

# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 8, 2003.

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
<i>Note:</i>	Effective 7-1-03, Huntingdon Valley Bank, Huntingdon Valley, converted from a Federally-chartered mutual savings association to a State-chartered mutual savings bank. The following branch offices were acquired from this conversion:		
	2188 York Road Jamison Bucks County	1990 County Line Road Huntingdon Valley Montgomery County	
	Easton Road (Route 611) and Street Road Warrington Bucks County		

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-3-03	The Legacy Bank Harrisburg Dauphin County	Harrisburg	Approved
	Purchase of assets/assumption of liabilities of four branch offices of Leesport Bank, Wyomissing, located at:		
	101 North Main Street Shenandoah Schuylkill County	140 Can-Do Expressway Hazleton Luzerne County	
	Route 309 Drums Luzerne County	1 West Broad Street Hazleton Luzerne County (Drive-Up Facility)	

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-30-03	Leesport Bank Wyomissing Berks County	4361 Perkiomen Ave. Reading Berks County	Opened
7-1-03	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	12360 Academy Road Philadelphia Philadelphia County	Filed

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

#### Branch Relocations

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
7-1-03	Incol Credit Union Old Forge Lackawanna County	To: 320 S. Pennsylvania Blvd., Ste. 364 Wilkes-Barre Luzerne County	Opened

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
		<i>From:</i> New Bridge Center 480 Pierce Street Suites 120-121 Kingston Luzerne County	

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 03-1410. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August 2003

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of August 2003 is 6 1/2%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 3.83 to which was added 2.50 percentage points for a total of 6.33 that by law is rounded off to the nearest quarter at 6 1/2%.

A. WILLIAM SCHENCK, III,  
*Secretary*

[Pa.B. Doc. No. 03-1411. Filed for public inspection July 18, 2003, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Retention of an Engineering Firm

#### Project Reference No. FDC-500-208

The Department of Conservation and Natural Resources (Department) will retain an engineering firm for an open-end contract for various engineering, inspection and related environmental and geological services on various bridge projects on State park and State forest lands in this Commonwealth. The contract will be for a 12-month period with four 12-month extensions possible. Projects will be assigned on an as-needed basis.

Letters of interest for this project will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of engineering. If an individual, firm or corporation not authorized to engage in the practice of engineering wishes to submit a letter of interest, the individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

The services may encompass a wide range of structural design efforts with the possibility of several different types of projects being designed under short completion schedules. The anticipated types of projects may include, but are not limited to, bridge replacements (single and multispan), bridge rehabilitation, bridge approach work, minor location studies and CADD services.

Areas of related environmental study associated with bridge design projects may include, but are not limited to, wetlands, soil, geology, DER Chapter 105 and Corps of Engineers 404 permits. The environmental studies will be conducted in accordance with accepted analysis techniques and methodologies.

The selected firm may be required to perform any or all of the following to ensure that a complete environmental investigation has been performed: provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data, access impacts, prepare reports and design mitigation plans. The reports and other graphic material to be prepared may include, but are not limited to, plans of study, meeting minutes, preparation of permit application documents, mitigation plans and reports and wetland and floodplain findings.

The engineering firm may be required to perform any or all of the following duties: attend site visits; prepare minutes; perform necessary field surveys; plot topography and cross sections; develop erosion control plans; prepare type, size and location reports; prepare construction drawings, specifications and estimates; procure core borings; provide soil and foundation engineering reports; investigate utility involvement; evaluate alternatives using benefit/cost analysis; develop other details and narratives; perform NBIS bridge inspections; inspect major and unusual structures; develop rehabilitation strategies; conduct quality assurance and quality control reviews of other NBIS bridge inspections; provide independent design reviews of trail bridges and other structures when required; and review shop drawings, catalog cuts and occasional attendance at job conferences may be required.

The number of open-end contracts and the dollar amount of each contract shall be at the discretion of the Department for the first year. The extent of the work for the subsequent 4 years of the contract will be dependent on the availability of additional funds and additional projects for those years, also at the discretion of the Department.

The services shall include, but not be limited to, a preliminary meeting in the Bureau of Facility Design and Construction, 8th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The contract shall be based on the hours of service and qualifying expenses not exceeding the contract amount. The design work will be reviewed by the engineering staff of the Bureau of Facility Design and Construction and, when acceptable, approved by the same staff.

*Information Concerning Socially and Economically Restricted Businesses (SERBs)*

SERBs are small businesses whose economic growth and development have been restricted based on social and economic bias. These small businesses are Bureau of Contract Administration and Business Development (BCABD) certified minority and women-owned businesses, other disadvantaged businesses and businesses whose development has been impeded because their primary or headquarters facilities are physically located in areas designated by the Commonwealth as being designated enterprise zones. A small business will not be considered socially/economically restricted if it has gross annual revenues of \$8 million (\$18 million for those businesses in the information technology sales or services business) or more, is dominant in its field of operation or employs more than 100 persons.

A company and its affiliates have achieved success and are graduated from this State-sponsored program when its gross annual revenues are \$8 million (\$18 million for those businesses in the information technology sales or service business) or more. Other small business in which an owner of the graduated firm has a financial interest or control over, either directly or through family members, will not qualify for SERB status. Control is defined as the power, whether or not exercised, to direct or cause the direction of the management and policies of a firm, whether through the ownership of voting shares, by contract or otherwise, or through the making of day-to-day as well as major decisions in matters of policy, management and operations. A determination of control shall include, but not be limited to, the following factors: capital investment and all other financial, property, acquisition, contract negotiation and legal matters; officer-director-employee selection and comprehensive hiring, operating responsibility, cost-control matters and income and dividend matters; financial transactions; and rights of other shareholders or joint partners.

Contractors and others seeking to identify businesses for joint venture and subcontracting opportunities are encouraged to contact the Department of General Services, Bureau of Contract Administration and Business Development, Room 613, North Office Building, Harrisburg, PA 17125, (717) 787-6708, fax: (717) 772-0021, [gs-cabdinternet@state.pa.us](mailto:gs-cabdinternet@state.pa.us), [www.dgs.state.pa.us](http://www.dgs.state.pa.us) (DGS Keyword: BCABD).

*SERB Information*

To receive credit for being a SERB, entering into a joint venture agreement with a SERB or subcontracting to a SERB (including purchasing supplies and/or services through a purchase agreement), a company must include proof of SERB qualification in the SERB portion of the proposal:

1. SERBs qualifying as a result of MBE/WBE certification from the BCABD must provide their BCABD certification number or a photocopy of their BCABD certificate.
2. SERBs qualifying as a result of having their headquarters in a designated enterprise zone must provide

proof of status, including proof of the location of their headquarters (such as a lease or deed) and confirmation of the enterprise zone in which they are located (obtained from their local enterprise zone office). More information on the locations of enterprise zones can be obtained by calling the Department of Community and Economic Development (DCED), (717) 720-7409, fax: (717) 787-4088, [akartorie@state.pa.us](mailto:akartorie@state.pa.us).

3. SERBs qualifying as disadvantaged businesses certified by the Small Business Administration must submit proof of Small Business Administration certification.

4. Companies claiming SERB status, whether as a result of BCABD certification, Small Business Administration certification as a disadvantaged business or the location of their headquarters in an enterprise zone, must submit proof that their gross annual revenues are less than \$8 million (\$18 million for those businesses in the information technology sales or services business). This can be accomplished by including a recent tax or audited financial statement.

In addition to these verifications, the SERB portion of the proposal should include the following information:

1. The name and telephone number of the project (contact) person for the SERB.
2. The company name, address and telephone number of the prime contact person for each specific SERB business included in the proposal. The SERB business to which commitments are made must be specified. Credit will not be received by stating that a SERB will be found after the contract is awarded or by listing several companies and stating one will be selected later.
3. The specific work, goods or services the SERB will perform or provide.
4. The location where the SERB will perform these services.
5. The timeframe for the SERB to provide or deliver the goods or services.
6. The amount of capital, if any, the SERB will be expected to provide.
7. The form and amount of compensation the SERB will receive. In the SERB information portion of the proposal, provide the estimated dollar value of the contract to the SERB.
8. The percent of the total value of services or products purchased/subcontracted under the proposal that will be provided by the SERB.

9. In the case of a joint venture agreement, a copy of the agreement, signed by all parties, must be included in the SERB portion of the proposal. If subcontracting, a signed subcontract or letter of intent must be included in the SERB portion of the proposal.

The SERB portion of the proposal must be identified as SERB information and bound and sealed separately from the remainder of the proposal. Only one copy of the SERB section is needed.

The dollar value ratio designated for SERB commitment should be placed in a separate sealed envelope and stapled to the SERB section of the proposal or included in the bound and sealed envelope.

The selected contractor's SERB commitment amount, name of SERB and services to be provided including timeframe for performing services will be included as a contractual obligation when the contract is executed.

*SERB Participation*

The following options will be considered as part of the final criteria for selection:

Priority Rank 1—proposals submitted by SERBs.

Priority Rank 2—proposals submitted from a joint venture with a Commonwealth-approved SERB as a joint venture partner.

Priority Rank 3—proposals submitted with subcontracting commitments to SERBs.

Each proposal will be rated for its approach to enhancing the utilization of SERBs. Each approach will be evaluated, with option number one receiving the greatest value and the succeeding options receiving values in accordance with the previously listed priority ranking.

*SERB Contract Requirements*

Contracts containing SERB participation must also include a provision requiring the contractor to meet and maintain those commitments made to SERBs at the time of proposal submittal or contract negotiation, unless a change in the commitment is approved by the contracting Commonwealth agency upon recommendation by the BCABD. Contracts containing SERB participation must include a provision requiring SERB contractors and SERBs in a joint venture to incur at least 50% of the cost of the subcontract or SERB portion of the joint venture, not including materials.

Commitments to SERBs made at the time of proposal submittal or contract negotiation must be maintained throughout the term of the contract. Proposed changes must be submitted to the BCABD, which will make a recommendation as to a course of action to the contracting officer.

If a contract is assigned to another contractor, the new contractor must maintain the SERB participation of the original contract.

The contractor shall complete the Prime Contractor's Quarterly Utilization Report (or similar type document containing the same information) and submit it to the contracting officer of the agency that awarded the contract and the BCABD within 10 workdays at the end of each quarter the contract is in force. If there was no activity, the form must also be completed, stating "No activity in this quarter." This information will be used to determine the actual dollar amount paid to SERB subcontractors, suppliers and joint ventures. Also, it is a record of fulfillment of the commitment the firm made and for which it received SERB points.

Equal employment opportunity and contract compliance statements referring to company equal employment opportunity policies or past contract compliance practices do not constitute proof of SERB status or entitle a proposer to receive credit for SERB utilization.

*General Requirements and Information*

Firms interested in performing the required services for this project are invited to submit letters of interest to Eugene J. Comoss, P. E., Director, Bureau of Facility Design and Construction, Rachel Carson State Office Building, 8th Floor, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451. Contact Jim Eppley at (717) 783-3333 for general information concerning the design work.

Each letter of interest must include the firm's Federal identification number and the project reference number.

The letter of interest shall also include a description of the firm's three most recently completed projects similar to the project being proposed. The description shall include the client, contact person and phone number, the estimated or actual construction cost of the portion of the work which the firm designed, the project manager and the names of all personnel who made major contributions to the project.

A standard current revised 1996 DGS Form 150-S must accompany the letter of interest and shall indicate the individual in charge. A standard current revised 1996 DGS Form 150 must also accompany the letter of interest. Additional information pertinent to the firm's qualifications to do the work of this contract may be included.

*General Requirements*

Direct costs other than payroll, such as travel and subsistence, shall be based on the current State rates. Miscellaneous expenses such as copies, prints, sepias, postage and film shall be reimbursed at cost upon approval by the Department.

The following factors will be considered during the evaluation of the firm's letter of interest:

Criteria evaluated by the technical review will include:

1. Professional's understanding of the problem as demonstrated in the letter of interest and as stated in their own interpretation of the tasks to be performed.
2. Qualifications of firm.
3. Professional personnel in firm.
4. Soundness of approach as demonstrated in letter of interest and as stated in their own interpretation of the tasks to be performed.
5. Available manpower to perform the services required.
6. SERB participation (evaluated by the Department of General Services).
7. Equitable distribution of the contracts.

Each proposer shall relate the proposal to the previous criteria.

One copy of the SERB section bound and sealed separately from the remainder of the proposal and six copies of the complete set consisting of the letter of interest and the required forms must be received by 4 p.m. on August 29, 2003. The six copies shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment and services will be made to one of the firms responding to this notice. However, the Department reserves the right to reject all letters of interest submitted, cancel the solicitation requested under this notice and/or readvertise solicitation for this service.

The Department will not offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever to its review of the proposal submitted and in formulating a recommendation for selections. Recommendations made by the Department shall be final.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 03-1412. Filed for public inspection July 18, 2003, 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 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 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 listed 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 at 40 CFR 123.24(d).

Persons wishing to comment on an NPDES application are invited to submit a statement to the contact office noted before the 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 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 and 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 any public hearings are 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

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0084778	Granville Township Sewer and Water 100 Helen Street Lewistown, PA 17044	Mifflin County Oliver Township	Strodes Run 12A	Y

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0028975	Womelsdorf Sewer Authority 101 West High Street Womelsdorf, PA 19567	Berks County Heidelberg Township	Tulpehocken Creek 3C	Y
PA0080331	Ephrata Area Joint Authority 124 S. State Street Ephrata, PA 17522-2411	Lancaster County Ephrata Borough	UNT Cocalico Creek 7J	Y

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

<i>NPDES Permit No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0222348	Thomas L. Holden 40 Spicer Road Sheffield, PA 16347	Sheffield Township Warren County	Unnamed tributary to South Branch Tionesta Creek	Y
PA0040967	Kinzua Ltd.—Wolf Run Marina Route 59 P. O. Box 825 Warren, PA 16365	Mead Township Warren County	Allegheny River Reservoir	Y
PA0033073	Department of Transportation Rest Area No. 26 Bureau of Design P. O. Box 3060 Harrisburg, PA 17105-3060	Washington Township Jefferson County	Fivemile Run	Y
PA0103331	Jackson Center Borough P. O. Box 38 Jackson Center, PA 16133	Jackson Center Mercer County	Yellow Creek	Y

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

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

**PA0247189**, CAFO, **Hostetter Management Company, LLC (Willow Hill Breeding Farm)**, 120 Lake Street, P. O. Box 526, Ephrata, PA 17522. Hostetter Management has submitted an application for an Individual NPDES permit for an expanding CAFO known as Willow Hill Breeding Farm in Metal Township, **Franklin County**.

The CAFO is situated near West Branch Conococheague Creek in Watershed 13-C (WWF). The CAFO is designed to maintain an animal population of approximately 1,448.5 AEU's consisting of 2,464 gestating sows, 336 sows with litter, 3,878 nursery pigs, 920 gilt growers, 160 replacement gilts and 4 boars. The animals will be housed in standard swine barns. Manure will be stored under the barn and in two HDPE-lined lagoons. The total capacity of the manure storage facilities will be 1.9 million gallons. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate Pennsylvania Technical Guide Standards. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

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

**PA0026743**, Sewage, **City of Lancaster**, 120 North Duke Street, Lancaster, PA 17608. This facility is in Lancaster City, **Lancaster County**.

Description of activity: Amendment of an NPDES permit for an existing discharge of treated sewage.

The receiving stream, Conestoga River, is in Watershed 7-J and classified for WWF, water supply recreation and fish consumption. The nearest downstream public water supply intake for Holtwood Power Plant is on the Susquehanna River, approximately 22 miles downstream. The discharge is not expected to affect the water supply.

The amendment is to include required stormwater language to comply with Phase II of the NPDES Stormwater Program for Industrial Activity.

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

The EPA waiver is not in effect.

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

**PA0032247**, Sewage, **Department of Conservation and Natural Resources—Bureau of State Parks**, 1454 Laurel Hill Park Road, Somerset, PA 15501-5629. This application is for renewal of an NPDES permit to discharge treated sewage from Laurel Hill State Park STP in Middle Creek Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Laurel Hill Creek, which are classified as a HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ohiopyle State Park MWA on the Youghiogheny River.

*Outfall 001*: existing discharge, design flow of .190 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	15			30
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.0			3.3
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0215848**, Sewage, **J. G. Foodmart, James Gnagey**, R. D. 1, Box 620-G, Uniontown, PA 15401. This application is for renewal of an NPDES permit to discharge treated sewage from J. G. Foodmart Sewage Treatment Plant in North Union Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as drainage swale to unnamed tributary of Redstone Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Newell Municipal Authority on the Monongahela River, approximately 21 miles downstream of the discharge.

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3			6
(11-1 to 4-30)	9			18
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			
	3.3			
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0217883**, Sewage, **Encotech Incorporated**, P. O. Box 305, Eighty Four, PA 15330. This application is for renewal of an NPDES permit to discharge treated sewage from Encotech STP in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as drainage swale tributary to Little Chartiers Creek, which are classified as a HQ-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 Water Authority on the Ohio River.

*Outfall 001:* existing discharge, design flow of 0.0003 mgd.

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

The EPA waiver is in effect.

**PA0252484**, Sewage, **Controlled Environment Horticulture, Inc.**, 2639 Big Sewickley Creek Road, Sewickley, PA 15143. This application is for issuance of an NPDES permit to discharge treated sewage from Controlled Environment Horticulture STP in Franklin Park Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as East Branch Big Sewickley Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the ARCO Chemical Company, BV Plant on the Ohio River.

*Outfall 001:* new discharge, design flow of 0.0012 mgd.

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

The EPA waiver is in effect.

\* This parameter shall only be effective if chlorine is used for disinfection.

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

**PA0020605**, Sewage, **Union City Borough Municipal Authority**, 12 South Main Street, Union City, PA 16438. This proposed facility is in Union Township, **Erie County**.

Description of Proposed Activity: Existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Cambridge Springs Borough intake on French Creek at Cambridge Springs, approximately 24 miles below point of discharge.

The receiving stream, South Branch of French Creek, is in watershed 16-A and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 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	XX				
CBOD <sub>5</sub>	292	467	25	40	50

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Total Suspended Solids	350	525	30	45	60
NH <sub>3</sub> -N					
(5-1 to 10-31)	52.5		4.5		9.0
(11-1 to 4-30)	158		13.5		27.0
Fecal Coliform					
(5-1 to 9-30)			200/100 ml as a geometric average		
(10-1 to 4-30)			5,300/100 ml as a geometric average		
Total Residual Chlorine			minimum of 5 mg/l at all times		
Dissolved Oxygen			0.4		1.3
pH			6.0 to 9.0 standard units at all times		

## XX—Monitor and Report

The EPA waiver is not in effect.

**PA0239275**, Sewage, **Michael Robel**, 11599 Sunset Drive, Conneaut Lake, PA 16316. This proposed facility is in Hayfield Township, **Crawford County**.

Description of Proposed Activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Emlenton Water Company on the Allegheny River at River Mile 90, approximately 70 miles below point of discharge.

The receiving stream, unnamed tributary to Conneaut Outlet, 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 0.0004 MGD.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
CBOD <sub>5</sub>	10		20
Total Suspended Solids	20		40
Fecal Coliform		200/100 ml as a geometric average	
Total Residual Chlorine			XX
pH		6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

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

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

**PA0061476**, Industrial Waste, SIC 4941, **Edgewood Mobile Home Park**, 223 R. Maile Road, Greenfield Township, PA 18407. This proposed action is for the renewal of an NPDES permit to discharge 0.020 mgd of treated sewage into an unnamed tributary to Ackerly Creek in Glenburn Township, **Lackawanna County**.

The receiving stream is in the State Water Plan watershed 04F and is classified for CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Danville Borough Water Authority is on the Susquehanna River, approximately 80 miles below the point of discharge.

*Outfall 001*—The proposed effluent limits based on a design flow of 0.020 MGD are:

Parameter	Monthly Average (mg/l)	Instantaneous Maximum (mg/l)
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N		
(5-1 to 10-31)	4	8
(11-1 to 4-30)	12	24
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	

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH <sub>3</sub> -N (5-1 to 10-31)	7.5	15
Total Residual Chlorine	0.3	0.6
Dissolved Oxygen	a minimum of 6.0 mg/l at all times	
pH	6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

**PA0063754**, Industrial Waste, SIC 4941, **Pennsylvania American Water Company**, 100 North Pennsylvania Avenue, Wilkes-Barre, PA 18701. This proposed action is for the renewal of an NPDES permit to discharge treated process wastewater into Huntsville Reservoir in Dallas Township, **Luzerne County**.

The receiving stream is in the State Water Plan Watershed 05B and is classified for CWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is for the Pennsylvania American Water Supply on the Huntsville Reservoir at the point of discharge.

*Outfall 001*—The proposed effluent limits based on a design flow of 0.686 MGD are:

<i>Parameter</i>	<i>Monthly Average(mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Aluminum	4.0	8.0
Manganese	1.0	2.0
Total Iron	2.0	4.0
Total Suspended Solids	30.0	60.0
pH	6.0 to 9.0 standard units at all times	
Total Residual Chlorine	0.5	1.2

The EPA waiver is in effect.

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

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

**WQM Permit No. 3603402**, Sewerage, **City of Lancaster**, 120 North Duke Street, Lancaster, PA 17608. This proposed facility is in Lancaster City, **Lancaster County**.

Description of Proposed Action/Activity: Construction of sewer extension to serve Lancaster General Hospital expansion and Orthopedic Center.

**WQM Permit No. 5003402**, Sewerage, **Penn Township Municipal Authority**, 102 Municipal Building Road, Duncannon, PA 17020. This proposed facility is in Penn Township, **Perry County**.

Description of Proposed Action/Activity: Construction of the Shermanata Heights sewage treatment plant.

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

**WQM Permit No. 0203406**, Sewerage, **Ohio Township Sanitary Authority**, 1719 Roosevelt Road, Pittsburgh, PA 15237. This proposed facility is in Ohio Township, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewerage pumping station to serve the Roosevelt Road area.

**WQM Permit No. 0403402**, Sewerage, **Fourway Properties Limited Partnership**, 1198 Mulberry Street, Bridgewater, PA 15009. This proposed facility is in Chippewa Township, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sanitary sewerage and forcemain system to serve James Street.

**WQM Permit No. 3203404**, Sewerage, **Jack Lentz, Clarksburg Mobile Home Park**, 12554 Route 286, Highway West, Clarksburg, PA 15725. This proposed facility is in Young Township, **Indiana County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewerage treatment plant to serve the Clarksburg Mobile Home Park.

**WQM Permit No. 5603403**, Sewerage, **Robert L. and Terry L. Leib**, 770 Old Lincoln Highway, Stoystown, PA 15563. This proposed facility is in Quemahoning Township, **Somerset County**.

Description of Proposed Action/Activity: Application for the construction and operation of a single residence sewerage treatment plant to serve the Leib residence.

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

**WQM Permit No. 1003412**, Sewerage, **James Simmons**, 4521 William Flynn Highway, Harrisville, PA 16038. This proposed facility is in Mercer Township, **Butler County**.

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

**WQM Permit No. 2003419**, Sewerage, **Robert L. Henry**, P. O. Box 295, Linesville, PA 16424. This proposed facility is in North Shenango Township, **Crawford County**.

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

**WQM Permit No. 2503420**, Sewerage, **David Quick**, 8832 Wattsburg Road, Erie, PA 16509. This proposed facility is in Greene Township, **Erie County**.

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

**WQM Permit No. 3303402**, Sewerage, **Mark E. Gilmore**, 7245 W. Market St., Mercer, PA 16137. This proposed facility is in Jefferson Township, **Mercer County**.

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

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#### **IV. NPDES Applications for Stormwater Discharges from MS4**

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#### **V. Applications for NPDES Waiver Stormwater Discharges from MS4**

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024803018	Richard Markovci 218 Kromer Road Wind Gap, PA 18091	Northampton	Upper Nazareth Township	Monocacy Creek HQ-CWF

*Southeast Region: Water Management Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010903002	Archdiocese of Philadelphia Cardinal Anthony J. Bevilacqua Church of St. Isidore 222 North 17th Street Philadelphia, PA 19103-1299	Bucks	Milford Township	Unami Creek HQ
PAS10G267-R	The Hankin Group Richard Guarini Eagleview 707 Eagleview Boulevard P. O. Box 562 Exton, PA 19341	Chester	Upper Uwchlan Township	Tributary to Marsh Creek HQ-TSF-MF
PAS10G456-A1	Liberty Property Limited Partnership Robert Sekola Quarry Ridge—Parcel C 65 Valley Stream Parkway Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV
PAI011503065	Lincoln University John Thompson 1570 Old Baltimore Pike MSC-197, P. O. Box 1798 Lincoln University, PA 19352-0999	Chester	Lower Oxford Township	Unnamed tributary to Big Elk Creek HQ-TSF-MF
PAI011503066	Toll PA VI, LP Scott Nodland The Datner Tract P. O. Box 514 Uwchlan, PA 19380	Chester	West Bradford Township	Unnamed tributary to West Branch Brandywine Creek EV

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

*Westmoreland County Conservation District: 211 Donohoe Road, Greensburg, PA 15601-9217, (724) 837-5271.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056503004	DeCesare Corporation of Lots 4241 Wm. Penn Hwy. Suite 300 Murrysville, PA 15668	Westmoreland	Murrysville	Steels Run (tributary to Turtle Creek Watershed) HQ

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

PAG-12	CAFOs
PAG-13	MS4

**PUBLIC WATER SUPPLY (PWS) PERMITS**

Under the Pennsylvania Safe Drinking Water Act, 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 this 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comment responses 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 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 may 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 (35 P. S. §§ 721.1—721.17).**

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

**Permit No. 6703512**, Public Water Supply.

Applicant	<b>Pennsylvania American Water</b>
Municipality	Fairview Township
County	<b>York</b>

Responsible Official	Michael Salvo, Operations Manager 852 Wesley Drive Mechanicsburg, PA 17055 4475
Type of Facility	PWS
Consulting Engineer	Gene C. Koontz, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Application Received Date	June 13, 2003
Description of Action	Construction permit application for a new West Shore regional water treatment plant, raw water pumping station and necessary transmission mains.

**Permit No. 0603506**, Public Water Supply.

Applicant	<b>Valley Run Water System</b>
Municipality	Washington Township
County	<b>Berks</b>
Responsible Official	Randy S. Eddinger, Operator 813 S. Reading Avenue Boyertown, PA 19512
Type of Facility	PWS
Consulting Engineer	Kevin D. Bomboy, P. E. 55 Shelbourne Road Reading, PA 19606
Application Received Date	June 20, 2003
Description of Action	New community water system to serve the Ponds at Valley Run. Facilities include Well No. 1 at 60 gpm, treatment using sodium hypochlorite, 115,000-gallon storage tank and distribution system.

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

**Permit No. Minor Amendment—Construction.** Public Water Supply.

Applicant	<b>Shinglehouse Borough c/o Barry Church, Council President</b> P. O. Box 156 Shinglehouse, PA 16748
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Township Sharon Township  
 County **Potter County**  
 Type of Facility PWS—Construction of a 300,000 gallon concrete finished water storage tank.

Consulting Engineer Richard L. Connors, P. E.  
 Northwest Engineering, Inc.  
 R. D. 1, P. O. Box Q  
 Tidioute, PA 16351

Permit to Construct Issued June 25, 2003

**Permit No. 1402505—Operation.** Public Water Supply.

Applicant **Mount Eagle Water Association**  
**c/o Joseph Taylor, President**  
 288 Mount Eagle Road  
 Howard, PA 16841

Township Howard Township  
 County **Centre**  
 Type of Facility PWS—Authorizes operation of Well No. 1, sodium hypochlorite and polyphosphate treatment facilities, a 53,000 gallon finished water storage tank, approximately 1,200 feet of 6-inch transmission and distribution mains and associated controls and piping.

Consulting Engineer Kerry Uhler, P. E.  
 Kerry A. Uhler & Associates  
 140 W. High St.  
 Bellefonte, PA 16823

Permit to Operate Issued July 1, 2003

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

**Permit No. 3203501,** Public Water Supply.

Applicant **Homer City OL1—OL8 LLC**  
 1750 Power Plant Road  
 Homer City, PA 15748

Township or Borough Center Township  
 Responsible Official Sharon Dodson, Environmental Health and Safety Manager  
 Homer City OL1—OL8 LLC  
 1750 Power Plant Road  
 Homer City, PA 15748

Type of Facility Water treatment plant  
 Consulting Engineer Dakota Engineering Associates, Inc.  
 35 Wilson Street, Suite 200  
 Pittsburgh, PA 15223

Application Received Date June 16, 2003

Description of Action Installation of two new multimedia filters, a new potable water clear well, a new ultrafiltration system, modification of existing potable water booster pumps and installation of a new activated carbon filter.

**Permit No. 1103502,** Public Water Supply.

Applicant **Municipal Authority of the Borough of Ebensburg**  
 300 West High Street  
 Ebensburg, PA 15931

Township or Borough Cambria and Jackson Townships  
 Responsible Official William Pugh, Chairperson  
 Municipal Authority of the Borough of Ebensburg  
 300 West High Street  
 Ebensburg, PA 15931

Type of Facility Water treatment plant  
 Consulting Engineer Hegemann and Wray Consulting Engineers  
 429 Park Avenue  
 Cresson, PA 16630

Application Received Date June 16, 2003

Description of Action Construction of approximately 70,000 LF of 12-inch and 18-inch diameter water main, a 761,000 gallon capacity water storage tank, two water pump stations and related appurtenances to interconnect to the Greater Johnstown Water Authority.

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

**Permit No. 6103502,** Public Water Supply.

Applicant **Kennerdell Community North Water System**  
 P. O. Box 88  
 Kennerdell, PA 16374.

Township or Borough Rockland Township, **Venango County**

Responsible Official Chuck Vernam, Chairperson

Type of Facility PWS  
 Consulting Engineer Northwest Engineering Inc.  
 R. D. 1, P. O. Box Q  
 Tidioute, PA 16351.

Application Received Date June 30, 2003

Description of Action Construct water well source, storage tank, tank transmission line and iron and manganese treatment system.

#### MINOR AMENDMENT

#### Applications Received under the Pennsylvania Safe Drinking Water Act.

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

**Application No. Minor Amendment.**

Applicant **Pennsylvania Suburban Water Company**

Township or Borough Canaan Township

Responsible Official Mark J. Kropilak, Vice President  
Corporate Development and  
Corporate Counsel  
Pennsylvania Suburban Water  
Company  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Type of Facility PWS

Application Received Date June 16, 2003

Description of Action This application is for transfer of  
the PWS permit from the State  
Correctional Institute of Waymart  
to the Pennsylvania Suburban  
Water Company.

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

**Application No. 6846-T1-A2.** Minor Amendment.

Applicant **Indian Creek Valley Water  
Authority**  
P. O. Box 486  
2068 Indian Head Road  
Indian Head, PA 15446

Township or Borough Saltlick Township

Responsible Official R. Kerry Witt, Manager  
Indian Creek Valley Water  
Authority  
P. O. Box 486  
2068 Indian Head Road  
Indian Head, PA 15446

Type of Facility Spring

Consulting Engineer Bankson Engineers Inc.  
267 Blue Run Road  
P. O. Box 200  
Indianola, PA 15051

Application Received Date June 23, 2003

Description of Action Construction of a new spring  
collection system at the Pritts  
Spring.

**Application No. 1184502-A3-C2.** Minor Amendment.

Applicant **Greater Johnstown Water  
Authority**  
111 Roosevelt Boulevard  
Johnstown, PA 15907

Responsible Official Greater Johnstown Water  
Authority  
111 Roosevelt Boulevard  
Johnstown, PA 15907

Type of Facility WTP

Consulting Engineer Laurel Management Company  
111 Roosevelt Boulevard  
P. O. Box 1287  
Johnstown, PA 15907

Application Received Date June 30, 2003

Description of Action Change in water quality  
parameters.

## WATER ALLOCATIONS

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

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

**WA2-1006**, Water Allocations, **Western Allegheny  
County Municipal Authority**, 403 Virginia Drive,  
Oakdale, PA 15071, **Allegheny County**. The applicant is  
requesting the right to increase their subsidiary allocation,  
from 75,000 gpd to 1.6 million gpd.

**WA11-292B**, Water Allocations, **Municipal Authority  
of the Borough of Ebensburg**, 300 W. High Street,  
Ebensburg, PA 15931, **Cambria County**. The applicant  
is requesting an expansion of their service area to include  
an area of Jackson and Cambria Townships along U. S.  
Route 22 and south to the Saltlick Reservoir.

**WA11-292C**, Water Allocations, **Municipal Authority  
of the Borough of Ebensburg**, 300 W. High Street,  
Ebensburg, PA 15931, **Cambria County**. The applicant  
is requesting the right to purchase 350,000, average day,  
from the Greater Johnstown Water Authority.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a Site-Specific

Standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department Regional Office after 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

*Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Our Lady of Mount Carmel Church**, Doylestown Borough, **Bucks County**. Ethan Prout, P. G., American Resource Consultants, Inc., P. O. Box 1809, Doylestown, PA 18901, on behalf of Archdiocese of Philadelphia, Jim Bollenbach, Our Lady of Mount Carmel, 235 E. State St., Doylestown, PA 18901, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with fuel oil no. 2. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Doylestown Intelligencer* on June 20, 2003.

**Sunroc Corporation Facility**, Middletown Township, **Delaware County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Sunroc Corp., Mark Whitaker, 60 Starlifter Ave., Dover, DE 19903, has submitted a Notice of Intent to Remediate soil contaminated with chlorinated solvents, inorganics, lead and other organics and groundwater contaminated with chlorinated solvents. The applicant proposes to remediate the site to meet Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* on June 20, 2003.

**Willner Realty & Development Co.**, Upper Darby Township, **Delaware County**. Samuel J. Kucia, Environmental Consulting, Inc., 500 E. Washington St., Norristown, PA 19401, on behalf of Benjamin P. Willner, V. P., Willner Realty & Development Co., 140 S. 69th St., Upper Darby, PA 19082, has submitted a Notice of Intent to Remediate soil contaminated with fuel oil no. 2. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* on June 5, 2003.

**Vacant Parcel—Germantown Avenue**, City of Philadelphia, **Philadelphia County**. Jeffrey T. Bauer,

Whitstone Associates, Inc., 1120 Welsh Rd., Suite 100, North Wales, PA 19454, on behalf of Michael Young, 229 W. Upsal St., Philadelphia, PA 19119, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead and PAH. The applicant proposes to remediate the site to meet Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on June 9, 2003.

**Former Goldman Paper/Wilde Dyehouse Site**, City of Philadelphia, **Philadelphia County**. Jeffrey E. Goudsward, Penn E & R, Inc., 2755 Bergey Road, Hatfield, PA 19440, on behalf of Steve Wolfson, 2201 E. Allegheny Avenue LP, 1250 Germantown Pike, Plymouth Meeting, PA 19462, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with chlorinated solvents, fuel oil no. 2, fuel oil no. 4, fuel oil no. 6, leaded gasoline and unleaded gasoline. The applicant proposes to remediate the site to meet Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on June 16, 2003.

**Former AAA Mid-Atlantic Office Building**, City of Philadelphia, **Philadelphia County**. Richard S. Werner, P. G., Environmental Consulting, Inc., 500 E. Washington Street, Suite 375, Norristown, PA, on behalf of AAA Mid-Atlantic, Ray Surette, Managing Director, 2040 Market St., Philadelphia, PA 19103, has submitted a Notice of Intent to Remediate groundwater contaminated with unleaded gasoline. The applicant proposes to remediate the site to meet Background Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on June 16, 2003.

**1925-1943 Allegheny Avenue Property**, City of Philadelphia, **Philadelphia County**. Spencer Finch, Urban Engineers, Inc., 530 Walnut St., 14th Floor, Philadelphia, PA 19106, on behalf of City of Philadelphia, Department of Public Property, Attn: Jon Edelstein, Municipal Services Bldg., 1401 JFK Blvd., Philadelphia, PA 19102, has submitted a Notice of Intent to Remediate soil contaminated with PAH. The applicant proposes to remediate the site to meet Special Industrial Area Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on March 6, 2003.

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

**Former Claysburg Air Force Station**, Pavia Township, **Bedford County**. U. S. Army Corps of Engineers, 10 South Howard Street, 11th Floor, PP-E, Baltimore, MD 21201, submitted a Notice of Intent to Remediate site soils contaminated with fuel oil no. 2, chlorinated solvents and other organics. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bedford Gazette* on June 29, 2003.

**New Holland North America Garage Area near Building 36**, New Holland Borough, **Lancaster County**. CNH Global N. V., 700 State Street, Racine, WI 53404, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with diesel fuel, unleaded gasoline, leaded gasoline and used motor oil. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer Journal-New Era* on June 6, 2003.

**Harrisburg School District Administration Building**, Harrisburg City, **Dauphin County**. Consolidated Engineering Services, Inc., 320 23rd Street South, Suite 100, Arlington, VA 22202 on behalf of Harrisburg School District, 1201 North Sixth Street, Harrisburg, PA 17102-1406, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PHCs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot-News* on July 10, 2002.

**Camp Curtin Childhood Center**, Harrisburg City, **Dauphin County**. Consolidated Engineering Services, Inc., 320 23rd Street South, Suite 100, Arlington, VA 22202 on behalf of Harrisburg School District, 1201 North Sixth Street, Harrisburg, PA 17102-1406, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PHCs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot-News* on July 10, 2002.

**Foose Early Childhood Center**, Harrisburg City, **Dauphin County**. Consolidated Engineering Services, Inc., 320 23rd Street South, Suite 100, Arlington, VA 22202 on behalf of Harrisburg School District, 1201 North Sixth Street, Harrisburg, PA 17102-1406, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PHCs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot-News* on July 10, 2002.

#### **INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES**

**Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the act of June 28, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

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

#### *Renewal Applications Received*

**American Waste Industries, Inc.**, 508 E. Indian River Road, Norfolk, VA 23523. Received on June 25, 2003.

**York Hospital**, 1001 S. George Street, York, PA 17405. Received on June 25, 2003.

#### **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.**

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

**Permit Application No. 101611. Berks Transfer, Inc.**, 59 Willow Creek Road, Reading, PA 19601, Ontelaunee Township, **Berks County**. The application is for the acceptance of Putrescible Waste and Radiation

Monitoring Plan for the Berks Transfer Ontelaunee Facility. The application was determined to be administratively complete by the Southcentral Regional Office on July 1, 2003.

Comments concerning the application should be directed to John Krueger, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Persons interested in obtaining more information about the general permit application may contact the Waste Management Program, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

## **AIR QUALITY**

### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

#### **NEW SOURCES AND MODIFICATIONS**

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

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

Copies of these 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 the 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. Any comments or protests filed with 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. TDD users may 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 and regulations adopted under the Act.

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**PLAN APPROVALS**


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**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.**

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

**01-03002B: Vulcan Construction Materials, LP** (5601 Ironbridge Parkway, Chester, VA 23831) for modifications to their existing limestone crushing plant in Oxford and Conewago Townships, **Adams County**. New installations include several screens and crushers; the plant will continue to be controlled by wet suppression. No appreciable change in emissions is expected from these modifications. The crushing plant is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The plan approval and operating permit will contain emission limits along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality standards.

**29-03007A: Mellott Wood Preserving Co., Inc.** (1398 Sawmill Road, Needmore, PA 17283) for installation of a 350 HP wood-fired boiler controlled by a multiclone in Belfast Township, **Fulton County**. The boiler is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. PM emissions are estimated at less than 20 tons annually; NOx emissions are estimated at less than 12 tons annually. The plan approval and operating permit will include provisions for monitoring, recordkeeping and work practice standards to ensure the facility complies with the applicable air quality standards.

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

**49-00020A: Truck Accessories Group, Inc. d/b/a Leer East** (200 Housels Run Road, Milton, PA 17847) for modification of a fiberglass reinforced plastics truck cap manufacturing operation by increasing the allowable VOC emission rate from 55.0 tons in any 12 consecutive month period to 76.0 tons in any 12 consecutive month period in Milton Borough, **Northumberland County**. The majority of the VOC emissions could also be an HAP, styrene.

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

**32-00371A: Blairsville Wilbert Vault Co., Inc.** (P. O. Box 7, Blairsville, PA 15717) for installation of a cremator at their facility in Blairsville Borough, **Indiana County**.

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

**62-035B: IA Construction—Warren CMI Plant** (240 River Road, Warren, PA 16365) for modification of a plan approval to change a stack testing condition for an asphalt plant burning alternative fuels at in Conewago Township, **Warren County**.

**42-192C: IA Construction—Lafayette Plant** (Route 59, Lewis Run, PA 16738) for modification of a plan approval to change a stack testing condition for an

asphalt plant burning alternative fuels in Lafayette Township, **McKean County**.

**37-027B: IA Construction—West Pittsburgh Plant** (River Road, West Pittsburgh, PA 16160) for modification of a plan approval to change a stack testing condition for an asphalt plant burning alternative fuels in Taylor Township, **Lawrence County**.

**10-230B: IA Construction—Zelienople Plant** (158 Lindsay Road, Zelienople, PA 16063) for modification of a plan approval to change a stack testing condition for an asphalt plant burning alternative fuels in Jackson Township, **Butler County**.

**24-079A: Osram Sylvania, Inc.** (835 Washington Road, St. Marys, PA 15857) for construction of the cement mixing operation and control devices in the City of St. Marys, **Elk County**. This is a State-only facility.

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

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*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**46-0112B: Palmer International, Inc.** (2036 Lucon Road, Skippack, PA 19474) for installation of a turbo mixer, to replace three existing Sigma blenders, at their facility in Skippack Township, **Montgomery County**. This facility is a non-Title V facility. Along with all other processes in Building A, the new turbo blender will be subject to an emission limit of 21.0 tons per year for VOCs, 8.83 tons per year for HAPs (formaldehyde), 13.56 tons per for NOx and 43.8 tons per year for CO. Emissions of PM from all processes in Building A are expected to be less than 9 tons per year and emissions of SOx are expected to be less than 37 tons per year from all processes in Building A. The existing thermal oxidizer will control emissions of VOCs and HAPs. Emissions of PM will continue to be controlled by dust collectors and the existing thermal oxidizer. The Plan Approval will contain recordkeeping and further operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

**54-399-029A: Silberline Manufacturing Co., Inc.** (Lincoln Drive, P. O. Box B, Tamaqua, PA 18252-0420) for modification of an aluminum pigment manufacturing process at their Tidewood facility at 36 Progress Avenue, Rush Township, **Schuylkill County**. This facility is a non-Title V facility. The modification will incorporate changes to the solvent used in the process and replacement/removal of some of the process equipment. Potential VOC emissions from the process will be 15.9 tons per year. The modification results in a decrease of 7.1 tons per year of VOCs from the original process. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

**58-303-001A: Eastern Industries, Inc.** (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034) for

modification and operation of a batch mix asphalt plant in Clifford Township, **Susquehanna County**. This facility is a non-Title V facility. The plant will be modified to use waste derived liquid fuel (WDLF) and no. 2 fuel oil as fuel. WDLF will be heated in a preheater prior to being used. Particulate emissions from the plant will be controlled by a baghouse. Expected particulate emission rate will be less than 0.02 grain/dscf. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**48-301-046: Heintzelman Funeral Home, Inc.—Lehigh Valley Crematory Services, Inc.** (326 Main Street, Hellertown, PA 18055) for construction of a human crematory and associated air cleaning device (afterburner) at their facility at Magnolia Road and Front Street, Hellertown Borough, **Northampton County**. A temperature of 1,800°F shall be maintained with a minimum residence time of 1 second when the unit is in operation. Particulate emissions shall not exceed 0.08 grain/dscf, corrected to 7% O<sub>2</sub>. The plan approval will include additional recordkeeping and operating restrictions designed to keep the source operating within all applicable air quality requirements.

**48-00006A: Reliant Energy Mid Atlantic Power Holdings LLC—Portland Power Plant** (1001 Broad Street, Johnstown, PA 15907) to amend the Title V Permit at their facility in Upper Mount Bethel Township, **Northampton County**. The amendment is for the application of a binder (Covol 298-1) to raw coal (silt material) to produce "synfuel." The production of "synfuel" will result in an emission increase of VOCs of 0.87 tons per year and is below the allowable de minimis level increase permitted by the Title V Permit of 1 ton per year. The production of "synfuel" will also result in a decrease in particulate emissions (0.05 ton per year).

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

**41-00010D: Andritz, Inc.** (35 Sherman Street, Muncy, PA 17756) for modification of a thermal foundry sand reclamation system by increasing its allowable NOx emission rate from 2.07 pounds per hour to 3.1 pounds per hour at their facility in Muncy Borough and Muncy Creek Township, **Lycoming County**. Andritz, Inc. is a major facility for which a Title V operating permit (No. 41-00010) has been issued.

The Department's review of the information contained in the application indicates that the modified thermal sand reclamation system will comply with all applicable requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department intends to approve the application and issue plan approval for the proposed modification.

The Department also intends to amend a minimum required thermal sand reclamation system fluidized bed reclamation unit freeboard temperature requirement specified in Plan Approval 41-00010B under the right reserved by the Department to do so in condition 9 of the respective Plan Approval. The respective amendment is an increase in the minimum required freeboard temperature from 1,300°F to 1,440°F, which is the minimum

temperature at which the fluidized bed reclamation unit was operated during the stack testing performed to demonstrate compliance with the VOC emission limitation established for the thermal sand reclamation system in Plan Approval 4-00010B.

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

1. The NOx emissions from the thermal foundry sand reclamation system shall not at any time exceed 3.1 pounds per hour or 13.59 tons in any 12 consecutive month period.

2. Under the right reserved by the Department in condition 9 of Plan Approval 41-00010B, the minimum required freeboard temperature in the thermal foundry sand reclamation system's fluidized bed reclamation system shall be 1,440°F rather than 1,300°F.

3. All conditions contained in Plan Approval 41-00010B remain unchanged and in effect unless amended or superseded by a condition contained herein.

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

**24-025A: Alpha Sintered Metals Inc.** (95 Mason Run Road, Ridgway, PA 15853) for installation of a sly baghouse to control their powdered metal mixing operation in Ridgway Township, **Elk County**. The source shall comply with the following conditions from the plan approval:

1. The source shall comply with 25 Pa. Code §§ 123.1, 123.13, 123.31 and 123.41 for fugitive matter, PM, odor and visible emissions.

2. The permittee shall perform a daily operational inspection of the control device. The operational inspection shall include, at a minimum, recording the pressure drop across the control device and a visual inspection of the system for leaks, and the like.

3. The permittee shall maintain a manometer or similar device to measure the pressure drop across the control device.

4. The permittee shall operate the control device at all times that the source is operation.

5. The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

6. The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects and any routine maintenance performed.

**42-196A: Catalyst Energy, Inc.—Swamp Angel Compressor Station** (1/4 mile from Big Shany Road and FR 307, Lewis Run, PA 16738) for installation of a natural gas processing plant and associated gas compressor engine in Lafayette Township, **McKean County**. The source shall comply with the following conditions from the plan approval:

1. The source shall comply with 25 Pa. Code §§ 123.1, 123.13, 123.31 and 123.41 for fugitive matter, PM, odor and visible emissions.

2. The facility shall comply with all applicable requirements of New Source Performance Standards—40 CFR Part 60, Subpart KKK.

**24-012C: C/G Electrodes LLC—St. Marys Plant** (800 Theresia Street, St. Marys, PA 15857-1898), for installation of graphite machining operations in Building 607 and two dust collectors in St. Marys City, **Elk County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b and will demonstrate best available technology for the source:

1. The source shall comply with 25 Pa. Code §§ 123.1, 123.13, 123.31 and 123.41 for fugitive matter, PM, odor and visible emissions.

2. The permittee shall perform a daily operational inspection of the control device. The operational inspection shall include, at a minimum, recording the pressure drop across the control device and a visual inspection of the system for leaks, and the like. In the event that the pressure drop is out of specification, the baghouse will be inspected by the use of a black light and all defective filters replaced.

3. The permittee shall maintain a manometer or similar device to measure the pressure drop across the control device.

4. The permittee shall operate the control device at all times that the source is operation.

5. The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

6. The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects and any routine maintenance performed.

**42-174D: McKean County Solid Waste Authority** (19 Kness Lane, Kane, PA 16735), for installation of an active landfill gas collection system and installation of a temporary air pollution control device in **McKean County**. The facility currently has a Title V Operating Permit No. 42-00174. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The permit will be subject to the following conditions:

1. The source shall comply with 25 Pa. Code §§ 123.1, 123.21, 123.31 and 123.41 for fugitive matter, sulfur compound, odor and visible emissions.

2. Petroleum contaminated soils shall not be used as daily landfill cover.

3. The facility shall comply with all applicable requirements of New Source Performance Standards—40 CFR Part 60, Subpart WWW. This includes but not limited to:

a) In accordance with 40 CFR 60.752(b)(2)(i), the collection and control system design plan shall be prepared by a professional engineer and submitted to the Administrator.

i) The collection and control system as described in the plan shall meet the design requirements of 40 CFR 60.752(b)(2)(ii).

ii) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of 40 CFR 60.753—60.758 proposed by the owner or operator.

iii) The collection and control system design plan shall either conform with specifications for active collection systems in 40 CFR 60.759 or include a demonstration to the Administrator's satisfaction of the sufficiency of the alternative provisions to 40 CFR 60.759.

iv) The Administrator shall review the information submitted under 40 CFR 60.752(b)(2)(i)(A)—(C) and either approve it, disapprove it or request that additional information be submitted.

b) In accordance with 40 CFR 60.753(b) and 60.756(a), each well head pressure shall be measured monthly. Reports shall be kept on file for a period of 5 years and made readily available to Department personnel upon request. The collection system shall be operated with negative pressure at each wellhead except under the following conditions:

i) A fire or increased well temperature. The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 40 CFR 60.757(f)(1).

ii) Use of geomembrane or synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan.

iii) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows.

iv) All design changes shall be approved by the Administrator.

c) In accordance with 40 CFR 60.753(c) and 60.756(a), each interior wellhead in the collection system shall be operated with a landfill gas temperature less than 55°C and with either a nitrogen level less than 20% or an oxygen level less than 5%. The previous parameters shall be monitored monthly. Monitoring reports shall be kept on file for a period of 5 years and made readily available to Department personnel upon request.

d) In accordance with 40 CFR 60.753(d), 60.755(c) and 60.756(f), the collection system shall be operated so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. The owner or operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a serpentine pattern spaced 30 meters apart (or a site-specific established spacing) for each collection area on a quarterly basis. Methane concentration shall be less than 500 parts per million above background at the surface of the landfill using an organic vapor analyzer, flame ionization detector or other portable monitor meeting Section 3, 40 CFR Part 60, Appendix A, Method 21. Reports shall be kept on file for a period of 5 years and made readily available to Department personnel upon request.

e) The provisions of 40 CFR Part 60, Subpart WWW apply at all times, except during periods of start-up, shutdown or malfunction, provided that the duration of

start-up, shutdown or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment of control devices.

f) 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. The EPA copies shall be forwarded to the Director, Air, Toxics and Radiation Division, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

4. Under the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the company shall comply with the following:

a) The landfill gas shall be collected in accordance with 25 Pa. Code § 273.292 so as to prevent offsite migration.

b) The gas collection system shall be designed:

i) To collect gas from the maximum possible area of the landfill.

ii) To accommodate the maximum gas generation rate of the landfill.

c) There shall be no landfill gas leaks which result in concentrations of 500 ppmv or more measured as propane (or 1,375 ppmv or more measured as methane) at a distance of 0.5 inch from any equipment. The landfill equipment subject to this requirement shall include the gas wells, piping or any other connections or fittings along the landfill gas transfer paths of a landfill gas collection system and disposal system. Monitoring shall be conducted on a quarterly basis. Monitoring reports shall be kept on file for a period of 5 years and made readily available to Department personnel upon request.

d) A flare shall be in operation at all times the gas collection system is operating.

e) The facility shall either:

i) Install, calibrate and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes.

ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

f) 25 Pa. Code § 273.217 requires landfill operators to implement fugitive dust control measures. This criteria specifies the reasonable actions that are necessary for the prevention of fugitive dust emissions from the operation of landfills in accordance with these requirements. The fugitive emission control criteria are as follows:

i) Parking lots/areas and the landfill access roadways from the public highway to the landfill and other haul roads inside the landfill shall be paved, maintained and cleaned by vacuum sweeping or any other approved means. All parking lots/areas shall be cleaned at least weekly and the access roadways cleaned at least daily.

ii) The access roadways if unpaved at the unloading areas (active cells) shall have a crown so that water runs off and does not pool. Water or other dust suppressants shall be applied to the unpaved road surface to reduce fugitive dusts. Water, if used, shall be applied at least twice a day, weather permitting. Dust suppressants, if used, shall be applied as needed, but at least once a month.

iii) Water or other dust suppressants shall be applied on the shoulder of access roadways and the shoulder of

the public highway for a distance of 500 feet in both directions. Water, if used shall be applied at least twice a day, weather permitting. Dust suppressants, if used, shall be applied at least once a month. Application of dust suppressants on the public highway shall be done in accordance with the appropriate Department of Transportation (DOT) Bulletins.

iv) No waste oil shall be used as dust suppressant for the unpaved surface.

v) Earth or other material deposited by trucking or other means on the paved roadways, including public highway, shall be promptly removed from the paved roadways.

vi) Upon leaving the landfill, the undercarriage, wheels and chassis of the vehicles which were used to transport wastes and earth shall be washed, as necessary, to prevent earthen carryout onto roadways.

vii) All trucks entering the landfill shall be covered.

viii) A speed limit of 15 miles per hour shall be observed on all paved access roadways and 10 miles per hour on all unpaved areas. Speed limit signs shall be posted consistent with the requirements of DOT (overall dimension 30 inches by 24 inches, "SPEED LIMIT" in 4-inch letters and 10-inch numerals).

g) A detailed record describing the time, location, type and amount of roadway surface treatment shall be maintained at the landfill site for at least 5 years. As a minimum, the record shall include the following:

i) For paved roads and parking lot areas:

(1) Daily log of engine run time and odometer reading for the vacuum sweeper.

(2) Daily log of time and location of any maintenance.

(3) Identification, time and location of any maintenance, repairs, patching or repaving of roads.

(4) A log explaining the reasons any required vacuum sweeping was not performed.

ii) For unpaved roads and shoulders of paved roads:

(1) Log of time and location of treated areas.

(2) Daily log of meter reading of spray-bar and/or pump and odometer reading of trucks used to apply dust suppressants and the identification of the dust suppressants.

(3) Daily log of the dilution ratios of the dust suppressants and diluent used if chemical suppressants are used.

(4) Purchase records of the chemical suppressants, if used.

iii) Quarterly reports of the records shall be submitted to the Department. The reports shall be submitted within 30 days after the end of each calendar quarter.

5. The following requirements are hereby established for the temporary vent flare:

a) The flare shall be designed and operated in accordance with 40 CFR 60.18.

b) The flare shall be designed to achieve and maintain a destruction/removal efficiency of at least 98% (by weight) for nonmethane organic compounds.

c) The flare shall be operated with a flame present at all times. The flare shall be equipped with a continuous ignition system designed to prevent the emissions of unburned landfill gas to the atmosphere. At no time shall unburned landfill gas be emitted to the atmosphere.

d) The flare shall be designed for and operated with no visible emissions except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. The opacity of the emissions shall not be equal to or greater than 60% at any time.

e) The owner or operator shall keep on file records of all periods of operation in which the flame or flare pilot flame is absent. The records shall be made readily available upon Department request.

The previous conditions will satisfy the requirements of 25 Pa. Code § 127.12b and will demonstrate the best available technology for the source.

For additional information, contact Lori McNabb or Devendra Verma at (814) 332-6940 or by writing the Department at the previous address.

**10-001H: AK Steel Corporation** (Rt. 8 South, P. O. Box 832, Butler, PA 16003) for replacement of the existing fume scrubber with a new sieve tray scrubber on the no. 7 pickle line in **Butler County**. The facility currently has a Title V Operating Permit No. 10-00001. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

#### OPERATING PERMITS

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

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

**43-00272: Tennessee Gas Pipeline Co.** (1211 Greenville-Mercer Road, Mercer, PA 16137) for reissuance of a Title V Permit to operate a natural gas compressor station in Jefferson Township, **Mercer County**. The facility's major emission sources include natural gas-fueled compressors, miscellaneous natural gas usage and one parts washing machine. The facility is a major facility due to its potential to emit of VOCs, NOx and CO.

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**46-00160: Cognis Corp.** (300 Brookside Avenue, Ambler, PA 19002) for a non-Title V Facility, State-only, Natural Minor Operating Permit in Lower Gwynedd Township, **Montgomery County**. The permit is for the operation of 4 boilers, 1 fire pump and 29 space heaters, from which the main pollutants emitted are PM and NOx. PM and NOx emissions from the facility each figure to be less than 2 tons per year. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**46-00021: Tyco Healthcare Retail Group, Inc.** (601 Allendale Road, King of Prussia, PA 19406) for a non-Title V Facility, State-only, Synthetic Minor Operating Permit in Upper Merion Township, **Montgomery County**. Tyco Healthcare Retail Group, Inc. manufactures sanitary paper products (diapers and sanitary napkins) for retail sale and consumer use. The facility's major emission points

include 3 boilers, 2 emergency generators, 1 fire pump and 27 production lines with associated dust collectors. The main pollutants emitted from the facility are NOx, VOCs and PM. The permit will contain monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**46-00230: East Norriton-Whitpain-Plymouth Joint Sewer Authority** (200 Ross Street, Norristown, PA 19401) for operation of their sewage processing plant in Plymouth Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. Major sources of air emissions include a sewage sludge incinerator and associated control devices. 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; Contact: Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.*

**06-05003: Agere Systems, Inc.** (2525 North 12th Street, Reading, PA 19605) for operation of an office and manufacturing facility in Muhlenberg Township, **Berks County**. The sources include four boilers and three emergency generators. The facility is a non-Title V (State-only) facility. The facility is subject to 25 Pa. Code § 129.91 (RACT). The facility will have limits on the emissions of NOx and VOCs from the sources as well as facility limits of less than 100 tons for particulate, NOx, SOx and CO, less than 50 tons of VOCs and 25/10 tons for HAPs, during any consecutive 12-month period. Limits will be placed on the sulfur content in fuel oil fired, the amounts of fuels fired in the boilers and hours of operation of the emergency generators. The State-only operating permit will include monitoring, recordkeeping, work practices and reporting to keep the facility operating within all applicable air quality requirements.

**28-03016: Contech Construction Products, Inc.** (600 North Washington Street, Greencastle, PA 17225) for operation of their steel pipe manufacturing facility in Antrim Township, **Franklin County**. The facility has the following annual potential emissions: 11 tons PM10, 1 ton VOC and 1 ton NOx. The State-only Operating Permit will include emission restrictions, work practice standards and monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**28-03030: Voge America, Inc.** (1445 Sheffler Drive, Chambersburg, PA 17201) for operation of their asphalt paving machine manufacturing facility in Chambersburg Borough, **Franklin County**. The facility has the potential to emit 10 tons per year VOC. The State-only Operating Permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**28-05018: Knouse Foods Cooperative, Inc.** (P. O. Box 807, Biglerville, PA 17307) for operation of their Chambersburg fruit processing facility in Chambersburg Borough, **Franklin County**. The facility emissions shall be less than 100 tons per year of SOx and less than 100 tons per year of NOx. The facility has a potential to emit 16 tons per year of PM and 14 tons per year of CO. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**36-03001: Nichia America Corp.** (3775 Hempland Road, Mountville, PA 17554) for operation of their luminescent materials manufacturing facility in West Hempfield Township, **Lancaster County**. Minor quantities of particulates, acids (that is, hydrochloric, acetic and nitric acids), sulfur dioxide and water vapor are emitted as a result of the operation. The State-only Operating Permit will contain additional recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**36-03099: Bonsal American, Inc.** (47 McIlvaine Road, Paradise, PA 17562) for operation of their limestone pelletizing operation in Paradise Township, **Lancaster County**. The plant's overall processing capacity is less than 25 tons per hour; subsequently, no special permitting requirements will apply. The State-only Operating Permit will contain additional recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**67-03038: Masfab, Inc.** (P. O. Box 285, Red Lion, PA 17356) for operation of their steel fabrication facility in Windsor Township, **York County**. The facility has the following annual potential emissions: 25 tons of VOCs and 1 ton of PM10. The State-only Operating Permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**33-00025: Punxsutawney Area Hospital** (81 Hillcrest Drive, Punxsutawney, PA 15767). Natural Minor Operating Permit for emissions from two boilers in Young Township, **Jefferson County**.

**24-00119: Advanced Heat Treating, Inc.** (1057 Trout Run Road, St. Marys, PA 15857). Natural Minor Operating Permit for emissions from metal tempering furnaces in Benzinger Township, **Elk County**.

**33-00139: Owens-Brockway Glass Container, Inc.—Plant No. 76** (R. R. 2, Box 216G, Brockport, PA 15823). Natural Minor Operating Permit for emissions from the central machine shop in Snyder Township, **Jefferson County**.

**COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); and 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 the applications will also address

the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the 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 same address 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 to the previous, 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 the 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 those requirements.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; 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; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

*Coal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**03961301. NPDES Permit PA0214787, Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201-9642), to revise the permit for the Tracy Lynne Mine in Kiskiminetas Township, **Armstrong County**, to add 1,364 acres to the underground mining area, Surface Acres Proposed N/A, Underground Acres Proposed 1364, SCP Acres Proposed 1364, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received April 14, 2003.

**30831303. NPDES Permit PA0013511, RAG Cumberland Resources, LP** (158 Portal Road, P. O. Box, 1020, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine in Whiteley Township, **Greene County**, to install 57 boreholes, Surface Acres Proposed 17.1, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received June 3, 2003.

**03861601. NPDES Permit PA0215449, McVile Mining Company** (301 Market Street, Kittanning, PA 16201), to renew the permit for the McVile Coal Preparation Plant in South Buffalo Township, **Armstrong County** and related NPDES permit, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Application received June 10, 2003.

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

**33030107 and NPDES Permit No. PA0242403. Falls Creek Energy Co., Inc.** (R. D. 6, Box 231, Kittanning, PA 16201). Commencement, operation and restoration of a bituminous surface strip operation in Winslow Township, **Jefferson County** affecting 16.1 acres. Receiving streams: unnamed tributaries to Soldier Run (CWF). There are no potable surface water supply intakes within 10 miles downstream. Application received June 27, 2003.

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

**11860107 and NPDES Permit No. PA0597830. Cooney Brothers Coal Company**, P. O. Box 246, Cresson, PA 16630, permit renewal for continued operation of a bituminous surface mine in Dean Township, **Cambria County**, affecting 201.0 acres. Receiving streams: Clearfield Creek and two unnamed tributaries to Clearfield Creek and Brubaker Run and one unnamed tributary to Brubaker Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received June 20, 2003.

**11850107 and NPDES Permit No. PA0597341. Cooney Brothers Coal Company**, P. O. Box 246, Cresson, PA 16630, permit renewal for continued operation of a bituminous surface mine in Portage Township, **Cambria County**, affecting 85.7 acres. Receiving streams: unnamed tributary to/and Spring Run (CWF) and unnamed tributary to/and Trout Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh Surface Water Withdrawal. Application received June 20, 2003.

**07920101 and NPDES Permit No. PA0599581. Cooney Brothers Coal Company**, P. O. Box 246, Cresson, PA 16630, permit renewal for continued operation of a bituminous surface mine in Allegheny Township, **Blair County**, affecting 474.0 acres. Receiving streams: two unnamed tributaries to/and Sugar Run. There are no potable water supply intakes within 10 miles downstream. Application received June 20, 2003.

**32970902 and NPDES Permit No. PA0234427. Mears Enterprises, Inc.**, P. O. Box 157, Clymer, PA 15728, permit renewal for reclamation only and continued restoration of a bituminous surface mine in Rayne Township, **Indiana County**, affecting 8.3 acres. Receiving streams: Rayne Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received June 30, 2003.

**32813001 and NPDES Permit No. PA0125504. Twin Brook Coal Company**, 410 Franklin Street, Clymer, PA 15728, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Montgomery and Green Townships, **Indiana County**, affecting 244.0 acres. Receiving streams: Painters Run and unnamed tributaries of Cush Cushion Creek (HQ-CWF). The first downstream potable water supply intake from the point of discharge is Cherry Tree Borough Municipal Authority Cush Cushion Creek Surface Withdrawal. Application received June 30, 2003.

**56980103 and NPDES Permit No. PA0234699. Godin Brothers, Inc.**, 5433 Front Street, Stoystown, PA 15563, permit renewal for continued operation of a bituminous surface mine in Lincoln and Jenner Townships, **Somerset County**, affecting 133.5 acres. Receiving streams: unnamed tributaries to Quemahoning Creek (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Withdrawal. Application received June 30, 2003.

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

**02030102 and NPDES PA0250449. PDG Land Development, Inc.** (3468 Brodhead Rd., Monaca, PA 15061-2500). Application for commencement, operation and reclamation of a bituminous surface mine in the City of Pittsburgh and Baldwin Borough, affecting 613.5 acres. Receiving streams: unnamed tributaries to Glass Run, Becks Run and Monongahela River (WWF). The first potable water supply intake within 10 miles downstream from the point of discharge is Pennsylvania American Water Company. Application received June 25, 2003.

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**17030901 and NPDES Permit No. PA0243523. RAMM Coal Company**, R. R. 1, Box 16, Rockton, PA 15856. Commencement, operation and restoration of an incidental coal extraction permit in Brady Township,

**Clearfield County** affecting 3.1 acres. Receiving streams: Laborde Branch and unnamed tributary to Luthersburg Branch (CWF). The first downstream potable water supply intake from the point of discharge is more than 10 miles downstream. Application received June 16, 2003.

*Noncoal Applications Returned*

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

**11020801. Kenneth D. Morchesky**, P. O. Box 629, Cricket Lane, Carrolltown, PA 15722. Permit transfer from Laurel Sand & Stone, Inc., P. O. Box 629, 163 Cricket Lane, Carrolltown, PA 15722, commencement, operation and restoration of a small noncoal (shale) mine in Jackson Township, **Cambria County**, affecting 13.9 acres. Receiving streams: unnamed tributary to Laurel Run to Conemaugh River (HQ-CWF). There are no potable water supply intakes within 10 miles downstream. Application received April 29, 2003. Permit returned: July 1, 2003.

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E46-944. Borough of Norristown**, 235 East Airy Street, Norristown, PA 19401-5048, Norristown Borough, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a storm sewer project in the 100-year floodplain of the Schuylkill River to relieve recurring flooding on East Main Street and accommodate the Borough's revitalization project. The project consists of inlets, connectors and laterals along East Main Street and a 72-inch reinforced concrete pipe discharge line which extends 1,020 feet of which 230 feet is in the flood plain. The line terminates at a concrete headwall and rock-lined outfall channel along the left riverbank. The site is approximately 200 feet west of the Norristown Borough/Plymouth Township municipal boundary and extends to the Schuylkill River. Upon approval, this authorization will replace Permit No. E46-630, previously issued in 1995 (Norristown, PA Quadrangle N: 19.25 inches; W: 10.75 inches).

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

**E58-255. Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501 in New Milford Township, **Susquehanna County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a road crossing of a tributary to Gillespies Pond (HQ-CWF), consisting of a 32-foot long 10-foot by 4.5-foot precast concrete box culvert with its invert depressed 1.0 foot below stream bed elevation. During construction, flow will be diverted around approximately 80 linear feet of the channel using a temporary culvert and coffer dams. The project also includes a de minimis wetland impact of 0.01 acre. The project is along SR 2061, Segment 0110, Offset 1300, approximately 1.2 miles southwest of the intersection of SR 2061 and SR 0848 (Harford, PA Quadrangle N: 16.3 inches; W: 15.0 inches).

**E66-130. Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501 in Lemon Township, **Wyoming County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a 9.0-foot by 5.0-foot concrete box culvert having a 1.0-foot depression in a tributary to Lake Carey (CWF). The project also includes a de minimis area of wetland impact equal to 0.01 acre and is along SR 1007, Segment 0010, approximately 350 feet east of its intersection with SR 0029 (Tunkhannock, PA Quadrangle N: 17.1 inches; W: 8.3 inches).

**E64-242. Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501 in Dreher Township, **Wayne County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a road crossing of a tributary to Wallenpaupack Creek (HQ-CWF), consisting of a 98-foot long by 8-foot by 8-foot precast concrete box culvert with its invert depressed 1.0 foot below streambed elevation. Flow will be diverted around approximately 160 LF of the channel during construction, using a temporary culvert and cofferdams. The project is along SR 0196, Segment 0040, offset 0050, approximately 1.0 mile south of the intersection of

SR 0507 and SR 0196 (Newfoundland, PA Quadrangle N: 2.7 inches; W: 16.1 inches).

**E58-256. Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501 in New Milford Township, **Susquehanna County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a road crossing of a tributary to Gillespies Pond (HQ-CWF), consisting of a 36-foot long by 10-foot by 4.5-foot precast concrete box culvert with its invert depressed 1.0 foot below streambed elevation. During construction, flow will be diverted around approximately 110 linear feet of channel using a temporary culvert and cofferdams. The project is along SR 2061, Segment 0110, offset 2065, approximately 1.1 miles southwest of the intersection of SR 2061 and SR 0848 (Harford, PA Quadrangle N: 16.5 inches; W: 14.7 inches).

**E54-307. Tremont Borough**, 19 North Pine Street, P. O. Box 55, Tremont, PA 17981-1706 in Tremont Borough, **Schuylkill County**, U. S. Army Corps of Engineers, Baltimore District.

To remove approximately 500 CY of a vegetative gravel bar in Good Spring Creek (CWF), for the purpose of restoring the original geometry of the stream channel. The project is at the East Line Street Bridge and continues downstream approximately 100 feet (Tremont, PA Quadrangle N: 0.4 inch; W: 1.7 inches).

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

**E29-086. A. L. L. Corporation**, 623 Great Cove Road, Warfordsburg, PA 17267 in Bethel Township, **Fulton County**, ACOE Baltimore District.

To fill permanently 0.05 acre of palustrine emergent wetlands for the purpose of expanding an existing parking lot at a point (Needmore, PA Quadrangle N: 1.3 inches; W: 8.9 inches) approximately 400 feet east of the intersection of SR 522 and I-70 in Bethel Township, Fulton County. The amount of wetland impacts is considered de minimis impact of 0.05 acre and wetland mitigation is not required.

**E05-317: Southern Cove Joint Municipal Authority**, P. O. Box 235, Woodbury, PA 16695 in Woodbury Borough, Woodbury Township, **Bedford County**, ACOE Baltimore District

To construct and maintain approximately 51,000 feet of 10-inch, 8-inch and 6-inch PVC wastewater collection sewer and approximately 4,000 feet of wastewater force main in Woodbury Township and Borough, Bedford County involving: (1) four bored stream crossings of Hickory Bottom Creek (HQ-CWF, perennial): (a) 30-foot by 14-inch (Hopewell, PA Quadrangle N: 12.2 inches; W: 17.3 inches), (b) 40-foot by 14-inch (Hopewell, PA Quadrangle N: 12.4 inches; W: 17.2 inches), (c) 20-foot by 12-inch (Hopewell, PA Quadrangle N: 12.8 inches; W: 17.0 inches), (d) 20-foot by 12-inch (Hopewell, PA Quadrangle N: 13.0 inches; W: 16.9 inches); (2) six bored stream crossings of Yellow Creek (HQ-CWF, perennial): (a) 60-foot by 16-inch (New Enterprise, PA Quadrangle N: 12.8 inches; W: 0.4 inch), (b) 35-foot by 12-inch (New Enterprise, PA Quadrangle N: 13.6 inches; W: 0.4 inch), (c) 65-foot by 14-inch (New Enterprise, PA Quadrangle N: 14.1 inches; W: 0.4 inch), (d) 50-foot by 14-inch (New Enterprise, PA Quadrangle N: 14.4 inches; W: 0.3 inch), (e) 45-foot by 14-inch (Hopewell, PA Quadrangle N: 16.8 inches; W: 17.4 inches), (f) 20-foot by 14-inch

(Hopewell, PA Quadrangle N: 18.0 inches; W: 16.9 inches); (3) two bored stream crossings of an unnamed tributary to Yellow Creek (HQ-CWF, perennial) (a) 30-foot by 14-inch (Hopewell, PA Quadrangle N: 19.3 inches; W: 16.7 inches), (b) 25-foot by 14-inch (Hopewell, PA Quadrangle N: 20.4 inches; W: 16.0 inches), (4) three 10-foot by 10-foot stream crossings (New Enterprise, PA Quadrangle N: 12.5 inches; W: 0.3 inch) (Hopewell, PA Quadrangle N: 16.6 inches; W: 17.3 inches and N: 19.9 inches; W: 16.3 inches) and one 3-foot by 10-foot stream crossing (Hopewell, PA Quadrangle N: 20.9 inches; W: 16.1 inches) of unnamed tributaries to Yellow Creek; (5) one 4-foot by 10-foot stream crossing (Hopewell, PA Quadrangle N: 12.8 inches; W: 16.2 inches) of an unnamed tributary to Hickory Bottom Creek (HQ-CWF); (6) eight crossings of EV PEM wetlands: (a) 2,760-foot by 10-foot (New Enterprise, PA Quadrangle N: 13.6 inches; W: 0.4 inch), (b) 210-foot by 10-foot (Hopewell, PA Quadrangle N: 18.6 inches; W: 16.4 inches), (c) 100-foot by 10-foot (Hopewell, PA Quadrangle N: 18.8 inches; W: 16.3 inches), (d) 95-foot by 10-foot (Hopewell, PA Quadrangle N: 18.9 inches; W: 16.3 inches), (e) 150-foot by 10-foot (Hopewell, PA Quadrangle N: 18.7 inches; W: 16.6 inches), (f) 50-foot by 10-foot (Hopewell, PA Quadrangle N: 19.1 inches; W: 16.9 inches), (g) 100-foot by 10-foot (Hopewell, PA Quadrangle N: 19.6 inches; W: 17.2 inches), (h) 40-foot by 10-foot (Hopewell, PA Quadrangle N: 19.7 inches; W: 15.9 inches); and (7) permanently filling 0.03 acre of EV PEM wetlands (Hopewell, PA Quadrangle N: 18.6 inches; W: 16.4 inches) for the construction of a pump station. A total of 110 linear feet of temporary watercourse impacts associated with stream crossings and coffer dams has been waived under 105.12(a)(1) and (2). The project proposes to permanently impact 0.03 acre of EV PEM wetlands, temporarily impact 0.76 acre of EV PEM wetlands and temporarily impact 587 linear feet of stream channel.

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

**E02-1426. ENTP Development LLC**, 535 Smithfield Street, Pittsburgh, PA 15222. Thompson Meadow Residential Development in Ohio Township, **Allegheny County**, Pittsburgh ACOE District (Latitude: 40°, 32', 56" and Longitude: 80°, 5', 40") (Emsworth, PA Quadrangle N: 9.2 inches; W: 14.0 inches). The applicant proposes to place and maintain fill in 0.4 acre of wetlands associated with an unnamed tributary to Bear Run for the purpose of constructing the Thompson Meadow Residential development. The project is on the south side of Mt. Nebo Road, just northeast from the intersection of Mt. Nebo Road and Roosevelt Road. The applicant proposes to impact 0.4 acre of wetlands and 45.0 feet of stream channel. The stream channel will be impacted by a culvert that is waived under Chapter 105.

**E04-297. North Sewickley Township Sewer Authority**, 893 Mercer Road, Beaver Falls, PA 15010. North Sewickley Township Sewer in North Sewickley Township, **Beaver County**, Pittsburgh ACOE District (project begins Beaver Falls, PA Quadrangle N: 18.8 inches; W: 8.3 inches, ends N: 3.2 inches; W: 3.6 inches) (Latitude: 40°, 48', 60" and Longitude: 80°, 17', 23"). The applicant proposes to construct and maintain 86 sanitary utility line stream crossings, 4 across an unnamed tributary to Thompson Run (WWF), 8 across an unnamed tributary to Brush Creek (WWF), 1 across an unnamed tributary to Connoquenessing Creek (WWF), 9 across an unnamed tributary to the Beaver River (WWF), 27 across Bennett Run (WWF) and 37 across an unnamed tributary to

Bennett Run (WWF), to construct and maintain various temporary stream crossing across the same streams, to place and maintain fill in 0.026 acre of wetlands (PEM/PSS) and to temporarily impact 0.69 acre of wetlands (PEM/PSS). The impacts are part of a proposed sanitary sewer collection system which will consist of approximately 160 915 feet of gravity lines, 55 654 feet of low pressure sewer lines, 18 740 feet of force main lines and 7 pump stations. The project starts near the Lawrence and Beaver County border and end near the North Sewickley and Daugherty Township border. The total proposed project impacts are approximately 1,835 of stream impacts, 0.026 acre of permanent wetland impacts and 0.67 acre of temporarily impacted wetlands.

#### DAM SAFETY

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

**D30-055. Consol Pennsylvania Coal Company,** 1800 Washington Road, Pittsburgh, PA 15241. To construct, operate and maintain Bailey Mine Area No. 3 Slurry Dam and four associated saddle dams across a tributary to Enlow Fork (WWF), impacting 1.36 acres of wetlands (PEM) and 13,198 feet of perennial and intermittent stream channel and providing 4.20 acres of wetland mitigation, for the purpose of impounding mine waste slurry (Wind Ridge, PA Quadrangle N: 15.2 inches; W: 1.0 inch) in Richhill Township, **Greene County.**

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## ACTIONS

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### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent for coverage under General Permits. This notice is provided in accordance with regulations at 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 these 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. The 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 may 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 to 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.

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**I. NPDES Renewal Permit Actions**


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*Southwest Region: Oil and Gas Management Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>NPDES No. (Type)</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217778 Industrial Wastewater	Dawson Facility	Fayette County Dunbar Township	Youghiogheny River	Y

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


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

**NPDES Permit No. PA0046396**, Sewage, **Butler Township Authority**, 761 St. Johns Road, P. O. Box 150, St. Johns, PA 18247. This proposed facility is in Butler Township, **Luzerne County** and discharges to Little Nescopeck Creek.

Description of Proposed Action/Activity: Issuance of an NPDES Permit.

**NPDES Permit No. PA0034631**, Sewage, **Kung Mern Tao Chang Tao Center, Inc.**, 3400 Birchwood Drive, East Stroudsburg, PA 18301-9583. This proposed facility is in Pocono Township, **Monroe County** and discharges to Cranberry Bog.

Description of Proposed Action/Activity: Renewal of an NPDES permit.

**NPDES Permit No. PAS232209**, Stormwater, **Jeld-Wen, Inc.**, P. O. Box 1329, Klamath Falls, OR 97601. This proposed facility is in Ringtown Borough, **Schuylkill County**.

Description of Proposed Action: Issue an NPDES permit to discharge stormwater.

**NPDES Permit No. PAS212203**, Stormwater, **Rock Hill Materials Company**, 339 School Street, Catasauqua, PA 18032-1832. This proposed facility is in Hamilton Township, **Monroe County**.

Description of Proposed Action: Issue an NPDES permit to discharge stormwater.

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

**NPDES Permit No. PA0085278**, Sewage, **Deerwood Homeowners Association, Deerwood Mountain Estates**, 11375 Lafayette Road, Mercersburg, PA 17236. This proposed facility is in Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of Licking Creek in Watershed 13-C.

**NPDES Permit No. PA0085375**, Industrial Waste, **James Williamson, Newport Borough Water Authority**, 231 Market Street, Newport, PA 17074. This proposed facility is in Oliver Township, **Perry County**.

Description of Proposed Action/Activity: Authorization to discharge to Little Buffalo Creek in Watershed 12-B.

**NPDES Permit No. PA0087891, Transfer No. 1**, Industrial Waste Stormwater, **Growmark FS, Inc.—East Berlin Facility**, 308 NE Front Street, Milford, DE 19963-9930. This proposed facility is in Latimore Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to a drainage swale tributary to Mud Run in Watershed 7-F.

**NPDES Permit No. PA0007765, Amendment No. 2**, Industrial Waste Stormwater, **Harley-Davidson Motor Company Operations, Inc.**, 1425 Eden Road, York, PA 17402. This proposed facility is in Springettsbury Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of the Codorus and Mill Creeks in Watershed 7-H.

**NPDES Permit No. PA0247111**, CAFO, **Star Rock Farms LLC**, 37 Chestnut Grove Road, Conestoga, PA 17516. This proposed facility is in Conoy Township, **Lancaster County**.

Description of Proposed Operation/Activity: Authorization to operate a concentrated animal feeding operation in Watershed 7-J.

*Southwest Region: Oil and Gas Management Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**NPDES Permit No. PA0219452**, Industrial Wastewater, **CB Energy, Inc.**, 1271 Grandview Road, Oil City, PA 16301 issued on July 2, 2003. This proposed facility, Crabtree Treatment Facility, is in Salem Township, **Westmoreland County**.

Description of Proposed Action/Activity: Discharge treated coalbed methane fluids to receiving waters named Crabtree Creek.

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


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

**WQM Permit No. 3503402**, Sewerage, **Clarks Summit-South Abington Joint Sewer Authority**, P. O. Box 199, Chinchilla, PA 18410. This proposed facility is in South Abington Township, **Lackawanna County**.

Description of Proposed Action/Activity: Issuance of Part II Water Management Permit to replace existing disinfection system.

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

**WQM Permit No. 3603201**, CAFO Operation, **Robert Barley**, 37 Chestnut Grove Road, Conestoga, PA 17516. This proposed facility is in Manor Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of manure storage facilities.

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

**WQM Permit No. 2503409**, Sewerage, **Francis P. Foti**, 6250 Heidler Road, Fairview, PA 16415. This proposed facility is in Fairview Township, **Erie County**.

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

**WQM Permit No. 6203410**, Sewerage, **Michael Condon**, 12861 Girdled Road, Painesville, OH 44077. This proposed facility is in Pittsfield Township, **Warren County**.

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

**WQM Permit No. 2503405**, Sewerage, **Ludwig Corsi**, 3925 Douglass Road, Erie, PA 16510. This proposed facility is in Greene Township, **Erie County**.

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

**WQM Permit No. 2503408**, Sewerage, **Roger L. and Jacqueline R. Fox**, 12656 Swailes Road, Waterford, PA 16441. This proposed facility is in Waterford Township, **Erie County**.

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

**WQM Permit No. 485732**, Sewerage, **Greg Mears**, 17769 Mullen Road, Meadville, PA 16335. This proposed facility is in Hayfield Township, **Crawford County**.

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

**WQM Permit No. 4203402**, Sewerage, **Jeffrey R. Himes**, R. R. 1, Box 282A, Smethport, PA 16749. This proposed facility is in Hamlin Township, **McKean County**.

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

**WQM Permit No. 4203403**, Sewerage, **Dr. Kent K. Smith**, 10 Manning Lane, Cherry Hill, NJ 08003. This proposed facility is in Keating Township, **McKean County**.

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

**WQM Permit No. 2003413**, Sewerage, **Todd Clayton**, 7223 Dutch Hill Road, Meadville, PA 16335. This proposed facility is in Union Township, **Crawford County**.

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

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023903004	Eastern Industries, Inc. 4401 Camp Meeting Rd. Center Valley, PA 18034	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI024003008	B. Land Co., LLC 2005 City Line Rd. Suite 2000 Bethlehem, PA	Monroe	Ross Township	Buckwha Creek HQ-CWF
PAI024803010	Milford Land Co. 325 W. Paxinosa Rd. Easton, PA 18040	Northampton	Forks Township	Bushkill Creek HQ-CWF
PAI025203004	Wallenpaupack Area School District HC 6, Box 6075 Hawley, PA 18428	Pike	Palmyra Township	Wallenpaupack Creek HQ-WWF

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026403001	Messrs. Joseph and Dominick Profaci One Sylvan Rd. Newburgh, NY 12550	Wayne	Paupack Township	Lake Wallenpaupack HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG2000603023	Penn State University P. O. Box 7009 Reading, PA 19610-6009	Berks	Spring Township	Tulpehocken Creek WWF
PAG2000603031-1	Muhlenberg Township 555 Raymond St. Reading, PA 19605	Berks	Muhlenberg Township	Laurel Run

*Cumberland County Conservation District, 43 Brookwood Ave, Suite 4, Carlisle, PA 17013, (717) 240-7812.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG2002103020	Associated Products Services, Inc. 2 East Road Mechanicsburg, PA 17055	Cumberland	Silver Spring Township	Trindle Spring Run CWF

*Dauphin County Conservation District, 1451 Peters Mountain Road, Dauphin, PA 17018, (717) 921-8100.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG200203019	Kenneth H. Myher 4332 Crestview Dr. Harrisburg, PA 17112	Dauphin	Susquehanna Township	Paxton Creek WWF

*Franklin County Conservation District, Admin. Annex, 218 N. 2nd Street, Chambersburg, PA 17201.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG2002803020	Richard Rockwell Laurich Gems South 3745 Lincoln Way West Chambersburg, PA 17201	Franklin	Hamilton Township	Back Creek TSF

*Lancaster County Conservation District, 1383 Arcadia Road, Room 6, Lancaster, PA 17601, (717) 299-5361.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG2003603042	Pfizer Global Mfg. 400 W. Lincoln Ave. Lititz, PA 17543	Lancaster	Lititz Borough	Lititz Run WWF
PAG2003603046	Nelson Stoner 194 W. Lexington Rd. Lititz, PA 17543	Lancaster	Warwick Township	Lititz Run WWF
PAG2003603065	John M. Stoltzfus 29 Stoltzfus Lane Leola, PA 17540	Lancaster	West Earl Township	UNT Groff Creek WWF
PAG2003603067	James Snavely 412 Ridge View Rd. South Elizabethtown, PA 17022	Lancaster	Mount Joy Township	UNT Conoy Creek CWF
PAG2003603078	Robert E. Fisher 254 E. Hemlock Dr. Ephrata, PA 17522	Lancaster	Ephrata Township	Conestoga River WWF
PAG2003603081	Ben Stoltzfus 673 S. Custer Ave. New Holland, PA 17557	Lancaster	Earl Township	Groff Run CWF

*York County Conservation District, 118 Pleasant Acres Road, Suite E, York, PA 17402, (717) 840-7430.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG2006703047	York County Board of Commissioners 1 W. Marketway York, PA 17401	York	East Manchester Township	Codorus Creek WWF
PAG2006703076	Cornerstone Development Co. 300 Bailey Drive, Suite 106 Stewartstown, PA 17363	York	Shrewsbury Borough	Trout Run WWF
PAG2006703032	Jackson Township Sewer Auth. 439 Roths Church Road Spring Grove, PA 17362	York	Jackson Township	UNT to West Branch Codorus Creek WWF
PAG2006703067	Cornerstone Development Co. 300 Bailey Drive, Suite 106 Stewartstown, PA 17363	York	Manchester Township	Codorus Creek WWF
PAG2006703024	Rainee Ruhlman 88 Musselman Road Hanover, PA 17331	York	Manheim Township	Long Run Creek WWF
PAG2006703029	Eric Bortner Penn Township 20 Wayne Ave. Hanover, PA 17331	York	Penn Township	Plum Creek WWF
PAG2006703039	Jerry Lenhoff Gerald Builders P. O. Box 301 New Province, PA 17560	York	Lower Windsor Township East Prospect Borough	UNT to Canadochly Creek WWF
PAG2006703031	Doug Squared Realty 107 Homewood Road York, PA 17403	York	City of York	Codorus Creek WWF
PAG2006703040	Eugene Shank Westlyn Inc. 700 Weldon Drive York, PA 17404	York	Jackson Township	UNT to Honey Run TSF
PAG2006703078	Michael Martin 584 Grandview Drive Lewisberry, PA 17339	York	Fairview Township	Yellow Breeches CWF
PAG2006703051	Richard Pace 30 Dusty's Lane Glen Rock, PA 17327	York	Shrewsbury Township	UNT to South Branch Codorus Creek WWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI091403001	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Centre	Burnside Township	Unnamed tributary to Boake Run

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

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

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

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
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-2*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Upper Chichester Township Delaware County	PAG2002303022	PX Properties, LLC 12 Creek Parkway Boothwyn, PA 19001	Bezor's Run WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Middletown Township Delaware County	PAG2002303043	Michael Murphy 1625 Valley Road Newtown Square, PA 19073	Unnamed tributary East Branch Chester Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Brookhaven Borough Delaware County	PAG2002303041	KFC of America, Inc. Kevin Jones 900 Northbrook Drive Suite 310 Trevose, PA 19805	Ridley Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Aston Township Delaware County	PAG2002303017	Village Center Partnership Richard Rycharski 555 East Baltimore Pike Media, PA 19063	Chester Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
East Vincent Township Chester County	PAG2001503059	Spring City Fellowship Mennonite Church Bruce Tedor 540 Glass Avenue Spring City, PA 19475	Schuylkill River WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hilltown Township Bucks County	PAG2000903072	Calvary Church of Souderton Calvary Church/Anders' Carpets P. O. Box 84 Souderton, PA 18964	Mill Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Falls Township Bucks County	PAG2000903068	Pre Finished Metals Issi Land Development 28 West Bridge Street New Hope, PA 18939-1303	Delaware River WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Perkasie Borough Bucks County	PAG2000903047	Michael Scott Revivals Land Development 845 Galen Lane Schwenksville, PA 19473-1900	Unnamed tributary East Branch Perkiomen Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Springfield Township Bucks County	PAG2000903034	Russell Kissel Russell Kissel Development 169 Deep Run Road Perkasie, PA 18944	Unnamed tributary Tumble Brook CWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hilltown Township Bucks County	PAG000903037	Heritage Building Group, Inc. The Weidner Tract Subdivision Suite A-100 3326 Old York Road Furlong, PA 18925	East Branch Perkiomen Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Nockamixon Township Bucks County	PAG2000903075	Robert Harrington Reifsnider Tract P. O. Box 57 Kintnersville, PA 18930	Gallows Run CWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warrington Township Bucks County	PAG2000903049	Donna Hollingsworth Hollingsworth Tract 108 State Road Lansdale, PA 19446	Mill Creek WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Southampton Township Bucks County	PAG2000903067	Thomas and Scott Montague Peter and Mary Bazakas Dev. 720 North Second Street Pike Southampton, PA 18966	Southampton and Pennypack Creeks WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Plumstead Township Bucks County	PAG2000903040	Texas Eastern Transmission, LP 2003 DOT Pipe Replacement 5400 Westheimer Ct. Houston, TX 77056	Geedes Run CWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Quakertown Borough Bucks County	PAG2000903059	Quakertown Community School District Expansion of parking lots for school	Beaver Creek tributary to Tohickon Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warrington Township Bucks County	PAG2000903091	RGV Builder, LLC Modesto Estates 67 West Court Street Doylestown, PA 18901	Mill Creek TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Telford Borough Bucks County	PAG2000903018	Mark Fournier Public Works Garage Telford Borough Authority 122 Penn Avenue Telford, PA 18969	Unnamed tributary Mill Creek Tributary Perkiomen Creek CWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

## NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Quakertown Borough Bucks County	PAG2000903084	Frank Kelly Mill Street Storage 203 Bucks Road Holland, PA 18966	Tributary Tohickon Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Makefield Township Bucks County	PAG2000903024	Bucks Central Church 87 Holyoke Road Richboro, PA 18954	Core Creek CWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Falls Township Bucks County	PAG2000903092	SWEC, LLC Fairless Works Energy Center 5000 Dominion Boulevard Glen Allen, VA 23060	Delaware River WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hilltown Township Bucks County	PAG2000903020	Helen Grim Helen F. Grim Minor Sbdv. 813 Callowhill Road P. O. Box 212 Perkaise, PA 18944	Unnamed tributary Perkiomen Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Warrington Township Bucks County	PAR10D690	Bluestone Creek, LP 2421 Bristol Road Warrington, PA 18976	Little Neshaminy Creek WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
New Garden Township Chester County	PAG2001503058	Wilkinson Builders Braestone at Landenberg 1020 Broad Run Road Landenberg, PA 19350	Egypt Run CWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Schuylkill Township Chester County	PAG2001503014	Fish and Boat Commission Phoenixville Access Area 450 Robinson Lane Bellefonte, PA 16823	Schuylkill River WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
West Caln Township Chester County	PAG2001503060	William MacCauley John Rock, Inc. 409 Boot Road P. O. Box 251 Downingtown, PA 19335	Rock Run TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Westtown Township Chester County	PAG2001503044	Joseph and Delores McCawley Jefferson Center Lots 2A, 2B and 3B P. O. Box 418 Newtown Square, PA 19073	Goose Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Schuylkill Township Chester County	PAG2001503015	Robert T. Mortimer and Jeffery A. Sparhawk Mortimer/Sparhawk Subdivision 56 Collins Lane Schwenksville, PA 19473	Unnamed tributary to Schuylkill River WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
West Pottsgrove Township Montgomery County	PAG2004603014	Thomas McCalsin, IV Stowe Crossings 56 Blacksmith Road Oley, PA 19547	Schuylkill River WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Providence Township Montgomery County	PAG2004603025	Lower Providence Township Red Tail Park 100 Parklane Drive Eagleville, PA 19403	Unnamed tributary Mine Run TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Towamencin Township Montgomery County	PAG2004602002	Schenk Enterprises, LLC Gehman Road Industrial Commons 280 Rockledge Avenue Huntington Valley, PA 19008	Unnamed tributary Skippack Creek	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Limerick Township Montgomery County	PAG2004603057	Gregg Catagnus Catagnus Funeral Home 711 North Franklin Street Pottstown, PA 19464	Mingo Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Gwynedd Township Montgomery County	PAG2004603050	Gwynedd Estates 375 Morris Road P. O. Box 90 West Point, PA 19486	Unnamed tributary Park Creek WWF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Gwynedd Township Montgomery County	PAG2004603111	Gwynedd Mercy Academy Gwynedd Mercy Academy Dev. 816 Norristown Road P. O. Box 241 Spring House, PA 19477	Wissahickon Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hatfield Township Montgomery County	PAG2004603096	Ralph's Corner CVC, Inc. CVS Pharmacy No. 0338-2	Towamencin Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Merion Township Montgomery County	PAG2004603118	Goodman Properties Today's Man 636 Old York Road, 2nd Floor Jenkintown, PA 19406	Schuylkill River WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Montgomery Township Montgomery County	PAG2004603116	Goodman Properties Walgreen's Pharmacy 636 Old York Road Jenkintown, PA 19406	Wissahickon Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Dublin Township Montgomery County	PAR10T899-1	Temple University Office of Facilities, Temple University Ambler Campus 1711 North 10th Street Philadelphia, PA 19122	Unnamed tributary Wissahickon Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lehigh County Upper Milford Township	PAG2003903010	8613 Associates, Inc. 8613 South Ridge Dr. Macungie, PA 18062	Indian Creek CWF	Lehigh County Conservation District (610) 391-9583

NOTICES

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lehigh County Washington Township	PAG2003903011	William Jones 7761 Center St. Emerald, PA 18080	Trout Creek CWF	Lehigh County Conservation District (610) 391-9583
Luzerne County Fairview and Wright Townships	PAG2004003025	Mark Luchi 122 Klingers Road Drums, PA 18222	Big Wapwallopen Creek CWF	Luzerne County Conservation District (570) 674-7991
Pike County Shohola Township	PAG2005203002	Department of Transportation Shohola-Barryville Bridge Replacement P. O. Box 111 Scranton, PA 18501	Delaware River WWF, MF	Pike County Conservation District (570) 226-8220
Wyoming County Tunkhannock Township	PAG2006603002	Dunmore Oil Co. 1031 Reeves St. Dunmore, PA 18512	Tunkhannock Creek TSF	Wyoming County Conservation District (570) 836-2589
Tioga County Mansfield Borough	PAG2005903011	Mansfield University Mansfield, PA 16933	Tioga River WWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801
Tioga County Wellsboro Borough	PAG2005903012	Orion Development 4125 Freedom Way Weirton, WV 26062	Charleston Creek WWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801
Allegheny County Castle Shannon Borough	PAG2000203005	Joseph Inverso 3407 Library Road Pittsburgh, PA 15260	Saw Mill Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAG2000203025	Port Authority of Allegheny County 345 Sixth Avenue, 3rd Floor Pittsburgh, PA 15222-2527	Pinkerton Run WWF Robinson Run WWF Montour Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Scott Township	PAG2000203048	Sahrsta Development 104 Kenyan Road Pittsburgh, PA 15205	Chartiers Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County East Deer and Frazer Townships	PAG2000203059	T. W. Phillips Gas & Oil Company 205 North Main St. Butler, PA 16001	Crawford Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Upper St. Clair Township	PAG2000203061	M Squared Development 3 Lee Street McDonald, PA 15057	Chartiers Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County City of Pittsburgh	PAG2000203062	University of Pittsburgh 3400 Forbes Avenue Pittsburgh, PA 15260	Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Cambria County Richland Township	PAG2001103013	American Red Cross 307 Vine Street Johnstown, PA 15907	UNT to Sandy Run CWF	Cambria County Conservation District (814) 472-2120
Washington County Canonsburg Borough	PAR10W120R	Metz Contracting, Inc. 797 Carlton Drive Bentleyville, PA 15314	Tributary to Brush Run with flow to Chartiers Creek WWF	Washington County Conservation District (724) 228-6774
Westmoreland County City of Greensburg	PAG2056503026	Maronda Homes, Inc. 202 Park West Dr. Pittsburgh, PA 15275-1002  Pete Kasich Seton Hill Drive Greensburg, PA 15601	Coal Tar Run to Jacks Run WWF	Westmoreland County Conservation District (724) 837-5271

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Westmoreland County Hempfield Township	PAG2056503035	THF Greengate Development LP 2127 Innerbelt Business Center Suite 200 St. Louis, MO 63114	Turtle Creek TSF	Westmoreland County Conservation District (724) 837-5271
Taylor Borough Lackawanna County	PAG2351103003	Department of Environmental Protection Bureau of Abandoned Mine Reclamation 2 Public Square, 5th Floor Wilkes-Barre, PA 18711-0790	St. Johns Creek	(570) 826-2371
<i>General Permit Type—PAG-3</i>				
<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Bowmanstown Borough Carbon County	PAR232227	The Prince Manufacturing Co. One Prince Plaza P. O. Box 1009 Quincy, IL 62306	Fireline Creek Lehigh River	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Lancaster County Columbia Borough	PAR903516	Columbia Municipal Authority 308 Locust Street Columbia, PA 17512	Susquehanna River WWF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Hopwood Fayette County	PAR226116	Coastal Lumber Co. P. O. Box 829 Weldon, NC 27890	Bennington Spring Run (001 and 003) and ditch leading off property (004)	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Chartiers Township Washington County	PAR806123	Overnite Transportation P. O. Box 1216 Richmond, VA 23218	Chartiers Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Bradford Township McKean County	PAR148303	Georgia-Pacific Corporation One Owens Way Bradford, PA 16701	East Branch Tunungwant Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Millcreek Township Erie County	PAR808362	Overnite Transportation Company P. O. Box 1216 Richmond, VA 23224	Unnamed tributary to Cascade Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Evans City Borough Butler County	PAR208363	Paul's Chrome Plating, Inc. 980 Route 228 Mars, PA 16044	Breakneck Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Berks County Muhlenberg Township	PAG043706	Frank Stramaglia 2125 Georgia Road Temple, PA 19560	UNT Laurel Run WWF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Franklin County Montgomery Township	PAG043705	Richard H. Miller, Sr. 133 N. Carlisle Street Greencastle, PA 17225	UNT Licking Creek TSF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Huntingdon County Smithfield Township	PAG043599	Allen D. Betts, Jr. R. R. 1 Box 409A Huntingdon, PA 16652	UNT of Juniata River WWF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Berks County Amity Township	PAG043614	Barry C. Templin 577 Monocacy Hill Road Birdsboro, PA 19508	UNT of Monocacy Creek WWF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (717) 705-4707
Fairview Township Erie County	PAG048896	Francis P. Foti 6250 Heidler Road Fairview, PA 16415	Unnamed tributary to Walnut Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pittsfield Township Warren County	PAG048902	Michael Condon 12861 Girdled Road Painesville, OH 44077	Unnamed tributary of Little Brokenstraw Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Greene Township Erie County	PAG048890	Ludwig Corsi 3925 Douglass Road Erie, PA 16510	Tributary to Fourmile Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Waterford Township Erie County	PAG048893	Roger L. and Jacqueline R. Fox 12656 Swailes Road Waterford, PA 16441	Unnamed tributary to French Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Hayfield Township Crawford County	PAG048904	Greg Mears 17769 Mullen Road Meadville, PA 16335	Unnamed tributary to Brookhouser Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Jefferson Township Mercer County	PAG048480	Randall L. Carroll 622 Charleston Road Sharpsville, PA 16150	Tributary to Shenango Reservoir	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Freehold Township Warren County	PAG048546	Roger E. Chelton R. R. 1, Box 17 Bear Lake, PA 16402-9609	Unnamed tributary to Little Brokenstraw	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Greenfield Township Erie County	PAG048515	Joseph W. Martin 8730 Dougan Road North East, PA 16428	Unnamed tributary of Seven Mile Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Hamlin Township McKean County	PAG048894	Jeffrey R. Himes R. R. 1, Box 282A Smethport, PA 16749	Tributary to Marvin Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Keating Township McKean County	PAG048910	Dr. Kent K. Smith 10 Manning Lane Cherry Hill, NJ 08003	Unnamed tributary to Potato Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Union Township Crawford County	PAG048906	Todd Clayton 7223 Dutch Hill Road Meadville, PA 16335	Unnamed tributary to French Creek	NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*Permit Type—PAG-5*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Bedford County Bedford Township	PAG053572	Bedford Valley Petroleum Five Gables Amoco and RG's Convenience Store 10228 Lincoln Highway Everett, PA 15537-6908	UNT Dunning Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-8*

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Contact Office and Telephone No.</i>
Jackson Township Luzerne County	PAG082213	Department of Corrections State Correctional Institution at Dallas	NERO 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Bedford Township Bedford County	PAG083582	Bedford Wastewater Treatment Plant 244 West Penn Street Bedford, PA 15522	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

**PUBLIC WATER SUPPLY PERMITS**

The Department of Environmental Protection has taken the following actions on applications received under the Safe Drinking Water Act 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 may 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 to 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 (35 P. S. §§ 721.1—721.17).

*Southeast Region: Water Supply Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

##### Permit No. 2303501, Public Water Supply.

Applicant **Chester Water Authority**  
415 Welsh Street  
Chester, PA 19016

Township Little Britain

County **Lancaster**

Type of Facility PWS

Consulting Engineer Gannett Fleming, Inc.  
P. O. Box 67100  
Harrisburg, PA 17106

Permit to Construct Issued June 16, 2003

##### Permit No. 1503503, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania Suburban Water Company**  
763 W. Lancaster Avenue  
Bryn Mawr, PA 19010

Township Franklin

County **Chester**

Type of Facility PWS

Consulting Engineer CET Engineering Services  
1240 N. Mountain Road  
Harrisburg, PA 17112

Permit to Operate Issued June 11, 2003

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

**Operations Permit** issued to **Hemlock Farms Community Association**, 1007 Hemlock Farms, Hawley, PA 18428, PWS ID 2520033, Blooming Grove Township, **Pike County** on June 26, 2003, for the operation of facilities approved under Construction Permit No. 5202502.

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

##### Permit No. 6703504, Public Water Supply.

Applicant **Red Lion Municipal Authority**

Municipality Windsor Township

County **York**

Type of Facility Construction Permit for proposed addition of a new Cabin Creek Reservoir raw water pump station and transmission main, new aeration and potassium permanganate feed facilities to oxidize iron and manganese.

Consulting Engineer Jeffrey S. Shue, P. E.  
C S Davidson Inc.  
38 North Duke Street  
York, PA 17401

Permit to Construct Issued June 18, 2003

**Operations Permit** issued to **Lower Dauphin School District**, 7220373, Londonderry Township, **Dauphin County** on June 13, 2003, for the operation of facilities approved under Construction Permit No. 2202507.

**Operations Permit** issued to **United Christian Church Home**, 7380001, North Annville Township, **Lebanon County** on June 10, 2003, for the operation of facilities approved under Construction Permit No. 3803502 MA.

**Operations Permit** issued to **Reading Area Water Authority**, 3060059, City of Reading, **Berks County** on July 7, 2003, for the operation of facilities approved under Construction Permit No. 0603501.

**Operations Permit** issued to **Mt. Gretna Heights Assoc. Inc.**, 7380039, West Cornwall Township, **Lebanon County** on July 7, 2003, for the operation of facilities approved under Construction Permit No. 3802503.

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

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

Applicant **Shinglehouse Borough**  
**c/o Barry Church, Council President**  
P. O. Box 156  
Shinglehouse, PA 16748

Township Sharon Township

County **Potter County**

Type of Facility PWS—Construction of a 300,000 gallon concrete finished water storage tank.

Consulting Engineer Richard L. Connors, P. E.  
Northwest Engineering, Inc.  
R. D. 1, P. O. Box Q  
Tidioute, PA 16351

Permit to Construct Issued June 25, 2003

##### Permit No. 1402505—Operation. Public Water Supply.

Applicant **Mount Eagle Water Association**  
**c/o Joseph Taylor, President**  
288 Mount Eagle Road  
Howard, PA 16841

Township Howard Township

County **Centre**

Type of Facility PWS—Authorizes operation of Well No. 1, sodium hypochlorite and polyphosphate treatment facilities, a 53,000 gallon finished water storage tank, approximately 1,200 feet of 6-inch transmission and distribution mains and associated controls and piping.

Consulting Engineer Kerry Uhler, P. E.  
Kerry A. Uhler & Associates  
140 W. High St.  
Bellefonte, PA 16823

Permit to Operate July 1, 2003  
Issued

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

**Permit No. 2603501**, Public Water Supply.

Applicant **National Pike Water Authority**  
4888 National Pike  
Markleysburg, PA 15459

Borough or Township Wharton, Stewart and Henry Clay  
Townships

County **Fayette**

Type of Facility Water supply system

Consulting Engineer McMillen Engineering Company  
P. O. Box 363  
Hopwood, PA 15445

Permit to Construct June 19, 2003  
Issued

**Permit No. 0302502**, Public Water Supply.

Applicant **Rural Valley Borough**  
Box 415  
Rural Valley, PA 16249

Borough or Township Rural Valley Borough

County **Armstrong**

Type of Facility Water supply system

Consulting Engineer Bankson Engineers Inc.  
267 Blue Run Road  
P. O. Box 200  
Indianola, PA 15051

Permit to Construct June 25, 2003  
Issued

**Operations Permit** issued to **Municipal Authority of Westmoreland County**, SW Corner of U. S. Route 30 West and South Greengate Road, Greensburg, PA 15601, PWS ID 5650032, Bell Township, **Westmoreland County** on June 23, 2003, for designation of water quality parameters at the George Sweeney Water Treatment Plant.

**Operations Permit** issued to **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108, PWS ID 5020011, Moon Township, **Allegheny County** on June 20, 2003, for the operation of facilities approved under Construction Permit No. 0202502.

**Permit No. 1103501, Minor Amendment.** Public Water Supply.

Applicant **Ebensburg Municipal Water Authority**  
300 West High Street  
Ebensburg, PA 15931

Borough or Township Ebensburg Borough

County **Cambria**

Type of Facility Hillcrest Drive Water Storage  
Tank  
Consulting Engineer  
US Engineering, LLC  
4 Sunrise Court  
Highland, IL 62249

Permit to Construct June 23, 2003  
Issued

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

**Permit No. 1003503**, Public Water Supply.

Applicant **Bonniebrook Personal Care Home**  
111 Bonniebrook Road  
Cabot, PA 16032

Borough or Township Jefferson Township

County **Butler**

Type of Facility Install 2,000 gallon finished water  
storage tank with booster pump.

Consulting Engineer Gray Warnick Engineering  
662 West New Castle Road  
Butler, PA 16001

Permit to Construct July 3, 2003  
Issued

**Permit No. 2088503-MA1, Minor Amendment.**  
Public Water Supply.

Applicant **Vernon Township Water Authority**  
16678 McMath Road  
Meadville, PA 16335

Borough or Township Vernon Township

County **Crawford**

Type of Facility Replace gas chlorination system  
with liquid chlorination for  
disinfection.

Consulting Engineer Porter Consulting Engineers, P. C.  
814 North Main Street  
Meadville, PA 16335.

Permit to Construct June 26, 2003  
Issued

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Robeson Township	2689 Main Street Birdsboro, PA 119508	Berks

Plan Description: The approved plan provides for an extension of the Robeson Township Municipal Authority sewerage along SR 0568 to serve the Green Hills Lake area and the tracts proposed for development as Green Hills Estates and Villages of Green Hills. The Plan also provides for the expansion of the RTMA wastewater treatment facility and a pump station as required to provide capacity for the service area indicated in the plan. The Department's review of the sewage facilities

update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

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

### Settlement under the Comprehensive Environmental Response, Compensation and Liability Act and the Hazardous Sites Cleanup Act North Front Associates/Container Recyclers Site, Philadelphia County

The Department, under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) and the Comprehensive Environmental Response, Compensation and Liability Act (42 U. S. C. A. §§ 9601—9675), has entered into a proposed settlement with Lightman Drum Co., Inc. concerning the cleanup of the North Front Associates (former Container Recyclers Ltd.) site in Philadelphia County. Under the terms of the proposed Consent Decree, Lightman Drum Co. Inc. will pay into the Pennsylvania Hazardous Sites Cleanup Fund the sum of \$7,650 in three installments. In the mid 1990s, the Department implemented an Interim Response and a Prompt Interim Response to mitigate the threat to human health and the environment posed by the hazardous substances released there.

The specific terms of this settlement are set forth in the proposed Consent Decree between the Department and Lightman Drum Co., Inc. The Department will receive and consider comments relating to the proposed Consent Decree for 60 days from the date of this notice. The Department has the right to withdraw its consent to the proposed Consent Decree if the comments concerning the proposed Consent Decree disclose facts or considerations which indicate that the proposed Consent Decree is inappropriate, improper or not in the public interest. After the public comment period, the Department's settlement with Lightman Drum Co., Inc. shall be effective on the date on which, if the Department has notified the United States District Court for the Eastern District of Pennsylvania in writing that no significant comments were received or that a response to significant written comments has been filed, the Court issues an Order entering the Consent Decree.

Copies of the proposed Consent Decree are available for inspection at the Department's Southeast Regional Office in Conshohocken, Montgomery County. Comments may be submitted in writing to Thomas Sheehan, Project Manager, Hazardous Sites Cleanup Program, Department of Environmental Protection, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Further information may be obtained by contacting Thomas Sheehan at (610) 832-6000 during business hours. TDD users may contact the Department through the Pennsylvania Relay Services at (800) 645-5984.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

**The following final 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 final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where 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.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department Regional Office after which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

*Southeast Region: Environmental Cleanup Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**McHugh Brothers Equipment Corp. Properties, Middletown Township, Bucks County.** Mark Fortna, DelVal Soil & Environmental Consultants, Inc., 4050 Skyron Dr., Doylestown, PA 18901, on behalf of McHugh Brothers Equipment Corp., P. O. Box 7196, Pennel, PA 19047, has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Former Auto Service Station—Commerce Bank N. A., Warwick Township, Bucks County.** Jason D. Plucinski, React Environmental Services, Inc., 6901 Kingsessing Ave., Philadelphia, PA 19142, on behalf of Commerce Bank N. A., 1700 Atrium Way, Mount Laurel, NJ 08054, has submitted a Final Report concerning remediation of site soil contaminated with benzene and site groundwater contaminated with lead and benzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Montgomery Mall—J. C. Penney, Montgomery Township, Montgomery County.** Robert S. Terefenko, P. G., Center Point Tank Services, Inc., 536 Benjamin Franklin Highway, Douglassville, PA 19518, on behalf of Stephen Sussman, Montgomeryville Associates, 234 Mall Blvd., King of Prussia, PA 19406, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with fuel oil no. 2. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Mort's Auto Repair, City of Philadelphia, Philadelphia County.** Joseph Diamadi, Marshall Geoscience, Inc., 219 W. Main St., Trappe, PA 19426, on behalf of Mort Lowenthal, 122 Benjamin Court, Bldg. F, Philadelphia, PA 19114, has submitted a Final Report concerning remediation of site groundwater contaminated with MTBE and unleaded gasoline. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

**Former Whitman's Chocolate (Pillsbury) Warehouse**, City of Philadelphia, **Philadelphia County**. Blake N. Moyer, Jr., URS Corp., 2325 Maryland Rd., 2nd Fl., Willow Grove, PA 19090, on behalf of Gershal Brothers, Larry Gershal, 720 N. Fifth St., Philadelphia, PA 19123, has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with fuel oil no. 4. The report is intended to document remediation of the site to meet the Statewide Health Standards.

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

**Former Claysburg Air Force Station**, Pavia Township, **Bedford County**. U. S. Army Corps of Engineers, 10 South Howard Street, 11th Floor, PP-E, Baltimore, MD 21201, submitted a Final Report concerning remediation of site soils contaminated with fuel oil no. 2, chlorinated solvents and other organics. The report is intended to document remediation of the site to the Statewide Health Standard.

**Agere Systems (formerly Lucent Technologies)**, Muhlenberg Township, **Berks County**. ARCADIS G & M, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19407, on behalf of Agere Systems, 2525 North 12th Street, Reading, PA 19604, submitted a Final Report concerning remediation of groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to the Statewide Health Standard.

**New Holland North America Garage Area near Building 36**, New Holland Borough, **Lancaster County**. CNH Global N. V., 700 State Street, Racine, WI 53404, submitted a Final Report concerning remediation of site soils and groundwater contaminated with diesel fuel, unleaded gasoline, leaded gasoline and used motor oil. The report is intended to document remediation of the site to the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8 and the 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 its 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 as-

essment 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 after 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Former Glenside Foreign Motors Facility**, Cheltenham Township, **Montgomery County**. Charles Q. McGuth, Environmental Maintenance Co., Inc., 1420 Mermaid Lane, Glenside, PA 19038, on behalf of Estate of Remo DiLello/Susan Butler, 540 Andrew Dr., Southampton, PA 18966, has submitted a Final Report concerning the remediation of site soil contaminated with leaded gasoline and unleaded gasoline. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 23, 2003.

**1925-43 West Allegheny Avenue Site**, City of Philadelphia, **Philadelphia County**. Cristine McCollum, Assistant, Brownfield Redevelopment, City of Philadelphia, 1515 Arch St., 12th Fl., Philadelphia, PA 19102, has submitted a Baseline Remedial Investigation Work Plan concerning the remediation of site soil contaminated with PAH. The site is in a special industrial area. The work plan was approved by the Department on June 25, 2003.

**Progress Plaza**, City of Philadelphia, **Philadelphia County**. William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Suite 200, Philadelphia, PA 19104-2897, on behalf of Progress Investment Associates, Inc., Attn: Wendell Whitlock, 1501 N. Broad St., Philadelphia, PA 19122, has submitted a Remedial Investigation, Risk Analysis, Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents and leaded gasoline. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 27, 2003.

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

**Chemetron True Temper Facility**, Lake City Borough, **Erie County**. Christopher D. Tower, P. E., P. G., CD Tower & Assoc. Inc., P. O. Box 307, Export, PA 15632 (on behalf of Progress Rail Services, Corp., 1185 Industrial Blvd., Boaz, AL 35957) has submitted a Final Report concerning the remediation of soil and groundwater contaminated with diesel fuel. The Final Report is approved. Final report demonstrated attainment of the Statewide Health Standards and was approved by the Department on June 19, 2003.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

*Hazardous Waste Transporter License Renewed*

**K & D Industrial Services, Inc.**, 20105 Beverly Road, Romulus, MI 48174. License No. PA-AH 0320. Effective June 19, 2003.

**T. F. Boyle Transportation, Inc.**, 15 Riverhurst Road, Billerica, MA 01821. License No. PA-AH 0572. Effective July 1, 2003.

**Waste Recovery Solutions, Inc.**, 343 King Street, Myerstown, PA 17067. License No. PA-AH 0683. Effective July 1, 2003.

*Hazardous Waste Transporter License Expired*

**Laidlaw Carriers, Inc.**, 1179 Rideway Road, Woodstock, Ontario, Canada N4S 8P6, License No. PA-AH 0624. Effective June 30, 2003.

**Reifsneider Transportation**, P. O. Box 756, 223 Fellowship Road, Eagle, PA 19480. License No. PA-AH 0486. Effective June 30, 2003.

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the act of July 13, 1988 (P. L. 525, No. 93) (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

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

*Infectious and Chemotherapeutic Waste Transporter License Renewed*

**American Waste Industries, Inc.**, 508 E. Indian River Road, Norfolk, VA 23523. License No. PA-HC 0210. Effective June 30, 2003.

**York Hospital**, 1001 S. George Street, York, PA 17405. License No. PA-HC 0017. Effective June 30, 2003.

*Infectious and Chemotherapeutic Waste Transporter License Voluntarily Terminated*

**Bridgeview, Inc. c/o Stericycle, Inc.**, 111 Domorah Drive, Montgomeryville, PA 18936. License No. PA-HC 0084. Effective July 1, 2003.

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

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

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

**General Permit No. WMGR082D001. SQP Industries**, P. O. Box 15, Brownsville, PA 15417-0015. The general permit authorizes processing of steel slag, iron slag and refractory bricks that were codisposed with slag for removal of metallic residuals and mechanical sizing prior to beneficial use as construction material. The Department issued the determination of applicability on July 7, 2003.

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

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

**Permit revoked 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.**

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

**Permit No. 603148. Ted O. McWilliams, Springettsburg Township Wastewater Treatment Facility**, 1501 Mount Zion Road, York, PA 17402, Hellam Township, **York County**, John Staubach Farm. The permit was revoked by the Southcentral Regional Office on July 1, 2003.

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

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

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

**Permit No. 300983. GemChem, Inc.**, P. O. Box 384, Lititz, PA 17543-0384, Lititz Borough, **Lancaster County**. The permit modification is for the approved changes to the Form R Waste Analysis and Classification

Plan for GemChem Residual Waste Processing Facility. The permit was approved by the Southcentral Regional Office on June 23, 2003.

**Permit No. 100945. Community Refuse Service Inc.**, 142 Vaughn Road, Shippensburg, PA 17257, Hopewell and North Newton Townships, **Cumberland County**. The permit modification is for Leachate Recirculation for the Cumberland County Landfill. The permit was approved by the Southcentral Regional Office on July 7, 2003.

**Permit No. 100945. Community Refuse Service Inc.**, 142 Vaughn Road, Shippensburg, PA 17257, Hopewell and North Newton Townships, **Cumberland County**. The permit modification is for Leachate Recirculation for the Cumberland County Landfill. The permit was approved by the Southcentral Regional Office on July 7, 2003.

Persons interested in reviewing a general permit may contact John Krueger, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4704. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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

**Permit No. 101546. Potter County Solid Waste Authority**, R. R. 1 Box 234A, Ulysses, PA 16948-0234 in Ulysses Township, **Potter County**. The permit modification for the implementation of a Radiation Protection and Action was issued by the Williamsport Regional Office on July 3, 2003.

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

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

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

**Permit No. 101125. Lycoming County**, Lycoming County Courthouse, 48 West Third St., Williamsport, PA 17701-6536 in the City of Williamsport, **Lycoming County**. The permit was reissued to the County of Lycoming by the Williamsport Regional Office on June 26, 2003.

**Permit No. 100963. Lycoming County**, Lycoming County Courthouse, 48 W. Third Street, Williamsport, PA 17701-6536 in Brady Township, **Lycoming County**. The permit was reissued to the County of Lycoming by the Williamsport Regional Office on June 26, 2003.

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

**Permits terminated under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to**

**operate solid waste processing or disposal area or site.**

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

**Permit ID No. 101467. Waste Management of PA, Inc., Kittanning Transfer Station**, Pony Farm Road, Kittanning, PA 16201. Operations of a municipal waste transfer station in North Buffalo Township, **Armstrong County**. Permit terminated at the request of the operator on June 30, 2003.

**MUNICIPAL AND RESIDUAL WASTE TRANSPORTER AUTHORIZATION**

**Issued applications for Municipal and Residual Waste Transporter Interim Authorization received under the Waste Transportation Safety Act (27 Pa.C.S. §§ 6201–6209) and regulations to transport municipal or residual waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.*

**Premier Office Solutions**, 374 South Warminster Road, Hatboro, PA 19040. Authorization No. WH4822. Effective June 23, 2003.

**Fra Mi Developers Inc.**, P. O. Box 98, Bethlehem, PA 18016-0098. Authorization No. WH4825. Effective June 23, 2003.

**Robert Cuomo**, R. R. 5 Box 896, Altoona, PA 16601. Authorization No. WH4826. Effective June 23, 2003.

**Livingstone Trucking**, R. R. 1 Box 238G, Blairs Mills, PA 17213-9700. Authorization No. WH4829. Effective June 23, 2003.

**James Sankey & Associates Ltd.**, P. O. Box 570, Jamison, PA 18929-0570. Authorization No. WH4830. Effective June 23, 2003.

**HT Lyons Inc.**, P. O. Box 20050, Lehigh Valley, PA 18002-0050. Authorization No. WH4831. Effective June 23, 2003.

**Scheifley's Tree Service**, 257 Fancy Hill Road, Boyertown, PA 19512. Authorization No. WH4834. Effective June 23, 2003.

**Zeila Trucking Inc.**, 175 Jordan Road, Colonia, NJ 07067. Authorization No. WH4835. Effective June 23, 2003.

**Raul Sosa**, Suite 400, 41 University Drive, Newtown, PA 18940. Authorization No. WH4836. Effective June 23, 2003.

**Hamill Manufacturing Co., Inc.**, 500 Pleasant Valley Road, Trafford, PA 15085-2701. Authorization No. WH4839. Effective June 23, 2003.

**WC Dolan Enterprises**, R. R. 5 Box 160, Mt. Pleasant, PA 15666-8908. Authorization No. WH4841. Effective June 23, 2003.

**Taxacher Construction Co.**, 1123 Mt. Pleasant Road, Scottdale, PA 15683-2421. Authorization No. WH4843. Effective June 23, 2003.

**Shea Industries Inc.**, 90 College Ave., Factoryville, PA 18419. Authorization No. WH2961. Effective June 23, 2003.

**Clearwood Transport**, 492 Compass Road, Gap, PA 17527. Authorization No. WH4692. Effective June 23, 2003.

**Thelma A. Sanchez**, 331 Highway 3 North, Hopewell, NJ 08525. Authorization No. WH4867. Effective June 23, 2003.

**Civitella Contracting Co., Inc.**, P. O. Box 668, 44 Smithbridge Road, Chester Heights, PA 19017-0668. Authorization No. WH4845. Effective June 23, 2003.

**Betz Builders Ltd.**, 1945 Pioneer Road, Huntingdon Valley, PA 19006. Authorization No. WH4846. Effective June 23, 2003.

**Kenneth R. Doyle**, 90 Buck Road, Holland, PA 18966. Authorization No. WH4847. Effective June 23, 2003.

**Cynthia A. Bittinger**, 89 Spring Street, Frostburg, MD 21532. Authorization No. WH4850. Effective June 23, 2003.

**Donnelly Contracting Inc.**, 550 Swamp Road, Newtown, PA 18940. Authorization No. WH4851. Effective June 23, 2003.

**Jenks Township, Forest County**, P. O. Box 436, 2 Pine St., Marienville, PA 16239. Authorization No. WH4852. Effective June 23, 2003.

**Stringert Inc.**, 1208 McKee Ave., McKees Rocks, PA 15136. Authorization No. WH4853. Effective June 23, 2003.

**WHR Trucking**, 2552 E. Scenic Dr., Bath, PA 18014-9747. Authorization No. WH4855. Effective June 23, 2003.

**Edward Bucci Builder Inc.**, Suite 216, 812 State Road, Princeton, NJ 08540. Authorization No. WH4859. Effective June 23, 2003.

**David Rodriguez**, 8 Otomi Trail, Oak Ridge, NJ 07438. Authorization No. WH4882. Effective June 23, 2003.

**Elizabeth A. Castillo**, 203 Miller St., Newark, NJ 07105. Authorization No. WH4883. Effective June 23, 2003.

**Women At Work Hauling**, 202 Buttermilk Bridge Road, Asbury, NJ 08802. Authorization No. WH4652. Effective June 24, 2003.

**Charles P. Langton**, 1425 Chestnut St., Kulpmont, PA 17834. Authorization No. WH4926. Effective June 24, 2003.

**K. D. Snyder General Contracting**, 285 East Main St., Bath, PA 18014. Authorization No. WH4927. Effective June 24, 2003.

**Rock Solid Demolition**, 308 Jim Mountain Road, Normalville, PA 15469. Authorization No. WH4849. Effective June 25, 2003.

**Garth A. Price**, 1361 Johnson St., Nanty Glo, PA 15943. Authorization No. WH2938. Effective March 19, 2003.

**Larry J. White**, 31 Dogwood Drive, McVeytown, PA 17051. Authorization No. WH3222. Effective March 19, 2003.

**David A. Back**, 290 Route 366, Apollo, PA 15613. Authorization No. WH3461. Effective March 19, 2003.

**Timothy Chappell**, 2173 Cardiff Ave., Nanty Glo, PA 15943. Authorization No. WH4898. Effective June 26, 2003.

**Antonio A. Correia**, 2nd Floor, 108 Marne St., Newark, NJ 07105. Authorization No. WH4899. Effective June 26, 2003.

**Julio Vasquez**, 153 W. Gulf Ave., South Plainfield, NJ 07080. Authorization No. WH4908. Effective June 26, 2003.

**Jason D. Utegg**, R. R. 5, Box 5588, Honesdale, PA 18481. Authorization No. WH4765. Effective June 25, 2003.

**Parson Excavating**, 226 North Saint Mary's Street, Saint Mary's, PA 15857. Authorization No. WH4766. Effective June 25, 2003.

**Jabe Construction & Equipment, Inc.**, 2501 Manchester Road, Erie, PA 16506. Authorization No. WH4767. Effective June 25, 2003.

**Gary T. Buckley d/b/a Buckley Contracting**, P. O. Box 153, Alloway, NJ 08001. Authorization No. WH4768. Effective June 25, 2003.

**Ferretti Carting, Inc.**, 160 Union Street, Hackensack, NJ 07601. Authorization No. WH4769. Effective June 25, 2003.

**McKenney Excavating Company**, 22 Little Lane, Media, PA 19063. Authorization No. WH4771. Effective June 25, 2003.

**Joe Krentzman & Son, Inc.**, P. O. Box 508, Lewistown, PA 17044-0508. Authorization No. WH4774. Effective June 25, 2003.

**Hull Trucking & Excavating**, 10841 Station Road, North East, PA 16428-6005. Authorization No. WH4775. Effective June 25, 2003.

**Mikhail Donskoy**, 3149 Sheffield Place, Holland, PA 18966. Authorization No. WH4776. Effective June 25, 2003.

**William J. Ingram Fuels, Inc.**, 4187 Nittany Valley Drive, Howard, PA 16841. Authorization No. WH4777. Effective June 25, 2003.

**Carlos Piloto**, 431 East Sanger Street, Philadelphia, PA 19120. Authorization No. WH4778. Effective June 25, 2003.

**Yanira L. Castro**, 4125 L Street, Philadelphia, PA 19124. Authorization No. WH4783. Effective June 25, 2003.

**B. S. I., Inc.**, 333 Paterson Plank Road, Carlstadt, NJ 07072. Authorization No. WH4784. Effective June 25, 2003.

**Thomas J O'Beirne & Company, Inc.**, 37 Woodland Road, Roseland, NJ 07068. Authorization No. WH4785. Effective June 25, 2003.

**Joint Municipal Authority of Wyomissing Valley**, 701 Old Wyomissing Road, Reading, PA 19611-1513. Authorization No. WH4786. Effective June 25, 2003.

**Tolga Trucking**, 19 Freewood Street, Howell, NJ 07733. Authorization No. WH4787. Effective June 25, 2003.

**Albert C. Hefenfinger**, R. R. 1, Box 392, New Bloomfield, PA 17068. Authorization No. WH4790. Effective June 25, 2003.

**David J. Bioni**, 1 Mary Drive, Carnegie, PA 15106-5016. Authorization No. WH4791. Effective June 25, 2003.

**Ron Vanicek Fabrication & Machine**, 8811 Francis Road, Girard, PA 16417. Authorization No. WH4792. Effective June 25, 2003.

**Hector L. Rodriguez**, 1661 Orthodox Street, Philadelphia, PA 19124. Authorization No. WH4793. Effective June 25, 2003.

**Nemeth Construction**, 149 Nemeth Lane, Hollsopple, PA 15935-0214. Authorization No. WH4795. Effective June 25, 2003.

**Warren F. Delong, Inc.**, 33 Conestoga Road, Malvern, PA 19355. Authorization No. WH4796. Effective June 25, 2003.

**Romelio Mata**, Apartment A 108, 9181 Academy Road, Philadelphia, PA 19114. Authorization No. WH4797. Effective June 25, 2003.

**Bill Montgomery & Company, Inc.**, 3900 Dunnett Lane, Murrysville, PA 15668-9709. Authorization No. WH4798. Effective June 25, 2003.

**Nicrown Corporation**, 2260 Shoenersville Road, Allentown, PA 18109-9595. Authorization No. WH4800. Effective June 25, 2003.

**Blair County Trucking**, 506 Baker Lane, Duncansville, PA 16635. Authorization No. WH4854. Effective June 13, 2003.

**D & J Cappelli Inc.**, 139 School House Lane, Glen Mills, PA 19342. Authorization No. WH4066. Effective June 24, 2003.

**Environmental Waste Services**, 284 Nautilus Drive, Manahawkin, NJ 08050. Authorization No. WH4489. Effective June 24, 2003.

**Peter G. Crawford**, 375 Race Street, Hughesville, PA 17737-1900. Authorization No. WH4738. Effective June 24, 2003.

**Amilcar A. Aquino**, P. O. Box 0466, Plainfield, NJ 07060. Authorization No. WH4739. Effective June 24, 2003.

**McCoy Landscape & Tree Service Inc.**, 103 Walton Road, Hatboro, PA 19040. Authorization No. WH4740. Effective June 24, 2003.

**D. E. Kreider Trucking**, 144 East Harrisburg Avenue, P. O. Box 102, Rheems, PA 17570-0102. Authorization No. WH4742. Effective June 24, 2003.

**Cali Carting Inc.**, P. O. Box 440, Kearny, NJ 07032. Authorization No. WH4743. Effective June 24, 2003.

**Dunmeyer Transportation**, 1464 Gardner Road, Somerset, PA 15501-6034. Authorization No. WH4744. Effective June 24, 2003.

**Falbo Paving Inc.**, 1457 Huntingdon Road, Abington, PA 19001. Authorization No. WH4745. Effective June 24, 2003.

**Wallace M. Hyde, Jr.**, 180 Beaver Street, P. O. Box H, Springboro, PA 16435-0355. Authorization No. WH4749. Effective June 24, 2003.

**Ralph J. Colucci LLC**, 613 Viking Road, Swedeland, PA 19406. Authorization No. WH4752. Effective June 24, 2003.

**Dami Trucking Co. d/b/a W. K. Frame & Sons Inc.**, 1205 Pottstown Pike, Glenmoore, PA 19343-9578. Authorization No. WH4756. Effective June 24, 2003.

**Trybus Roofing**, 30 West Manilla Avenue, Pittsburgh, PA 15220-2839. Authorization No. WH4758. Effective June 24, 2003.

**North Whitehall Township, Lehigh County**, 3256 Levans Road, Coplay, PA 18037-2118. Authorization No. WH4759. Effective June 24, 2003.

**Durnins Plumbing Services**, P. O. Box 20924, Lehigh Valley, PA 18002-0924. Authorization No. WH4760. Effective June 24, 2003.

**Eriez Construction Inc.**, P. O. Box 10121, 2218 East 30th Street, Erie, PA 16510-0121. Authorization No. WH4761. Effective June 24, 2003.

**Hometown Carpets & Waterbeds**, 8 Old Orchard Road, Milton, PA 17847-2124. Authorization No. WH4762. Effective June 24, 2003.

**Troy Jay Construction Inc.**, 114 Sanderson Drive, Slippery Rock, PA 16057. Authorization No. WH4763. Effective June 24, 2003.

**Felco Inc.**, 1205 Pottstown Pike, Glenmoore, PA 19343-9578. Authorization No. WH4764. Effective June 24, 2003.

**Walter Stocki Excavating & Demolition Inc.**, 167 Sussex Street, Old Forge, PA 18578. Authorization No. WH3898. Effective June 26, 2003.

**C. T. Slattery Concrete Construction Inc.**, 2520 Route 819 North, Mt. Pleasant, PA 15666. Authorization No. WH4603. Effective June 26, 2003.

**Leon Stoltzfus**, 720 Peters Road, New Holland, PA 17557-9510. Authorization No. WH4707. Effective June 26, 2003.

**Salvage Roofing**, 10304 Jones Road, Erie, PA 16510-5318. Authorization No. WH4729. Effective June 26, 2003.

**Vic's Hauling**, 2040 Hill Road, Perkiomenville, PA 18074-9647. Authorization No. WH4860. Effective June 26, 2003.

**David W. Light**, R. R. 1 Box 178A, Rome, PA 18837-9768. Authorization No. WH4862. Effective June 26, 2003.

**White Rose Roofing Inc.**, 940 Wellsville Road, Wellsville, PA 17365. Authorization No. WH4864. Effective June 26, 2003.

**Pickering Valley Landscape Inc.**, P. O. Box 950, Glenmoore, PA 19343. Authorization No. WH4865. Effective June 26, 2003.

**Emelyn Hernandez**, 360 Whiton Street, Jersey City, NJ 07304. Authorization No. WH4866. Effective June 26, 2003.

**Wayne McMullen**, P. O. Box 602, Nazareth, PA 18064-0602. Authorization No. WH4868. Effective June 26, 2003.

**Del Locke Plumbing**, 3331 Coventryville Road, Pottstown, PA 19465-8530. Authorization No. WH4870. Effective June 26, 2003.

**Otteni Industries Inc.**, 4999 Pittsburgh Avenue, Erie, PA 16509-6206. Authorization No. WH4871. Effective June 26, 2003.

**Swartz's Roofing & Remodeling**, 259 Park Avenue, Milton, PA 17847. Authorization No. WH4872. Effective June 26, 2003.

**Barber General Contracting**, P. O. Box 377, Coopersburg, PA 18036. Authorization No. WH4889. Effective June 26, 2003.

**Jerry Kapusta Building Contractor**, 1643 Old Sumneytown Pike, Harleysville, PA 19438-1124. Authorization No. WH4890. Effective June 26, 2003.

**Minor A. Barquero**, 13 Hurden Street, Hillside, NJ 07205-2840. Authorization No. WH4891. Effective June 26, 2003.

**Pfister Maintenance Inc.**, 80 East Fifth Street, Paterson, NJ 07524. Authorization No. WH4892. Effective June 30, 2003.

**Current Construction**, 134 Seaton Hill Road, Dunbar, PA 15431. Authorization No. WH4702. Effective June 30, 2003.

**Brian J. Scisco**, 24 Clover Hill Drive, Jackson, NJ 08527. Authorization No. WH4382. Effective June 30, 2003.

**Clair L. Schon**, 208 Schon Lane, Cogan Station, PA 17728. Authorization No. WH4893. Effective June 30, 2003.

**Able Hess Associates Inc.**, 1014 Penn Avenue, Pittsburgh, PA 15221. Authorization No. WH4894. Effective June 30, 2003.

**Rockwell Construction Company Inc.**, 5793 Oakwood Drive, Mercersburg, PA 17236. Authorization No. WH4895. Effective June 30, 2003.

**S & K Construction Company Inc.**, R. R. 2, Tobyhanna, PA 18466-9802. Authorization No. WH4897. Effective June 30, 2003.

**Theodore R. Burrell**, 198 E. Cherry Road, Quakertown, PA 18951-4303. Authorization No. WH4844. Effective June 30, 2003.

**Grappler Construction**, 306 Mt. Manor Road, Manor, PA 15665. Authorization No. WH4902.

**John C. Kahl, Jr. Excavating Inc.**, 7026 Furnace Road, Waynesboro, PA 17268. Authorization No. WH4903. Effective June 30, 2003.

**Sopko Contracting Inc.**, P. O. Box 179, Venetia, PA 15367-0179. Authorization No. WH4904. Effective June 30, 2003.

**Moore Construction**, 115 Buckhorn Road, Bloomsburg, PA 17815. Authorization No. WH4906. Effective June 30, 2003.

**Pottstown Borough, Montgomery County**, 100 E. High St., Pottstown, PA 19464-9525. Authorization No. WH4909. Effective June 30, 2003.

**Michael Schultheiss**, 1000 Sterigere St., Norristown, PA 19401. Authorization No. WH4910. Effective June 30, 2003.

**MAP & JE Trucking Co.**, 73 Peck Ave., Newark, NJ 07107. Authorization No. WH2954. Effective July 1, 2003.

**Trenton Roofing & Siding Inc.**, 127 Rusling St., Trenton, NJ 08611. Authorization No. WH2968. Effective July 1, 2003.

**Carlos G. Matute**, 39-44 58th St., Apt. 1, Woodside, NY 11377. Authorization No. WH3088. Effective July 1, 2003.

**Summer Mountain Transportation LLC**, 41 Summer Mountain Road, Bernville, PA 19506. Authorization No. WH3168. Effective July 1, 2003.

**Atlantic Trucking**, 38 Urban Dr., Selden, NY 11784. Authorization No. WH3565. Effective July 1, 2003.

**Maryland Waste Service Inc.**, P. O. Box 70328, Baltimore, MD 21237. Authorization No. WH3583. Effective July 1, 2003.

**Direct Distribution**, 200 N. Magee St., Southampton, NY 11968. Authorization No. WH4900. Effective July 1, 2003.

**Laverne F. Williams**, 859 N. 16th St., Philadelphia, PA 19130. Authorization No. WH4907. Effective July 1, 2003.

**Marcia M. Sforca**, 1215 Broadway, Hillside, NJ 07205. Authorization No. WH4939. Effective July 1, 2003.

**Reginald R. Covington**, 403 Lantern Lane, Lansdale, PA 19446. Authorization No. WH4940. Effective July 1, 2003.

**Marcos N. Victores**, 739 McGillvray Place, Linden, NJ 07036. Authorization No. WH4941. Effective July 1, 2003.

**Cays Contracting**, R. R. 8 Box 8131, Stroudsburg, PA 18360-9208. Authorization No. WH4925. Effective July 1, 2003.

**Department of Transportation, District 9-7**, 1312 N. Center Ave., P. O. Box 509, Somerset, PA 15501-0509. Authorization No. WH4929. Effective July 1, 2003.

**Wrath of Allah Recycling Mecca Medina**, 2311 West Fairmount Avenue, Philadelphia, PA 19130. Authorization No. WH4185. Effective June 30, 2003.

**A-Jon Construction Inc.**, 719 Old Maple Road, Springfield, PA 19064. Authorization No. WH4471. Effective June 30, 2003.

**Schnupp Trucking**, 822 Leiphart Lane, Wrightsville, PA 17368. Authorization No. WH4737. Effective June 30, 2003.

**Jon C. Beltz**, 743 Cooper Avenue, Johnstown, PA 15906-1113. Authorization No. WH4741. Effective June 30, 2003.

**JMG Service Inc.**, 303 Myrtle Ave., Garwood, NJ 07027. Authorization No. WH4920. Effective July 2, 2003.

**Lloyd S. Aungst Excavating**, 420 Rock Road, Pine Grove, PA 17963-9374. Authorization No. WH4922. Effective July 2, 2003.

**Top Quality Construction Inc.**, 3684 Tunnel Hill Road, Seven Valleys, PA 17360. Authorization No. WH4923. Effective July 2, 2003.

**H & J Properties LLC**, 2170 Reis Run Road, Pittsburgh, PA 15237-1425. Authorization No. WH4924. Effective July 2, 2003.

**Wesley Hauling**, P. O. Box 1436, 123 S. Marshall St., Lancaster, PA 17608. Authorization No. WH4928. Effective July 2, 2003.

**McElroy Paving Co., Inc.**, P. O. Box 688, Ingomar, PA 15127. Authorization No. WH4930. Effective July 2, 2003.

**TK Trucking Co., Inc.**, 30 First St., Little Falls, NJ 07424. Authorization No. WH4931. Effective July 2, 2003.

**Christopher C. Carvalho & Sons Disposal**, P. O. Box 25, Narvon, PA 17555-0025. Authorization No. WH4932. Effective July 2, 2003.

**Frank Lombardo Trucking, Inc.**, 16 Stout Street, Yatesville, PA 18640. Authorization No. WH3611. Effective July 2, 2003.

**Gable & Son Construction, Inc.**, 500 South 9th Street, Lebanon, PA 17042-6697. Authorization No. WH3776. Effective July 2, 2003.

**Whyte's Removal Service**, 228 Raymond Avenue, P. O. Box 267, Avondale, PA 19311. Authorization No. WH4223. Effective July 2, 2003.

**McDaid Brothers**, 3 McDaniel Avenue, Wilmington, DE 19043. Authorization No. WH4224. Effective July 2, 2003.

**BNC General Contractor, Inc.**, 310 Pennington-Titusville Road, Pennington, NJ 08534. Authorization No. WH4617. Effective July 2, 2003.

**Spring Lake Excavating**, R. R. 2, Box 103A, Wyalusing, PA 18853. Authorization No. WH4873. Effective June 30, 2003.

**JEJ Leasing Company, Inc.**, P. O. Box 56, Hubbard, OH 44425. Authorization No. WH4874. Effective June 30, 2003.

**Cesar Transport Corporation**, 1470 Route 46 East, Ledgewood, NJ 07852. Authorization No. WH4875. Effective June 30, 2003.

**NVC Express**, 335 Chestnut Street, P. O. Box 266, Norwood, NJ 07648. Authorization No. WH4876. Effective June 30, 2003.

**Weaber, Inc.**, 1231 Mount Wilson Road, Lebanon, PA 17042-4785. Authorization No. WH4877. Effective June 30, 2003.

**William D. Kinkead III**, 1203 Montmorenci Road, Ridgway, PA 15853. Authorization No. WH4879. Effective June 30, 2003.

**Rick's Backhoe Service, Inc.**, 88 West Donaldson Street, Zerbe, PA 17981. Authorization No. WH4880. Effective June 30, 2003.

**Mund's Landscaping, Inc.**, 1500 C, Route 179, Lambertville, NJ 08530. Authorization No. WH4881. Effective June 30, 2003.

**Petroleum Recycling Corporation**, 597 Glen Meadow Road, Richboro, PA 18954-1668. Authorization No. WH4884. Effective June 30, 2003.

**Remo's Mushroom Service, Inc.**, P. O. Box 870, Avondale, PA 19311. Authorization No. WH4886. Effective June 30, 2003.

**BFB Construction Company**, P. O. Box 425, Pocono Lake, PA 18347-0425. Authorization No. WH4887. Effective June 30, 2003.

**Buckman Iron & Metal**, 16 West Race Street, P. O. Box 252, Catasauqua, PA 18032. Authorization No. WH4888. Effective June 30, 2003.

**Tri-State Development, Inc.**, 3706 East 5th Avenue, North Versailles, PA 15137-2364. Authorization No. WH4911. Effective July 2, 2003.

**Precise Tank Modifications, Inc.**, P. O. Box 274, Madison, PA 15663-0274. Authorization No. WH4912. Effective July 2, 2003.

**Pyne Freight Lines, Inc.**, 1000 Union Street, Taylor, PA 18517. Authorization No. WH4913. Effective July 2, 2003.

**Al's Construction**, 2792 Trafford Road, Murrysville, PA 15668. Authorization No. WH4914. Effective July 2, 2003.

**ADN Trucking Company**, 55 Jay Street, Hackensack, NJ 07601. Authorization No. WH4915. Effective July 2, 2003.

**Chuba Heating & Remodeling, Inc.**, 922 East 8th Avenue, Homestead, PA 15120. Authorization No. WH4917. Effective July 2, 2003.

**M. D. Wagner Hauling & Excavating**, R. R. 1, Box 236-I, Tionesta, PA 16353-9438. Authorization No. WH4918. Effective July 2, 2003.

**Nick Falcone & Sons, Inc.**, 650 Painter Street, Media, PA 19063. Authorization No. WH4919. Effective July 2, 2003.

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**Voluntarily terminated applications for Municipal and Residual Waste Transporter Interim Authorization received under the Waste Transportation Safety Act and regulations to transport municipal or residual waste.**

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**All Waste Inc.**, P. O. Box 2472, Hartford, CT 06146-2472. Authorization No. WH2201. Voluntarily terminated June 16, 2003.

**National Freight**, 71 West Park Ave., Vineland, NJ 08360. Authorization No. WH4659. Voluntarily terminated July 2, 2003.

**Barry G. Miller/Geno's Tri-Axle Service**, 7 Miller Lane Oak Spring Road, Marianna, PA 15345. Authorization No. WH2477. Voluntarily terminated July 2, 2003.

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**Denied applications for Municipal and Residual Waste Transporter (Interim Final Transfer Renewal) Authorization received under the Waste Transportation Safety Act and regulations to transport municipal or residual waste.**

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*Central Office: Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.*

**Euro Transportation, Inc.**, 430 Adams St., Newark, NJ 07105. Authorization No. WH1631. Authorization No. WH1964. Effective July 1, 2003.

## AIR QUALITY

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**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.**

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*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**AQ-SE-0017: Pyramid Materials** (414 West Knowlton Road, Media, PA 19063) on July 7, 2003, for a portable mineral processing plant in Aston Township, **Delaware County**.

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

**33-173: Snyder Brothers, Inc.—Sheesley Station** (SR 2004, Bowersville, PA 15715) on June 30, 2003, to operate a natural gas production facility in Gaskill Township, **Jefferson County**.

**33-165: Snyder Brothers, Inc.—Shields Station** (Brocius Road, Brookville, PA 15857) on June 30, 2003, to operate a natural gas production facility in Clover Township, **Jefferson County**.

**20-289: Belden and Blake Corp.—Kirvan Station** (Dotyville Road, Enterprise, PA 16354) on June 30, 2003, to operate a natural gas production facility in Oil Creek Township, **Crawford County**.

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**23-0056: Honeywell International Inc.** (6100 Philadelphia Pike, Marcus Hook, PA 19061) on July 3, 2003, to operate a fluosulfonic acid manufacturing in Marcus Hook Borough, **Delaware County**.

**15-0117: Allan A. Myers, Inc. d/b/a Independence Construction Materials** (4045 State Road, Devault, PA 19432) on July 3, 2003, to operate a storage tank in-line preheater in City of Coatesville, **Chester County**.

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

**06-03126: Lehigh Cement Co.** (204 Windsor Avenue, Hamburg, PA 19526-8341) on July 3, 2003, to install three bin vent collectors to control emissions from five bulk storage silos at their Hamburg Facility in Windsor Township, **Berks County**.

**06-05005A: Eastern Industries, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) on June 30, 2003, to modify combust no. 5 waste oil in their existing batch asphalt plant controlled by a knock out box and fabric filter at their Oley Blacktop Plant in Oley Township, **Berks County**.

**36-03145: NTN-BCA Corp.** (401 West Lincoln Avenue, P. O. Box 1400 Lititz, PA 17543-7020) on June 30, 2003, to install a batch vapor-cleaning machine (degreaser) in Lititz Borough, **Lancaster County**.

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

**30-00040B: RAG Cumberland Resources** (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370) on July 7, 2003, to construct an improved clean coal stacking, storage, reclaim and transfer system at their existing coal preparation plant in Whiteley Township, **Greene County**.

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**09-0087B: Air Products and Chemicals, Inc.** (351 Philadelphia Avenue, Morrisville, PA 19067) on July 3, 2003, to operate a SiF<sub>4</sub> process scrubber in Falls Township, **Bucks County**.

**23-0082: Liberty Electric Power, LLC** (1000 Industrial Highway, Eddystone, PA 19022) on July 8, 2003, to operate a power plant—500 mW in Eddystone Borough, **Delaware County**.

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

**22-03048: Reiff and Nestor Co.** (P. O. Box 147, Lykens, PA 17048) on April 14, 2003, to install a mist eliminator to control emissions from chrome electroplating tanks in the Borough of Lykens, **Dauphin County**. This Plan Approval was extended.

**36-03074A: Colonial Metals Co.** (217 Linden Street, Columbia, PA 17512) on June 5, 2003, to renovate their existing scrap metal recycling facility in Columbia Borough, **Lancaster County**. This facility is subject to 40 CFR Part 60, Subpart M—Standards of Performance for Secondary Brass and Bronze Production Plants. This Plan Approval was extended.

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

**26-00545A: HBC Barge, LLC** (1800 Paul Thomas Boulevard, Brownsville, PA 15417) on July 2, 2003, for barge manufacturing and repair at Brownsville Facility in Brownsville Borough, **Fayette County**. This plan approval was extended.

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

**10-021J: INDSPEC Chemical Corp.** (133 Main Street, Petrolia, PA 16050) on June 30, 2003, to modify the resin hold tank in Petrolia, **Butler County**.

**42-197A: M & M Royalty Ltd.—Irishtown Plant** (Route 307, Lewis Run, PA 16738) on May 31, 2003, to install a compressor engine in Lafayette Township, **McKean County**.

**24-083D: Carbone of America—Graphite Materials Division** (215 Stackpole Street, St. Marys, PA 15857) on June 30, 2003, for CBH Kilns in Benzinger Township, **Elk County**.

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

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**46-00010: Montenay Montgomery, LP** (1155 Conshohocken Road, Conshohocken, PA 19428) on July 3, 2003, the permit was amended to incorporate changes approved under Plan Approval PA-46-0010C in Plymouth Township, **Montgomery County** for an administrative Title V Operating Permit issued under the Air Pollution Control Act and 25 Pa. Code § 127.450.

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

**06-05022: State System of Higher Education—Kutztown University of Pennsylvania** (P. O. Box 730, Kutztown, PA 19530-0730) on June 30, 2003, to operate Kutztown University in Maxatawny Township, **Berks County**. This is a renewal of the Operating Permit.

**06-05045: Department of Public Welfare** (P. O. Box 1000, Hamburg, PA 19526) on June 30, 2003, to operate Hamburg Center in Windsor Township, **Berks County**. This is a renewal of the Operating Permit.

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

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*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**23-00088: Southco, Inc.** (210 North Brinton Lake Road, Concordville, PA 19331) on July 3, 2003, to operate a Natural Minor Operating Permit in Concord Township, **Concord County**.

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

**06-05030: Caraustar Mill Group, Inc.** (3110 Paper Mill Road, Sinking Spring, PA 19608) on June 30, 2003, to operate their paperboard mill in Spring Township, **Berks County**.

**21-05028: Fry Communications, Inc.** (101 Fry Drive, Mechanicsburg, PA 17055) on June 24, 2003, to operate their lithographic printing operation at plant no. 2 in Mechanicsburg Borough, **Cumberland County**.

**28-03025: Wenger's Feed Mill, Inc.** (101 Harrisburg Avenue, Rheems, PA 17570-0026) on July 1, 2003, to construct a feed mill facility in South Hampton Township, **Franklin County**.

**36-03034: Purina Mills, LLC** (P. O. Box 66812, St. Louis, MO 63166) on June 30, 2003, to operate their animal feed mill in East Hempfield Township, **Lancaster County**.

**38-03032: Sun Pipe Line Co.** (Ten Penn Center, 20th Floor, Philadelphia, PA 19013) on July 1, 2003, to operate a biofilter treatment/soil vapor extraction system at their Cornwall Pumping Station in West Cornwall Township, **Lebanon County**.

**38-03039: Martins Wood Products** (650 Houtztown Road, Myerstown, PA 17067-2196) on July 2, 2003, to operate their wood furniture finishing system in Jackson Township, **Lebanon County**.

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

**42-00095: Georgia-Pacific Corp.—Bradford Packaging** (One Owens Way, Bradford, PA 16701) a Natural Minor Operating Permit for emissions from the manufacturing of container board (corrugated cardboard) in Bradford Township, **McKean County**.

**61-00190: Oil City Area School District** (10 Lynch Boulevard, Oil City, PA 16301) on July 1, 2003, for a Natural Minor Permit to operate two natural gas boilers, two hot water heaters and one natural gas electric generator in Oil City, **Venango County**.

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

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

**8-313-042C: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848) on July 1, 2003, to

authorize the operation of two vacuum/spray chambers and a plasma densification unit in North Towanda Township, **Bradford County**.

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**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**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).**

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*Coal Permit Actions*

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

**04971301. NPDES Permit PA0215074, MJ Mining Company** (P. O. Box 89, Tarentum, PA 15084), to renew the permit for mine no. 1 in Greene Township and Shippingport Borough, **Beaver County** and the related NPDES permit, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued June 26, 2003.

**30921601. NPDES Permit PA0214060, RAG River Processing Corporation** (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370), to renew the permit for the Monongahela Resource Tipple in Jefferson Township, **Greene County** and related NPDES permit, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges., The first downstream potable water supply intake from the point of discharge is N/A. Permit issued July 1, 2003.

**26961601. NPDES Permit PA0214779, Matt Canestrone Contracting, Inc.** (P. O. Box 234, Belle Vernon, PA 15012-0234), to renew the permit for the LaBelle Site in Luzerne and East Bethlehem Townships, **Fayette and Washington Counties** and the related NPDES permit, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued July 1, 2003.

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

**03960107. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Permit revised to change the land

use to pastureland on the Batistig and Rearick property, at a bituminous surface/auger mine in Burrell Township, **Armstrong County**, affecting 167.8 acres. Receiving streams: unnamed tributary to Cherry Run to Crooked Creek. Application received May 19, 2003. Revision issued July 1, 2003.

#### *Noncoal Permit Actions*

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

**22880302C2 and NPDES Permit PA0594211. Haines & Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474), renewal and correction of NPDES Permit for discharge of treated mine drainage in Lower Swatara Township, **Dauphin County**, receiving stream: Swatara Creek. Application received May 17, 2001. Renewal/ correction issued July 3, 2003.

**39870302C and NPDES Permit PA0594326. Haines & Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage in South Whitehall Township, **Lehigh County**, receiving stream: Jordan Creek. Application received May 16, 2003.

**5878SM3C3 and NPDES Permit PA0595691. Haines & Kibblehouse, Inc.** (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage in Penn Forest Township, **Carbon County**, receiving stream: Stony Creek. Application received May 21, 2003. Renewal issued July 3, 2003.

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**08030802. Glenn M. Crimbring**, R. R. 1, Box 315, Canton, PA 17724. Commencement, operation and restoration of a Small Industrial Minerals (Gravel) permit in Canton Township, **Bradford County** affecting 1 acre. Receiving streams: tributary to Towanda Creek. Application received February 4, 2003. Permit issued June 18, 2003.

**08010810. Gregory A. Strawn**, P. O. Box 675, Hallstead, PA 18822. Commencement, operation and restoration of a Small Industrial Minerals (Bluestone) permit in Windham Township, **Bradford County** affecting 3 acres. Receiving streams: unnamed tributaries to Wysox Creek and Trout Stream. Application received June 28, 2001. Permit issued June 1, 2003.

**18990801. Mark I. Stein**, 221 W. Main Street, Lock Haven, PA 17745. Final bond release for a small noncoal mining operation in Woodward Township, **Clinton County**. Restoration of 1 acre completed. Application for final bond release received June 11, 2003. Final bond release approved: June 23, 2003.

## 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 may 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 to 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 P. S. §§ 691.1—691.702) and Notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341).**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E46-930. Lower Frederick Township**, 533 Spring Mount Road, P. O. Box 253, Zieglerville, PA 19492-0253, Lower Frederick Township, **Montgomery County**, ACOE Philadelphia District.

To remove, replace and maintain an existing 15-foot wide, two-span arch bridge over the Goshenhoppen Creek (TSF) on Zieglerville Road with a 32-foot wide by 7-foot high Conspan Bridge (Perkiomenville, PA Quadrangle N: 4.8 inches; W: 14.2 inches). Work will also include the construction and maintenance of:

1. Approximately 100 linear feet of drainage channel stabilization at the downstream side of the road.
2. A 24-inch stormwater outfall and associated drainage system on the northwest corner of the bridge.
3. Relocation of the 12-inch water main.

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

**E45-438. Game Commission**, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, Coolbaugh Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To remove the existing structures and to construct and maintain the following road crossings: (1) two 66-inch diameter PVC coated CMP culverts having a 12-inch culvert depression in Fritz Run (HQ-CWF) (Thornhurst, PA Quadrangle N: 18.5 inches; W: 0.3 inch); (2) a 57-inch by 37-inch CMP culvert having a 6-inch culvert depression in a tributary to Fritz Run (HQ-CWF) (Tobyhanna, PA Quadrangle N: 14.6 inches; W: 14.4 inches); and (3) two 48-inch diameter HDPE culverts having a 6-inch culvert depression in Cross Keys Run (HQ-CWF) (Tobyhanna, PA Quadrangle N: 9.85 inches; W: 10.05 inches) for the purpose of maintaining a restricted access road through State Game Lands No. 127. The projects are generally approximately 0.6 mile southwest of I-380 and approximately 3 miles northwest of SR 0423 in Coolbaugh Township, Monroe County (Subbasin (2A)).

**E48-318. Grand Central Sanitary Landfill, Inc.**, 1963 Pen Argyl Road, Pen Argyl, PA 18072, Plainfield Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain two road crossings consisting of an 18-inch diameter RCP culvert and a 42-inch diameter RCP culvert, respectively, in two tributaries to Little Bushkill Creek (HQ-CWF) and 0.28 acre of adjacent exceptional value PSS wetlands for the purpose of constructing a new access road to the existing western stockpile area. The permittee is required to provide 1.03 acres of replacement wetlands. The project is at the existing landfill, approximately 0.5 mile southeast of SR 0512 (Wind Gap, PA Quadrangle N: 5.3 inches; W: 2.5 inches) (Subbasin (1F)).

**E40-615. Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501, Plymouth Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a 65-foot wide two-span prestressed concrete spread box beam bridge, having clear normal spans of 27 feet and an underclearance of 12.3 feet across Harveys Creek (CWF). The project includes removal of existing outfall structures and construction of four 18-inch RCP stormwater outfalls along Harveys Creek (CWF). A 45-foot wide single-span temporary bridge and 0.12 acre temporary impact of PEM wetlands are proposed for a temporary road. The project is along SR 0029, Section 374, Segment 0150, Offset 0035 (Wilkes-Barre West, PA Quadrangle N: 20.8 inches; W: 16.5 inches) (Subbasin 05B).

**E35-365. Borough of Old Forge**, 314 South Main Street, Old Forge, PA 18518. Old Forge Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To excavate approximately 1.8 acres within the floodway of St. John's Creek (CWF) for the purpose of constructing the Sibley Avenue Soccer Field Project (Scranton, PA Quadrangle N: 1.8 inches; W: 15.0 inches) (Subbasin 05A).

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

**E44-120: Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street, Clearfield, PA 16830 in Brown and Derry Townships, **Mifflin County**, ACOE Baltimore District.

To remove the existing nine-span bridge and then construct and maintain a four-span bridge with a total length of 390 feet with an average underclearance for 11

feet across Kishacoquillas Creek (TSF) on SR 1005, Section A01, Segment 0100, Offset 2009 and to temporarily impact 0.074 acre of wetland to refurbish a dirt road for nonmotorized vehicles and bikers just north of Burnham Borough (Burnham, PA Quadrangle N: 5.35 inches; W: 11.6 inches) in Brown and Derry Townships, Mifflin County.

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

**E18-366. Robbie M. Hyde**, 306 Confer Street, Mill Hall, PA 17751. Water Obstruction and Encroachment Permit application in Woodward Township, **Clinton County**, ACOE Susquehanna River Basin District (Lock Haven, PA Quadrangle N: 6.3 inches; W: 13.15 inches).

To construct and maintain a 17-foot by 34-foot pavilion in the floodway of the West Branch Susquehanna River along Eden Lane in Woodward Township, Clinton County. This permit was issued under section 105.13(e) "Small Projects."

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

**E65-818. Swank Development Group, LP**, 200 Hunt Valley Road, New Kensington, PA 15068. Sierra Commercial Industrial Park in Washington Township, **Westmoreland County**, Pittsburgh ACOE District (New Kensington East, PA Quadrangle N: 5.1 inches; W: 0.75 inch). To place and maintain fill over an existing 65-foot long metal arch culvert having a single opening of 24 feet wide and 8.5 feet high with natural streambed in Pine Run (WWF) to provide roadway access to the proposed Sierra Commercial Industrial Park. The construction of this culvert was previously authorized under General Permit No. GP076502226. The project is along SR 380, near its intersection with SR 780.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.*

**D06-446EA. Womelsdorf-Robeson Joint Authority**, P. O. Box 94, Womelsdorf, PA 19567. Heidelberg Township, **Berks County**, ACOE Philadelphia District.

Project proposes to breach Furnace Creek Dam across Furnace Creek (HQ-CWF, MF), restore the stream within the reservoir and relocate/restore the stream below the dam to its historic location for the purpose of eliminating a public safety hazard and restore the stream to a free flowing condition. The dam is approximately 4,700 feet southwest of the intersection of Furnace Street (T493) and T368 (Womelsdorf, PA Quadrangle N: 14.5 inches; W: 3.2 inches).

#### DAM SAFETY

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

**D46-332A. Abington Township**, 1176 Old York Road, Abington, PA 19001. To construct, operate and maintain the Susquehanna Woods Flood Control Dam across a tributary to Sandy Run (TSF), impacting 0.18 acre of wetlands (PEM) and 1,325 feet of stream for the purpose of attenuating flood flows downstream of the project site. The applicant has made a contribution to the Pennsylvania Wetland Replacement Project instead of constructing replacement wetlands. This is a request to reissue a Dam Permit which was issued on January 21, 2000, and

expired on December 31, 2001 (Germantown, PA Quadrangle N: 22.5 inches; W: 3.5 inches) in Abington Township, **Montgomery County**.

**D63-127A. Glencannon Homeowners Association.** 425 Hunting Creek Road, Canonsburg, PA 15317. To modify, operate and maintain Glencannon Pond Dam across tributary to Little Chartiers Creek (HQ-WWF) for the purpose of rehabilitating the existing dam to include placement of rip-rap erosion protection, dredging accumulated sediments and modification of the decant riser (Canonsburg, PA Quadrangle N: 1.8 inches; W: 2.7 inches) in North Strabane Township, **Washington County**.

**D51-002. Fairmont Park Commission, Memorial Hall Park West,** P. O. Box 21601, Philadelphia, PA 19131. Project proposes to modify an existing fish passage facility at the Fairmont Dam across the Schuylkill River (WWF, MF) to increase efficiency of the existing structure. The exit channel and gate will be reconstructed to alleviate one of the primary problems, which is the accumulation of trash and debris at the exit of the ladder. A narrow section of the old entrance weir will also be removed and a new weir gate to control entrance flow will be constructed. Existing current baffles have a 12-inch door opening and have an average pool drop of 12 inches. The baffles will be modified to 18-inch minimum door

openings with a pool drop of 9 inches to meet current standards. A 5-foot nonoverflow section on the crest of the dam will also be constructed to prevent water from the spillway from competing with water from the fish ladder entrance (Philadelphia, PA-NJ N: 16.85 inches; W: 8.95 inches) in the City of Philadelphia, **Philadelphia County**.

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## SPECIAL NOTICES

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### Certification to Perform Radon-Related Activities in this Commonwealth

In the month of June 2003, the Department of Environmental Protection, under the authority in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the following persons to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Allied Home Inspections, Inc.	1604 Lititz Pike Lancaster, PA 17601	Testing
Karen Amspacker	77 West Broad Street Suite 15C Bethlehem, PA 18018	Testing
Willis Bortmas, III	370 Red Dog Road Butler, PA 16001	Testing
Rob Bruno Boro Environmental, Inc.	501 Sharp Avenue Glenolden, PA 19036	Testing
Jeffrey Calta	106 Vensel Lane P. O. Box T Chicora, PA 16025	Testing
Carl Distenfeld TCS Industries, Inc.	4326 Crestview Road Harrisburg, PA 17112	Testing and Laboratory
Ronald Fridley	3838 Yerkes Road Collegetown, PA 19426	Testing
Vilas Godbole	307 Dogwood Lane Wallingford, PA 19086	Testing
Nancy Hernandez	2 Hayes Street Elmsford, NY 10523	Laboratory
Jeff Hicks	11 Longview Drive Stroudsburg, PA 18360	Testing
Raymond Johnson Key Technology, Inc.	929 Mount Zion Road Lebanon, PA 17046	Laboratory
Michael Lieb	407 Burmont Road Drexel Hill, PA 19026	Testing
Leonard Mathison	Box 125, Route 8 Valencia, PA 16059	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Thomas Moore	421 Redgate Road Sewickley, PA 15143	Testing
Jerry Petrill	R. D. 9, Box 423 A Greensburg, PA 15601	Mitigation
Shawn Price Air Chek, Inc.	1936 Butter Bridge Road Fletcher, NC 28732	Laboratory
David Robertson	345 West Rose Tree Road Media, PA 19064	Testing
Louis Salerno	R. R. 2, Box 89A Watsontown, PA 17777	Testing
Jeffrey Saulsbury Saulsbury Environmental Consultants, Inc.	307 Lucilla Street Pittsburgh, PA 15218	Testing
Terry Spalti	2843 North Front Street Harrisburg, PA 17110	Testing
Eugene Spoehr	801 Yale Avenue, Unit G-4 Swarthmore, PA 19081	Testing
Lawrence Transue	657 Walnut Street Suite 100 Easton, PA 18040	Testing
Richard Walmer	929 Mount Zion Road Lebanon, PA 17046	Testing
John Wietry	7 Golf Course Road Dillsburg, PA 17019	Testing
Joseph Wiggins	136 Maclaine Drive Carnegie, PA 15106	Mitigation
Edward Zigga	177 Main Street Eynon, PA 18403	Mitigation
Eric Zigga	177 Main Street Eynon, PA 18403	Mitigation

**BUREAU OF DEEP MINE SAFETY  
APPROVAL OF REQUEST FOR VARIANCE**

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (Bureau) has approved Senate Coal Mine, Inc.'s request for a variance from the requirements of section 242(c) of the Pennsylvania Bituminous Coal Mine Act (act) (53 P. S. §§ 701-1014—701-706) at the Ondo Extension Mine. This notification contains a summary of this request and the basis for the Department's approval. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the Bureau website at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

*Summary of the Request.* Senate Coal Mine, Inc. requested a variance from section 242(c) of the act to allow for the common ventilation of belt conveyor entry with other entries at the Ondo Extension Mine. The proposal accords protections to persons and property substantially equal to or greater than the requirements set forth in the act.

The basis for the Bureau's approval is summarized as follows:

1. The Pyott-Boone 9500 CO Monitoring System will provide advance warning of a developing mine fire originating in the conveyor belt entry. When maintained and operating correctly, this system provides warnings much earlier than the point type heat sensors.

2. Common entries would permit the larger section mantrip and scoops access to belt entry for transportation of personnel and supplies.

3. The operator will maintain a separate isolated intake escapeway that is at a higher air pressure than the belt and common entries.

4. The plan provides for the common entries to serve as an alternate intake escapeway. There will be a total of three separate, isolated escape routes.

This approval is limited to a variance from the requirements in section 242(c) of the act requiring that the belt entry is isolated from other entries. All other terms and requirements of section 242(c) of the act shall remain in effect. This approval applies to all areas developed after

May 20, 1998. Continued authorization for operation under the approval is contingent upon compliance with the measures described in the plan and the following conditions:

1. Operation, maintenance and calibration of the Pyott-Boone's 9500 CO Monitor System shall comply with the manufacturer's recommendation and Department equipment approval no. BOTE 1070-89.

2. The mine operator shall comply with the Mine Safety and Health Administration's approved Fire Fighting and Evacuation Plan.

3. The designated surface person responsible for responding to alarms from the CO monitor system shall be task trained in the procedures utilized for notifying all affected mine personnel should an alert or alarm occur.

4. A test button shall be installed to allow a daily function check of the outside surface alarm system.

5. Any common entry where work is performed or that will be used as a travelway must be preshifted prior to entering the area.

6. The number of entries in common with the conveyor belt entry in the mains and sub-mains shall be limited to one entry.

7. A preshift date board shall be placed at each CO sensor location.

8. The audible alarm shall be adjusted so that it can be heard in all parts of the surface office building.

[Pa.B. Doc. No. 03-1413. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center page. The "Current Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2003.

#### *Ordering Paper Copies of Department Technical Guidance*

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

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

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Draft Technical Guidance—New*

DEP ID: 150-0200-002. Title: Operator Certification Program Guidelines. Description: The State Board for Certification of Water and Wastewater Systems Operators will follow the guidance and procedures in this document to direct and support the implementation of the Water and Wastewater Systems Operators Certification Act and meet the Federal guidelines provided by section 1419 of the 1996 Amendments to the Federal Safe Drinking Water Act. Anticipated Effective Date: November 1, 2003. Contact: Kathy Keyes, (717) 787-2043, [kkeyes@state.pa.us](mailto:kkeyes@state.pa.us).

#### *Draft Technical Guidance—Substantive Revision*

DEP ID: 383-2300-001. Title: Pennsylvania's Interim Program for Operator Certification. Description: The changes to this guidance are designed to more effectively implement this program by addressing specific problems identified by members of the regulated community. These changes are prepared as a result of meetings and conversations with the Department's regional offices and the regulated community. This guidance applies to all owners and operators of regulated water and wastewater systems, the State Board for Certification of Water and Wastewater Systems Operators (Board) and the Department. The Department and the Board will follow the guidance and procedures in this document to direct and support the implementation of the Water and Wastewater Systems Operators Certification Act and meet the Federal guidelines provided by section 1419 of the 1996 Amendments to the Federal Safe Drinking Water Act. Anticipated Effective Date: November 1, 2003. Contact: Foster Diodato, (717) 787-0122, [fdiodato@state.pa.us](mailto:fdiodato@state.pa.us).

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 03-1414. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Coastal Zone Management Program; Minor Changes

The Department of Environmental Protection (Department) has received a favorable decision from the Federal Office of Ocean and Coastal Resource Management (OCRM) concerning its proposal to make several minor changes to the Commonwealth's Coastal Zone Management (CZM) Program, as announced at 33 Pa.B. 426 (January 18, 2003). The Department determined these revisions to be routine program changes (RPC) and requested concurrence from the OCRM. An RPC is defined in 15 CFR 923.84 as a minor action taken by a state to further detail the implementation of its Federally approved CZM Program.

The Commonwealth received the requested concurrence on June 6, 2003, for the following CZM Program changes:

- Amendments to State regulations currently networked into the CZM Program's enforceable policies.
- The addition of an ocean resources policy.
- The addition of one geographic area of particular concern in the Lake Erie Coastal Zone.

As of this notification date, the Federal consistency aspects of the Federal CZM Act of 1972, as amended, shall apply to these changes.

For further information, contact Larry Toth, (717) 772-5622, latoth@state.pa.us.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 03-1415. Filed for public inspection July 18, 2003, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Request for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

The Glen at Willow Valley  
675 Willow Valley Square  
Lancaster, PA 17602

This request is 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, paexcept@health.state.pa.us

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

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

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotope, Braille) should contact the Division of Nursing Care Facilities at the address or phone number 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. 03-1416. Filed for public inspection July 18, 2003, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Vegas Nights Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Vegas Nights.

2. *Price:* The price of a Pennsylvania Vegas Nights instant lottery game ticket is \$3.00.

3. *Play Symbols:*

(a) Each Pennsylvania Vegas Nights instant lottery game ticket will contain three play areas known as "Game 1," "Game 2" and "Game 3" respectively. Each game has a different game play method and is played separately. Each Pennsylvania Vegas Nights instant lottery game ticket will also contain a "Powerball" area.

(b) The play symbols and their captions located in the "Your Numbers" area and the "Winning Numbers" area in "Game 1" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN) and 16 (SIXTN).

(c) The play symbols and their captions located in the play area for "Game 2" are: Cherry Symbol (CHRY), Bell Symbol (BELL), 7 Symbol (SEVN), Grape Symbol (GRPE), Horse Shoe Symbol (SHOE) and Star Symbol (STAR).

(d) The play symbols and their captions located in the play area for "Game 3" are: \$1.<sup>00</sup> (ONE DOL), \$3.<sup>00</sup> (THR DOL), \$4.<sup>00</sup> (FOR DOL), \$6.<sup>00</sup> (SIX DOL), \$9.<sup>00</sup> (NIN DOL), \$12\$ (TWELV), \$15\$ (FIFTN), \$18\$ (EGHTN), \$24\$ (TWY FOR), \$27\$ (TWY SVN), \$30\$ (THIRTY), \$60\$ (SIXTY), \$120 (ONEHUNTWY) and \$15,000 (FTN THO).

#### 4. Prize Play Symbols:

(a) The prize play symbols and their captions located in the 8 "Prize" areas for "Game 1" and the "Prize" area for "Game 2" are: \$1.<sup>00</sup> (ONE DOL), \$3.<sup>00</sup> (THR DOL), \$4.<sup>00</sup> (FOR DOL), \$6.<sup>00</sup> (SIX DOL), \$9.<sup>00</sup> (NIN DOL), \$12\$ (TWELV), \$15\$ (FIFTN), \$18\$ (EGHTN), \$24\$ (TWY FOR), \$27\$ (TWY SVN), \$30\$ (THIRTY), \$60\$ (SIXTY), \$120 (ONEHUNTWY) and \$15,000 (FTN THO).

(b) The prize play symbols and their captions located in the "Powerball" area are: ENTRY (TV SHOW) and TRY (AGAIN).

5. *Prizes:* The prizes that can be won in "Game 1," "Game 2" and "Game 3" are \$1, \$3, \$4, \$6, \$9, \$12, \$15, \$18, \$24, \$27, \$30, \$60, \$120 and \$15,000. The prize that can be won in the "Powerball" area is the ability to mail in for a chance to either appear on the weekly televised Powerball Instant Millionaire Game Show or be designated as an official at-home player. The player can win up to 10 times on a ticket.

6. *Television Entry Drawings:* The Pennsylvania Lottery will conduct drawings as necessary to provide sufficient contestants and at-home players for the Powerball Instant Millionaire television game show as provided in section 11.

7. *Approximate Number of Tickets Printed for the Game:* Approximately 3,600,000 tickets will be printed for the Pennsylvania Vegas Nights instant lottery game.

#### 8. Determination of Prize Winners:

(a) Determination of prize winners for "Game 1" are:

(1) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$15,000 (FTN THO) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$15,000.

(2) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$120 (ONEHUNTWY) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$120.

(3) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$60<sup>S</sup> (SIXTY) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$60.

(4) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$30<sup>S</sup> (THIRTY) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(5) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$27<sup>S</sup> (TWY SVN) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$27.

(6) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$24<sup>S</sup> (TWY FOR) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$24.

(7) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$18<sup>S</sup> (EGHTN) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$18.

(8) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$15<sup>S</sup> (FIFTN) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$12<sup>S</sup> (TWELV) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$9<sup>.00</sup> (NIN DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$9.

(11) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$6<sup>.00</sup> (SIX DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(12) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$4<sup>.00</sup> (FOR DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(13) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$3<sup>.00</sup> (THR DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(14) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$1<sup>.00</sup> (ONE DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(b) Determination of prize winners for "Game 2" are:

(1) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$15,000 (FTN THO) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$15,000.

(2) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$120 (ONEHUNTWY) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$120.

(3) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$60<sup>S</sup> (SIXTY) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$60.

(4) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$30<sup>S</sup> (THIRTY) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$30.

(5) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$27<sup>S</sup> (TWY SVN) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$27.

(6) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$24<sup>S</sup> (TWY FOR) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$24.

(7) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$18<sup>S</sup> (EGHTN) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$18.

(8) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$15<sup>S</sup> (FIFTN) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$12<sup>S</sup> (TWELV) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$9<sup>.00</sup> (NIN DOL) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$9.

(11) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$6<sup>.00</sup> (SIX DOL) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$6.

(12) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$4<sup>.00</sup> (FOR DOL) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$4.

(13) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$3<sup>.00</sup> (THR DOL) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$3.

(14) Holders of tickets with two matching play symbols in the play area and a prize play symbol of \$1<sup>.00</sup> (ONE DOL) in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$1.

(c) Determination of prize winners for "Game 3" are:

(1) Holders of tickets with three matching play symbols of \$15,000 (FTN THO) in the play area, on a single ticket, shall be entitled to a prize of \$15,000.

(2) Holders of tickets with three matching play symbols of \$120 (ONEHUNTWY) in the play area, on a single ticket, shall be entitled to a prize of \$120.

(3) Holders of tickets with three matching play symbols of \$60\$ (SIXTY) in the play area, on a single ticket, shall be entitled to a prize of \$60.

(4) Holders of tickets with three matching play symbols of \$30\$ (THIRTY) in the play area, on a single ticket, shall be entitled to a prize of \$30.

(5) Holders of tickets with three matching play symbols of \$27\$ (TWY SVN) in the play area, on a single ticket, shall be entitled to a prize of \$27.

(6) Holders of tickets with three matching play symbols of \$24\$ (TWY FOR) in the play area, on a single ticket, shall be entitled to a prize of \$24.

(7) Holders of tickets with three matching play symbols of \$18\$ (EGHTN) in the play area, on a single ticket, shall be entitled to a prize of \$18.

(8) Holders of tickets with three matching play symbols of \$15\$ (FIFTN) in the play area, on a single ticket, shall be entitled to a prize of \$15.

(9) Holders of tickets with three matching play symbols of \$12\$ (TWELV) in the play area, on a single ticket, shall be entitled to a prize of \$12.

(10) Holders of tickets with three matching play symbols of \$9<sup>00</sup> (NIN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$9.

(11) Holders of tickets with three matching play symbols of \$6<sup>00</sup> (SIX DOL) in the play area, on a single ticket, shall be entitled to a prize of \$6.

(12) Holders of tickets with three matching play symbols of \$4<sup>00</sup> (FOR DOL) in the play area, on a single ticket, shall be entitled to a prize of \$4.

(13) Holders of tickets with three matching play symbols of \$3<sup>00</sup> (THR DOL) in the play area, on a single ticket, shall be entitled to a prize of \$3.

(14) Holders of tickets with three matching play symbols of \$1<sup>00</sup> (ONE DOL) in the play area, on a single ticket, shall be entitled to a prize of \$1.

(d) Holders of tickets with a ENTRY (TV SHOW) prize play symbol in the "Powerball" area, on a single ticket, shall be entitled to mail their tickets in for a chance to appear on the weekly televised Powerball Instant Millionaire Game Show or be designated as an official at-home player.

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

<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>TV Entry</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,600,000 Tickets</i>
			ENTRY	ENTRY		
\$3				\$3	1:5	720,000
		\$3		\$3	1:25	144,000
	\$3			\$3	1:25	144,000
\$1	\$1	\$1		\$3	1:25	144,000
\$4				\$4	1:200	18,000
		\$4		\$4	1:200	18,000
	\$4			\$4	1:200	18,000
\$1 × 2	\$1	\$1		\$4	1:200	18,000
\$6				\$6	1:66.67	54,000
		\$6		\$6	1:66.67	54,000
	\$6			\$6	1:66.67	54,000
\$3		\$3		\$6	1:66.67	54,000
	\$3	\$3		\$6	1:66.67	54,000
\$9				\$9	1:1,000	3,600
		\$9		\$9	1:1,000	3,600
	\$9			\$9	1:1,000	3,600
\$3	\$3	\$3		\$9	1:1,000	3,600
\$3 × 3				\$9	1:1,000	3,600
\$12				\$12	1:1,000	3,600
		\$12		\$12	1:1,000	3,600
	\$12			\$12	1:1,000	3,600
\$6		\$6		\$12	1:1,000	3,600
	\$6	\$6		\$12	1:1,000	3,600
\$15				\$15	1:500	7,200
		\$15		\$15	1:500	7,200
	\$15			\$15	1:500	7,200
\$3 × 3		\$6		\$15	1:500	7,200
\$3 × 3	\$6			\$15	1:333.33	10,800
\$18				\$18	1:1,000	3,600
		\$18		\$18	1:1,000	3,600
	\$18			\$18	1:1,000	3,600
\$9		\$9		\$18	1:1,000	3,600
\$3 × 6				\$18	1:1,000	3,600

<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>TV Entry</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,600,000 Tickets</i>
\$6 × 3				\$18	1:1,000	3,600
\$9 × 2				\$18	1:1,000	3,600
\$24				\$24	1:1,000	3,600
		\$24		\$24	1:1,000	3,600
	\$24			\$24	1:1,000	3,600
\$4 × 6				\$24	1:1,000	3,600
\$6 × 4				\$24	1:1,000	3,600
\$12 × 2				\$24	1:1,000	3,600
\$27				\$27	1:12,000	300
		\$27		\$27	1:12,000	300
	\$27			\$27	1:12,000	300
\$9	\$9	\$9		\$27	1:12,000	300
\$3 × 8	\$3			\$27	1:12,000	300
\$30				\$30	1:60,000	60
		\$30		\$30	1:60,000	60
	\$30			\$30	1:60,000	60
\$3 × 8	\$3	\$3		\$30	1:60,000	60
\$6 × 5				\$30	1:60,000	60
\$60				\$60	1:120,000	30
		\$60		\$60	1:120,000	30
	\$60			\$60	1:120,000	30
\$30		\$30		\$60	1:120,000	30
\$30	\$30			\$60	1:120,000	30
	\$30	\$30		\$60	1:120,000	30
\$6 × 8	\$6	\$6		\$60	1:120,000	30
\$12 × 5				\$60	1:120,000	30
\$15 × 4				\$60	1:120,000	30
\$30 × 2				\$60	1:120,000	30
\$120				\$120	1:120,000	30
		\$120		\$120	1:120,000	30
	\$120			\$120	1:120,000	30
\$60		\$60		\$120	1:120,000	30
\$60	\$60			\$120	1:120,000	30
	\$60	\$60		\$120	1:120,000	30
\$15 × 8				\$120	1:120,000	30
\$30 × 4				\$120	1:120,000	30
\$15,000				\$15,000	1:3,600,000	1
		\$15,000		\$15,000	1:3,600,000	1
	\$15,000			\$15,000	1:3,600,000	1

10. *Television Game Show Drawing Requirements:*

(a) To qualify for a television game show drawing, the player must reveal ENTRY captioned by (TV SHOW) when the latex covering is removed from the "Powerball" area of the Pennsylvania Vegas Nights instant lottery game ticket. Any tickets not containing a revealed ENTRY captioned by (TV SHOW) will be ineligible for the television game show drawings.

(b) The back of the television game show entry ticket must be completed by the player in a legible manner, including the player's name, complete address, telephone number and signature.

(c) The player shall affix proper postage to the ticket and mail same to the Powerball The Television Game Show address shown in the lower right portion of the ticket back.

(d) Television game show entry tickets received in envelopes will be disqualified.

(e) Participants in the television game show shall be at least 18 years of age or older.

(f) Pennsylvania Vegas Nights instant lottery tickets that win cash prizes and that are submitted to the television game show address will not be paid or honored.

(g) Television game show entry tickets must be received by the Pennsylvania State Lottery no later than the deadline announced by the Secretary.

11. *Television Game Show Drawing Procedures:*

(a) *Frequency.* The television game show drawings will be held at Lottery Headquarters. The drawings will be held as required by the Multi-State Lottery Association (MUSL) to provide sufficient contestants and at-home players to satisfy the Powerball Instant Millionaire television game show requirements. For each Powerball Instant Millionaire television show produced, one on-air contestant will be selected as well as a specific number of at-home players as predetermined by the MUSL.

(b) *Eligibility for television game show drawings.* To be eligible for the television game show drawings, a player must have complied with the requirements of section 10.

(1) The Lottery will make a reasonable effort to ensure that each television game show entry is entered into one of the drawings. The Lottery assumes no responsibility for a lost or misplaced entry not entered into the television game show drawing.

(2) A television game show entry is eligible for only one television game show drawing.

(3) If a television game show entry is rejected during or following a TV game show drawing, the sole remedy is to

select another entry to replace the rejected entry in accordance with Lottery procedure.

(c) *Manner of conducting the television game show entry drawings.*

(1) Entries will be placed approximately equally by weight in a number of containers equal to the number of game shows to be staffed with contestants.

(2) The entry tickets in the container for the first show's contestants will be placed in a rotary drum mechanical drawing device. The rotary drum will be spun a number of times to ensure a random mix. An entry ticket will be selected, and if valid, the owner of the ticket will be the on-air contestant for the first show. Additional entry tickets equal to the predetermined number of at-home players for the first show will then be drawn in the same manner, and if valid, the owners of the tickets will be the at-home players.

(3) As each entry is selected, it will be verified. If the selected entry is declared invalid, another entry ticket will be selected from the same container until a valid entry has been chosen.

(4) In addition, a sufficient number of alternate entry tickets will be drawn and validated for each week's show, in the event there is need to replace ineligible players. The alternates may become eligible to participate as on-air contestants or as at-home players.

(5) Duplicate tickets selected in the same week will be disqualified.

(6) When all examination and validation procedures are complete, the first set of tickets will be removed from the rotary drum mechanical drawing device and the entry tickets for the second week's container will be placed inside the drawing device and the drawing process repeated for the second week's game show.

(7) This process will be repeated until all the necessary on-air contestants and at-home players have been selected for the number of shows to be produced.

(d) The payment of a prize awarded in the television game show drawing to a person who dies before receiving the prize or to a person 17 years of age or younger shall be paid according to 61 Pa. Code §§ 811.16 and 811.27 (relating to prizes payable after death of prize winner; and payment of prizes to persons under 18 years of age).

#### 12. *On-Air Contestants and At-Home Players:*

(a) An on-air contestant will receive air transportation to Las Vegas, lodging, \$750 expense money and a chance to win up to \$1 million on the Powerball Instant Millionaire Game Show.

(b) An at-home player will win a minimum of \$100 and up to a maximum of \$10,000 based on the winnings of the Pennsylvania on-air contestant and MUSL rules.

#### 13. *Game Show Travel, Restrictions and Proxy Information:*

(a) Game show travel arrangements include:

(1) Coach air transportation for up to two persons, including the game show contestant. Contestant and guest must fly from the same airport on the same flight and must return under similar travel arrangements.

(2) Ground transportation from the arrival airport to the designated hotel, and return to the airport.

(3) One hotel room, double occupancy, for 3 nights.

(4) Ground transportation as necessary from the hotel to the game show taping and return to the hotel.

(5) A check in the amount of \$750 payable to the game show contestant that may be used for any other expenses incurred during the trip.

(b) Restrictions:

(1) Travel package is subject to hotel and coach class availability.

(2) If the on-air contestant fails to show at the designated time of departure, the entire travel portion may be forfeited, at the option of the Pennsylvania State Lottery.

(3) Gratuities, meals and all other incidentals are not included.

(4) On-air contestants are responsible for all taxes and governments filings that may be required associated with the travel package.

(5) The travel package is not transferable, cannot be redeemed for cash and may not be resold.

(6) The MUSL and the Pennsylvania State Lottery shall not be responsible for cancelled or delayed travel due to causes beyond their control, including, but not limited to, inclement weather, an act of God, war, civil disturbance, court order or action of any air carrier.

(c) Proxy:

(1) In the event that a contestant does not wish to or cannot participate on the game show, the contestant may select a proxy to act on their behalf. All proxy selections must be approved by the MUSL and the Pennsylvania State Lottery. If the contestant fails to select a proxy that is acceptable to the Pennsylvania State Lottery and the MUSL, then the Pennsylvania State Lottery or the MUSL shall appoint a proxy to act on the contestant's behalf.

(2) In the event that a contestant or a contestant's designated proxy does not appear by the required time prior to the television game show taping, the MUSL will appoint a proxy to act on behalf of the contestant. In the event a contestant is unable to continue play during the taping of the game show, the MUSL will appoint a proxy to act on behalf of the contestant.

(3) The proxy appointed by the game show contestant, the MUSL or the Pennsylvania State Lottery shall act on behalf of the selected game show contestant. By participating in the Pennsylvania Vegas Nights instant lottery game, the contestant agrees to accept all game show decisions made by the proxy. All prizes won by the proxy during the television game show will be awarded to the contestant.

14. *At-Home Player Information:* The Lottery will send each at-home player a letter outlining the details regarding the Powerball Instant Millionaire Game Show. Pennsylvania on-air contestant winner results for each week will be posted on the Lottery's website ([www.palottery.com](http://www.palottery.com)). Each at-home player will receive his or her winnings by mail from the Lottery.

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

16. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Vegas Nights, prize money from winning Pennsylvania Vegas Nights instant lottery game tickets will be retained by the Secretary for

payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Vegas Nights instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

17. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

18. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Powerball Instant Millionaire TV Game Show or through normal communications methods.

GREGORY C. FAJT,  
*Secretary*

[Pa.B. Doc. No. 03-1417. Filed for public inspection July 18, 2003, 9:00 a.m.]

## DEPARTMENT OF STATE

### Notice of Availability of the State Plan

On June 28, 2003, the Secretary of the Commonwealth made available for public inspection the Commonwealth's preliminary State Plan. The State Plan outlines the methods the Commonwealth will use to comply with the requirements of the Federal Help America Vote Act of 2002 and how it will use grants from the Federal government to achieve this goal. Interested individuals or groups may access a copy of the preliminary State Plan on the Department of State's (Department) website at [www.dos.state.pa.us](http://www.dos.state.pa.us) or by contacting Barbara Smotherman, (717) 787-6458, [bsmotherma@state.pa.us](mailto:bsmotherma@state.pa.us). A 30-day comment period is provided, which will expire on July 28, 2003. Comments must be submitted, in writing, to the Department by July 28, 2003. Comments should be submitted to Barbara Smotherman at the previous telephone number or e-mail address.

PEDRO A. CORTES,  
*Secretary of the Commonwealth*

[Pa.B. Doc. No. 03-1418. Filed for public inspection July 18, 2003, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

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

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
2-141	Department of Agriculture Milk Sanitation	7/2/03
7B-5	Department of Conservation and Natural Resources Snowmobile and All-Terrain Vehicle Registration and Operation	7/9/03
12-59	Department of Labor and Industry Appeals from Determinations of Department	7/9/03

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 03-1419. Filed for public inspection July 18, 2003, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Spiros Kasapidis; Doc. No. SC 03-07-008

Notice is hereby given of the Order to Show Cause issued on July 8, 2003, by the Deputy Insurance Commissioner in the previously referenced matter. Violation of the following is alleged: sections 604 and 639 of The Insurance Department Act of 1921 (40 P. S. §§ 234 and 279), 31 Pa. Code §§ 37.46 and 37.47 (relating to standards for denial of certificate/license; and revocation, suspension, nonrenewal of certificates and licenses) and section 5(a)(12) of the Unfair Insurance Practices Act (40 P. S. § 1171.5(a)(12)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency ADA Coordinator, (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1420. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Application for Approval to Acquire Control

American International Group, Inc. has filed an application to acquire control of GE Property & Casualty Insurance Company, GE Casualty Insurance Company, GE Auto & Home Assurance Company and GE Indemnity Insurance Company, all Pennsylvania domiciled stock property or casualty insurance companies. The filing was made under the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax: (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1421. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Erie Insurance Exchange; Private Passenger Auto Insurance Rate and Rule Revision

On June 26, 2003, the Insurance Department (Department) received from Erie Insurance Exchange a filing for a proposed rate level and rule change for private passenger auto insurance.

The company requests an overall 7.1% increase amounting to \$60.315 million annually, to be effective January 1, 2004.

Unless formal administrative action is taken prior to August 25, 2003, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Department's regional offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

### Highmark Inc. d/b/a Highmark Blue Shield; Special Care Medical/Surgical Program; Rate Filing; ID No. A71475001

By filing no. 1-SCMS-03-HI, Highmark Inc. d/b/a Highmark Blue Shield requests approval to increase premium rates for its special care medical/surgical programs in the Central Pennsylvania Region, Independence Blue Cross Region and Blue Cross of Northeastern Pennsylvania Region. Increases will vary by region as follows.

<i>Region</i>	<i>Percentage Increase</i>	<i>Additional Prem. per Month</i>	<i>Number of Contracts</i>
Central Pennsylvania Region	11.5%	\$20,200	3,270
Independence Blue Cross Region	9.8%	\$67,400	11,630
Blue Cross of Northeast Pennsylvania	5.9%	\$ 7,000	2,750
All Regions Combined	9.6%	\$94,600	17,650

The filing requests an average increase of about 9.6% of current premiums. This will affect about 17,650 contract holders and produce additional annual income of about \$1,135,200. The requested effective date of the change is January 1, 2004.

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

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1422. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Highmark Inc. d/b/a Highmark Blue Cross Blue Shield; Request to Increase Rates for the 65 Plus Prescription Drug Plan; Rate Filing No. 1-65P-03-HBCBS

Highmark Inc. d/b/a Highmark Blue Cross Blue Shield requests approval to increase its premium rates for its 65 Plus Prescription Drug Plan. The filing requests an increase of 17% or \$20.40 per contract per month. This will affect about 19,000 contract holders and produce additional annual premium income of about \$4.7 million. The requested effective date of the change is January 1, 2004.

Copies of this filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's regional offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1423. Filed for public inspection July 18, 2003, 9:00 a.m.]

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1424. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested hearings as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Philadelphia and Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Cathie J. East; file no. 02-188-07353; Progressive Insurance Company; doc. no. PH03-06-035; August 8, 2003, 9 a.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Susan S. and Dennis Osgood; file no. 03-193-05572; American International Insurance Company/AIG; doc. no. PI03-06-036; August 15, 2003, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons

participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 03-1425. Filed for public inspection July 18, 2003, 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.

#### *Governor's Office*

Management Directive No. 305.21—Payments to Local Governments and Other Subrecipients, Dated June 13, 2003.

Management Directive No. 520.3—Unclassified Codes and Titles, Amended June 16, 2003.

Management Directive No. 625.1—Repairs, Alterations, and Improvements to Commonwealth Buildings Under the Direct Supervision of the Department of General Services, Amended June 20, 2003.

Administrative Circular No. 03-14—Closing Instruction No. 3, Prior Fiscal Year Appropriations Subject to Act 146 Waivers; Encumbrances Carried Forward From Prior Fiscal Years (Including Contracted Repairs), Dated June 4, 2003.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 03-1426. Filed for public inspection July 18, 2003, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule for All Milk Marketing Areas; Ingredient Costs

Under the provisions of the Milk Marketing Law (31 P. S. § 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on August 6, 2003, at 10 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning the cost of ingredients in Milk Marketing Areas 1—6. Evidence in each of the areas shall be based on the costs of the cross-section of dealers used in the most recent cost replacement hearing for that area.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered an appearance. Other persons that may be affected by the Board orders fixing prices in Milk Marketing Areas 1—6 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on July 23, 2003, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance), which shall identify by name and address the party on whose behalf the appearance is made. Thereafter documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21 (relating to appearance in person), filing with the Board, by 4 p.m. on July 23, 2003, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on July 30, 2003, each party shall file with the Board seven copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on August 4, 2003, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board or who wish the Board to take official notice of facts shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on July 23, 2003.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Individuals who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (Pennsylvania Relay Service for TDD users).

LYNDA J. BOWMAN,  
*Secretary*

[Pa.B. Doc. No. 03-1427. Filed for public inspection July 18, 2003, 9:00 a.m.]

## PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

### Meetings Scheduled

The July 23, 2003, meeting of the Pennsylvania Infrastructure Investment Authority (PENNVEST) Board of Directors (Board) will begin at 10 a.m. in the North Office Building, Hearing Room 1, Ground Floor, 400 North Street, Harrisburg, PA.

Persons requiring ADA accommodations at the Board meeting should contact Elaine Keisling, (717) 783-4494, akeisling@state.pa.us.

PENNVEST and the Department of Environmental Protection have scheduled a public meeting for 2 p.m. on July 23, 2003, in the 2nd Floor Auditorium, Rachel Carson State Office Building, 400 Market Street, Harrisburg.

The meeting is scheduled for the purpose of advising the public regarding revisions to the previously approved projects shown on the FY 2002-2003 Revised Clean Water State Revolving Fund and Drinking Water State Revolving Fund Project Priority List and Intended Use Plan and the impact of the PENNVEST Board decisions on the funding of these projects for the July 23, 2003, meeting.

Persons requiring ADA accommodations should contact Tony Maisano, (717) 787-6744, amaisano@state.pa.us.

PAUL K. MARCHETTI,  
*Executive Director*

[Pa.B. Doc. No. 03-1428. Filed for public inspection July 18, 2003, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Proposed Modifications to the Review of Interconnection Agreements

Public Meeting held  
June 26, 2003

*Commissioners Present:* Terrence J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Glen R. Thomas; Kim Pizzingrilli

*Proposed Modifications to the Review of Interconnection Agreements; M-00960799*

**Tentative Order**

*By the Commission:*

**I. Introduction**

On June 3, 1996, the Commission entered an Order (Implementation Order) at Doc. No. M-00960799 implementing in this Commonwealth provisions of the Federal Telecommunications Act of 1996 (act). Included in the Implementation Order were specific procedures and requirements relating to the regulation of Interconnection Agreements.

During the time that has elapsed since the entry of the Implementation Order, a number of issues have arisen in the context of processing Interconnection Agreements. This Order will review specific requirements and procedures contained in the Implementation Order and, where issues have been identified, propose procedural modifications to address them.

It should be noted that this Order addresses only issues apparent at this point in time. This Order does not attempt to anticipate future issues that may arise as the regulatory process continues to evolve. Moreover, it is the intent of the Commission to revisit the issues addressed herein 1 year after this Order becomes final to determine whether the procedural modifications have brought about the desired result. At that time, the Commission may further modify these procedures as well as address any other issues that may arise. Although this Order makes specific proposals for changes in respect to how the Commission processes Interconnection Agreements, we are seeking additional input from the industry and expressly recognize that the option remains to maintain the status quo or to impose procedures different than those suggested here.

In an attempt to involve the telecommunications community in this process, on November 1, 2002, we served a copy of Proposed Modifications on all Incumbent Local Exchange Carriers (ILECs) and Competitive Local Exchange Carriers (CLECs) as well as the Pennsylvania Telephone Association. Notice of the proposed modifications was also published at 32 Pa.B. 5485 (November 2, 2002).

In the published notice, we requested comments by November 22, 2002, and reply comments by December 6, 2002; however, due to a problem in posting the initial comments on the Commission website, the reply comment period was extended until December 20, 2002. Verizon Pennsylvania Inc. (Verizon PA) requested, and was granted, an extension until December 24, 2002, for the submission of reply comments. Comments were filed by ALLTEL/North Pittsburgh Telephone Company (ALLTEL), MCI WorldCom Network Services, Inc. (MCIW), Sprint Communications Company L. P./United Telephone Company of Pennsylvania (Sprint), Verizon PA and Level 3 Communications LLC (Level 3). Reply Comments were filed by Verizon PA.

**II. Implementation Order Overview**

In our Implementation Order, we stated as follows:

The development of an interconnection agreement commences on the day a carrier receives a request for interconnection from another carrier (day 1). It is absolutely essential, and through this order we will require that each carrier requesting an interconnec-

tion agreement from another carrier shall file a copy of the request with the Commission at the requesting carrier's A-docket.

(Implementation Order at 24).

The act established a 160-day period, beginning with Day 1, as defined in the Implementation Order (that is, the day a carrier receives a request for interconnection from another carrier), within which the parties may negotiate the terms of interconnection. During that time period, any party may request that the Commission mediate the interconnection request. If mediation is requested, the Commission appoints a mediator who proceeds in accordance with the procedures outlined in the Implementation Order.

Included in the 160-day negotiation period is a 25-day period from Days 135—160 within which any of the parties may request arbitration of any or all unresolved issues whenever negotiation and/or mediation fails. Section 252(b)(1). The act specifies that the Commission must resolve all outstanding issues within 9 months of the date that interconnection is first requested (Day 1).<sup>1</sup> Section 252(b)(4)(C). The act further specifies that the Commission must then act within 30 days of the date that an executed agreement resulting from arbitration proceedings is filed. Section 252(e)(4).

In the Implementation Order, the Commission recognized that the act does not place any time constraints on the parties after Day 160 with respect to negotiated and/or mediated interconnection agreements. As a result, the Implementation Order establishes a 30-day period after the close of the negotiation period (Day 160), or by Day 190, within which the parties to a negotiated and/or mediated agreement must file an executed agreement with the Commission. Implementation Order at 33. Once filed, the Commission, as required by the act, must then complete review within 90 days. Section 252(e)(4).

Likewise, in the case of arbitrated agreements, the act does not specify when an executed agreement that results from arbitration proceedings must be filed with the Commission. In the Implementation Order, the Commission specified that an executed agreement resulting from arbitration must be filed with the Commission within 30 days of the date of entry of the Order resolving the arbitration proceedings. Implementation Order at 33. The Commission, in accordance with the act, then has 30 days within which it must complete its review of the filed agreement. Section 252(e)(4).

In summary, the time period established by the act and our Implementation Order for an interconnection agreement arrived at through negotiations and/or mediation is as follows: 160 days for negotiation and/or mediation; 30 days for the parties to file an executed agreement with the Commission; and 90 days for the Commission to act on the filing. This results in a maximum time period of 280 days from the date a party first requests interconnection until entry of a Commission Order finally acting on the agreement arrived at through negotiation. With respect to arbitrated agreements, the maximum time period is 330 days: 160 days for negotiation and/or mediation (including a 25-day period of time from Day 135 to Day 160 within which a party may request arbitration); a 25-day time period for comments, if any, to be filed to the arbitration request; a minimum of 85 days (until Day 270) within which the Commission must arbitrate the

<sup>1</sup>Under the act, the Commission must act on any Interconnection Agreement filed as a result of negotiation and/or mediation within 90 days of an executed agreement being filed with the Commission. Section 252(e)(4).

request and enter an Order approving or rejecting the arbitrated agreement; 30 days within which the parties must file an executed agreement in compliance with the Order; and 30 days for the Commission to act on the filing.

In both cases, if the Commission fails to meet its responsibility under the act to act within the prescribed 90 days (in the case of negotiated and/or mediated agreements) and 30 days (in the case of arbitrated agreements), the Interconnection Agreement is deemed approved under section 252(e)(4) of the act and the Federal Communications Commission (FCC) may assume jurisdiction under section 252(e)(5).

### III. *Issues Relative to the act and the Implementation Order*

In the time since entry of our Implementation Order in 1996 that the Commission has been reviewing Interconnection Agreements, several issues have arisen with respect to the foregoing time-related requirements. What follows is a discussion of those issues, as identified in our November 1, 2002, Notice of Proposed Modifications, along with a summary of the comments submitted by interested parties and a statement of our tentative resolution of those issues.

#### A. *Failure to Notify Commission about the Initial Interconnection Request Date (Day 1)*

This has been a recurring problem since entry of the Implementation Order. Routinely, the requesting interconnection carrier<sup>2</sup> has not been advising the Commission of the date that it initially requested interconnection with an ILEC as required by the Implementation Order. This results in the Commission not knowing when any of the time periods prescribed either by the act or by the Implementation Order actually begin.

##### 1. *Initially Recommended Solution*

The initially recommended solution was to require that ILECs formally notify the Commission of the date (Day 1) on which another carrier first requests interconnection. It was proposed that notification be in writing and submitted to the Secretary within 20 days after a request for interconnection. It was also suggested that the notification state whether the Day 1 date pertains to a new interconnection agreement (that is, the first time the ILEC is interconnecting with the requesting carrier), an amended or revised interconnection agreement, a replacement interconnection agreement or an "opt-in" request regarding an existing interconnection agreement. In all instances, except when the Commission has not established an A-docket for the requesting carrier, the ILEC would be required to reference in the notice the Commission A-docket assigned to the requesting carrier. Where the requesting carrier has no A-docket assigned, the ILEC would be required to note that fact and the Secretary would then assign an A-docket as noted in the Implementation Order.

This was a departure from what is required by the Implementation Order. The Implementation Order states that it is the obligation of the requesting carrier to notify the Commission of the date when interconnection is requested. However, since we do not have jurisdiction over all requesting carriers, enforcement of this requirement is problematic. As a result, we proposed placing the notice requirement on the ILEC.

<sup>2</sup>The requesting interconnection carrier may or may not be subject to this Commission's jurisdiction. However, the ILEC providing interconnection to the requesting interconnection carrier is currently subject to this Commission's jurisdiction.

##### 2. *Filed Comments*

ALLTEL argued that it should not be the burden of the ILEC to notify the Commission or to identify and/or obtain an A-docket number and that this is an unreasonable and discriminatory burden to place on the ILEC. ALLTEL further argued that the proposal is contrary to the act, anticompetitive and places a significant burden on the ILEC. Finally, ALLTEL stated that the act gives the Commission jurisdiction over Commercial Mobile Radio Service (CMRS) carriers for certain purposes including interconnection agreements. Therefore, argued ALLTEL, the Commission has authority to require the CMRS carriers to follow our regulations and, if we are unable to enforce our jurisdiction, the corrective action is through the courts or by seeking an amendment to our enabling legislation.

Sprint's filed comments are consistent with those of ALLTEL. In addition, Sprint stated that CLECs and the CMRS carriers are in the best position to supply the necessary information and that they have the motivation and need to proceed with a Day 1 notice to the Commission. As a result, Sprint urged that the existing practice not be modified and that the responsibility to issue the Day 1 notice to the Commission continue to be that of the requesting carrier.

Verizon PA's comment on this issue is that the proposed modification should not be adopted and, moreover, that the requirement of a Day 1 notification by the requesting carrier should be eliminated. Verizon PA further stated that maintaining or enforcing this obligation against either the ILEC or the requesting carrier would hinder negotiations between the parties, and the problem that the proposed modification seeks to address would not be solved by shifting the burden of compliance to the ILECs. Verizon PA's reason for taking this position is that the requesting carrier and the ILEC often engage in exploratory discussions that are not considered, for various reasons, to be the start of the interconnection request date. Verizon PA argued that requiring notice of the first day of an interconnection request would have a chilling effect on the exploratory discussions as well as potentially lead to disagreements over when the actual "start" date of the negotiations occurred.

##### 3. *Tentative Resolution*

It is important to note that this proposed modification to our implementation procedures addresses increasing concerns over interconnection agreements not being filed with the Commission for review and approval until many months have passed since the agreements have been executed. During this time, in most instances, the parties are operating under the agreements without Commission approval and without the knowledge of other carriers or potential carriers that may desire to opt-in to the agreement. The act established a 9-month period from the day interconnection is first requested (Day 1) within which all outstanding issues must be resolved and the agreement either approved or denied. The Implementation Order set the specific time periods for the Commission to allow it to meet the mandates of the act and defined Day 1 as the date interconnection is first requested by one carrier or another carrier. If a Day 1 is not defined, there is no point of reference from which to determine the 9-month period mandated by the act and the interconnection process could go on indefinitely.

In the Comments filed on this issue, the ILECs generally take the position that it is not their responsibility to notify the Commission of a request for interconnection.

Verizon PA takes the added position that the Day 1 notice requirement be eliminated altogether because the negotiations go back and forth over a period of time, there is no clearly defined beginning of the request process and enforcing a Day 1 process has a chilling effect on the negotiations.

While the Implementation Order indeed specified that it is the responsibility of the requesting carrier to notify the Commission of the date interconnection is first requested, if a requesting carrier does not yet have CLEC authority, the Commission's ability to enforce this requirement is problematic. Moreover, the proposal to require the ILEC to notify the Commission does not appear to have onerous administrative implications for the ILEC despite their protestations to the contrary. All that is required is a brief one-page letter to the Secretary of the Commission stating that on a particular date, a named carrier requested interconnection with the ILEC. If the requesting carrier is a CLEC, it will have an A-docket that should be referenced in the notice. If the requesting carrier is not a CLEC, then that fact only needs to be referenced in the notice and the Secretary will assign an A-docket.

With respect to Verizon PA's proposal to eliminate the Day 1 requirement, in all practical respects, this is what is currently happening since notification by requesting carriers is not being done in many instances, despite the clear language in our Implementation Order. The timelines specified in the act presumably are there to protect the requesting carrier from any delaying tactics by the ILEC. If a requesting carrier fails to notify the Commission when it requests interconnection with an ILEC, the 9-month clock under the act never starts and the carrier cannot then complain to the Commission that the ILEC is causing a delay by refusing to negotiate. The Commission's only responsibility in this instance is to act promptly on the Agreement once it has been filed with the Commission, that is, within 90 days of the date of filing. If, however, the requesting carrier notifies the Commission when interconnection is first requested, the 9-month clock starts and the responsibility to negotiate falls on the ILEC as well as the requesting carrier.

At section 252(b)(4)(c), the act expressly mandates that the interconnection request process take no longer than 9 months. If we are to adhere to the act, some form of enforceable requirement to notify the Commission of the Day 1 date is required. For the foregoing reasons, we tentatively require that the ILEC notify the Commission of a request for interconnection within 20 days of the date interconnection is requested as previously discussed.

*B. Failure to File an Executed Interconnection Agreement with the Commission within 30 Days After the Agreement is Signed*

This issue probably has the most significance since, routinely, with respect to negotiated and/or mediated agreements, parties have been ignoring the directive in our Implementation Order to file the executed agreement within 30 days of the date it is signed. The parties have been taking several months, and even longer, after a negotiated agreement has been executed before filing the agreement with the Commission for approval. In the interim, the parties, in most cases, begin operating under the agreement as soon as it has been executed regardless of the fact that the agreement has not been either filed with, or approved by, the Commission. In several instances, the interconnection agreement has actually expired either prior to, or during, the 90-day review period while it is pending before this Commission for approval.

The concern here is that the parties to the agreement are operating under an agreement that has not been filed with the Commission, has not been published for public comment, has not been approved by the Commission and is not available to any other carrier to opt-in to should a carrier so desire.

*1. Initially Recommended Solution*

In the Proposed Modifications published in November 2002, we stated that any recommended solution to this problem must impose the requirement for compliance on both the requesting carrier and the ILEC providing interconnection, and must also take into consideration the fact that the Commission may not assert jurisdiction over all requesting carriers (for example, wireless carriers). In many instances where this problem has occurred, the ILEC in question has indicated that the requesting carrier delays signing the joint petition for approval of the agreement that is to be filed with the Commission under the Implementation Order. The precise reasons for the delay are not known, but it is significant to note that there is no incentive for the requesting carrier to sign the petition since, in most cases as stated previously, operation under the agreement commences upon the agreement being executed. The initially recommended solution, therefore, was to permit and/or require the ILEC in question to not operate under the agreement until the time the requesting carrier signs the joint petition requesting approval of the executed agreement.

It was also proposed that the Commission enforce the civil penalty provisions under section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, against all jurisdictional carriers whereby a fine could be imposed on the ILEC and on any jurisdictional interconnecting carrier for each day filing is delayed beyond the initial 30-day grace period provided for filing an executed Interconnection Agreement by the Implementation Order.

By adopting this initially recommended modification to our implementation procedures, the burden would then fall on the ILEC and the requesting carrier, both jurisdictional and nonjurisdictional, to ensure that the effective date of the executed interconnection agreement would not be surpassed by more than 30 days at the time and date it is filed with the Commission. This procedure would also assist in developing an awareness in the requesting carrier and the ILEC that the Commission will not tolerate late filings, and thus, hopefully, reduce the number of late filings.

*2. Filed Comments*

ALLTEL argued that it is unreasonable and discriminatory to impose a fine on the ILEC when the responsibility for filing the agreement with the Commission within 30 days after the agreement is signed should be placed on the requesting carrier.

Sprint listed several concerns with our proposal. First, Sprint argued that the 30-day time period is unreasonable and unrealistic and that the parties should be afforded up to three extensions (that is, a total of up to 90 additional days) in which to file an executed agreement. Only after that period should any process for the assessment of penalties be invoked.

Secondly, Sprint stated that agreements are typically drafted to become effective upon execution and that, therefore, no harm or prejudice occurs to either party or to the public if the agreements are filed 30 or 60 days after execution. As a result, Sprint asserts that penalties are unwarranted. Sprint also noted that the Proposed Modifications fail to address any process by which penal-

ties would be invoked, and that there are less restrictive alternatives available. Sprint stated that the Commission could eliminate the requirement that a joint petition be submitted and permit the executed agreement to be filed with a cover letter as in the case of tariffs. Such a proposal, according to Sprint, would reduce the administrative burden on the ILEC and, presumably, hasten the process. As a result, Sprint recommended that the proposal to impose penalties be rejected.

Similarly, Verizon PA recommended that the requirement that parties file a joint petition be eliminated and replaced with a provision whereby the ILEC would be allowed to file a petition for approval of a jointly signed agreement on behalf of the ILEC and the requesting carrier. Verizon stated that the ILEC would attest that the agreement is true and correct. Simultaneous with filing the agreement with the Commission, the ILEC would serve a copy on the requesting carrier who would then have 30 days in which to notify the Commission if the filed agreement was not indeed true and correct.

MCIW filed two Comments to the Proposed Modifications that do not specifically address this issue but which will be considered herein nonetheless. MCIW argued that no party should be permitted to put position statements in the Interconnection Agreement cover letter and that specific procedures should be adopted for carriers that opt-in to existing Interconnection Agreements.

Level 3 did not file any Comments on this issue and Verizon's Reply Comments generally agreed with the Comments of the other parties although Verizon did object to the Comments of MCIW.

### 3. *Tentative Resolution*

Sprint's suggestion that the parties be permitted up to three 30-day extensions within which to file a copy of an executed agreement with the Commission is rejected on its face. Once the agreement has been executed, the parties have concluded negotiations, reduced the agreement to writing and have jointly signed the agreement. In most cases, the parties also begin operating under the agreement at that point. At this point, there is no reason why the executed agreement cannot be filed with the Commission within 30 days.

Also, Sprint's suggestion that no harm occurs if the agreement is filed 30 or 60 days after execution since the parties begin operating under the agreement as soon as it is executed ignores the fact that: (1) the Commission has not made a finding at that point that the agreement is in the public interest and nondiscriminatory; (2) other interested parties have not had an opportunity to comment on the agreement; and (3) any other party that might desire to opt-in to the agreement is precluded from doing so during the period that the filing of the agreement is delayed, thus potentially acting as a barrier to market entry of another entity.

However, the suggestion by Sprint that the parties be permitted to file the agreement under a cover letter instead of a joint petition and the suggestion by Verizon that the ILEC be permitted to file a petition for approval of a jointly signed agreement in lieu of a joint petition appear to have merit.

Regardless of whether the submittal is by a "letter petition" or a formal pleading, the requirement to submit the agreement should be imposed upon a jurisdictional entity and need not require the requesting carrier to participate in a joint filing, which has been the cause for delay in many instances. Additionally, the 30 days within which the requesting carrier would be allowed to notify

the Commission if the agreement submitted by the ILEC is not a true and correct copy would not cause any appreciable delay in the review process since the Commission staff could complete its review within that time period and simply await any objection by the requesting carrier. In the absence of any objection, the agreement could be approved at a public meeting without further action. If a timely objection was filed, there would still be adequate time left in the 90-day review period to have the ILEC correct any deficiencies.

The Commission has grave concerns with the current practice of late-filed agreements. This failure is, as stated previously, problematic in several ways not the least of which is the failure to comply with the Implementation Order as well as denying parties the opportunity to have the benefit of terms and conditions enjoyed by the CLEC that failed to timely file the agreement with the Commission. This discriminatory activity will not be tolerated as it could generally harm competitive markets as well as individual CLECs. As to the issue of penalties, the Commission has the authority under the Public Utility Code to ensure timely compliance with our regulations and orders. This includes the authority to impose penalties as may be appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Consequently, the issue of penalties does need not be addressed here in the context of this review of our procedures. However, we will consider remedies for any future failures to comply with the procedures finally approved at this docket as may be warranted on a case-by-case basis.

As a result, the Sprint/Verizon PA proposal, as previously described, is tentatively implemented instead of our originally proposed modification. In the interim, particular cases of noncompliance may be subject to review and potential enforcement on a case-by-case basis.

With respect to MCIW's arguments, we agree that the cover letter accompanying an Interconnection Agreement is not the proper place for position statements by any party. We have not perceived this issue to be a problem at this point in time but we will monitor the issue and make a determination at the time of the 1-year review if further formal action is warranted. Likewise with respect to adopting specific procedures for opt-in agreements. In our experience, the existing procedures treating all Interconnection Agreements the same without distinction as to whether they are new agreements or opt-ins to existing agreements are adequate. However, we will also monitor this issue and modify it as necessary.

### C. *Approval of an Interconnection Agreement Prior to a CLEC's Certification*

Neither the act nor the Implementation Order requires that a requesting carrier have Commission or Federal authority to operate prior to requesting interconnection. The Implementation Order, in fact, recognizes that some carriers may not have the requisite authority as follows:

If the requesting carrier does not have an A-docket, an A-docket shall be assigned by the Commission's Secretary at the time of filing of the interconnection agreement.

(Implementation Order at 25).

The previous language pertains to carriers that fall under this Commission's jurisdiction but have not yet been certificated (for example, CLECs), as well as carriers that, under Commonwealth law, are not subject to regulation by this Commission (for example, wireless carriers), and may not have received a Federal license to operate. The problem with dealing with uncertificated jurisdic-

tional and nonjurisdictional carriers is that the Commission has no knowledge of the entity or requesting carrier until that entity files an interconnection agreement with the Commission. This further exacerbates the problem described earlier whereby parties to an interconnection agreement may have been operating under interconnection agreements for months before filing the agreement with the Commission for review.<sup>3</sup>

### 1. *Initially Recommended Solution*

The Proposed Modifications note that any requirement for certification of a carrier prior to seeking interconnection would only address those companies subject to our jurisdiction and not those we do not regulate. Any requirement would thus only address our current concerns about noncertificated jurisdictional carriers operating under approved executed Interconnection Agreements. Since we do not exercise jurisdiction over carriers such as wireless companies, they are not required to obtain Pennsylvania certification. However, we can realistically require any nonjurisdictional carrier desiring to operate under an interconnection agreement in this Commonwealth to fill out a brief, nonutility application or registration form (similar to what is done for customer-owned coin operated telephones).<sup>4</sup> The nonutility application/registration form would be completed by the requesting entity and given to the ILEC at the time of an interconnection request. The ILEC would then file the applicant/registration form along with the Day 1 notification with the Commission. It would be important for Commission recordkeeping purposes that the requesting carrier include on this form the type of carrier it is, any trade name it uses and whether there have been any previous interconnection agreements approved by this Commission at a time when it has operated under a different name. The nonregulated carrier should also notify the Commission whenever it has undergone a name change during the tenure of any approved interconnection agreement.

### 2. *Filed Comments*

ALLTEL argued that this Proposed Modification is unreasonable and discriminatory since it should be the obligation of the requesting carrier to provide the necessary information to the Commission on a timely basis and the solution is not to penalize or further regulate the ILEC when the requesting carrier fails to follow Commission procedures.

Verizon PA agreed with the proposal to have an application/registration form filled out by the requesting entity since the requesting entity has ready access to the necessary information and will have an incentive to file the form on a timely basis.

<sup>3</sup>All Orders that approve the initial interconnection agreements between ILECs and CLECs include the following language to ensure that CLECs obtain certification before attempting to operate under the interconnection agreement. This language is not included in Orders where the requesting carrier is not subject to Commission jurisdiction:

It is noted that, regardless of the types of services covered by this Interconnection Agreement, it would be a violation of the Public Utility Code if the Applicant began offering services or assessing surcharges, to end users, for which it has not been authorized to provide and for which tariffs have not been authorized.

<sup>4</sup>COCOTs are customer-owned coin operated telephones. Prior to the deregulation of customer premises equipment (CPE) in the early 1980s, pay telephones were only provided by local or long distance telephone companies certificated to provide utility service. After CPE was deregulated and detariffed, private individuals and non-telephone companies were permitted to own and operate pay telephones (COCOTs) for use by the public. These private owners did not require Chapter 11 certification and were subject only to minimal rate, quality of service and equipment requirements. (The FCC subsequently preempted this Commission's ability to regulate availability through entry or exit requirements as well as the price of local coin service). This Commission did not require certification of COCOTs but required that they adhere to certain requirements which were codified in Chapter 63. As such, this Commission termed COCOTs as "nonpublic utilities" and required them to file a form with the Commission containing information relating to, inter alia, the owner's name and telephone number, the telephone number and location of the COCOT, and who to contact to receive refunds or resolve problems associated with the COCOT.

Level 3 supported the existing procedures that permit the filing, review and approval of an agreement pending the review and approval of a CLEC certificate application as being consistent with the act. Level 3 argued that, if a requesting carrier were required to have full certificate authority prior to approval of an interconnection agreement, a significant delay in market entry would be created that, until now, has not existed. As a result, Level 3 requested that the existing procedures not be modified, even where a CLEC certificate application is still under review.

### 3. *Tentative Resolution*

The comments by the parties recommending against requiring CLEC authority prior to the filing of an Interconnection Agreement request are persuasive. Further, since we are implementing the modification concerning the Day 1 issue and requiring the filing of an agreement within 30 days of execution, it is anticipated that this issue will, for the most part, be resolved. As a result, this proposed modification will be withdrawn. Nonetheless, we will continue to monitor this issue and we will revisit it if appropriate.

### D. *Filing of "True and Correct" Copies of Interconnection Agreements*

Currently, each Order approving an Interconnection Agreement includes an Ordering Paragraph requiring that a "true and correct" copy of the Interconnection Agreement be filed as part of compliance obligations of the parties. Routinely, the "true and correct" copy is not filed with the Commission primarily because the agreement has not changed since it was originally submitted for approval with the Commission. As a result, Parties to the agreement have been filing a letter indicating that the original executed copy filed at the beginning of the review process is a "true and correct" copy and requesting that this copy meet its compliance responsibility. A problem arises in that all parties do not automatically file even a letter making this request. The parties are sent a Secretarial letter, sometimes several letters, reminding them of their responsibility under the Order, but frequently a response is not forthcoming.

### 1. *Initially Recommended Solution*

The initially recommended solution to this issue was to eliminate the ordering paragraph requiring that a "true and correct" copy be filed with the Commission, with the exception of those instances where: (1) the Commission and/or a party makes a change to the original agreement; (2) the agreements are arrived at through the arbitration process; or (3) a copy was not filed at the beginning of the review process.

It was also recommended that ILECs be required to include a section on their respective websites that contains currently effective interconnection agreements that were either approved by this Commission or became effective by operation of law. This would: (1) more readily provide the public with access to interconnection agreements; (2) reduce the cost to the public in obtaining copies of agreements; (3) assist in reducing the number of inquiries as to which companies have approved agreements and how an official copy of an agreement can be obtained; and (4) assist in reducing the burden on the Secretary's Bureau in duplicating the voluminous copies.

### 2. *Filed Comments*

ALLTEL supported the proposal not to require the filing of a true and correct copy of the interconnection agreement when the original agreement has not been

changed. However, ALLTEL objected to the proposal to require that ILECs make all agreements available on their websites as being unreasonably burdensome and discriminatory. ALLTEL proposed that the Commission make the agreements available on its website because the obligation to provide the public with access to these agreements is not an ILEC responsibility. ALLTEL maintained that an ILEC should have control over its own website and not have the Commission improperly mandate a host of requirements as to what a corporate website must contain.

Sprint's position on this issue is consistent with that of ALLTEL, but Sprint suggested that ILECs be required to file an electronic true and correct copy, rather than a hard copy, for inclusion on the Commission website.

Verizon PA agreed with the proposal not to require the filing of a true and correct copy under the circumstances cited. Verizon PA, however, opposed the imposition of a requirement that ILECs include the agreements on their websites. Verizon PA argued that this requirement would create a significant financial and technical cost to the ILEC as well as create potential liability should a copy of an agreement that was not a true and correct copy be posted inadvertently.

### 3. Tentative Resolution

None of the parties opposed the elimination of the requirement for the filing of a true and correct copy of an interconnection agreement under the circumstances outlined in our proposal. However, the parties do object to the proposal that would require that ILECs include copies of currently effective agreements on their websites. All suggest that the Commission make the agreements available on its website with Sprint recommending that a true and correct electronic copy be submitted in lieu of a paper true and correct copy for inclusion on the Commission's website.

The proposed modification requiring the ILECs to include the agreements on their websites is similar to the requirement that utilities have their tariffs available on their websites with a link from the Commission website to the tariff page. As a result, the opposition to the proposal does not appear to be well-founded. Nonetheless, requiring the ILECs to submit an electronic true and correct copy for inclusion on the Commission website is an acceptable compromise. Therefore, the requirement for a paper true and correct copy will be tentatively eliminated under the circumstances previously described and ILECs will be required to submit an electronic true and correct copy of all interconnection agreements, including any amendments, for inclusion on the Commission website. It is noted, however, that this recommendation does not supplant the previous recommendation that the ILEC file for approval of a jointly signed interconnection agreement, nor does it relieve any party of its filing responsibilities.

### IV. Conclusion

Based on the foregoing, consistent with the requirements under 66 Pa.C.S. § 703(3), relating to notification of Commission orders, we adopt the revised procedures adduced in the body of this Tentative Order; *Therefore,*

#### *It Is Ordered That:*

1. Our Order at Doc. No. M-00960799 entered June 3, 1996, is hereby modified relative to the filing of Interconnection Agreements.

2. The ILEC, upon receipt of a request for interconnection, shall file notice of the request with the Commission within 20 days of the date interconnection is requested consistent with this Order.

3. The ILEC is hereby responsible for filing, on behalf of itself and the requesting entity, a jointly signed interconnection agreement with the Commission within 30 days of the date that the agreement is signed.

4. The ILEC, within 30 days of entry of an Order approving an Interconnection Agreement, shall file an electronic true and correct copy of the agreement with the Commission for inclusion on the Commission website.

5. This Tentative Order shall be published for comment in the *Pennsylvania Bulletin* and copies served upon all parties having filed Comments and Reply Comments.

6. Comments to this Tentative Order shall be filed with the Commission on or before 30 days from the date of publication of this Tentative Order. Reply Comments, if any, will be due on or before 10 days from the date that Comments are due.

7. If no Comments are timely filed, this Tentative Order shall become final. If, however, timely comments are received, they will be addressed in a subsequent Order establishing final modifications to our Order at Doc. No. M-00960799 entered June 3, 1996, relative to the filing of Interconnection Agreements.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-1429. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Railroad With Hearing

**C-20028106. Larry Miller v. Norfolk Southern Railway Company.** Complainant is concerned that Norfolk Southern is attempting to close the upper public crossing at Cove, Perry County (crossing no. 50657 on-road Sibles). The public road was never vacated and the local residents have a right to use the crossing by binding deed covenants.

An initial hearing on this matter will be held on Thursday, August 21, 2003, at 10 a.m. in Hearing Room 2, Plaza Level, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-1430. Filed for public inspection July 18, 2003, 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 ap-

plies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg PA 17105-3265, with a copy served on the applicant by August 11, 2003. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-00119906. Mustapha Khadada t/d/b/a Central Bucks Limousine** (4333 Mechanicsville Road, Doylestown, Bucks County, PA 18901)—persons in limousine service: (1) between points in the Counties of Bucks and Montgomery, and from points in said counties, to the Philadelphia International Airport, located in the City and County of Philadelphia and the Township of Tinicum, Delaware County, and vice versa; and (2) from points in the Counties of Bucks and Montgomery, and the Philadelphia International Airport, located in the City and County of Philadelphia and the Township of Tinicum, Delaware County, to points in Pennsylvania, and return.

**A-00119924. Timothy L. Rounsville t/d/b/a Schuylkill Valley Airport Shuttle** (3232 Pricetown Road, Fleetwood, Berks County, PA 19522)—persons in airport transfer service, from points in the Counties of Berks, Chester, Delaware and Montgomery, to the Philadelphia International Airport, located in the City and County of Philadelphia, and the Township of Tinicum, Delaware County.

**A-00119928. Blue & White USA, Inc. t/d/b/a Altoona USA & Transfer** (603 Rutgers Lane, Altoona, Blair County, PA 16602), a corporation of the Commonwealth—persons upon call or demand in the County of Blair. *Attorney:* Matthew W. Lent, 1701 Fifth Avenue, Altoona, PA 16602-2319.

**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 persons by transfer of rights as described under the application.**

**A-00119935. Cranberry Taxi, Inc.** (910 Sheraton Drive, Mars, Butler County, PA 16046), a corporation of the Commonwealth—persons upon call or demand: (1) in the County of Butler; and (2) in the Townships of Marshall and Pine, and the Boroughs of Bradford Woods and Franklin Park, all in Allegheny County, provided that no right, power or privilege is granted to provide service within the limits of North Park, located in the Townships of Pine and McCandless, both in Allegheny County; which is to be a transfer of the rights authorized under the certificate issued at A-00106305, F.3 to Star Limousine Service, Inc. t/a Cranberry Taxi, subject to the same limitations and conditions. Application for temporary authority has been filed for the rights previously cited. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

**Complaint**

A-00119224  
A-00119224C0301

EAST PENN WAREHOUSE & DISTRIBUTION INC.  
PO BOX 208  
POTTSTOWN PA 19464

Re: East Penn Warehouse & Distribution Inc.

Dear Respondent:

On April 15, 2003, the Bureau of Transportation and Safety instituted a Complaint against East Penn Warehouse & Distribution Inc., respondent, alleging failure to maintain evidence of bodily injury, property damage liability and cargo insurance on file with this Commission, a violation of the Public Utility Code at 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).

In accordance with 52 Pa. Code § 5.61, the Bureau of Transportation and Safety notified the Respondent that it must file an Answer to the Complaint within twenty days of the date of service. The Notice further specified that, if respondent failed to answer the Complaint within twenty days, the Bureau of Transportation and Safety would request the Commission issue an order cancelling respondent's Certificate of Public Convenience.

The Complaint was served on respondent on April 18, 2003. To date, more than twenty days later, respondent has failed to file an Answer to the Complaint.

Therefore, the allegations in the Complaint are deemed to be admitted. The Complaint is hereby sustained and the Certificate of Public Convenience, issued to respondent at A-00119224, is hereby cancelled.

Respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa.C.S. §§ 101, et seq. and the regulations of the Commission, 52 Pa. Code §§ 1.1, et seq. In view of the cancellation of respondent's Certificate of Public Convenience, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

Should respondent wish to again begin transportation operations in the Commonwealth of Pennsylvania, respondent must file a new application for authority in order to obtain a Certificate of Public Convenience. The respondent must pay all outstanding assessments and fines before this Commission will act on an application for authority. Payment must be made by certified check or money order payable to the Pa. Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

James J. McNulty  
Secretary

**Complaint**

SALEEM ASGHAR  
18-4A CASSIDY ROAD  
BUDD LAKE NJ 07828

In Re: Pennsylvania Public Utility Commission  
v.  
Saleem Asghar  
C-20028972

Dear Mr. Asghar:

On December 17, 2002, the Bureau of Transportation and Safety instituted a complaint against Saleem Asghar, respondent, alleging that respondent transported property for compensation between points in the Commonwealth of Pennsylvania while not then holding a certificate of public convenience issued by this Commission.

Respondent was duly notified that, if an answer was not filed within twenty (20) days of receipt of the complaint, the penalty would be imposed.

The complaint and notice were served on respondent on January 6, 2003, and, more than thirty (30) days later, no response has been received from respondent.

Therefore, the allegations in the complaint are admitted and the complaint is sustained.

Respondent, within twenty (20) days from the date of the service of this letter, shall pay a fine of five hundred dollars (\$500.00) by certified check or money order payable to the Pennsylvania Public Utility Commission, at P. O. Box 3265, Harrisburg, PA 17105-3265, as provided in the Public Utility Code, 66 Pa.C.S. §§ 3301 and 3315, shall cease and desist from further violations of the Public Utility Code, 66 Pa.C.S. §§ 101, et seq., and the Regulations of this Commission, 52 Pa. Code §§ 1.1, et seq.

James J. McNulty  
Secretary

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-1431. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Wastewater Service

**A-230097. Jordan Crossing Sewer Authority.** Application of Jordan Crossing Sewer Authority for approval of the right to begin to offer, render, furnish or supply wastewater service to the public within Jordan Crossing, a development of three roads within the Municipality of Mohrsville, Berks County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before August 4, 2003. 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:* Jordan Crossing Sewer Authority

*Through and by Counsel:* Cal Shields, Esquire, 203 West Market Street, Orwigsburg, PA 17961.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 03-1432. Filed for public inspection July 18, 2003, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #03-089.1, Overlay Paving at Marginal Apron, Piers 38—40 South, until 2 p.m. on Thursday, August 7, 2003. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available July 22, 2003. The cost of the bid document is \$35 (includes 7% Pennsylvania sales tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractors must comply with all applicable equal opportunity laws and regulations.

A mandatory prebid job site meeting will be held on July 31, 2003, at 10 a.m. at Piers 38—40, 841 Columbus Blvd. (one block north of Washington Ave.), Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 03-1433. Filed for public inspection July 18, 2003, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #03-127.1, Installation of a Frame Supported Membrane Structure at Tioga Marine Terminal (TMT), until 2 p.m. on Thursday, July 31, 2003. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available July 22, 2003. The cost of the bid documents is \$35 (includes 7% Pennsylvania sales tax) which is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

A mandatory prebid job meeting will be held on Thursday, July 24, 2003, at 10 a.m. at the Tioga Marine Terminal Guard House, Delaware Ave. and Tioga St., Philadelphia, PA 19134.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 03-1434. Filed for public inspection July 18, 2003, 9:00 a.m.]

## TURNPIKE COMMISSION

### Retention of an Engineering Firm

### Construction Materials Inspection and Testing Services

### Districts 1 and 2, Milepost 0.00 to 199.00

### Allegheny, Beaver, Bedford, Butler, Franklin, Fulton, Huntingdon, Lawrence, Somerset and Westmoreland Counties

### Reference No. 2-065

The Turnpike Commission (Commission) will retain an engineering firm for an open-end contract for construction materials inspection and testing services both at the project site and at related plant locations in the Western Region (Milepost 0.0 to Milepost 199.0) of the Turnpike. A testing laboratory capable of performing concrete, bituminous, aggregate and soils tests in a timely manner must be available throughout the life of the contract. The types of projects that materials inspection and testing will be conducted on under this contract may include, but are not limited to, roadway reconstruction, bituminous overlays, bridge construction and rehabilitations, service plaza parking lot expansions and toll plaza construction.

The contract will be for a maximum cost of \$750,000 or for a 36-month period, whichever occurs first. The firm will be required to provide sufficient office personnel, managers, engineers, technicians and clerical staff to

support the field functions. In addition, the firm selected may be required to attend construction meetings with the Commission.

The selected firm may be required to test materials at asphalt and concrete plants, perform soils and aggregate testing or perform testing associated with the manufacture of selected construction materials. Duties may also include the witnessing of onsite testing by the contractor. In addition, the selected firm may be required to keep records, document the construction work, attend monthly job conferences, determine from the project records the final quantities of certain contract items and perform other duties as may be required.

Direct project inquiries to Eugene C. Mattson, (717) 939-9551, Ext. 3502, emattson@paturnpike.com. Direct contractual questions to George M. Hatalowich, (717) 986-8737, ghatalow@paturnpike.com.

The following factors will be considered by the Commission during the evaluation of the firms submitting letters of interest for the projects:

a. Specialized experience and technical competence of prime consultant and subconsultants. The team must clearly demonstrate an ability to analyze available data to make decisions and develop plans to complete the project in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project and the client.

c. The specific experience and number of individuals who constitute the firm.

d. Location of consultant's office where the work will be performed.

e. Other factors, if any, specific to the project.

#### **General Requirements and Information**

Firms interested in providing the previous work and services are invited to submit a statement of interest with the required information. The statements of interest must include the following:

1. One-page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. (If the firm has multiple offices, the location of the office performing the work must be identified.)

2. A three-page expression of interest on the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for each project and provide explanation of the technical approach.

3. An organization chart for the project identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultant's listed in the statement of interest will require written approval from the Commission.

4. Tabulation or listing of workload for the prime consultant and all subconsultants for all Department of Transportation (Department) and Commission projects. Do not graphically represent the firm's workload.

5. A Consultant Qualification Package similar to the one submitted to the Department for the current year or one that is best suited for this project. A copy of the Consultant Qualification Package printed directly from the Department's ECMS website is acceptable.

The Consultant Qualification Package should contain, at a minimum, the following information for the prime consultant and all subconsultants and attached to the back of the statement of interest (subs to follow primes):

- ECMS General Information and Project Experience Forms or Standard Form (SF) 254-Architect-Engineer and Related Services Questionnaire in its entirety, either not more than 1 year old as of the date of the advertisement.

- Resumes of key personnel expected to be involved in the project (limit to two 8 1/2" x 11" pages, per person). Only resumes of key personnel should be included.

- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in this Commonwealth.

- A copy of the Department's DBE/WBE Certification, if applicable.

Small firms, Disadvantaged Business Enterprise firms and other firms who have not previously performed work for the Commission are encouraged to submit a statement of interest.

Firms interested in performing the previous services are invited to submit a statement of interest and required information to George M. Hatalowich, Manager of Contract Administration, Turnpike Commission Administration Building, 700 South Eisenhower Boulevard, Middletown, PA 17057 (street address). The Commission mailing address is P. O. Box 67676, Harrisburg, PA 17106-7676.

The statement of interest and required information must be received by 12 p.m. on Friday, August 8, 2003. Statements of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable statements of interest received in response to this solicitation, one firm will be selected for each contract. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Commission. Technical proposals will not be requested prior to the establishment of the final ranking.

The Commission reserves the right to reject all statements of interest, to cancel solicitation requested under this notice and/or to readvertise solicitation for the work and services.

MITCHELL RUBIN,  
*Chairperson*

[Pa.B. Doc. No. 03-1435. Filed for public inspection July 18, 2003, 9:00 a.m.]