201
Silver Spring Township Cumberland County	PAG2002106047	The Manors 1550 Associates Samuel Reed 3 Lemoyne Drive Suite 100 Lemoyne, PA 17048	Trindle Spring Run CWF	Cumberland County Conservation District 43 Brookwood Ave. Carlisle, PA 17013 (717) 240-7812
West Hanover Township Dauphin County	PAG2002206078	Kevin Ricker Ricker Development Group, LLC 6453 McCurmick Lane Harrisburg, PA 17111	Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018
Sullivan County Laprote Township	PAG2045706001	Department of Conservation and Natural Resources Bureau of Facility Design and Construction/ Forestry District. 20 400 Market St. P. O. Box 8451 Harrisburg, PA 17105-8451	Loyalsock Creek CWF	Sullivan County Conservation District R. R. 2, Box 2022B Dushore, PA 18614 (570) 928-7057
Sullivan County Cherry Township	PAG2045706002	Carla Kitchen P. O. Box 183 Laporte, PA 18626	Birch Creek CWF	Sullivan County Conservation District R. R. 2, Box 2022B Dushore, PA 18614 (570) 928-7057
Sullivan County Cherry Township	PAG2045706003	Victor Kicera 238 Kissel Hill Road Lititz, PA 17543	UNT to Birch Creek CWF	Sullivan County Conservation District R. R. 2, Box 2022B Dushore, PA 18614 (570) 928-7057
Butler County Cranberry Township	PAG2001006017	Yott Properties, LLC 247 Ashe Court Wexford, PA 15090	Brush Creek WWF	Butler Conservation District (724) 284-5270

General Permit Type—PAG-3

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Dorrance Township Luzerne County	PAR702207	Pennsy Supply, Inc. d/b/a Slusser Brothers 1 Clear Spring Road Annville, PA 17033	Balliet Run—Tributary to Big Wapwallopen Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Dorrance Township Luzerne County	PAR212212	Pennsy Supply, Inc. d/b/a Slusser Brothers 1 Clear Spring Road Annville, PA 17033	Balliet Run—Tributary to Big Wapwallopen Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Saxonburg Borough Butler County	PAR328306	Saxonburg Ceramics Inc. P. O. Box 688 Saxonburg, PA 16056-0688	Thorn Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
North East Borough Erie County	PAR208321	Ridg-U-Rak, Inc. P. O. Box 150 North East, PA 16428-1232	Municipal stormwater sewers to Sixteen Mile Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location County & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Center Township Indiana County	PAG046254	John Gnibus 121 Crownover Road Homer City, PA 15748	Tributary to Muddy Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
North Franklin Township Washington County	PAG046335	Dee DaMarlo, Inc. 3330 Chestnut Street Washington, PA 15301	UNT to Chartiers Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Deer Creek Township Mercer County	PAG048426	Lawrence T. Mirage 2952 County Line Road Cochran, PA 16314-8703	UNT to North Deer Creek 16-D	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Glade Township Warren County	PAG048384	Jason G. and Mary F. Tucker 889 Hatch Run Road Warren, PA 16365	Hatch Run 16-B	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lehman Township Luzerne County	PAG052209	Department of Environmental Protection—NERO 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511	Toby Creek CWF	DEP—NERO Water Mgmt. Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Mifflin County Lewistown Borough	PAG053521	Nittany Oil Company, Inc. P. O. Box 627 Philipsburg, PA 16866	UNT to Kishacoquillas Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 1506502, Public Water Supply.

Applicant	Artesian Water Pennsylvania, Inc. 664 Churchmans Road Newark, DE 19702
Township	Franklin
County	Chester
Type of Facility	PWS
Consulting Engineer	Tetra Tech, Inc. 240 Continental Drive Suite 200 Newark, DE 19713
Permit to Construct Issued	December 20, 2006

Permit No. 4606509, Minor Amendment. Public Water Supply.

Applicant	Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Township	Worcester

County	Montgomery
Type of Facility	PWS
Consulting Engineer	Scott M. Thomas Pennsylvania American Water Company 852 Wesley Drive Merchanicsburg, PA 17055
Permit to Construct Issued	December 20, 2006

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

Permit No. Minor Amendment Public Water Supply.

Applicant	Pennsylvania American Water Company (PAWC) 800 West Hersheypark Drive Hershey, PA 17033 Hamilton Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	Scott Thomas, P. E. PAWC 852 Wesley Drive Mechanicsburg, PA 17055
Permit to Construct Issued	01/02/2007

Permit No. 3480055 Operations Permit Public Water Supply.

Applicant	Pennsylvania American Water Company (PAWC) 100 North Pennsylvania Avenue Wilkes-Barre, PA 18701 Hamilton Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	Mark Cross, P. E. PAWC 100 North Pennsylvania Avenue Wilkes-Barre, PA 18701
Permit to Operate Issued	12/06/2006

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

Operations Permit issued to: **Lyons Borough Municipal Authority**, 3060096, Maxatawny Township, **Berks County** on December 20, 2006, for the operation of facilities approved under construction permit no. 0605505.

Operations Permit issued to: **Pennsylvania American Water Company**, 3060023, Amity Township, **Berks County** on December 20, 2006, for the operation of facilities approved under construction permit no. 0605524

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

Permit No. 1806501—Construction Public Water Supply.

Applicant **Chapman Township Water Authority**

Township or Borough Chapman Township

County **Clinton**

Responsible Official Richard Eliason, Chairperson
Chapman Township Water Authority
P. O. Box 433
North Bend, PA 17760

Type of Facility Public Water Supply—Construction

Consulting Engineer Kerry Uhler, Jr., P. E.
Kerry A. Uhler and Associates, Inc.
140 West High Street
Bellefonte, PA 16823

Permit Issued Date January 5, 2007

Description of Action Construction of a transmission line and booster pump station to convey finished water from the Renovo Borough water system to Chapman Township Water Authority.

Description of Action Transfer of permit from Orchard Partnership to Benner Township Water Authority. Approves operation of the existing water system at Opequon Subdivision.

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

Operations Permit issued to: **DCNR, Moraine State Park**, PWS ID 5100804, Worth Township, **Butler County**. Permit Number 1072503-MA1, issued January 2, 2007, for chemical feed modifications, changing from gas to liquid chlorine at the Park's water treatment plant. Permit modification for construction and operations issued simultaneously on January 2, 2007.

Operations Permit issued to: **Youngstown YMCA-Camp Fitch**, PWS ID 6250802, Springfield Township, **Erie County**. Innovative Technology Operations Permit, Number 2505505, issued January 4, 2007, for the new water treatment plant. Innovative Technology Operations issued as approved under construction permit 2505505, dated May 4, 2006.

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

Permit No. 1400510-T1—Operation Public Water Supply.

Applicant **Benner Township Water Authority**

Township or Borough Benner Township

County **Centre**

Responsible Official Thomas Eby
Benner Township Water Authority
1224 Buffalo Run Road
Bellefonte, PA 16823

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date January 8, 2007

Description of Action Transfer of permit from Orchard Partnership to Benner Township Water Authority. Approves operation of the existing water system at Hampton Hills Subdivision.

Permit No. 1404501-T1—Operation Public Water Supply.

Applicant **Benner Township Water Authority**

Township or Borough Benner Township

County **Centre**

Responsible Official Thomas Eby
Benner Township Water Authority
1224 Buffalo Run Road
Bellefonte, PA 16823

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date January 8, 2007

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:

Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790.

Sunoco, Inc. Plymouth Pump Station, Jackson Township, **Luzerne County**. Lisa Strobridge, Project Manager, Aquaterra Technologies, Inc., P. O. Box 744, West Chester, PA 19381 has submitted a combined remedial investigation/risk assessment and cleanup plan (on behalf of her client Sunoco, Inc. (R & M) P. O. Box 1135, Post Road and Blueball Avenue, Marcus Hook, PA 19061) regarding the remediation of a pipeline release of gasoline in soils and groundwater. The combined reports were submitted in partial fulfillment of the Site-Specific Standard. A public notice regarding the submittal of the combined reports was published in *The Times Leader* on December 13, 2006.

Lehigh Valley Tropicana (former Agere South Campus), City of Allentown, **Lehigh County**. Richard Lake, Senior Environmental Scientist, Geo-Technology Associates, Inc., 24 Worlds Fair Drive, Suite B, Somerset, NJ 08873 has submitted a combined remedial investigation report/cleanup plan on behalf of Rich Ruden, Tropicana Pennsylvania, LLC, 609 Hamilton Mall, Suite 1, Allentown, PA 18101 concerning the remediation of soil and/or groundwater found or suspected of having been contaminated by arsenic and TCE related to a septic system as the result of the property's historic industrial use. The applicant proposes to meet the site-specific standard. A Public Notice was published in *The Morning Call* on November 22, 2006. The proposed future use of the property will be for commercial purposes.

Lehigh County Minor League Ballpark (former Agere South Campus), City of Allentown, **Lehigh County**. Richard Lake, Senior Environmental Scientist, Geo-Technology Associates, Inc., 24 Worlds Fair Drive, Suite B, Somerset, NJ 08873 has submitted a combined remedial investigation report/cleanup Plan (on behalf of Glenn Solt, County of Lehigh, Government Center, 17 South Seventh Street, Allentown, PA 18101 and Rich Ruden, LV Red, LLC, 2390 E. Camelback Road, Suite 400, Phoenix, AZ 85016) concerning the remediation of soils and/or groundwater found or suspected to have been contaminated by arsenic, nickel, silver, TCE and mercury as the result of the property's historic industrial use. The applicant proposes to meet the site-specific standard. A Public Notice was published in *The Morning Call* on December 1, 2006. The proposed future use of the property will be for the development of the Lehigh County Minor League Ballpark.

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

Sindall Trucking Services, Inc., New Holland Borough, **Lancaster County**. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Sindall Trucking Services, Inc., 461 Diller Avenue, P. O. Box 165, New Holland, PA 17557, submitted a Final Report concerning remediation of site soils and groundwater contaminated with waste oil leaked during removal of an underground storage tank. The report is intended to document remediation of the site to the Statewide Health Standard.

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

Art Keller, (Lyons Property), Pine Creek Township, **Jefferson County**. Blazosky Associates Inc., 2525 Freen Tech Drive, Suite D, State College, PA 16803 has submitted a Final Report on behalf of Shortway Service Inc., 311 Jackson Street, Reynoldsville, PA 15851 concerning remediation of site contaminated with VOCs and SVOCs such as BTEX, fluorene and phenanthrene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the Environmental Cleanup Program manager in the Department regional office before which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at

the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Domestic Casting/Shippensburg University Property, Shippensburg Township, **Cumberland County**, Gannett Fleming, P. O. Box 67100, Harrisburg, PA, 17106-7100, on behalf of Liberty Casting Company, LLC, 550 Liberty Road, P. O. Box 1368, Delaware, OH, 43015 and Shippensburg University Foundation, 1871 Old Main Drive, Shippensburg, PA 17257, submitted a Final Report concerning remediation of site soils contaminated with metals and PAHs. The final report demonstrated attainment of the nonresidential Statewide Health Standard, and was approved by the Department on January 4, 2007.

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

Eileen McArdle Residence, New Berlin Borough, **Union County**, Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Eileen McArdle, 525 Market Street, New Berlin, PA 17855 has submitted a Final Report within 90 days of a release concerning remediation of soil and surface groundwater contaminated with No. 2 heating oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 29, 2006.

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

Long Hallow Creek (P-47), Liberty Township, **McKean County**, PPL Gas Utilities Corp, 2 North 9th Street, Allentown, PA 18101 on their behalf has submitted a Final Report concerning remediation of site soils contaminated with small amounts of mercury. The Final Report, which demonstrated attainment of the Statewide Health Standard was approved by the Department on December 29, 2006.

P. C. Meter & Regulator (P-43), Port Allegany Borough, **McKean County**, PPL Gas Utilities Corp, 2 North 9th Street, Allentown, PA 18101 on their behalf has submitted a Final Report concerning remediation of site soils contaminated with small amounts of mercury. The Final Report, which demonstrated attainment of the Statewide Health Standard was approved by the Department on December 29, 2006.

Scherer Farm Check (P-48) Port Allegany Borough, **McKean County**, PPL Gas Utilities Corp, 2 North 9th Street, Allentown, PA 18101 on their behalf has submitted a Final Report concerning remediation of site soils contaminated with small amounts of mercury. The Final Report, which demonstrated attainment of the Statewide Health Standard was approved by the Department on December 29, 2006.

Wright Check (P-149), Liberty Township, **McKean County**, PPL Gas Utilities Corp., 2 North 9th Street, Allentown, PA 18101 on their behalf has submitted a Final Report concerning remediation of site soils contaminated with small amounts of mercury. The Final Report, which demonstrated attainment of the Statewide Health Standard was approved by the Department on December 29, 2006.

Zuck Road Property Tract 78 (formerly known as Legacy Woods Condominiums), **Erie County**, Burt Waite,

Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335 on behalf of Peter and Mary Fedorka, 2500 South Shore Drive, Erie, PA 16505 has submitted remedial investigation report and cleanup plan concerning remediation of site soils contaminated with lead. The Department approved the plans on September 1, 2006.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. WMGR038NC007. Lycoming County, 447 Alexander Dr., P. O. Box 187, Montgomery, PA 17752-9641, for **Lycoming County** Resource Management Services located in Brady Township, Lycoming County. The major permit modification application for permit boundary expansion for the Lycoming County Landfill was issued by the Williamsport Regional Office on December 27, 2006.

Persons interested in reviewing the permit should contact David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

Permit No. WMGR038NC007. Lycoming County, 447 Alexander Dr., P. O. Box 187, Montgomery PA 17752-9641, for Lycoming County Resource Management Services Landfill located in Brady Township, **Lycoming County**. The general permit for the waste tire processing and beneficial use operation was renewed by the Williamsport Regional Office on December 27, 2006.

Persons interested in reviewing the permit should contact David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

Permit No. 101649. Phoenix Resources Inc., 248 Main St., Blossburg, PA 16912-1100, located in Duncan Township, **Tioga County**. The permit renewal was approved by the Williamsport Office on December 12, 2006.

Persons interested in reviewing the permit should contact David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. WMGR038NC005. Recycling Environmental Group Inc., 29 Frosty Valley Road, Bloomsburg, PA 17839, located in Hemlock Township, **Columbia County**. The determination of applicability for the waste tire processing and beneficial use operation was denied by the Williamsport Regional Office on November 13, 2006.

Persons interested in reviewing the permit should contact David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. 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.

23-302-145GP: Boeing Co.—Integrated Defense Systems-Rotocraft (P. O. Box 16858, MC P25-75, Philadelphia, PA 19142) on January 3, 2007, to operate a small gas and oil fired combustion in Ridley Township, **Delaware County**.

23-312-223GP: Boeing Co.—Integrated Defense Systems-Rotocraft (P. O. Box 16858, MC P25-75, Philadelphia, PA 19142) on January 3, 2007, to operate a storage tank No. 2 in Ridley Township, **Delaware County**.

46-301-271GP: King of Prussia Crematory (805 DeKalb Street, Bridgeport, PA 19405) on January 3, 2007, to operate a human crematory in Bridgeport Borough, **Montgomery County**.

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

54-310-041GP3: Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on January 4, 2007, to construct and operate a portable stone crushing plant and associated air cleaning device on Green Mountain Road, in East Union Township, **Schuylkill County**.

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

GP3-21-03076: Pennsy Supply, Inc. (1 Clear Spring Road, Annville, PA 17003) on January 3, 2007, for portable nonmetallic mineral processing plants under GP3 in Penn Township, **Cumberland County**.

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

GP3-14-09: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on December 19, 2006, to relocate and operate a portable nonmetallic mineral processing plant under the general plan approval and/or general operating permit for portable nonmetallic mineral processing plants (BAQ-PGPA/GP-3) at the Shoppes at North Atherton construction site in Patton Township, **Centre County**.

GP11-14-04: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on December 19, 2006, to construct and operate a 425 horsepower diesel engine under the general plan approval and/or general operating permit for nonroad engines (BAQ-GPA/GP11) at the Shoppes at North Atherton construction site in Patton Township, **Centre County**.

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

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

35-399-043: Sandvik, Inc. (P. O. Box 1220, Scranton, PA 18501) on December 13, 2006, to install two air cleaning devices to capture particulate emissions from sawing operations in Scott Township, **Lackawanna County**.

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

28-05004B: Grove US LLC (1565 Buchanan TRL E, P. O. Box 21, Shady Grove, PA 17256) on January 2, 2007, to install two paint spray booths and a drying oven to replace an existing booth at their crane manufacturing facility in Antrim Township, **Franklin County**.

38-05003E: Carmeuse Lime, Inc. (P. O. Box 37, Saginaw, AL 35137-0037) on January 3, 2007, to use cocoa bean waste as a fuel in the No. 5 lime kiln at their Millard lime plant in North Londonderry Township, **Lebanon County**.

67-05083: Conectiv Mid-Merit, LLC (P. O. Box 6066 92 DC 72, Newark, DE 19714-6066) on January 5, 2007, to construct a combined cycle electric generating facility in Peach Bottom Township, **York County**.

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

20-194D: Lord Corp. (601 South Street, Saegertown, PA 16433-1050) on December 18, 2006, to install a thermal oxidizer and dust collector to control emissions from miscellaneous coating manufacturing operations at their Saegertown facility, in the municipality of Saegertown, **Crawford County**. This is a Title V facility.

25-648C: NEPA Energy LP (South Lake Street, North East, PA 16428) on December 26, 2006, to modify an existing ABCO boiler at their North East Plant, in the Borough of North East, **Erie County**.

10-0210: Indspec Chemical Corp. (133 Main Street, P. O. Box 307, Petrolia, PA 16050) on December 21, 2006, to replace burners in their Bertrams No. 1 and No. 2 furnaces with LNB (12.8 mmBtu/hr each) in Petrolia Borough, **Butler County**. The facility is a Title V Facility.

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

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

23-0074: GS Roofing Production Co., Inc. (800 West Front Street, Chester, PA 19013) on January 3, 2007, to operate a thermal oxidizer in City of Chester, **Delaware County**.

23-0094: CCL Label, Inc. (1515 Garnet Mine Road, Boothwyn, PA 19061) on January 4, 2007, to operate a rotogravure printing presses in Bethel Township, **Delaware County**.

46-0069B: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on January 4, 2007, to operate a dryer burner in Whitmarsh Township, **Montgomery County**.

46-0166: M and M Stone Co. (P. O. Box 189, Telford, PA 18969-0189) on January 4, 2007, to operate a batch asphalt plant in Lower Salford Township, **Montgomery County**.

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

67-05007B: Adhesives Research, Inc. (P. O. Box 100, Glen Rock, PA 17327) on January 2, 2007, to install two new coating sources to be controlled together with an existing source by a new regenerative thermal oxidizer at their coating facility in Springfield Township, **York County**. This plan approval was extended.

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

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

15-00038: Flint Ink Corp. (210 Phillips Road, Lionville, PA19341) on January 3, 2007, to operate a printing ink manufacturing facility in Uwchlan Township, **Chester County**. The permit is for a non-Title V (State-only) facility. Sources of air emissions are various mixers and mills, and one baghouse for the control of PM. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

06-03049: Industrial Metal Plating, Inc. (153 Wagner Lane, Reading, PA 19601-1195) on January 4, 2007, to operate an aluminum anodizing and bright dip coating facility in Bern Township, **Berks County**.

06-05084: Electro-Space Fabricators, Inc. (300 West High Street, Tipton, PA 19562) on January 2, 2007, to operate a metal fabricating and surface coating facility in Tipton Borough, **Berks County**. This is a renewal of the State-only operating permit.

36-03040: Wenger's Feed Mill, Inc. (101 West Harrisburg Avenue, Rheems, PA 17570) on January 3, 2007, to operate their feed mill in Mount Joy Township, **Lancaster County**. This is a renewal of the State-only operating permit.

36-05147: Wenger's Feed Mill, Inc. (101 W. Harrisburg Avenue, Rheems, PA 17570) on January 2, 2007, to

operate their feed mill in Mount Joy Borough, **Lancaster County**. This is a renewal of the State-only operating permit.

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

32-00367: Ridge Energy Co.—Laurel Run Quarry (265 Swamp Road, Suite 3000, Clymer, PA, 15728-9215) on December 28, 2006, to operate a primary crusher, primary screen, various conveyors, transfer points, storage piles, truck loading with front end loaders, plant roadways and two diesel-fired electric generating engines in Cherryhill Township, **Indiana County**.

56-00244: Department of Corrections—Somerset SCI (1590 Walters Mill Road, Somerset PA 15510-0004) on December 29, 2006, to operate six natural gas/No. 2 oil fired boilers ranging from 33.5 mmBtu/hr to 4.2 mmBtu/Hr. This facility is in Brothersvalley Township, **Somerset County**. This is a State-only operating permit.

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

37-00027: IA Construction Corp.—West Pittsburgh Plant (167 Sand Bank Road, Wampum, PA 16157) on January 5, 2007, to operate a hot mix asphalt plant in Taylor Township, **Lawrence County**. The significant sources are batch mix asphalt plant and fugitives from transfer points. The facility has taken a restriction on production not exceeding 495,000 tpy to qualify as a synthetic minor facility.

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

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

15-00115: QVC, Inc. (1200 Wilson Drive, West Chester, PA 19380-4267) on January 3, 2007, for a non-Title V, Synthetic Minor Facility in West Goshen Township, **Chester County**. The State-only Operating Permit was revised to incorporate the conditions of plan approval PA-15-0115C for a 2,000-kW Emergency Generator in accordance with 25 Pa. Code § 127.450(a)(5). The language was also changed to allow the facility to operate the emergency generators located at the facility when there is a reasonable probability that an electrical failure would occur. The addition of the 2,000 kW Emergency Generator will not result in an increase of emissions for the facility.

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

06-03054: Martin Stone Quarries, Inc. (P. O. Box 297, Old Route 100, Bechtelsville, PA 19505) on January 4, 2007, to operate a limestone processing facility in Colebrookdale Township, **Berks County**. This operating permit has been administratively amended to incorporate Plan Approval 06-03054A. This is revision No. 1.

36-05008: Tyson Foods, Inc. (P. O. Box 1156, 403 S. Custer Avenue, New Holland, PA 17557-0901) on January 3, 2007, to operate a chicken processing facility in Earl Township, **Lancaster County**. This operating permit has

been administratively amended to incorporate Plan Approval 36-05008D. This is revision No. 1.

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

25-00053: Urick Foundry Co., Inc. (1501 Cherry Street, P. O. Box 6027, Erie, PA 16512) on January 3, 2007, to administratively amend Synthetic Minor Operating Permit Number 25-00053 in the City of Erie, **Erie County**. This amendment was performed to incorporate conditions from Plan Approval Number 25-053C.

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

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

56060101 and NPDES No. PA0249904. Fieg Brothers, (3070 Stoystown Road, Stoystown, PA 15563-8164). Commencement, operation and restoration of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 194.6 acres. Receiving streams: UNT to Buck Run; UNT to Schrock Run and UNT to Stonycreek River classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority. Application received: January 26, 2006. Permit issued: January 4, 2007.

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

03960103 and NPDES Permit No. PA0201596. TDK Coal Sales, Inc. (P. O. Box 259, Brockway, PA 15824). Permit renewal issued for continued reclamation only of a bituminous surface/auger mining site located in East Franklin Township, **Armstrong County**, affecting 155 acres. Receiving streams: UNT to Glade Run. Application received: July 31, 2006. Renewal issued: January 3, 2007.

65990102 and NPDES Permit No. PA0202479. AMFIRE Mining Co., LLC (One Energy Place, Suite 2800, Latrobe, PA 15650). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Fairfield Township, **Westmoreland County**, affecting 91.0 acres. Receiving streams: UNT to the Conemaugh River. Application received: September 25, 2006. Renewal issued: January 4, 2007.

03010103 and NPDES Permit No. PA0202991. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Kiskiminetas Township, **Armstrong County**, affecting 145.6 acres. Receiving streams: UNT to Long Run and Sulphur Run to the Kiskiminetas River. Application received: September 28, 2006. Renewal issued: January 4, 2007.

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

17960124 and NPDES No. PA0220523. Sky Haven Coal, Inc., (R. R. 1, Box 180, Penfield, PA 15849). Permit renewal for reclamation only of a bituminous surface mine in Brady and Bell Townships, **Clearfield County**, affecting 127 acres. Receiving streams: Buck Run to Beech Run to East Branch Mahoning Creek to Mahoning Creek to Allegheny River. Application received: December 15, 2006. Permit renewed: January 4, 2007

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

54773223T2. Blaschak Coal Corp., (P. O. Box 12, Mahanoy City, PA 17948). Transfer of an existing coal refuse reprocessing operation in Cass Township, **Schuylkill County** affecting 133.0 acres, receiving stream: none. Application received July 13, 2006. Transfer issued: January 4, 2007.

Noncoal Permits Actions

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

03860401 and NPDES Permit No. PA0588024. Seven Sisters Mining Co., Inc., (200 Route 22, P. O. Box 300, Delmont, PA 15626-0300). Permit renewal issued for continued operation and reclamation of a noncoal surface mining site located in South Bend Township, **Armstrong County**, affecting 160.0 acres. Receiving streams: Crooked Creek. Application received: December 4, 2006. Renewal issued: January 4, 2007.

03010407 and NPDES Permit No. PA0250040. Stitt Coal Company, Inc., (811 Garretts Run Road, Ford City, PA 16226). Permit revised to add 15.1 acres to an existing noncoal surface mining site located in Kittanning Township, **Armstrong County**, now affecting 301.3 acres. Receiving streams: Garretts Run. Application received: July 12, 2006. Revised permit issued: January 5, 2007.

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

58050824. Jack L. McKeeby, (P. O. Box 571, New Milford, PA 18834-0571). Commencement, operation and restoration of a quarry operation in Dimock Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received May 16, 2005. Permit issued: January 2, 2007.

58062809. Herbert Kilmer, (R. R. 4, Box 56C, Montrose, PA 18801). Commencement, operation, and restoration of a quarry operation in Great Bend Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received September 11, 2006. Permit issued: January 2, 2007.

58050839. Paul A. Kelly, (25 Public Avenue, Montrose, PA 18801). Commencement, operation and restoration of a quarry operation in Bridgewater Township,

Susquehanna County affecting 3.0 acres, receiving stream: none. Application received August 18, 2005. Permit issued: January 2, 2007.

64910303T and NPDES Permit No. PA0595462. Reading Materials, Inc., (P. O. Box 1467, Skippack, PA 19474). Transfer of an existing quarry operation in Palmyra Township, **Wayne County** affecting 54.2 acres, receiving stream: tributary to Lake Wallenpaupack. Application received May 5, 2004. Transfer issued: January 3, 2007.

58050848. David W. Bishop, Sr., (430 First Street, Richmondale, PA 18421). Commencement, operation and restoration of a quarry operation in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received September 22, 2005. Permit issued: January 3, 2007.

64062802. Victor S. Lupo, (47 Hawkins Road, Ninevah, NY 13813), commencement, operation and restoration of a quarry operation in Buckingham Township, **Wayne County** affecting 5.0 acres, receiving stream: none. Application received April 24, 2006. Permit issued January 3, 2007.

64062804. Kevin Schrader, (3230 Creamton Drive, P. O. Box 262, Lake Como, PA 18437), commencement, operation and restoration of a quarry operation in Buckingham Township, **Wayne County** affecting 5.0 acres, receiving stream: none. Application received August 11, 2006. Permit issued January 3, 2007.

40062802. Earth Conservancy, (101 South Main Street, Ashley, PA 18706), commencement, operation and restoration of a quarry operation in Nanticoke City, **Luzerne County** affecting 5.0 acres, receiving stream: none. Application received August 30, 2006. Permit issued January 3, 2007.

7775SM3C and NPDES Permit No. PA0594679. Lehigh Cement Company, (537 Evansville Road, Fleetwood, PA 19522), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Richmond and Maxatawny Townships, **Berks County**, receiving stream: UNT to Moselem Creek. Application received November 16, 2006. Renewal issued January 5, 2007.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151–161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

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

210641104. Dyno Nobel, Inc., (1320 Galiffa Drive, Donora, PA 15022). Blasting activity permit issued for residential development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is December 30, 2007. Permit issued: December 28, 2006.

28064184. Geological Tech, Inc., (P. O. Box 70, Falling Waters, WV 25419-0070). Blasting activity permit issued for residential development in Antrim Township, **Franklin County**. Blasting activity permit end date is December 1, 2007. Permit issued: December 28, 2006.

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

02064012. Kesco, Inc., (P. O. Box 94, Adrian, PA 16210). Blasting activity permit for the Legacy Drive Site Development, located in Ohio Township, **Allegheny County**, with an expected duration of 180 days. Permit issued: January 3, 2007.

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

06064147. Austin Powder Company, (25800 Science Park Drive, Cleveland, OH 44122). Construction blasting for The Reserves at Springtown in Spring Township, **Berks County** with an expiration date of December 31, 2007. Permit issued: January 1, 2007.

06064148. Schlouch, Inc., (P. O. Box 69, Blandon, PA 19510). Construction blasting for The Shoppes at Wyomissing in Wyomissing Borough, **Berks County** with an expiration date of December 1, 2007. Permit issued: January 1, 2007.

06064149. J. Roy's, Inc., (Box 125, Bowmansville, PA 17507). Construction blasting for Berkshire Bank in Exeter Township, **Berks County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

15064134. Horst Drilling & Blasting, Inc., (141 Ranck's Church Road, New Holland, PA 17557). Construction blasting for Providence Hill in East Fallowfield Township, **Chester County** with an expiration date of December 27, 2007. Permit issued: January 1, 2007.

35064129. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419). Construction blasting for a single dwelling in Moosic Borough, **Lackawanna County** with an expiration date of June 30, 2007. Permit issued: January 1, 2007.

360641123. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013). Construction blasting for Morganshire Development in East Cocalico Township, **Lancaster County** with an expiration date of December 31, 2007. Permit issued: January 1, 2007.

360641124. J. Roy's, Inc., (Box 125, Bowmansville, PA 17507). Construction blasting for a single dwelling on Creek Hill Road in Upper Leacock Township, **Lancaster County** with an expiration date of December 1, 2007. Permit issued: January 1, 2007.

360641125. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344). Construction blasting for Penn Township Waste Water Treatment Plant in Penn Township, **Lancaster County** with an expiration date of December 28, 2007. Permit issued: January 1, 2007.

360641126. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for Valley View Development in Salisbury Township, **Lancaster County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

360641127. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for Angelsea Development in West Earl Township, **Lancaster County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

360641128. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for Lap Ridge in East Lampeter Township, **Lancaster County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

36064129. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for West Ridge in Ephrata Township, **Lancaster County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

360641130. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for Park Field Development in Manor Township, **Lancaster County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

38064138. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for Stone Hill Trailer Park in North Annville Township, **Lebanon County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

38064139. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for Falcon Crest Development in South Lebanon Township, **Lebanon County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

38064140. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for Cornwall Hills in Cornwall Borough, **Lebanon County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

38064141. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for Beckley's Corner Development in South Lebanon Township, **Lebanon County** with an expiration date of December 30, 2007. Permit issued: January 1, 2007.

39064123. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419). Construction blasting for Whitehall Farms in Whitehall Township, **Lehigh County** with an expiration date of June 30, 2007. Permit issued: January 1, 2007.

45064178. Douglas Explosives, Inc., (P. O. Box 77, Philipsburg, PA 16866). Construction blasting for Stroudmoor Country Inn in Stroud Township, **Monroe County** with an expiration date of December 31, 2007. Permit issued: January 1, 2007.

48064133. Austin Powder Company, (25800 Science Park Drive, Cleveland, OH 44122). Construction blasting for Chrin Commerce Center in the City of Bethlehem, Palmer Township and Tatamy Borough, **Northampton County** with an expiration date of December 31, 2007.

67064143. Gerlach's Drilling & Blasting, (172 Bender Mill Road, Lancaster, PA 17603). Construction blasting for a single dwelling on Picking Road in Hellam Township, **York County** with an expiration date of February 28, 2007. Permit issued: January 1, 2007.

67064144. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344). Construction blasting for Sage Hill Development in York Township, **York County** with an expiration date of December 28, 2007. Permit issued: January 1, 2007.

67064145. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344). Construction blasting for Blossom Hill Development in York Township, **York County** with an expiration date of December 28, 2007. Permit issued: January 1, 2007.

67074101. J. Roy's, Inc., (Box 125, Bowmansville, PA 17507). Construction blasting for a single dwelling in Fairview Township, **York County** with an expiration date of January 1, 2008. Permit issued: January 2, 2007.

23064006. Explo-Craft, Inc., (P. O. Box 1332, West Chester, PA 19380). Construction blasting for Boeing Company Proposed Steam Line in Ridley Township, **Delaware County** with an expiration date of March 2, 2007. Permit issued: January 4, 2007.

22064007. Abel Construction Co., Inc., (P. O. Box 476, Mountville, PA 17554). Construction blasting at Southpoint Meadows 2, Phase I Development in Derry Township, **Dauphin County** with an expiration date of December 18, 2007. Permit issued: January 4, 2007.

22064006. Mazzuca Enterprises, Inc., (P. O. Box 443, 510 North 14th Street, Pottsville, PA 17901). Construction blasting for Conewago Municipal Authority New Sanitary Sewer Extension/Phase II/Buchart, Horn, Inc. in Conewago Township, **Dauphin County** with an expiration date of December 30, 2007. Permit issued: January 4, 2007.

36074101. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting at Camp Andrews in Drumore Township, **Lancaster County** with an expiration date of June 30, 2007. Permit issued: January 5, 2007.

36074102. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for a single dwelling in Strasburg Township, **Lancaster County** with an expiration date of February 27, 2007. Permit issued: January 5, 2007.

40064143. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419). Construction blasting at Eagle Rock Resort in North Union Township, **Schuylkill County** with an expiration date of January 31, 2008. Permit issued: January 5, 2007.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-450. County of Delaware, Government Center Building, Room 206, 201 West Front Street, Media, PA 19063-2788, Marple, Upper Providence Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain a single span prestressed concrete spread box beam bridge with a clear span of 55 feet and an underclearance of approximately 4.83 feet and an overflow pipe with a length of 40 feet and a diameter of 24 inches to replace the existing structures, which span Crum Creek (WWF). The work will include the following activities:

1. To impact approximately 50 feet of Crum Creek (WWF) for the construction of the bridge abutments, wingwalls and other appurtenant structures.
2. To place fill and impact 0.017 acre of wetland "A" (PEM) for the widening of Crum Creek Road. The amount of wetland impact is considered a de minimis impact and wetland mitigation is not required.
3. To construct and maintain a stormwater outfall within the floodway of Crum Creek (WWF) to pair with an additional stormwater inlet for runoff deriving from super-elevation extension associated with modification to the Crum Creek and Waters Edge Roads.
4. To perform various grading activities to accommodate the provision of the new abutment and extension of the new bridge span.
5. To install a temporary cofferdam to facilitate the free flow of the stream during construction.
6. To place approximately 25 cubic yards of rip rap at the base of the abutments to protect against scour.

The project will temporarily impact 200 feet of stream and permanently impact approximately 50 feet of stream and 0.017 acre of wetland. The project site is located along Crum Creek Road (T-421) approximately 0.4 mile north of the intersection of Crum Creek and Waters Edge Roads with Maple Township on the east side and Upper Providence Township on the west side, Delaware County (Media, PA, Quadrangle N: 12.17 inches; W: 0.03 inch).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

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

E50-237: Amos Esh, 7034 Raccoon Valley Road, Millerstown, PA 17062, Tuscarora Township, **Perry County**, ACOE Baltimore District.

To construct and maintain a 20-foot long by 14-foot wide span bridge with a 3-foot underclearance across Raccoon Creek (CWF) located North of Route 17 about 1-mile West of School No. 4 (Ickesburg, PA Quadrangle: 40° 29' 00" N, 77° 18' 45" W; 19.64 inches North, 8.69 inches West) in Tuscarora Township, Perry County.

E28-336: Daryl G. Hull, Cherry Lane Drive, Chambersburg, PA 17201 in Hamilton Township, **Franklin County**, ACOE Baltimore District.

To maintain 2000 cubic yards of fill and 0.5-acre of grading in a pond associated with an UNT to Back Creek (TSF) and maintain 155-feet of grading in an intermittent UNT to Back Creek (TSF). The project is located off of Center Drive, on Cherry Lane Drive (Chambersburg, PA Quadrangle N: 9.2 inches; W: 10.4 inches; Latitude: 39° 55' 32"; Longitude: 77° 41' 58") in Hamilton Township, **Franklin County**.

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

E14-499. American Philatelic Research Library, 100 Match Factory Place, Bellefonte, PA 16823. Water Obstruction and Encroachment Permit, in Bellefonte Borough, **Centre County**, ACOE Susquehanna River Basin District (Bellefonte, PA Quadrangle N: 6.3 inches; W: 12.7 inches).

To construct and maintain 50-feet of 6-inch PVC dry hydrant in Spring Creek (HQ-CWF) located in the parking area behind the Match Factory Building in Bellefonte Borough, **Centre County**. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E19-255. Doug Mills, 514 W. Summit Ave, Wilmington, DE, 19804. Mills Cabin Raising, in Orange Township, **Columbia County**, ACOE Baltimore District (Bloomsburg, PA Quadrangle Latitude 41-03-31, Longitude 76-25-51).

To raise the existing cabin from its current elevation to an elevation 8 feet 6 inches above the existing ground in the floodway of Fishing Creek. The new first floor elevation of the cabin will be 552 ft. This permit does not authorize any additional fill to be placed in the floodway nor does it authorize the area beneath the cabin to be enclosed. This project is located at the Fishing Creek Campground and is the first cabin on the left after traveling left at the "Y" in the Fishing Creek Campground Road. This permit was issued under Section 105.13(e) "Small Projects."

E47-084. Sunny Brook Park Association, P. O. Box 124, Danville, PA 17821. Pedestrian Bridge in Valley Township, **Montour County**, ACOE Baltimore District (Danville, PA Quadrangle N: 20.32 inches; W: 17.21 inches).

To construct, operate and maintain a new footbridge structure located on Mahoning Creek, which is designated as WWF. The structure will have a normal span of 62.25 feet and a width of 7 feet 11 inches. The permit also authorizes 126 cubic yards of fill placed within the floodway for the proposed parking area. This project is

located east on SR 642 from the SR 54 intersection just over the Mahoning Creek Crossing. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E42-325, Universal Well Services, Inc., 201 Arch Street, Meadville, PA 16335. Bradford Facility, in Bradford Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 41°, 56', 05"; W: 78°, 38', 36" inches).

To conduct the following activities associated with construction of a base of operations southeast of the intersection of High Street Extension and Rutherford Run Road:

1. Fill a total of 0.48 acre of wetlands (0.31 acre PEM and 0.17 acre PSS).
2. Construct and maintain a 100-foot long, 142-inch wide by 91-inch high corrugated metal pipe stream enclosure in Rutherford Run.
3. To realign a total of approximately 400 feet of the channel of Rutherford Run, including the 100-foot long enclosure.
4. To place fill within the floodway of Rutherford Run along the approximate 400-foot reach extending upstream from High Street Extension, including the 100-foot long enclosure.

Project proposes the creation of 0.75 acre of replacement wetland on property located along the east bank of Tunungwant Creek north of Owens Way.

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

EA54-016NE. Schuylkill Headwaters Association, P. O. Box 1385, Pottsville, PA 17901. Foster Township, **Schuylkill County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an abandoned mine discharge (AMD) passive treatment system proposed in and along a tributary to Crystal Run (CWF). The purpose of the project is to treat and reduce AMD loadings discharging from the Neumeister Mine Outfall to restore the water quality of Crystal Run. The project is located east of SR 0081, approximately 2 miles south of Exit 116 (Minersville, PA Quadrangle N: 12.8 inches; W: 15.3 inches).

SPECIAL NOTICES

CATEGORICAL EXCLUSION

Southeast Regional Office, Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

Location: **Norristown Municipal Waste Authority**, 235 East Airy Street, Second Floor, Norristown, PA 19401.

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Borough proposes to separate the combined sewers on Mill, Main and Green Streets. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

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

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Dooley Run Watershed in Greene County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Dooley Run Watershed in Greene County. The meeting will be held on January 30, 2007, beginning at 1 p.m. at the Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA. Individuals who plan to make a presentation at the public meeting should contact Mike Gardner, Licensed Professional Geologist, Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA 15601, at (724) 925-5500 no later than 4 p.m. on Friday, January 19, 2007. The Department will consider all comments in developing the final TMDL for the Dooley Run Watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Dooley Run Watershed was established in accordance with the requirements of the Clean Water Act, Section 303(d). One stream segment in the Dooley Run Watershed has been identified as impaired on the 1996 Pennsylvania Section 303(d) list due to high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
41465	Dooley Run	2.2

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
PH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Dooley Run Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the Dooley Run Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Dooley Run Watershed. All written comments must be postmarked by February 23, 2007, and sent to Mike Gardner, Department of Environmental Protection, Greensburg District Mining Office,

Armbrust Building, 8205 Route 819, Greensburg, PA 15601, (724) 925-5557, mgardner@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Greensburg District Mining Office in Greensburg, PA, please contact Mike Gardner at the phone number or e-mail address indicated previously.

The proposed TMDL for the Dooley Run Watershed can be accessed through the Department's website at www.dep.state.pa.us (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Dunkard Creek Watershed in Greene County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Dunkard Creek Watershed in Greene County. The meeting will be held on January 30, 2007, beginning at 1 p.m. at the Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA. Individuals who plan to make a presentation at the public meeting should contact D. Scott Jones, Licensed Professional Geologist, Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA 15601, at (724) 925-5500 no later than 4 p.m. on Friday, January 19, 2007. The Department will consider all comments in developing the final TMDL for the Dunkard Creek Watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Dunkard Creek Watershed was established in accordance with the requirements of the Clean Water Act, Section 303(d). Two stream segments in the Dunkard Creek Watershed has been identified as impaired on the 1996 Pennsylvania Section 303(d) list due to high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
41420	Dunkard Creek	8.5
41420	Dunkard Creek	6.5

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese, and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
PH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based

on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Dunkard Creek Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the Dunkard Creek Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Dunkard Creek Watershed. All written comments must be postmarked by February 23, 2007, and sent to D. Scott Jones, Department of Environmental Protection, Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA 15601, (724) 925-5557, deajones@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Greensburg District Mining Office in Greensburg, PA, please contact D. Scott Jones at the phone number or e-mail address indicated previously.

The proposed TMDL for the Dunkard Creek Watershed can be accessed through the Department's website at www.dep.state.pa.us (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the UNT Buffalo Creek Watershed in Armstrong County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the UNT Buffalo Creek Watershed in Armstrong County. The meeting will be held on January 31, 2007, beginning at 1 p.m. at the Greensburg District Mining Office, Armbrust Building, R. D. 2, Box 603-C, Greensburg, PA. Individuals who plan to make a presentation at the public meeting should contact Marty Picklo, Mining Specialist, Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA 15601, at (724) 925-5500 no later than 4 p.m. on Friday, January 19, 2007. The Department will consider all comments in developing the final TMDL for the UNT Buffalo Creek Watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the UNT Buffalo Creek Watershed was established in accordance with the requirements of the Clean Water Act, Section 303(d). One stream segment in the UNT Buffalo Creek Watershed has been identified as impaired on the 1996 Pennsylvania Section 303(d) list due to high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
42685	UNT Buffalo Creek	0.2

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/ Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
PH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the UNT Buffalo Creek Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the UNT Buffalo Creek Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the UNT Buffalo Creek Watershed. All written comments must be postmarked by February 23, 2007, and sent to Marty Picklo, Department of Environmental Protection, Greensburg District Mining Office, Armbrust Building, R. D. No. 2, Box 603-C, Greensburg, PA 15601, (724) 925-5557, mpicklo@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Greensburg District Mining Office in Greensburg, PA, contact Marty Picklo at the phone number or e-mail address indicated previously.

The proposed TMDL for the UNT Buffalo Creek Watershed can be accessed through the Department's website at www.dep.state.pa.us (Dep Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Coal Bank Run Watershed in Armstrong County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Coal Bank Run Watershed in Armstrong County. The meeting will be held on January 31, 2007, beginning at 1 p.m. at the Greensburg District Mining Office, Armbrust Building, R. D. 2, Box 603-C, Greensburg, PA. Individuals who plan to make a presentation at the public meeting should contact Paul Cestoni, Licensed Professional Geologist, Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA 15601, at (724) 925-5500 no later than 4 p.m. on Friday, January 19, 2007. The Department will consider all comments in developing the final TMDL for the Coal Bank Run Watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Coal Bank Run Watershed was established in accordance with the requirements of the Clean Water Act, Section 303(d). One stream segment in the Coal Bank Run Watershed has been identified as impaired on the 1996 Pennsylvania Section 303(d) list due to high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
46263	Coal Bank Run	0.5

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/ Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
PH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Coal Bank Run Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the Coal Bank Run Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Coal Bank Run Watershed. All written comments must be postmarked by February 23, 2007, and sent to Paul Cestoni, Department of Environmental Protection, Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA 15601, (724) 925-5557 or pcestoni@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Greensburg District Mining Office in Greensburg, PA, please contact Paul Cestoni at the phone number or e-mail address indicated previously.

The proposed TMDL for the Coal Bank Run Watershed can be accessed through the Department's website at www.dep.state.pa.us (DEP Keyword: RMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Freeman Run Watershed in Westmoreland County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept

comments on a proposed TMDL for the Freeman Run Watershed in Westmoreland County. The meeting will be held on January 30, 2007, beginning at 1 p.m. at the Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA. Individuals who plan to make a presentation at the public meeting should contact Angela Pompa, Licensed Professional Geologist, Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA 15601, at (724) 925-5500 no later than 4 p.m. on Friday, January 19, 2007. The Department will consider all comments in developing the final TMDL for the Freeman Run Watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Freeman Run Watershed was established in accordance with the requirements of the Clean Water Act, Section 303(d). One stream segment in the Freeman Run Watershed has been identified as impaired on the 1996 Pennsylvania Section 303(d) list due to high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
44799	Freeman Run	0.9

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
PH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Freeman Run Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected over the past 2 years was used to establish the proposed TMDL for the Freeman Run Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Freeman Run Watershed. All written comments must be postmarked by February 23, 2007, and sent to Angela Pompa, Department of Environmental Protection, Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA 15601, (724) 925-5557 or apompa@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Greensburg District Mining Office in Greensburg, PA, please contact Angela Pompa at the phone number or e-mail address indicated previously.

The proposed TMDL for the Freeman Run Watershed can be accessed through the Department's website at

www.dep.state.pa.us (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

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

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Laurel Run Watershed in Boggs, Decatur and Morris Townships Of Clearfield County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Laurel Run Watershed in east-central Clearfield County. The meeting will begin at 10:30 a.m. on February 8, 2007, and will be held at the Department's Moshannon District Mining Office along Enterprise Drive in the new business park east of Philipsburg, PA. Individuals who plan to make a presentation at the public meeting should contact Scott Barnes, P. G. at (814) 342-8200 no later than 4 p.m. on Friday, February 2, 2007. The Department will consider all comments in developing the final TMDL for the Laurel Run Watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Laurel Run Watershed was established in accordance with the requirements of the Clean Water Act, Section 303(d). Several stream segments within the Laurel Run Watershed have been identified as impaired on the 1996 Pennsylvania Section 303(d) list, primarily due to acid mine drainage pollution resulting in depressed pH, siltation and/or a high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Name</i>	<i>Stream Code</i>	<i>Miles Degraded</i>
Laurel Run	25853	6.9
Unnamed Trib. to Laurel Run	25624	0.7
Unnamed Trib. to Laurel Run	25855	1.6
Little Laurel Run	25857	7.6
Unnamed Trib. to Laurel Run	25859	1.9

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.0	Total Recoverable
PH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal and clay since the 19th century, with most of the surface mining taking place in the latter half of the 20th century. The effects of this extensive surface and underground mining are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Laurel Run Watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data was used to establish the proposed TMDL for the Laurel Run Watershed. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Laurel Run Watershed. All written comments must be postmarked by March 21, 2007, and sent to Scott Barnes, P. G., Department of Environmental Protection, Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, or scbarnes@state.pa.us.

To request a copy of the proposed TMDL and associated information sheet or to obtain directions to the Moshannon District Mining Office, please contact Scott Barnes at the phone number or e-mail address indicated previously.

The proposed TMDL for the Laurel Run Watershed can be accessed through the Department's website at www.dep.state.pa.us (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 07-88. Filed for public inspection January 19, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Armstrong County Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Armstrong County Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 7.10.H1 (relating to cardiac catheterization).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

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

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 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. 07-89. Filed for public inspection January 19, 2007, 9:00 a.m.]

Application of Clearfield Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Clearfield Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 9.2.B.1, 9.2.H.a and 9.2.H.d (relating to examination room requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 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. 07-90. Filed for public inspection January 19, 2007, 9:00 a.m.]

Application of The Endoscopy Center at St. Mary for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Endoscopy Center at St. Mary has requested an exception to the requirements of 28 Pa. Code § 555.31 (relating to anesthesia services).

The request is on file with the Department. Persons may receive a copy of a request for exception by request-

ing a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or 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. 07-91. Filed for public inspection January 19, 2007, 9:00 a.m.]

Application of Grand View Hospital Endoscopy Center@Harleyville for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Grand View Hospital Endoscopy Center@Harleyville has requested an exception to the requirements of 28 Pa. Code § 553.31 (relating to administrative responsibilities).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or 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. 07-92. Filed for public inspection January 19, 2007, 9:00 a.m.]

Application of Northeast Regional Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Northeast Regional Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or 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. 07-93. Filed for public inspection January 19, 2007, 9:00 a.m.]

Application of PGC Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that PGC Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or 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. 07-94. Filed for public inspection January 19, 2007, 9:00 a.m.]

Application of Pinnacle Health@Harrisburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health@Harrisburg Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 7.9.C2 (relating to multiple bed treatment rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 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. 07-95. Filed for public inspection January 19, 2007, 9:00 a.m.]

Application of Regional Gastroenterology Associates of Lancaster, LTD for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Regional Gastroenterology Associates of Lancaster, LTD has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 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. 07-96. Filed for public inspection January 19, 2007, 9:00 a.m.]

Application of UPMC Presbyterian Shadyside for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Presbyterian Shadyside has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 7.3.A3, 7.3.A4, 7.3.A5, 7.3.A6, 7.3.A10 and 7.3.A14 (relating to critical care units).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 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. 07-97. Filed for public inspection January 19, 2007, 9:00 a.m.]

Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under the Pennsylvania Cancer Control, Prevention and Research Act (35 P. S. § 5633), will hold a meeting on Wednesday, March 28, 2007, from 7:45 a.m. to 2 p.m. at the Dixon University Center, 2986 North Second Street, Harrisburg, PA 17110.

For additional information or persons with a disability who want to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Kathleen A. Zitka, Chief, Department of Health, Cancer Prevention and Control Section, Room 1011, Health and Welfare Building, Harrisburg, PA, (717) 787-5251 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 07-98. Filed for public inspection January 19, 2007, 9:00 a.m.]

Recognized Lifeguard Certifying Authorities for 2007

The Department of Health has determined that the following lifeguard certifying authorities meet the requirements in 28 Pa. Code § 18.42 (relating to certified lifeguards) and are recognized as lifeguard certifying authorities for 2007: The American Red Cross; Jeff Ellis and Associates; YMCA; The Boy Scouts of America; Starfish Aquatics Institute; and National Aquatic Safety Company.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Lori Gutierrez, Department of Health, Bureau of Community Health Systems, Room 628, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-4366 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 07-99. Filed for public inspection January 19, 2007, 9:00 a.m.]

Request for Exception; Long-Term Care Nursing Facilities

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

Berks County Home—Berks Heim
1011 Berks Road
Leesport, PA 19533
Facility ID 021202

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.17 (relating to location).

John Heinz Institute of Rehabilitation (SNF)
150 Mundy Street
Wilkes-Barre, PA 18702
FAC ID 01370201

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

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

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

Persons with a disability who require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotope, Braille), should contact the Division of Nursing Care Facilities at the address listed previously or 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. 07-100. Filed for public inspection January 19, 2007, 9:00 a.m.]

Updating the List of Citations to ACIP Recommendations Prescribing Child Immunization Practices and Immunizing Agents and Doses

In accordance with 31 Pa. Code §§ 89.806(a) and 89.807(b) (relating to coverage of child immunizations; and immunizing agents, doses and AWP's), the Department of Health, Bureau of Communicable Diseases, Division of Immunization (Department) is updating 31 Pa. Code Chapter 89, Appendices G and H (relating to ACIP recommendations prescribing child immunization practices; and immunizing agents and doses). The Department has primary responsibility for the interpretation and the implementation of 31 Pa. Code §§ 89.806 and 89.807. See 31 Pa. Code § 89.801(b) (relating to authority and purpose; implementation).

Health insurance policies are required by the Childhood Immunization Insurance Act (40 P. S. §§ 3501—3508) (act) and regulations promulgated thereunder, 31 Pa. Code 809, Subchapter L (relating to childhood immunization insurance) to include coverage for certain childhood immunizations, unless the policies are exempted by the act and 31 Pa. Code § 89.809 (relating to exempt policies). The childhood immunizations covered are those that meet ACIP standards in effect on May 21, 1992. See 31 Pa. Code § 89.806(a). A list of the MMWR publications containing ACIP recommendations issued under the ACIP standards in effect on May 21, 1992, appears in 31 Pa. Code §§ 89.801—89.809, Appendix G.

The Department is required to update the list of these MMWR publications appearing in 31 Pa. Code §§ 89.801–89.809, Appendix G. See 31 Pa. Code § 89.806(a). The additions to the list are as follows, the remainder of the list at Appendix G remains in full force and effect:

November 3, 2006/Vol. 55/No. 43

Notice to Readers: Improved Supply of Meningococcal Conjugate Vaccine, Recommendation to Resume Vaccination of Children Aged 11–12 Years

In January 2005, a tetravalent meningococcal polysaccharide-protein conjugate vaccine (MCV4) (Menactra™, Sanofi Pasteur, Inc., Swiftwater, Pennsylvania) was licensed for use among persons aged 11–55 years. The Advisory Committee on Immunization Practices (ACIP) recommends routine vaccination with MCV4 for children aged 11–12 years at their regular health-care visit.

October 20, 2006/Vol. 55/No. 41

Update: Guillain-Barré Syndrome Among Recipients of Menactra® Meningococcal Conjugate Vaccine—United States, June 2005—September 2006

In October 2005, reports indicating a possible association between Guillain-Barré Syndrome (GBS) and receipt of meningococcal conjugate vaccine (MCV4) (Menactra®, Sanofi Pasteur, Inc., Swiftwater, Pennsylvania) were made to the Vaccine Adverse Event Reporting System (VAERS).

August 4, 2006/Vol. 55/No. 30

Pertussis Outbreak in an Amish Community—Kent County, Delaware, September 2004—February 2005

Vaccine-preventable disease outbreaks continue to occur among undervaccinated populations in the United States, including contained religious communities. The Amish practice separation from the world through group solidarity and caring for their own. Amish religious doctrine does not prohibit vaccination; however, coverage levels for routine childhood vaccination remain low in many Amish communities.

Varicella Outbreak Among Vaccinated Children—Nebraska, 2004

On November 19, 2004, a school nurse notified the Nebraska Health and Human Services System (NHHSS) of a varicella outbreak in an elementary school (grades kindergarten through 7). In collaboration with local health department officials and CDC, NHHSS initiated a retrospective cohort study to determine the magnitude of the outbreak, assess vaccine coverage and effectiveness, and compare disease severity among vaccinated and unvaccinated students.

The Department is also required to update information relating to immunizing agents and doses that the Department has extracted from ACIP recommendations issued under the standards in 31 Pa. Code § 89.806(a). See 31 Pa. Code § 89.807(b). The Department is also to periodically list the average wholesale price (AWP) for immunizing agents. Id. This information currently appears in 31 Pa. Code §§ 89.801–89.809, Appendix H.

2007 List of Immunizing Agents and Average Wholesale Prices

Product Name, Company	Brand/Product Name	NDC Number	Unit	Dose	AWP/ Dose*
<i>Diphtheria Tetanus acellular Pertussis Vaccine (DTaP):</i>					
sanofi pasteur	Tripedia	49281-0298-10	10 × 1	0.5 ml	\$26.18
sanofi pasteur	Daptacel	49281-0286-10	10 × 1	0.5 ml	\$26.00
GlaxoSmithKline	Infanrix	58160-0840-46	5 × 1	0.5 ml	\$25.28
GlaxoSmithKline	Infanrix	58160-0840-11	10 × 1	0.5 ml	\$24.70
<i>Tetanus Diphtheria acellular Pertussis Vaccine (Tdap):</i>					
sanofi pasteur	Adacel	49281-0400-10	10 × 1	0.5 ml	\$42.45
GlaxoSmithKline	Boostrix	58160-0842-11	10 × 1	0.5 ml	\$43.05
GlaxoSmithKline	Boostrix	58160-0842-46	5 × 1	0.5 ml	\$43.05
<i>Diphtheria Tetanus pediatric Vaccine (DT pediatric):</i>					
sanofi pasteur	DT Pediatric (prefilled)	49281-0278-10	0.5 ml	0.5 ml	\$21.96
<i>Diphtheria Tetanus acellular Pertussis/Haemophilus Influenzae B (DTaP-HIB):</i>					
sanofi pasteur	TriHIBit	49281-0597-05	5 × 1	0.5 ml	\$51.41
<i>Tetanus Diphtheria adult Vaccine (Td adult):</i>					
sanofi pasteur	Decavac (latex-free)	49281-0291-83	10 × 1	0.5 ml	\$21.66
<i>Diphtheria, Tetanus, acellular Pertussis, Hepatitis B, Polio (DTaP, Hep B, IPV):</i>					
GlaxoSmithKline	Pediarix	58160-0841-11	10 × 1	0.5 ml	\$84.12
GlaxoSmithKline	Pediarix	58160-0841-46	5 × 1	0.5 ml	\$84.12
<i>Tetanus Toxoid:</i>					
sanofi pasteur	Tetanus toxoid	49281-0820-10	10 × 1	0.5 ml	\$22.17
sanofi pasteur	Tetanus toxoid	49281-0812-84	15 × 1	0.5 ml	\$22.32
<i>Haemophilus Influenzae B Vaccine (HIB):</i>					
Wyeth Pharmaceuticals	HibTiter	00005-0104-32	5 × 1	10 mcg	\$28.38

<i>Product Name, Company</i>	<i>Brand/Product Name</i>	<i>NDC Number</i>	<i>Unit</i>	<i>Dose</i>	<i>AWP/ Dose*</i>
Wyeth Pharmaceuticals	HibTiter	00005-0201-10	10 × 1	10 mcg	\$25.68
sanofi pasteur	ActHIB	49281-0545-05	5 × 1	10 mcg	\$27.04
Merck & Co.	Pedvax HIB	00006-4897-00	10 × 1	7.5 mcg	\$27.32
<i>Injectable Polio Vaccine Inactivated (Salk Enhanced IPV):</i>					
sanofi pasteur	IPOL	49281-0860-10	5.0 ml	0.5 ml	\$31.46
sanofi pasteur	IPOL	49281-0860-55	5.0 ml	0.5 ml	\$31.46
<i>Measles Mumps Rubella Vaccine (MMR):</i>					
Merck & Co.	MMR II	00006-4681-00	10 × 0.5	0.5 ml	\$50.97
<i>Measles Vaccine (Rubeola):</i>					
Merck & Co.	Attenuvax	0006-4589-00	10 × 0.5	0.5 ml	\$18.84
<i>Meningococcal Conjugate Vaccine (MCV4):</i>					
sanofi pasteur	Menactra	49281-0589-01	each	0.5 ml	\$98.40
sanofi pasteur	Menactra	49281-0589-05	5 × 1	0.5 ml	\$98.40
<i>Meningococcal Polysaccharide Vaccine:</i>					
sanofi pasteur	Menomune-A/C/Y/W-135	49281-0489-01	each	0.05 mg	\$103.32
sanofi pasteur	Menomune-A/C/Y/W-135	49281-0489-05	5 × 1	0.05 mg	\$103.32
sanofi pasteur	Menomune-A/C/Y/W-135	49281-0489-91	10 × 1	0.5 ml	\$101.35
<i>Mumps Vaccine:</i>					
Merck & Co.	Mumpsvax	00006-4584-00	10 × 0.5	0.5 ml	\$24.39
<i>Rubella Vaccine:</i>					
Merck & Co.	Meruvax II	00006-4673-00	10 × 0.5	0.5 ml	\$20.99
<i>Hepatitis A Vaccine (HEP-A):</i>					
Merck & Co.	VAQTA Pediatric	00006-4831-00	0.5 ml	0.5 ml	\$38.56
Merck & Co.	VAQTA Pediatric	00006-4831-41	10 × 0.5	0.5 ml	\$36.44
Merck & Co.	VAQTA	00006-4841-00	0.5 ml	0.5 ml	\$76.21
Merck & Co.	VAQTA	00006-4841-41	10 × 0.5	0.5 ml	\$71.99
GlaxoSmithKline	Havrix Pediatric	58160-0837-01	each	0.5 ml	\$34.34
GlaxoSmithKline	Havrix Pediatric	58160-0837-46	5 × 1	0.5 ml	\$34.34
GlaxoSmithKline	Havrix Pediatric	58160-0837-11	10 × 1	0.5 ml	\$34.34
GlaxoSmithKline	Havrix	58160-0835-46	5 × 1	1 ml	\$67.03
GlaxoSmithKline	Havrix	58160-0835-11	10 × 1	1 ml	\$67.03
<i>Varicella Virus Vaccine:</i>					
Merck & Co.	Varivax	00006-4826-00	each	1350 pfu	\$89.35
Merck & Co.	Varivax	00006-4827-00	10 × 1	1350 pfu	\$85.18
<i>Shingles Vaccine</i>					
Merck & Co.	Zostavax	00006-4963-00	each	19400 pfu	\$183.00
Merck & Co.	Zostavax	00006-4963-41	10 × 1	19400 pfu	\$174.42
<i>Human Papilloma Virus Vaccine:</i>					
Merck & Co.	Gardasil (pre-filled)	00006-4109-31	each	0.5 ml	\$144.00
Merck & Co.	Gardasil	00006-4045-00	each	0.5 ml	\$144.00
Merck & Co.	Gardasil (pre-filled)	00006-4109-06	6 × 1	0.5 ml	\$144.00
Merck & Co.	Gardasil	00006-4045-41	10 × 1	0.5 ml	\$143.70
<i>Rotavirus Vaccine:</i>					
Merck & Co.	Rotateq	00006-4047-31	each	2 ml	\$80.55
Merck & Co.	Rotateq	00006-4047-41	10 × 1	2 ml	\$75.75
<i>Influenza Virus Vaccine:</i>					
Novartis	Fluvirin	66521-0109-01	10 × 1	0.5 ml	\$18.24
Novartis	Fluvirin	66521-0109-10	10 × 1	0.5 ml	\$14.81

<i>Product Name, Company</i>	<i>Brand/Product Name</i>	<i>NDC Number</i>	<i>Unit</i>	<i>Dose</i>	<i>AWP/ Dose*</i>
sanofi pasteur	Fluzone	49281-0006-10	10 × 1	0.5 ml	\$17.45
sanofi pasteur	Fluzone	49281-0006-50	10 × 1	0.5 ml	\$17.45
sanofi pasteur	Fluzone	49281-0378-15	10 × 1	0.5 ml	\$13.29
sanofi pasteur	Fluzone Pediatric	49281-0006-25	10 × 1	0.25 ml	\$17.45
GlaxoSmithKline	Fluarix	58160-0873-51	5 × 1	0.5 ml	\$15.75
MedImmune	Flumist	66019-0104-01	10 × 1	0.5 ml	\$22.29
<i>Hepatitis B Vaccine (HEP-B):</i>					
Merck & Co.	Recombivax HB	00006-4980-00	5mcg/0.5 ml	0.5 ml	\$30.29
Merck & Co.	Recombivax HB	00006-4981-00	10 × 0.5 ml	0.5 ml	\$28.82
Merck & Co.	Recombivax HB	00006-4995-00	10 mcg/ml	1.0 ml	\$74.44
Merck & Co.	Recombivax HB	00006-4995-41	10 × 1.0 ml	1.0 ml	\$73.68
Merck & Co.	Recombivax HB	00006-4992-00	40mcg/ml	1.0 ml	\$207.36
GlaxoSmithKline	Engerix-B Pediatric	58160-0856-11	10 mcg/0.5 ml (10 × 1)	0.5 ml	\$25.64
GlaxoSmithKline	Engerix-B Pediatric	58160-0856-35	10 mcg/0.5 ml (5 × 1)	0.5 ml	\$25.64
GlaxoSmithKline	Engerix-B Pediatric	58160-0856-46	10 mcg/0.5 ml (5 × 1)	0.5 ml	\$25.64
GlaxoSmithKline	Engerix-B syringe	58160-0857-46	20 mcg/ml (5x1)	1.0 ml	\$60.27
GlaxoSmithKline	Engerix-B syringe	58160-0857-11	20 mcg/ml (10 × 1)	1.0 ml	\$60.27
<i>Hepatitis B / HIB:</i>					
Merck & Co.	COMVAX	00006-4898-00	10 × 0.5 ml	0.5 ml	\$54.07
<i>Hepatitis A & Hepatitis B Vaccine:</i>					
GlaxoSmithKline	Twinrix	58160-0850-11	10 × 1.0	1.0 ml	\$94.75
GlaxoSmithKline	Twinrix	58160-0850-46	5 × 1.0	1.0 ml	\$95.07
<i>Pneumococcal Vaccine:</i>					
Wyeth Pharmaceuticals	Prevnar	00005-1970-67	5 × 1 (vial)	0.5 ml	\$82.95
Wyeth Pharmaceuticals	Prevnar	00005-1970-50	10 × 1 (syringe)	0.5 ml	\$88.29
Merck & Co.	Pneumovax 23	00006-4739-00	5 × 1	0.5 ml	\$28.45
Merck & Co.	Pneumovax 23	00006-4739-50	10 × 5	0.5 ml	\$31.93
Merck & Co.	Pneumovax 23	00006-4943-00	10 × 1	0.5 ml	\$31.93
<i>Measles, Mumps, Rubella, and Varicella Vaccine</i>					
Merck & Co.	ProQuad	00006-4999-00	10 × 0.5	0.5 ml	\$147.30
Merck & Co.	ProQuad	00006-4984-00	10 × 1	0.5 ml	\$140.53

* Indicates the Estimated Acquisition Cost as stated in the Department of Public Welfare, Office of Medical Assistance Programs, Medical Assistance Regulations at 55 Pa. Code § 1121.55 (relating to method of payment).

Persons with disability who require an alternative format of this notice (for example, large print, audiotape, Braille), should contact Alice Gray, Director, Department of Health, Division of Immunizations, Room 1026 Health and Welfare Building, Harrisburg, PA 17120 (717) 787-5681 or 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. 07-101. Filed for public inspection January 19, 2007, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Maximum Pennsylvania Workers' Compensation Payable

Based upon the Statewide Average Weekly Wage, as determined by the Department of Labor and Industry for the fiscal year ending June 30, 2006, the maximum compensation payable under sections 105.1 and 105.2 of the Workers' Compensation Act (77 P. S. §§ 25.1 and 25.2) shall be \$779 per week for injuries occurring on and after January 1, 2007. For purposes of calculating the update to payments for medical treatment rendered on and after January 1, 2007, the percentage increase in the Statewide Average Weekly Wage is 4.6%

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 07-102. Filed for public inspection January 19, 2007, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Design Approval

I, Allen D. Biehler, P. E., Secretary of Transportation for the Commonwealth of Pennsylvania, pursuant to Section 206 of the Administrative Code of 1929, Act of April 9, 1929, P. L. 177, as amended, 71 P. S. § 66, hereby authorize the Chief Engineer/Highway Administration for the Department of Transportation of the Commonwealth of Pennsylvania, on my behalf, to certify Design Approval and to make, and cause to be published in the *Pennsylvania Bulletin* written findings required by Section 2002(b) of the Administrative Code of 1929, 71 P. S. § 512(b).

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 07-103. Filed for public inspection January 19, 2007, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

First Energy Generation Corp. v. DEP; EHB Doc. No. 2006-289-L

First Energy Generation Corp. has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Shippingport Borough, Beaver County.

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

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by interested parties on request during normal business hours. If information concerning this notice is

required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

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

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 07-104. Filed for public inspection January 19, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

Humana Insurance Company Application for Approval of Revised Rates for Standardized Medicare Supplement Policy Forms PA-MESA, PA-MESB, PA-MESC, PA-MESF and PA-MESF (HD); Rate Filing

The Humana Insurance Company has filed for approval increased rates for its standardized Medicare supplement policy forms. The filing requests a rate increase of 28.7% for each policy form. These rate adjustments will affect approximately 3,345 insureds in this Commonwealth, and will generate approximately \$1.4 million in additional premium annually. The company requests that the revised rates take effect on March 1, 2007.

Unless formal administrative action is taken prior to April 4, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia and Pittsburgh.

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120; mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 07-105. Filed for public inspection January 19, 2007, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar

month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of Bulletin). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution #OR-06-278, Dated November 21, 2006. Approval to reorganize the Bureau of Workforce Development Partnership by moving the human resource and staff development training functions from the Division of Workforce Partnership to the Director's Office; and moving the financial, fiscal, budget and procurement functions from the Division of Workforce Partnership to the Division of Workforce Programs.

Resolution #OR-06-311, Dated November 28, 2006. Authorizes the reorganization of the Department of Conservation and Natural Resources by establishing the Deputy Secretary for Parks and Forestry; moving the Bureau of Facility Design and Construction from the Deputy Secretary for Conservation and Engineering Services to the proposed Deputy Secretary for Parks and Forestry; and renaming the Deputy Secretary for Conservation and Engineering Services to the Deputy Secretary for Conservation and Technical Services.

Governor's Office

Management Directive No. 220.1—Commonwealth Media Services, Amended December 11, 2006.

Management Directive No. 230.9—Acquisition and Payment of Travel Services, Amended December 18, 2006.

Management Directive No. 230.10—Travel and Subsistence Allowances, Amended December 18, 2006.

Management Directive No. 245.17—Commonwealth of Pennsylvania Public Safety Communications Council, Amended December 19, 2006.

Management Directive No. 315.1—Calculation and Payment of Statutory Salaries, Amended December 19, 2006.

Management Directive No. 505.2—Salary Complement Management System, Amended December 1, 2006.

Management Directive No. 520.5—Centralized Job Control System, Amended December 1, 2006.

Management Directive No. 530.29—Commuter Benefits Program, Dated December 19, 2006.

Administrative Circular No. 06-17—Live Christmas Trees and Decorations, Dated November 20, 2006.

MARY JANE PHELPS,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 07-106. Filed for public inspection January 19, 2007, 9:00 a.m.]

OFFICE OF ATTORNEY GENERAL

Lobbying Disclosure Regulations Committee; Public Meeting

The first meeting of the Lobbying Disclosure Regulations Committee established under the act of November 1, 2006 (P. L. 1213, No. 134) (Act 34) effective January 1, 2007, will be held on Tuesday, January 23, 2007, at 2:30 p.m. at the Office of Attorney General, 16th Floor, Strawberry Square, Harrisburg, PA, 17120.

Committee business will include swearing of committee members, consideration of regulations under Act 134 and the establishment of a meeting schedule. A period will be allotted for public comment. Visit www.attorneygeneral.gov for more information and to view a copy of the complete agenda.

THOMAS CORBETT,
Attorney General

[Pa.B. Doc. No. 07-107. Filed for public inspection January 19, 2007, 9:00 a.m.]

PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY

Board Meeting

A meeting of the Pennsylvania Energy Development Authority (PEDA) Board is scheduled for Wednesday, February 7, 2007, at 10 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda will be available prior to the meeting on the PEDA website at www.depweb.state.pa.us (DEP Keyword: PEDA). Questions concerning the agenda can be directed to Jeanne Dworetzky at (717) 783-8911 or jdworetzky@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Amanda Richards at (717) 772-8911 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,
Chairperson

[Pa.B. Doc. No. 07-108. Filed for public inspection January 19, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Implementation of 811 Abbreviated Dialing Access to the One-Call Notification System; Doc. No. M-00051921

Public Meeting held
December 7, 2006

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice Chairperson; Kim Pizzingrilli;
Terrance J. Fitzpatrick

Implementation Order

By the Commission

Before the Commission for consideration are the comments to our October 27, 2005 Interim Implementation Order concerning the implementation of 811 abbreviated dialing access to the One-Call underground utility facilities notification system in Pennsylvania. The Interim Implementation Order requested comments for deploying abbreviated dialing access to the Pennsylvania One-Call notification system (PA One-Call or One-Call) and established a 30-day comment period and a 10-day reply comment period.

In 1974, the Pennsylvania General Assembly established the One-Call system as a way to provide for public safety by helping to prevent damage to buried utilities. One-Call provides a single telephone number for contractors, developers or any other person covered by the enabling legislation to call to notify owners of underground utility lines and pipes of the caller's intent to use powered equipment for excavating, tunneling, demolition or similar work. *Underground Utility Line Protection Act*, Act 287 of 1974, as amended by Act 199 of 2004, 73 P. S. §§ 176, et seq.

The United States Department of Transportation (DOT), pursuant to the Transportation Equity Act for the 21st Century, *Transportation Equity Act for the 21st Century*, Pub. L. No. 105-178, § 6105, 112 Stat. 107 (1998)¹ (Pipeline Safety Improvement Act of 2002), established a national One-Call notification program. On December 17, 2002, President Bush signed the Pipeline Safety Improvement Act of 2002 into law. The Pipeline Safety Improvement Act of 2002, inter alia, is designed to strengthen the federal government's support for the One-Call programs and requires the DOT, in consultation with the Federal Communications Commission (FCC), to "provide for the establishment of a 3-digit nationwide toll-free telephone number system to be used by state One-Call notification system."²

On August 28, 2003, DOT filed a petition for rule-making at the FCC, requesting the assignment of a 3-digit toll-free telephone number to access One-Call centers throughout the country. On May 14, 2004, the FCC released a Notice of Proposed Rulemaking (NPR) seeking comment on various abbreviated dialing arrangements, including those considered and recommended by the North American Numbering Council (NANC), that could be used by state One-Call notification systems in compliance with the Pipeline Safety Act.

On March 14, 2005, the FCC issued *In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements Sixth Report and Order*, FCC 05-59, CC.

Docket No. 92-105 (*Sixth Report and Order*) that, inter alia, designated 811 as the national abbreviated dialing code to be used by state One-Call notification systems for providing advanced notice of excavation activities to underground facility operators in compliance with the federal Pipeline Safety Improvement Act of 2002.

On October 27, 2005, we issued our Interim Implementation Order requesting comments for developing an implementation plan for 811 abbreviated dialing access to the Pennsylvania One-Call notification system. Specifically, the Commission requested comments on the following issues in addition to any others commenters might consider pertinent: (1) guidelines for processes required to implement 811; (2) attributive methods for cost recovery, if necessary; (3) best method(s) of notification of the abbreviated dialing code to applicable businesses, industry and utilities (e.g., trade/industry publications in the utility and construction sectors) and for development of a public/consumer notification program (press releases, directory changes, bill inserts, etc.); (4) requirements regarding input to the local exchange routing guide (LERG); (5) the need for system testing and/or a trial period; and (6) protocols for addressing misdials.

The Commission received comments from Verizon Pennsylvania Inc. and Verizon North Inc. (filed jointly, hereinafter Verizon), the Pennsylvania Telephone Association (PTA), and Sprint Nextel Corporation (Sprint Nextel). After reviewing the comments, we made additional data requests and conducted follow-ups. Subsequently, on August 2, 2006, the Commission staff held a workshop with interested commenters and William Kiger, Executive Director of PA One-Call, for further dialogue on this matter.

Addressing separately the comments to each of the specific areas of Commission inquiry, we will resolve the specific issues within the context of each area of discussion.

1. *Guidelines for Processes to Implement 811*

In its comments, Sprint Nextel strongly recommended that the Commission select a single entity to serve as the One-Call Center for the entire state and establish one 800 point-to/translation number for the entire state to which carriers should direct 811 calls. Furthermore, Sprint Nextel suggested that to the extent the One-Call Center finds any geographic distinctions for its service are necessary, the One-Call Center should establish an interactive voice recording (IVR) unit to direct the calls. In addition, Sprint Nextel noted that the implementation could be managed similarly to other N11 services. Sprint Nextel proposed that each local exchange carrier would tariff an 811 service offering that lists the cost of establishing the service for each central office, and that the One-Call Center(s) would agree to order the 800 number and share the administration of the service, including the ordering of the 811 service and associated costs.

Verizon suggested that the Commission consider general guidelines and responsibility assignments associated with the 811 implementation order. First, that the PA One-Call Center would have to provide service providers with its 8YY toll-free number and purchase 811 service from every wireless and wireline service provider including incumbent local exchange carriers (ILECs), competitive local exchange carriers (CLECs), and public and private payphone providers. In addition, the PA One-Call

¹ Under this program, grants are made to states to establish or improve One-Call notification systems. Pipeline Safety Improvement Act of 2002, Pub. L. No. 107-355, § 6105(c), 116 Stat. 2985, 3008 (2002).

² *Id.*, § 17.

Center would invite all service providers to participate in an 811 service planning conference call or meeting to exchange pertinent general information. After the exchange, the service providers and PA One-Call each would assume respective responsibilities. Service provider responsibilities would include preparing or purchasing any switch software necessary to offer 811 service, developing and/or applying the contracts or tariffs needed to compensate for providing the service, participating in the PA One-Call Center implementation planning meeting or call, providing the One-Call Center with appropriate documents and other information for planning and ordering the 811 service, providing network test-ready and in-service ready dates to the One-Call Center to do testing, and completing all required service provisioning steps.

In addition, Verizon stated that PA One-Call responsibilities would be to order 811 service from all relevant service providers in Pennsylvania, to organize an 811 service planning conference call or meeting with all these service providers, to provide the toll-free number for use when service providers route 811 calls to the One-Call Center, and to timely complete all service-provider-required service provisioning steps.

The PTA noted that the conversion from the existing 800 number to 811 dialing is straight forward. Other than the programming of each rate center or host to translate an end-user's 811 call directly to a single toll-free number, PTA was not aware of any other processes. Therefore, the PTA did not recommend that the Commission establish guidelines for processes to implement 811.

Pennsylvania has only one One-Call center for the entire Commonwealth. Based on the comments, responses to data requests, and input from participants at a workshop, the Commission notes that the translation process to implement 811 is straight forward in nature. Furthermore, several carriers already have implemented or are implementing 811. Thus, the Commission will not establish guidelines for processes to implement 811. In order to ensure that telecommunications carriers modify their equipment to route 811 dialed calls to the PA One Call Center, the carriers should be afforded until February 16, 2007 for equipment modifications and that the testing period continue until the cutover dates identified for April to meet the federal deadline. Therefore, the Commission will establish the following timeline for the implementation of 811:

- February 16—April 1, 2007—811 translation equipment modifications and 811 access testing period.
- April 1, 2007, but no later than April 13, 2007—811 public access cutover date.
- All communications carriers, except interexchange providers, as well as electric, gas, water, wastewater and pipeline utilities providing service in the Commonwealth, shall include a bill message in all customer bills during the month of April 2007.

If any telecommunications carrier is unable to meet this timeline, they are to advise the Commission, at this docket, as soon as possible so that 811 can continue to be implemented by April 13, 2007 as required by federal law.

Further, establishing a February implementation date should in no way compromise carriers' efforts to begin to take the necessary steps now to implement 811 as an abbreviated dialing code to reach PA One Call. In fact, the Commission encourages carriers from the entry date of this Order to begin the process of implementing 811

since several wireless and wireline carriers have already successfully completed the implementation process.

PA One-Call has reassured the Commission that the existing toll-free number will remain operative for a reasonable period of time after the 811 implementation. When PA One-Call decides to discontinue use of that number the Commission expects PA One-Call to activate a method of service that would include a referral message informing the caller to dial 811.

2. *Attributive Methods for Cost Recovery*

In its comments, Verizon noted that the service provider could recover the nonrecurring and recurring service provisioning costs from the One-Call Center at contract or tariff prices. Regarding the One-Call Center's recovery of its costs to obtain 811 service, the present arrangement would continue. That arrangement provides that the Commonwealth's underground utility providers fund all operating costs of the One-Call Center.

Sprint Nextel's comments noted that the costs associated with the 811 implementation should be passed to the state One-Call administrator, who in turn can pass the costs on to the companies funding the One-Call center. Sprint Nextel contended that this would allow for a fair distribution of the implementation costs and the telecommunications industry would pay an appropriate share of the costs to implement 811 service. In addition, Sprint Nextel noted that a single One-Call center for the entire state would be less costly to implement than multiple One-Call centers with multiple point-to/translation numbers.

PTA noted in its comments that the current 800 number service is paid by the One-Call system, which is in turn paid by all member utilities across Pennsylvania. PTA stated that continuing that process would permit the fair distribution of the costs to those entities that fund the One-Call Center without placing the total burden on the telecommunications industry. In addition, PTA noted that those companies that have a tariff in effect for N11 translations could simply amend their current tariff to include 811 and applicable charges, which for the most part, would be the implementation of a non-recurring fee for number translation. Companies that do not have tariff language for N11 services would have to make tariff filings on one day's notice to introduce language for all available N11 services, including 811 service, similar to those used by the currently tarified companies.

The Commission will allow for cost recovery via individual contracts between the companies and PA One-Call that are negotiated on a case-by-case basis. This approach more appropriately allocates cost to the most direct beneficiaries of the underground utility location program. In compliance with the Public Utility Code, jurisdictional utilities that are charging or receiving compensation for any service shall submit a tariff filing indicating that this matter will be addressed via an individual contract basis. See, 66 Pa.C.S. §§ 102, 1301, and 1302.

3. *Best Methods of Notification*

Verizon's comments argued that the notification of 811 dialing availability is best left to PA One-Call, which already has well-established advertising, publicity and other distribution channels for getting out its message.

Sprint Nextel, in its comments, recommended that the Commission consider using the local service telephone directory as a method of notifying businesses, industry, utilities and the public.

PTA argued in its comments that the best method of notification would be to continue the current methods used by the One-Call system and that any additional decisions relative to notification should be made by the affected utilities. PTA suggested that the Commission might wish to expand the scope of this proceeding to include other utility industries and One-Call supporters.

The Commission finds that the notification of the public of the 811 abbreviated dialing code should be a joint effort among the Commission, affected utilities and PA One-Call. A joint effort would be the most efficient approach to educating the public and assures the broadest possible dissemination of information regarding this new N11 that is important to public safety. Therefore, all communication providers, except interexchange carriers, as well as all electric, gas, water, wastewater and pipeline utilities providing service in the Commonwealth shall include a one-time bill message during the month of April 2007 regarding 811 dialing. In addition, telecommunications carriers shall include information about 811 in their directories along with all the other N11 information.

In order to accomplish comprehensive education about 811, our Office of Communications will work closely with the PA One Call system and utilities to ensure that all Pennsylvanians are aware of how to reach the Commonwealth's One Call system. First, the Office of Communications is directed to prepare bill message language to provide guidance to all utilities so that its customers are aware that the One Call system can be reached by the abbreviated dialing code. Also, the Office of Communications is directed to provide the bill message to all affected utilities.

Second, the Office of Communications should assist in educating the public by coordinating with PA One Call, other Commission Bureaus, and the utility industry on facilitating and advising on matters related to 811 outreach. The Commission's Office of Communications has extensive public outreach and media outreach resources that we can harness for this effort.

Furthermore, the Bureau of Transportation & Safety and the Office of Communications are encouraged to use any unspent federal grant monies available to educate Pennsylvanians about the necessity to dial 811 before they dig. In addition, they should pursue future grant opportunities to continue consumer education on dialing 811 to reach the PA One Call system.

4. Requirements to the Local Exchange Routing Guide (LERG)

Verizon's comments noted that N11 codes are already in Telcordia's LERG, so no additional LERG inputting will be required for 811 implementation in Pennsylvania.

Sprint Nextel did not offer comments on this issue at this time but reserved the right to provide a response in any reply comments.

PTA's comments noted that it is not aware of any changes that are required in the LERG and made no recommendation regarding the LERG.

The Commission finds that no requirements regarding the LERG are required at this time.

5. Need for System Testing and/or Trial Period

Verizon proposed that service providers establish system testing based on dates agreed-upon by the service providers and the PA One-Call. Furthermore, Verizon averred that adequate testing prior to the in-service ready date obviates any need for a trial period.

Sprint Nextel's comments suggested that testing is an important step in the implementation process. In addition, some N11 assignees establish a 30 to 60-day trial period. The trial period allows the assignee the time to test its systems and ensure a positive customer experience.

PTA noted that the translations for N11s are fairly simple and the PTA companies do not anticipate the need for system testing and/or a trial period beyond those included in the companies' standard business practices.

As stated above, the Commission finds the carriers should be afforded until February 16, 2007 for equipment modifications and that the testing period continue until the cutover dates identified for April to meet the federal deadline. In fact, as stated previously, the Commission encourages carriers from the entry date of this Order to begin the process of implementing 811 since several wireless and wireline carriers have already successfully completed the implementation process.

6. Misdials

Verizon's comments proposed that a misdialed call should be routed to a vacant code announcement. In addition, if the end-user customer attempted to reach PA One-Call through a 10XXX³ access dialing code, the caller should be routed to a 10XXX Dialed in Error Announcement. If the customer misdials another N11, the customer generally recognizes the mistake, hangs up and redials.

Sprint Nextel, in its comments, suggested that the misdialed calls should be resolved by the PA One-Call. Sprint Nextel recommended that the PA One-Call implement a method to direct misdialed calls to their appropriate destination, such as an Interactive Voice Recording.

PTA's comments noted that when a customer misdials, the customer normally realizes the error and redials. In addition, PTA suggested that it is the customer's responsibility to correctly dial the required digits.

Based on the comments, the Commission will not mandate any particular action regarding misdials since a customer generally recognizes the mistake, hangs up and redials.

Accordingly, based on review of the comments and review of the submitted documents, the Commission directs, inter alia, that all local exchange and other telecommunications carriers with switching capability, including payphone providers, modify their equipment so as to allow abbreviated 811 dialing to PA One-Call in accordance with this Implementation Order; *Therefore,*

It Is Ordered:

1. That this Implementation Order be published in the *Pennsylvania Bulletin*.

2. That all local exchange carriers and other telecommunications carriers with switching capability, including payphone providers, modify their equipment to translate calls dialed as 811 to the assigned toll-free number in order to route 811 dialed calls to PA One-Call in accordance with the schedule in Ordering Paragraph No. 3, below.

3. That local exchange carriers and other telecommunications carriers with switching capability, including payphone providers, adhere to the following schedule for implementation of state-wide 811 dialing:

³ 10XXX is the original access code dialed in North America to reach a carrier that a caller does not have equal access to. On July 1, 1998, the 10XXX access code was changed to 101XXX. Using 101XXX allows the caller to dial a different long distance carrier than the one the caller subscribes to, either to save money or to use another carrier because the pre-selected carrier is having problems with its network. *Newton's Telecom Dictionary*, 20th Edition, Harry Newton, (2004).

February 16—
April 1, 2007

811 translation equipment modifications and 811 access testing period

April 1, 2007, but no
later than April 13, 2007

811 public access cutover date

3. That if any telecommunications carrier is unable to meet this timeline, they are to advise the Commission at this docket as soon as possible so that 811 can be implemented by April 13, 2007.

4. That the Office of Communications in collaboration with other Commission Bureaus and utilities prepare the appropriate bill message for use by all utilities so that customers are aware that PA's One Call system can be reached by the abbreviated dialing code 811.

5. That all communications providers, except inter-exchange providers, as well as electric, gas, water, wastewater and pipeline utilities, include a bill message in all customer bills during the month of April 2007.

6. That telecommunications carriers shall include information about 811 in their directories along with all the other N11 information.

7. That the Office of Communications works with PA One Call to facilitate the incorporation of messages related to 811 in other existing outreach initiatives.

8. That the Office of Communications and the Bureau of Transportation and Safety use available grant monies to educate Pennsylvanians about 811 and pursue future grant opportunities for this same purpose.

9. That a copy of this Implementation Order be served on all incumbent local exchange carriers and competitive local exchange carriers operating in the Commonwealth, the Pennsylvania Telephone Association, the Central Atlantic Payphone Association, the Association for Local Telecommunications Services, PA One-Call, the Cellular Telecommunications Industry Association, the Office of Consumer Advocate and the Office of Small Business Advocate.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-109. Filed for public inspection January 19, 2007, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 12, 2007. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-00123369. Gold Seed, Inc. (7 Atkinson Lane, Newtown, Bucks County, PA 18940)—a corporation of Pennsylvania—persons in limousine service, from points in the Counties of Bucks, Montgomery, Delaware, and Chester, to points in Pennsylvania, and return.

Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.*

A-00123351, F.2 903 Rentals, Inc. (1358 State Route 903, Jim Thorpe, Carbon County, PA 18229), a corporation of the Commonwealth—additional right—persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, in the County of Carbon, to points in Pennsylvania, and return.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.*

A-00122443 (Corrected), John C. Delauter, t/d/b/a Delauter's A-1 Services (338 Newcomer Road, Windsor, York County, PA 17366)—household goods in use, between points in the County of York, and from points in the said county, to points in the Counties of Lancaster, Dauphin, Cumberland and Adams, and vice versa. (This application was originally published March 11, 2006, as Delauter's A-1 Services, Inc.)

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Paul D. Eiler; Doc. No. A-00119242C0601

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to Paul D. Eiler, respondent, is under suspension effective October 26, 2006 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at Paul D. Eiler, P. O. Box 212, Rehrersburg, PA 19550-0212.

3. That respondent was issued a certificate of public convenience by this Commission on September 24, 2002 at Application Docket No. A-00119242.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c) and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within 20 days of the date of service of this complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00119242 for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of
Enforcement Motor Carrier
Services and Enforcement
Division Bureau of
Transportation and Safety

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial cover letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Under 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate.

Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the

Compliance Office, Bureau of Transportation
and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Upon receipt of the evidence of insurance from your insurer, the Complaint proceeding shall be closed. Acord Certificates of Insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

D. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-110. Filed for public inspection January 19, 2007, 9:00 a.m.]

Telecommunications

A-311204F7002. United Telephone Company of Pennsylvania d/b/a Embarq and Granite Telecommunications, LLC. Joint petition of United Telephone Company of Pennsylvania d/b/a Embarq and Granite Telecommunications, LLC for approval of amendment no. 2 to the master interconnection, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Embarq and Granite Telecommunications, LLC, by its counsel, filed on January 4, 2007, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 2 to the master interconnection, collocation and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the

United Telephone Company of Pennsylvania d/b/a Embarq and Granite Telecommunications, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-111. Filed for public inspection January 19, 2007, 9:00 a.m.]

Telecommunications Service

A-311432F0002AMA. Cost Plus Communications, LLC. Application of Cost Plus Communications, LLC, for approval to offer, render, furnish or supply telecommunications services as a facilities-based reseller and UNE-P competitive local exchange carrier to the public in the service territory of The United Telephone Company of Pennsylvania, t/a Embarq Pennsylvania.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before February 5, 2007. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Cost Plus Communications, LLC

Through and By Counsel: Patrick D. Crocker, Esquire, Early, Lennon, Crocker & Bartosiewicz, PLC, 900 Comerica Building, Kalamazoo, Michigan 49007-4752

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-112. Filed for public inspection January 19, 2007, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.


Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:
 The payment date specified in the contract.
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department:	General Services	③ Contract Information
Location:	Harrisburg, Pa.	④ Department
Duration:	12/1/93-12/30/93	⑤ Location
Contact:	Procurement Division 787-0000	⑥ Duration

⑦ (For Commodities: Contact: Vendor Services Section
717-787-2199 or 717-787-4705)

REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

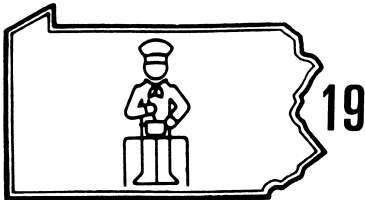
DO BUSINESS WITH STATE AGENCIES

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. The bureau is, by law, the central repository for all state contracts over \$5,000. Contract Specialists can supply you with descriptions of contracts, names of previous bidders, pricing breakdowns and other information. They can also direct you to the appropriate person and agency looking for your product or service. Copies of state contracts are also available. (Duplicating and mailing costs may apply). For more information, visit us online at www.patreaury.org.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania Treasury Department
 201 Finance Building
 Harrisburg, PA 17120
 Phone: (717) 787-2990 or 1-800-252-4700
 Fax: (717) 772-0977

ANTHONY E. WAGNER,
Acting Treasurer
 Deputy State Treasurer for Investments and Programs

SERVICES



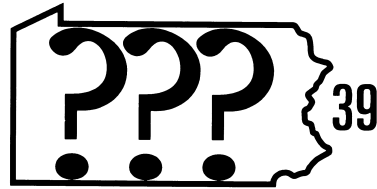
Food

CN00024437 Milk, 2% 1/2 Pints, Milk: Bulk 2%, American Cheese, Mozzarella Cheese & Cottage Cheese.

Department: Corrections
Location: State Correctional Institution Fayette, 50 Overlook Drive, Labelle, PA 15450
Duration: 2/1/07—2/28/07
Contact: Melissa Walker, Purchasing Agent, 724-364-2200 ext. 1030

CN00024444 Contractor will be responsible to provide food services for the Youth Forestry Camp #2, White Haven, PA.

Department: Public Welfare
Location: Youth Forestry Camp #2, R.D.#1, Box 82, Hickory Run State Park, White Haven, PA
Duration: April 1, 2007—December 31, 2009
Contact: Nikki Koser, Purchasing Agent, (717) 789-5508



Miscellaneous

01052007 To provide the services of analytical testing of asbestos samples, industrial waste water, drinking water, lead paint, and other hazardous materials on an as needed basis. To obtain a copy of the bid proposal contact the purchasing department at 610-740-3425.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498
Duration: 7/1/2007 to 6/30/2011
Contact: Robert Mitchell, 610-740-3425

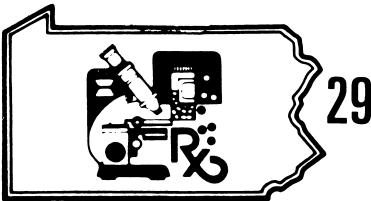
06-0008 Thaddeus Stevens College of Technology will be soliciting bids for a 4-axis Milling Machine. Please email person noted below with your mailing address to receive specifications when they become available.

Department: State
Location: 750 East King Street, Lancaster, PA 17602
Contact: Nancy Froeschle, 717 299-7787

06-0009 Thaddeus Stevens College will be soliciting bids to purchase a Designjet 4500 Scanner. Please email your mailing address if you are interested in receiving a bid package.

Department: State
Location: 750 East King Street, Lancaster, PA 17602
Contact: Nancy Froeschle, 717 299-7787

[Pa.B. Doc. No. 07-113. Filed for public inspection January 19, 2007, 9:00 a.m.]



Medical Services

001052007-1 To provide the services of a Spanish speaking clinician, with a background in social work, on an as needed bases. To be available at treatment meetings, commitment hearing and therapy sessions. Information on this bid can be obtained by contacting the purchasing department at 610-740-3425 or fax at 610-740-3424.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498
Duration: 7/1/2007 to 6/30/2011
Contact: Robert Mitchell, 610-740-3425

DESCRIPTION OF LEGEND

- | | |
|--|---|
| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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JAMES P. CREEDON,
Secretary

