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 August 5, 2003.

BANKING INSTITUTIONS

Holding Company Acquisitions

Date	*Name of Corporation*	*Location*	*Action*
7-29-03	East Penn Financial Corporation, Emmaus, to acquire up to 24.9% of the outstanding common stock of Berkshire Bank, Wyomissing (In Organization)	Emmaus	Filed

Consolidations, Mergers and Absorptions

Date	*Name of Bank*	*Location*	*Action*
7-31-03	Atlantic Central Bankers Bank, Camp Hill, PA and ACB Bank, NJ, Carlstadt, NJ Surviving Institution— Atlantic Central Bankers Bank, Camp Hill, PA	Camp Hill, PA	Effective

ACB Bank, NJ, a New Jersey state-chartered bank, was formed solely to enable Atlantic Central Bankers Bank to establish an interstate branch in New Jersey.

Branch Acquired:

400A Commerce Boulevard
Carlstadt
Bergen County, NJ

Branch Applications

Date	*Name of Bank*	*Location*	*Action*
7-31-03	Harleysville Savings Bank Harleysville Montgomery County	1889 Ridge Pike Royersford Upper Providence Township Montgomery County	Filed
8-4-03	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	701 W. Germantown Pk. East Norriton Montgomery County	Approved
8-4-03	Sun Bank Lewisburg Union County	2134 Sandy Drive Suite 3 State College Centre County	Approved
8-4-03	Bank of Hanover and Trust Company Hanover York County	1438 Liberty Road Eldersburg Carroll County, MD	Approved
8-4-03	Citizens & Northern Bank Wellsboro Tioga County	130 Court Street Williamsport Lycoming County	Approved
8-4-03	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	12360 Academy Road Philadelphia Philadelphia County	Approved

Date	Name of Bank	Location	Action
8-4-03	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2 E. Baltimore Ave. Media Delaware County	Approved

Branch Relocations

Date	Name of Bank		Location	Action
8-4-03	Patriot Bank Pottstown Montgomery County	*To:*	3559 Bath Pike Bethlehem Northampton County	Approved
		From:	3650 Nazareth Pike Bethlehem Northampton County	
8-4-03	Fulton Bank Lancaster Lancaster County	*To:*	5049 Jonestown Road Harrisburg Lower Paxton Township Dauphin County	Approved
		From:	4807 Jonestown Road Harrisburg Lower Paxton Township Dauphin County	
8-4-03	Farmers First Bank Lititz Lancaster County	*To:*	3199 Cape Horn Road Red Lion York County	Approved
		From:	5 West High Street Red Lion York County	

Branch Discontinuances

Date	Name of Bank	Location	Action
8-4-03	First Commonwealth Bank Indiana Indiana County	52 Main Street Falls Creek Jefferson County	Approved
7-31-03	Fulton Bank Lancaster Lancaster County	3123 N. George St. Emigsville York County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 03-1594. Filed for public inspection August 15, 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 The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

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

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

Persons wishing to comment on an NPDES application are invited to submit a statement to the 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. 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

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

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PA0051586	Tohickon Family Campground 8308 Covered Bridge Road Quakertown, PA 18951	Bucks County Quakertown Borough	Tohickon Creek	Y

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

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PA0025224 Municipal	St. Clair Sewer Authority 16 South Third Street St. Clair, PA 17970	Schuylkill County East Norwegian Township	Mill Creek 3A	Y
PA0063797	R. R. 1, Box 1416 Stroudsburg, PA 18360	Monroe County Hamilton Township	Cherry Creek 1E	Y

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

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PA0032364	Twin Boroughs Sanitary Authority P. O. Box 118 Mifflin, PA 17058	Juniata County Milford Township	Juniata River 12-A	Y
PA0087921	Berwick Township 85 Municipal Rd. Hanover, PA 17331	Adams County Berwick Township	UNT Pine Run 7-F	Y

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

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PA0104141	Jay Township STP Weedville Box 186 Redwood Road Weedville, PA 16868	Jay Township Elk County	Bennett Branch Sinnemahoning Creek Watershed 17-A	Y

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

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

PA0054305, Industrial Waste, **Sunoco Partners Marketing and Terminals, L. P.**, 1801 Market Street 15/10PC, Philadelphia, PA 19103-1699. This application is for renewal of an NPDES permit to discharge treated stormwater using oil water separator from a petroleum market and terminal in West Whiteland Township, **Chester County**. This is an existing discharge to a UNT to Valley Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of stormwater from the oil water separator, are as follows:

Parameter	*Average Monthly (mg/l)*	*Maximum Daily (mg/l)*	*Instantaneous Maximum (mg/l)*
Total Recoverable Petroleum Hydrocarbons		Monitor and Report	
Diesel Range Organics		Monitor and Report	
Gasoline Range Organics		Monitor and Report	

The EPA waiver is in effect.

PA0011274, Industrial Waste, **Pennsylvania Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This application is for renewal of an NPDES permit to discharge treated process wastewater from a water filtration plant in Middletown Township, **Bucks County**. This is existing discharge to Neshaminy Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.296 MGD, are as follows:

Parameter	*Average Monthly (mg/l)*	*Maximum Daily (mg/l)*	*Instantaneous Maximum (mg/l)*
Aluminum, Total	0.82	1.64	2.05
Total Suspended Solids	30	60	75
Manganese, Total	1.0	2.0	2.5
pH	within limits of 6.0—9.0 standard units at all times		
Total Residual Chlorine	0.045	0.09	0.11

The proposed effluent limits for Outfall 002 are as follows:

Parameter	*Average Monthly (mg/l)*	*Maximum Daily (mg/l)*	*Instantaneous Maximum (mg/l)*
Suspended Solids		60	75
pH	within limits of 6.0—9.0 standard units at all times		
Iron, Total		3.1	3.9
Aluminum, Total		1.0	1.25
Manganese, Total		3.0	3.75
Total Residual Chlorine		0.09	0.11

The EPA waiver is in effect.

PA0053074, Sewage, **Valley Green Corporate Center**, 7111 Valley Green Road, Fort Washington, PA 19034. This application is for renewal of an NPDES permit to discharge treated sewage from Valley Green Corporate Center STP in Whitemarsh Township, **Montgomery County**. This is an existing discharge to Sandy Run Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 8,300 GPD are as follows:

Parameter	*Average Monthly (mg/l)*	*Instantaneous Maximum (mg/l)*
$CBOD_5$		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
Total Residual Chlorine	0.5	1.2
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA0058696, Sewage, **Nadine R. Keil**, 7 Beck Road, Coatesville, PA 19320. This application is for issuance of an NPDES permit to discharge treated sewage from single residence sewage treatment plant in East Followfield Township, **Chester County**. This is a new discharge to UNT of Dennis Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 4,000 gpd are as follows:

Parameter	*Average Monthly (mg/l)*	*Instantaneous Maximum (mg/l)*
$CBOD_5$	10	20
Suspended Solids	20	40
Total Residual Chlorine	Monitor and Report	Monitor and Report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA0043974, Sewage, **Valley Forge Sewer Authority**, 333 Pawling Road, Phoenixville, PA 19460. This application is for amendment of an NPDES permit to discharge treated sewage from treatment plant in Phoenixville Borough, **Chester County**. This is an existing discharge to Schuylkill River.

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

The proposed effluent limits for Outfall 001, based on an average flow of 9.2 MGD are as follows:

Parameter	*Average Monthly (mg/l)*	*Average Weekly (mg/l)*	*Instantaneous Maximum (mg/l)*
$CBOD_5$			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	15.0		30.0
(11-1 to 4-30)	20		40.0
Total Residual Chlorine	0.5		1.6
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for stormwater Outfall 002 are as follows:

Parameter	*Average Monthly (mg/l)*	*Average Weekly (mg/l)*	*Instantaneous Maximum (mg/l)*
Total Mercury			
Total Copper	Monitor and Report	Monitor and Report	
Total Lead	Monitor and Report	Monitor and Report	
Total Zinc	Monitor and Report	Monitor and Report	

Parameter	*Average Monthly (mg/l)*	*Average Weekly (mg/l)*	*Instantaneous Maximum (mg/l)*
Free Cyanide	Monitor and Report	Monitor and Report	
Total Arsenic	Monitor and Report	Monitor and Report	
Total Cadmium	Monitor and Report	Monitor and Report	
Hexavalent Chromium	Monitor and Report	Monitor and Report	
Total Selenium	Monitor and Report	Monitor and Report	
Total Silver	Monitor and Report	Monitor and Report	

The proposed effluent limits for Outfall 001, based on an average flow of 9.2 mgd are as follows:

Parameter	*Average Monthly (mg/l)*	*Average Weekly (mg/l)*	*Instantaneous Maximum (mg/l)*
$CBOD_5$			Monitor and Report
COD			Monitor and Report
Oil and Grease			Monitor and Report
pH			Monitor and Report
Total Suspended Solids			Monitor and Report
Total Kjeldahl Nitrogen			Monitor and Report
Total Phosphorus			Monitor and Report
Iron (Dissolved)			Monitor and Report

The EPA waiver is not in effect.

PA0056847, Sewage, **East Rockhill Township**, 1622 Ridge Road, Perkasie, PA 18944. This application is for renewal of an NPDES permit to discharge treated sewage from East Rockhill Township Wastewater Treatment Plant in East Rockhill Township, **Bucks County**. This is an existing discharge to East Branch Perkiomen Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.113 MGD are as follows:

Parameter	*Average Monthly (mg/l)*	*Average Weekly (mg/l)*	*Instantaneous Maximum (mg/l)*
$CBOD_5$			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	10.0		20.0
(11-1 to 4-30)	15.0		30.0
Phosphorus (as P)	2.0		4.0
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA0028614, Sewage, **Spring City Borough**, 6 South Church Street, Spring City, PA 19475. This application is for renewal of an NPDES permit to discharge treated sewage from sewage treatment plant in Spring City Borough, **Chester County**. This is an existing discharge to Schuylkill River.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.345 are as follows:

Parameter	*Average Monthly (mg/l)*	*Average Weekly (mg/l)*	*Instantaneous Maximum (mg/l)*
$CBOD_5$	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)	20	30	40
Total Residual Chlorine	0.5		1.2
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 6.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

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

PA0008265, Industrial Waste, SIC Codes 2611 and 2621, **Appleton Papers Inc. (Spring Mill)**, 100 Paper Mill Road, Roaring Spring, PA 16673-1488. This facility is in Taylor Township and Roaring Spring Borough, **Blair County**.

Description of activity: Appleton Papers Inc. requested an amendment of an NPDES permit for an existing discharge of treated industrial waste. The request is to revise the following compliance schedule to achieve color limits.

Action	*Existing Permit Schedule*	*Revised Permit Schedule*
Permittee evaluates alternatives and determines best alternative for compliance. Submits report on alternatives and selected best alternative with a schedule of implementation to achieve compliance with final color limits.	March 1, 2004	March 1, 2005
Department reviews report and comments on alternatives and selected best alternative.	May 1, 2004	May 1, 2005
Permittee implements selected alternative.	September 2004	September 30, 2005
Permittee completes selected alternative to achieve compliance with final limitations.	February 28, 2006	September 30, 2006

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.

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

PA0026557, SIC 4952, **The Municipal Authority of the City of Sunbury**, 462 South Fourth Street, Sunbury, PA 17801. This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage to Shamokin Creek in the City of Sunbury, **Northumberland County**.

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

For the purpose of evaluating effluent requirements for TDS, NO_2-NO_3, fluoride and phenolics, the downstream potable water supply considered during the evaluation is the Dauphin Borough.

Outfall 001: the proposed effluent limits, based on a design flow of 4.2 MGD, are:

Parameter	*Average Monthly (mg/l)*	*Average Weekly (mg/l)*	*Instantaneous Maximum (mg/l)*
$CBOD_5$	25	40	50
Suspended Solids	30	45	60
Total Chlorine Residual	0.5		1.6
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		
pH	6.0—9.0 SU at all times		

Other Conditions: monitoring of stormwater Outfall S101; and monitoring of combined sewer overflow Outfalls 002—007 for cause, frequency, duration and quantity.

The EPA waiver is not in effect.

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

PA0002054-A2, Industrial Waste, SIC 4911, **Reliant Energy**, 1001 Broad Street, Johnstown, PA 15907. This application is for amendment of an NPDES permit to discharge untreated cooling water from the Seward Generating Station in East Wheatfield Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, Conemaugh River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Saltsburg Municipal Water Works, 22 miles below the discharge point.

Outfall 023: new discharge, design flow of 0.7—3.5 mgd.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Total Suspended Solids			30	100	
Oil and Grease			15	20	
Free Available Chlorine			0.2	0.5	
Temperature					110°F

	Mass (lb/day)		Concentration (mg/l)		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Zinc			0.8		1.6
Nickel			0.45		0.9
Iron, TOT			Monitor and Report		
Iron, DIS			2.7		5.3
Manganese			Monitor and Report		
Aluminum			Monitor and Report		
Cobalt			0.27		0.53
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: conditions pertaining to thermal discharges and requirement to collect intake river quality.

The EPA waiver is not in effect.

PA0026506-A1, West Mifflin Sanitary Sewer Municipal Authority, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902. This application is for amendment of an NPDES permit to discharge stormwater from the Thompson Run STP site in the Borough of West Mifflin, **Allegheny County**.

The receiving waters, known as Thompson Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation.

Outfalls 002—004: existing stormwater discharges.

This amendment adds Outfalls 002—004 to NPDES Permit PA0026506 and authorizes a discharge of uncontaminated stormwater from the sewage treatment plant site. At this time, there are no specific effluent limitations on Outfalls 002—004. These discharges must meet the stormwater discharges requirements in Part C of the amendment.

The EPA waiver is not in effect.

PA0027669-A1, McCandless Township Sanitary Authority, 9600 Perry Highway, Pittsburgh, PA 15237. This application is for amendment of an NPDES permit to discharge stormwater from the Pine Creek Sewage Treatment Plant Site in Hampton Township, **Allegheny County**.

The receiving waters are known as Pine Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation.

Outfall SW1: existing stormwater discharge.

This amendment adds Outfall SW1 to NPDES Permit PA0027669 and authorizes a discharge of uncontaminated stormwater from the sewage treatment plant roadway and roof drains. There are at this time no specific effluent limitations on Outfall SW1. This discharge must meet the stormwater outfalls requirements in Part C of the Amendment.

The EPA waiver is not in effect.

PA0097667, Sewage, **Pittsburgh International Industrial Park**, 1001 International Drive, P. O. Box 15, Imperial, PA 15126. This application is for renewal of an NPDES permit to discharge treated sewage from Pittsburgh International Industrial Park in North Fayette Township, **Allegheny County**.

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

Outfall 001: existing discharge, design flow of .006 mgd.

	Concentration (mg/l)			
Parameter	*Average Monthly*	*Average Weekly*	*Maximum Daily*	*Instantaneous Maximum*
$CBOD_5$	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0093149, Industrial Waste, SIC 0182, **Creekside Mushrooms, LTD**, One Moonlight Drive, Worthington, PA 16262-9730. This application is for renewal of an NPDES permit to discharge treated process water, sewage and stormwater from Creekside Mushrooms in West Franklin Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Buffalo Creek, classified as a HQ, CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Harrison Township Water Authority, 1705 Rear Freeport Road, Natrona Heights, PA 15065, 23.9 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.0915 mgd. Interim Limitations.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Flow (mgd)	Monitor and Report				
Suspended Solids	19	38	25	50	63
$CBOD_5$	19	38	25	50	63
Ammonia-Nitrogen					
(5-1 to 10-31)	3.8	7.6	5	10	13
(11-1 to 4-30)	11.5	23	15	30	38
Fecal Coliform Organisms					
(5-1 to 9-30)			200/100 ml	1,000/100 ml	
(10-1 to 4-30)			2,000/100 ml		
Total Residual Chlorine		Monitor and Report			
Aluminum	3.1	6.2	4.0	8.0	10.0
Iron	1.5	3.0	2.0	4.0	5.0
Manganese	0.8	1.6	1.0	2.0	2.5
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: existing discharge, design flow of 0.0915 mgd. Final Limitations.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Flow (mgd)	Monitor and Report				
Suspended Solids	19	38	25	50	63
$CBOD_5$	19	38	25	50	63
Ammonia-Nitrogen					
(5-1 to 10-31)	3.8	7.6	5	10	13
(11-1 to 4-30)	11.5	23	15	30	38
Fecal Coliform Organisms					
(5-1 to 9-30)			200/100 ml	1,000/100 ml	
(10-1 to 4-30)			2,000/100 ml		
Total Residual Chlorine			0.5		1.25
Aluminum	3.1	6.2	4.0	8.0	10.0
Iron	1.5	3.0	2.0	4.0	5.0
Manganese	0.8	1.6	1.0	2.0	2.5
pH	not less than 6.0 nor greater than 9.0				

Outfalls 002: existing stormwater discharge.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Aluminum			Monitor and Report		
Manganese			Monitor and Report		
Nitrate and Nitrite Nitrogen			Monitor and Report		

Outfalls 004: existing stormwater discharge.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Aluminum			Monitor and Report		
Manganese			Monitor and Report		

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Nitrate and Nitrite Nitrogen			Monitor and Report		
pH			Monitor and Report		

Outfalls 003, 005 and 006: existing stormwater discharges.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Nitrate and Nitrite Nitrogen			Monitor and Report		

The EPA waiver is in effect.

PA0204943, Industrial Waste, SIC 4914, **Borough of Glen Campbell**, P. O. Box 43, Glen Campbell, PA 15742-0043. This application is for renewal of an NPDES permit to discharge treated process water from Glen Campbell Water Treatment Plant in Glen Campbell Borough, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary Cush Creek, classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Clearfield Municipal Authority at Clearfield, 46 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.005 mgd.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Flow (MGD)	Monitor and Report				
Suspended Solids			30		60
Aluminum			4.0		8.0
Iron			2.0		4.0
Manganese			1.0		2.0
Total Residual Chlorine			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: In accordance with the information provided in the application, the filter backwash from this plant will be conveyed to a publicly owned treatment plant.

The EPA waiver is in effect.

PA0219380, Industrial Waste, NAICS, 327999, **Mypodiamond, Inc.**, Fayette Business Park, 1101 Mt. View Drive, Smithfield, PA 15478. This application is for issuance of an NPDES permit to discharge treated process water, cooling water and stormwater from the Fayette Business Park in Georges Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Georges Creek, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Dunkard Valley Joint Municipal Authority, Minor Street, Box 193, Greensboro, PA 15338, 14.7 miles below the discharge point.

Outfall 001: new discharge, average flow of 0.016 mgd.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Flow	Monitor and Report				
Copper			0.024	0.048	
Zinc			0.407	0.418	
Temperature (°F)					
(2-1 to 11-15)				110	
(11-16 to 11-30)				105	
(12-1 to 12-31)				94	
(1-1 to 1-31)				109	
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: new stormwater discharge.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
	This outfall is authorized to discharge uncontaminated stormwater runoff from areas in and around the facility.				

Outfall 101: new discharge, average flow of 0.00022 MGD.

	Mass (lb/days)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Flow	Monitor and Report				
Suspended Solids			30	100	
Oil and Grease			10	20	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0219410, Industrial Waste, NAICS, 112511, **Duquesne Light Company**, 411 Seventh Avenue, MD-16-711, Pittsburgh, PA 15230-1930. This application is for issuance of an NPDES permit to discharge water from Aquaculture Facility No. 1 in Monongahela Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, Whiteley Creek, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Masontown Municipal Water Works, 2 Court Ave., Masontown, PA 15461, 2.9 miles below the discharge point.

Outfall 002: new discharge, average flow of 1.5 mgd.

	Mass (lb/day)		*Concentration (mg/l)*		
Parameter	*Average Monthly*	*Maximum Daily*	*Average Monthly*	*Maximum Daily*	*Instantaneous Maximum*
Flow (mgd)	Monitor and Report				
Suspended Solids			10	20	25
$CBOD_5$			5	10	12.5
Ammonia-Nitrogen			0.5	1.0	1.3
Total Nitrogen			10	20	25
Dissolved Oxygen		greater than 6.0 at all times			
Iron			1.53	3.06	3.83
Manganese			1.02	2.04	2.55
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0001350, Sewage, **Eighty Four Mining Company**, P. O. Box 355, Eighty Four, PA 15330. This application is for renewal of an NPDES permit to discharge treated sewage from Somerset Portal STP in Somerset Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Center Branch of Pigeon 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 Ellsworth Borough Water Department on Pigeon Creek.

Outfall 001: existing discharge, design flow of 0.00972 mgd.

	Concentration (mg/l)			
Parameter	*Average Monthly*	*Average Weekly*	*Maximum Daily*	*Instantaneous Maximum*
$CBOD_5$	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	17.0			34.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	15,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0026417-A1, Industrial Waste, SIC, **Penn Hills Municipality**, 12245 Frankstown Road, Pittsburgh, PA 15235. This application is for amendment of an NPDES permit to discharge stormwater from areas in and around the Plum Creek Sewage Treatment Plant in Penn Hills Township, **Allegheny County**. Stormwater Outfall SW-1 discharges to Plum Creek. At this time, there are no effluent limitations on the outfall. The stormwater discharges shall meet the requirements in Part C of the NPDES permit.

The EPA waiver is not in effect.

PA0026522-A1, Industrial Waste, SIC, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902. This application is for amendment of an NPDES permit to discharge stormwater from areas in and around the New England Sewage Treatment Plant in West Mifflin Borough, **Allegheny County**. Internal stormwater Outfall 201, which connects to Outfall 001, and stormwater Outfalls 002 and 003 discharge to an unnamed tributary of the Monongahela River. There are at this time no effluent limitations on the outfalls. The stormwater discharges shall meet the requirements in Part C of the NPDES permit.

The EPA waiver is not in effect.

PA0026883-A1, Industrial Waste, **City of Beaver Falls**, 715 15th Street, Beaver Falls, PA 15010. This application is for amendment of an NPDES permit to discharge stormwater from areas in and around the sewage treatment plant in the City of Beaver Falls, **Beaver County**. Internal stormwater Outfall 201 which connects to Outfall 001, and stormwater Outfall 004 discharge to the Beaver River. There are at this time no effluent limitations on the outfalls. The stormwater discharges shall meet the requirements in Part C of the NPDES permit.

The EPA waiver is not in effect.

PA0028410, Amendment No. 1, Municipal Authority of the Borough of Baden, P. O. Box 134, Baden, PA 15005. This application is for amendment of an NPDES permit to discharge stormwater from the Baden Sewage Treatment Plant in Baden Borough, **Beaver County**.

The receiving waters are known as Tevebau Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation.

Outfalls SW1: existing stormwater discharge.

This amendment adds Outfall SW1 to NPDES Permit PA0028410 and authorizes a discharge of uncontaminated stormwater from the sewage treatment plant roadway and roof drains. There are at this time no specific effluent limitations on Outfall SW1. This discharge must meet the stormwater discharges requirements in Part C of the amendment.

The EPA waiver is not in effect.

PA0030449, Sewage, **Long's Mobile Home Park**, 406 Lutz School Road, Indiana, PA 15701-9255. This application is for renewal of an NPDES permit to discharge treated sewage from Long's Mobile Home Park Sewage Treatment Plant in White Township, **Indiana County**.

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

Outfall 001: existing discharge, design flow of 0.0112 mgd.

	Concentration (mg/l)			
Parameter	*Average Monthly*	*Average Weekly*	*Maximum Daily*	*Instantaneous Maximum*
$CBOD_5$	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	4.2			8.4
(11-1 to 4-30)	12.6			25.2
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	3,000/100 as a geometric mean			
Total Residual Chlorine	0.25			0.8
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.

PA0203670, Sewage, **Judith A. Krysa**, 2080 Old State Road, Gibsonia, PA 15044. This application is for renewal and transfer of an NPDES permit to discharge treated sewage from the Krysa single residence sewage treatment plant in Pine Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Breakneck 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 Zelienople Municipal Water Works on the Connoquenessing Creek.

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

	Concentration (mg/l)			
Parameter	*Average Monthly*	*Average Weekly*	*Maximum Daily*	*Instantaneous Maximum*
$CBOD_5$	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	Monitor and Report			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0239046, Industrial Waste, **Ridgway Powdered Metals, Inc.**, P. O. Box 398, Ridgway, PA 15853. This proposed facility is in Ridgway Township, **Elk County**.

Description of Proposed Activity: discharge of noncontact cooling water.

For the purpose of evaluating effluent requirements for TDS, NO_2-NO_3, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Clarion River and Western Pennsylvania American Water Company at Clarion, approximately 66 miles below point of discharge.

The receiving stream, Elk Creek, is in watershed 17A and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.00756 MGD.

	Loadings		*Concentrations*		
Parameter	*Average Monthly (lb/day)*	*Maximum Daily (lb/day)*	*Average Monthly (mg/l)*	*Maximum Daily (mg/l)*	*Instantaneous Maximum (mg/l)*
Flow	XX				
pH	6.0 to 9.0 standard units at all times				

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)

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

WQM Permit No. 5303402, Sewerage, **Roulette Township Supervisors**, R. R. 1, Roulette, PA 16746. The proposed sewer extension is in Roulette Township, **Potter County**.

Description of Proposed Action/Activity: Application for construction and operation of sewer extensions to serve the Main Street, Laninger Creek Road and Railroad Avenue areas adjacent to the Village of Roulette. Treatment will be at the existing Roulette Wastewater Treatment Plant.

WQM Permit No. 4103403, Sewerage 4952, **James Fowler**, 1485 Harriman Road, Unityville, PA 17774. This proposed facility is in Franklin Township, **Lycoming County**.

Description of Proposed Action/Activity: WQM Part II Permit application for construction and operation of a small flow sewage treatment plant to serve a single residence. The treatment facility will discharge to an UNT to German Run (CWF).

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*
PAI011503073	Trinity Capital Advisors Kevin M. Doyle Frazer Creek Retail Center 401 Plymouth Meeting Road Plymouth Meeting, PA 19462	Chester	East Whiteland Township	Unnamed tributary to Valley Creek EV
PAI011503074	Stancato/Abdala, LLC Anthony Stancato Mendenhall Property Subdivision 7 West Gay Street West Chester, PA 19380	Chester	East Fallowfield Township	Unnamed tributary to West Branch Brandywine Creek EV

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

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*
PAI023903023	Sharp Corp. 23 Carland Rd. Conshohocken, PA 19428	Lehigh	Upper Macungie Township	Little Lehigh Creek HQ-CWF
PAI023903024	WAWA, Inc. 260 Baltimore Pike Wawa, PA 19068	Lehigh	City of Allentown	Spring Creek HQ-CWF

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*
PAI024803020	Guru Nanak Sikh Society of Lehigh Valley 734 Wolf Ave. Easton, PA 18042	Northampton	Lower Nazareth Township	Monocacy Creek HQ-CWF

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*
PAS224803	Haven Homes, Inc. 306 Runville Road Bellefonte, PA 16823	Centre	Boggs Township	Wallace Run CWF

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

PUBLIC WATER SUPPLY (PWS) PERMIT

Under the Pennsylvania Safe Drinking Water Act, the following parties have applied for a PWS permit to construct or substantially modify a public water system.

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

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

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

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users 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)

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

Permit No. 3903505, Public Water Supply.

Applicant	**Great Oaks Spring Water Co.** 100 Cleveland Avenue Reading, PA 19605
Township or Borough	Coopersburg Borough **Lehigh County**
Responsible Official	Roger N. Kaufman, President
Type of Facility	Vended water
Consulting Engineer	Motley Engineering Company, Inc. 1300 New Holland Road Kenhorst, PA 19607
Application Received Date	July 15, 2003
Description of Action	Vending machines

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

Permit No. 3603506, Public Water Supply.

Applicant	**Kitchen Kettle Foods Inc.**
Municipality	Leacock Township
County	**Lancaster**
Responsible Official	Michael K. Burnley, President P. O. Box 380 Intercourse, PA 17534-0380
Type of Facility	PWS
Consulting Engineer	Charles A. Kehew II, P. E. James R. Holley & Assoc., Inc. 18 South George St. York, PA 17401
Application Received Date	June 4, 2003
Description of Action	Installation of new carbon bed treatment to treat for VOC contamination and replacement of the existing disinfection system with sodium hypochlorite. Project also request approval for the existing softening and nitrate treatment system.

Permit No. 3603507, Public Water Supply.

Applicant	**Mount Joy Borough Authority**
Municipality	Mount Joy and East Donegal Townships
County	**Lancaster**
Responsible Official	Terry L. Kauffman, Authority Administrator 21 East Main Street Mount Joy, PA 17552-9033
Type of Facility	PWS
Consulting Engineer	G. Matthew Brown, P. E. ARRO Consulting Inc. 270 Granite Run Drive Lancaster, PA 17601
Application Received Date	June 23, 2003
Description of Action	Project is for the construction of new clearwell tanks and a new high service pumping station. Project will also include the replacement of the existing gas chlorine system with a hypochlorite feed system.

Permit No. 0603507, Public Water Supply.

Applicant	**Pennsylvania American Water**
Municipality	Exeter and St. Lawrence Townships
County	**Berks**
Responsible Official	William C. Kelvington, V. P. Operations 800 W. Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	Jeff C. Jessell, P. E. Pennsylvania American Water 4 Wellington Boulevard Wyomissing, PA 19610
Application Received Date	June 27, 2003

Description of Action	Application is for the installation of corrosion control treatment facilities for the Glen Alsace Division.

Permit No. 2803506, Public Water Supply.

Applicant	**Mont Alto Municipal Authority**
Municipality	Quincy Township
County	**Franklin**
Responsible Official	William T. Barnes, Chairperson 3 North Main Street Mont Alto, PA 17237
Type of Facility	PWS
Consulting Engineer	William T. Hemsley, P. E. Nasaux-Hemsley, Inc. 56 N. 2nd St. Chambersburg, PA 17201
Application Received Date	July 11, 2003
Description of Action	Project is for the addition of new well no. 3 to augment the existing sources of supply.

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

Permit No. 0403502, Public Water Supply.

Applicant	**Beaver Falls Municipal Authority** 1425 Eighth Avenue P. O. Box 400 Beaver Falls, PA 15010
Township or Borough	Borough of Eastvale
Responsible Official	James Riggio, General Manager Beaver Falls Municipal Authority 1425 Eighth Avenue P. O. Box 400 Beaver Falls, PA 15010
Type of Facility	Water Treatment Plant
Consulting Engineer	Michael Baker Jr., Inc. Box 280 Beaver, PA 15009
Application Received Date	July 28, 2003
Description of Action	Installation of a new clearwell, high service pumping station and related site work.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 0401501-C2, Minor Amendment.

Applicant	**NOVA Chemicals** 400 Frankfort Road Monaca, PA 15061
Responsible Official	NOVA Chemicals 400 Frankfort Road Monaca, PA 15061
Type of Facility	WTP
Application Received Date	August 5, 2003
Description of Action	Change in water quality parameters

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

Application No. 6830-MA3, Minor Amendment.

Applicant	**Brookville Municipal Authority** Three Jefferson Court Brookville, PA 15825
Township or Borough	Brookville, **Jefferson County**
Responsible Official	John Bower, Chairperson
Type of Facility	PWS
Consulting Engineer	Nichols and Slagle Engineering Inc. 333 Rouser Road Airport Office Park Building 4, Suite 600 Moon Township, PA 15108
Application Received Date	July 29, 2003
Description of Action	Install fiberglass baffles to improve flow pattern through the clearwell.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office 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. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

New Holland North America, Inc., New Holland Borough, **Lancaster County**. CNH Global N. V., 700 State Street, Racine, WI 53404 submitted a Notice of Intent to Remediate site soils contaminated with xylene. 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.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. TDD users 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 (act) and regulations adopted under the act.

PLAN APPROVALS

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

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

40-310-054: Northampton Fuel Supply Co., Inc. (7500 Old Georgetown Road, Suite 13, Bethesda, MD 20814) for construction of a coal refuse wet processing plant and associated air cleaning device at the Huber Bank, Hanover Township, **Luzerne County**.

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

22-03041B: Librandi's Machine Shop, Inc. (93 Airport Drive, HIA, Middletown, PA 17057) for construction of a nickel chromium electroplating line in Middletown Borough, **Dauphin County**.

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

24-146A: National Fuel Gas Supply Corp. (Township Road 380, Brockway, PA 15824) to install a new natural gas compressor at their existing Boone Mountain Compressor Station in Horton Township, **Elk County**.

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

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

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

PA-46-0037R: Cabot Performance Materials (County Line Road, P. O. Box 1608, Boyertown, PA 19512-1608) for installation of a wet dust collector at their Boyertown facility in Douglass and Colebrookdale Townships, **Montgomery and Berks Counties**. This facility is a Title V facility. The PM emissions from the metal processes will be less than 0.02 grain per standard cubic foot, 0.43 pound per hour and 1.9 tons per year. There will be no emission increase of any other pollutants. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

09-0110C: Riverside Construction Materials, Inc. (790 North Radcliffe Street, Bristol, PA 19007) for installation of a pneumatic cement unloading system to replace the current grab and hopper unloading system at their facility in Bristol Township, **Bucks County**. This facility is a non-Title V facility. The Plan Approval will contain recordkeeping, operating and performance-testing requirements designed to keep the facility operating within the allowable emission limits and 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.

06-5014B: Garden State Tanning, Inc. (16 South Franklin Street, Fleetwood, PA 19522) for modification of the no. 5 whole hide spray line controlled by a water curtain at their Fleetwood Plant in the Borough of Fleetwood, **Berks County**. The modification involves the construction of a roll coater as part of the coating line. The modification will not result in any changes in the emissions from the line. The facility is subject to 40 CFR Part 63, Subpart TTTT—National Emission Standards for Hazardous Air Pollutants from Leather Coating. The plan approval will include limits on the VOC content in the various coatings and the annual emission of VOC. The approval will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the source operating within all applicable air quality requirements. The facility is presently covered by Operating Permit No. 06-05014. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450.

21-05047: Naval Support Activity (5450 Carlisle Pike, Mechanicsburg, PA 17055) for operation of two emergency generators and a spray paint booth in Hampden Township, **Cumberland County**. This modification will have the potential to increase the facility's NOx emissions by 22 tons and VOC emissions by less than 1 ton. Conditions in the permit will limit the VOC content of the coatings in accordance with 25 Pa. Code § 129.52 and the allowable operating hours for each of the emergency generators. The Plan Approval and Operating Permit will contain additional operating restrictions, recordkeeping, monitoring, work practices standards and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

36-05082B: Clark Filter, Inc. (3649 Hempland Road, Lancaster, PA 17601) for construction of a vacuum pleater oven controlled by a catalytic oxidizer at their plant in West Hempfield Township, **Lancaster County**. This modification will effectively decrease the facility's overall emissions of VOCs. Conditions in the permit will limit the VOC content of the coatings in accordance with 25 Pa. Code § 129.52. The Plan Approval and Operating Permit will contain additional recordkeeping, monitoring, work practices standards and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

67-05045A: Glen Gery, Corp. (1090 East Boundary Avenue, York, PA 17405) for removal of a fabric filter controlling particulate matter emissions from tunnel kiln no. 2 at their facility in Spring Garden Township, **York County**. This modification is expected to increase the facility's overall emissions of particulate matter by 9 tpy. The Plan Approval and Operating Permit will contain additional recordkeeping, work practice standards and reporting requirements to keep the facility operating within all applicable air quality requirements.

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

8-310-004: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) for construction of a sand and gravel processing plant (Canton Aggregate Facility) containing various pieces of crushing, screening and conveying equipment on Route 14 in Canton Township, **Bradford County**.

Fugitive PM from the crushing, screening and conveying equipment will be controlled by a water spray dust suppression system. The resultant PM10 emissions are expected to be no greater than 36.05 tons per year.

The Department's review of the information contained in the application indicates that the sand and gravel processing plant will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including 25 Pa. Code § 123.1, the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12 and the requirements of Subpart 000 of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.670—60.676.

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

1. The fugitive PM emissions from the sand and gravel processing plant shall be controlled by a water spray dust suppression system which shall, at a minimum, contain an in-line strainer and spray nozzles at the specific locations identified in the application. More nozzles may be installed without obtaining plan approval, but none of those identified in the application may be omitted.

2. The water spray dust suppression system shall be connected to an on-demand water source capable of delivering an adequate supply of water at any time. If the water spray dust suppression system is inoperable or is unable to provide an adequate supply of water due to freezing weather or any other reason, the sand and gravel processing plant shall not be operated.

3. A water truck equipped with a pressurized spray mechanism shall be kept onsite and used, as needed, for the control of fugitive particulate matter from plant roadways, stockpile areas, and the like.

4. All loaded permittee-owned or operated trucks exiting the facility via a public road shall be tarped or have their loads sufficiently wetted so as to prevent fugitive PM from becoming airborne. Additionally, a highly visible sign requiring the tarping/wetting of all trucks shall be posted.

5. If, at any time, the sand and gravel processing plant, or any piece of equipment incorporated in the plant, is determined by the Department to be causing the emission of fugitive PM in excess of the limitations specified in any applicable rule or regulation or in excess of the level which the Department considers to be the "minimum attainable through the use of the best available technology," the permittee shall, upon notification by the Department, immediately install additional water spray dust suppression equipment or take other measures as are needed to reduce the level of emissions to within the level deemed acceptable by the Department.

6. The primary and secondary processing operation shall not be used to process more than 2.628 million tons of material in any 12 consecutive month period. The portable screening unit shall not be used to process more than 2.19 million tons of material in any 12 consecutive month period.

7. Records shall be maintained of the amount of material processed through the primary and secondary processing operation each month as well as of the amount of material processed through the portable screening unit each month. All of these records shall be retained for at least 5 years and shall be made available to the Department upon request.

8. This plan approval does not authorize the construction, installation or operation of any generator, engines or engine/generator sets except that the portable screening unit may incorporate a diesel engine provided that the respective engine is rated at less than 100 horsepower.

49-00012A: Eldorado Properties Corp.—Petroleum Products Corp. (P. O. Box 2621, Harrisburg, PA 17105) for construction of two gasoline/distillate storage tanks 35 and 36 to be associated with the Northumberland Terminal on Route 11 in Point Township, **Northumberland County**.

Each of the two tanks will have a capacity of 3,981,040 gallons and will be equipped with a suspended internal floating roof with primary and secondary seals. The resultant VOC and hazardous air contaminant emissions from each of the two tanks will be no greater than 7.34 and 1.22 tons, respectively, in any 12 consecutive month period.

The Department has determined that the proposed tanks will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including 25 Pa. Code § 129.56, the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12 and the requirements of Subpart Kb of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.110b—60.117b. The Department consequently intends to approve the application and issue plan approval for the construction of the two proposed tanks.

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

1. Each of the two storage tanks shall be equipped with a suspended internal floating roof incorporating primary and secondary seals. Additionally, all openings in the internal floating roofs other then the stub drains shall be equipped with a cover, lid or seal.

2. The product throughput of each of the two tanks shall not exceed 178,416,000 gallons in any 12 consecutive month period.

3. The VOC and HAP emissions from each of the two tanks, excluding the emissions occurring as a result of internal floating roof landings, shall not exceed 2.34 tons and .39 ton, respectively, in any 12 consecutive month period.

4. The VOC and HAP emissions from each of the two tanks occurring as a result of internal floating roof landings shall not exceed 5.0 tons and .83 ton, respectively, in any 12 consecutive month period.

5. Annual inspections of the suspended internal floating roofs and associated seals shall be performed and the results recorded. All of these records shall be retained for at least 5 years and shall be made available to the Department upon request.

6. Records shall be maintained of the type of product stored in each tank, the monthly product throughput of each tank and the maximum true vapor pressure of the product in storage. All of these records shall be retained for at least 5 years and shall be made available to the Department upon request.

7. Records shall be maintained of the amount of VOCs and HAPs emitted from each tank during each month other than as a result of internal floating roof landings as well as the amount of VOCs and HAPs emitted from each tank during each month as a result of internal floating roof landings. All of these records shall be retained for at least 5 years and shall be made available to the Department upon request.

OPERATING PERMITS

Intent to Issue Title V Operating Permits 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.

09-00017: Exelon Generating Co.—Falls Township Station (1414 Bordentown Rd., Morrisville, Pottstown, PA 19067) for renewal of the Title V Operating Permit in Falls Township, **Bucks County**. The initial permit was issued on October 24, 1997. The facility is primarily used for providing electrical energy for peak demand periods. As a result of potential emissions of NOx and SOx, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The facility is not subject to compliance assurance monitoring (CAM) under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

09-00016: Exelon Generating Co.—Croydon Generation Station (955 River Road, Bristol, PA 19007) for renewal of the Title V Operating Permit in Bristol Township, **Bucks County**. The initial permit was issued on August 20, 1997. The facility is primarily used for providing electrical energy for peak demand periods. As a result of potential emissions of NOx and SOx, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The facility is not subject to CAM under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

30-00089: Dominion Transmission, Inc. (Dominion Tower, 20th Floor, 625 Liberty Avenue, Pittsburgh, PA 15222) for renewal for Title V Permit for Crayne Station in Franklin Township, **Greene County**.

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

10-00266: Resolite—Stabilit America Inc. (100 Perry Highway, Zelienople, PA 16063) for the reissuance of a Title V Permit to operate a laminated plastics, plate and sheet manufacturing facility in Jackson Township, **Butler County**. The facility's major emission sources include continuous lamination line and seven zone ovens, plant wide solvent clean up, resin storage tanks, methyl methacrylate storage tank, solvent blend storage—MEK, Xylene mix and miscellaneous natural gas usage. The facility is a major facility due to its potential to emit of VOCs and styrene.

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.

46-00052: Pottstown Memorial Medical Center (1600 East High Street, Pottstown, PA 19464) for operation of the General Medical Hospital in Pottstown Borough, **Delaware County**. The permit is for a non-Title V (State-only) facility. Major sources of air emissions include three boilers and four emergency generators. 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.

01-03012: Inland Container Corp. (P. O. Box 808, Biglerville , PA 17307) for operation of a corrugated box manufacturing facility in the Borough of Biglerville, **Adams County**. The facility has the maximum potential to emit 61 tons per year of SO_2, 14 tons per year of NOx and 4 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.

22-03002: Conopco d/b/a Unilever Bestfoods NA (523 South 17th Street, Harrisburg, PA 17104) for operation of a pasta manufacturing facility in the City of Harrisburg, **Dauphin County**. The State-only operating permit will contain additional recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

36-05069: Fenner, Inc. (311 West Steigel Street, Manheim, PA 17545) for operation of their manufacturing facility in the Borough of Manheim, **Lancaster County**. The facility has the potential to emit 51.1 tons per year of VOCs, 16.0 tons per year of combined HAPs, 3.6 tons per year of NOx, 3.0 tons per year of CO and less than 1 ton per year of PM and SOx. The State-only operating permit will limit VOC emissions to less than 50 tons per year. The operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

67-03035: Martin's Potato Chips, Inc. (P. O. Box 28, Thomasville, PA 17364) for operation of their snack food manufacturing facility in Jackson Township, **York County**. The facility has the following annual potential emissions: 10 tons of PM10, 6 tons of NOx and 2 tons of CO. 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.

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

65-00629: Latrobe Brewing Co. (119 Jefferson Street, Latrobe, PA 15650) renewal of operating permit for brewing and packaging of beer at their facility in Latrobe, **Westmoreland County**.

63-00896: UMCO Energy, Inc. (981 Route 917, Bentleyville, PA 15314) for operation of a coal processing plant in Fallowfield Township, **Washington County**.

11-00052: Department of Labor and Industry—Hiram Andrews Center (727 Goucher Street, Johnstown, PA 15905) for operation of two natural gas fuel oil boilers in Upper Yoder Township, **Cambria County**.

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

25-00994: Advanced Mold Technologies, Inc. (2004 West 16th Street, Erie, PA 16505) for a Natural Minor Permit for chromium electroplating and other electroplating operations in Erie, **Erie 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:

Parameter	*30-Day Average*	*Daily Maximum*	*Instantaneous Maximum*
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.

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

40030202. McClure Enterprises, Inc. (3 East McClure Avenue, Old Forge, PA 18518), commencement, operation and restoration of a coal refuse reprocessing operation in Hughestown and Duryea Boroughs, **Luzerne County** affecting 159.0 acres, receiving stream: none. Application received July 25, 2003.

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

32733705. NPDES Permit N/A, The Valley Camp Coal Company (P. O. Box 4427, Houston, TX 77210-4427), to renew the permit for the Homer City Mine Acid Mine Drainage Treatment Facility in Center and Black Lick Townships, **Indiana County** and related NPDES permit and to transfer the permit for the Homer City Mine Acid Mine Drainage Treatment Facility in Center and Black Lick Townships, Indiana County, from The Helen Mining Company, 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 5, 2003.

30841312. NPDES Permit No. PA0013790, Consolidation Coal Company (1 Bridge Street, Monongah, WV 26554), to revise the permit for the Blacksville Mine No. 2 in Wayne Township, **Greene County**, to install 34 degasification boreholes, Surface Acres Proposed 17.0, 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 27, 2003.

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

56803015 and NPDES Permit No. PA0124575. Action Mining, Inc., 1117 Shaw Mines Road, Meyersdale,

PA 15552, permit renewal for continued operation of a bituminous surface mine in Elklick Township, **Somerset County**, affecting 375.8 acres. Receiving streams: unnamed tributaries to the Casselman River (CWF). There are no potable water supply intakes within 10 miles downstream. Application received July 18, 2003.

56803020 and NPDES Permit No. PA0121177. Action Mining, Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for continued operation of a bituminous surface and coal refuse disposal mine in Summit Township, **Somerset County**, affecting 79.5 acres. Receiving streams: Blue Lick Creek, an unnamed tributary to Blue Lick Creek and an unnamed tributary to the Casselman River (CWF). There are no potable water supply intakes within 10 miles downstream. Application received July 18, 2003.

56930104 and NPDES Permit No. PA0212415. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, permit renewal for continued operation of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 129.0 acres. Receiving streams: unnamed tributaries to Buffalo Creek and Buffalo Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received July 18, 2003.

56950108 and NPDES Permit No. PA0213195. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, permit revision for a stream variance including a stream crossing and also for a permit boundary amendment from 112.2 to 112.25 to accommodate the haul road stream crossing in Brothersvalley Township, **Somerset County**, affecting 112.25 acres. Receiving streams: unnamed tributaries to Buffalo Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received July 21, 2003.

56980107 and NPDES Permit No. PA0234877. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit renewal for reclamation only and for continued restoration of a bituminous surface and auger mine in Milford Township, **Somerset County**, affecting 277.0 acres. Receiving streams: unnamed tributaries to/and Casselman River (CWF) and South Glade Creek (WWF). There are no potable water supply intakes within 10 miles downstream. Application received July 29, 2003.

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

26030102 and NPDES Permit No. PA0250457. Steve Patterson Excavating (170 Yasenosky Road, Smithfield, PA 15478). Application for commencement, operation and reclamation of a bituminous surface mine in Dunbar Township, **Fayette County**, affecting 75.5 acres. Receiving streams: unnamed tributary to Gist Run, Dunbar Creek and Youghiogheny River (TSF). There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received July 29, 2003.

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

17970114 and NPDES Permit No. PA0220701. Sky Haven Coal, Inc., R. D. 1, Box 180, Penfield, PA 15849. Renewal of an existing bituminous surface mine permit in Goshen Township, **Clearfield County** affecting 70 acres. Receiving streams: Little Trout Run and two unnamed tributaries to Surveyor Run. Application received June 24, 2003.

17880101 and NPDES Permit No. PA0116220. Hepburnia Coal Company, P. O. Box I, Grampian, PA 16838. Renewal of an existing bituminous surface mine permit in Brady Township, **Clearfield County** affecting 262.3 acres. Receiving streams: unnamed tributary of Laurel Branch Run to Laurel Branch Run, Laurel Branch Run to East Branch Mahoning Creek, East Branch Mahoning Creek to Mahoning Creek, Mahoning Creek to Allegheny River, Allegheny River to Ohio River, Ohio River to Mississippi River and Little Anderson Creek to West Branch Susquehanna River. Application received June 9, 2003.

17860123 and NPDES Permit No. PA0115436. Hepburnia Coal Company, P. O. Box I, Grampian, PA 16838. Renewal of an existing bituminous surface mine-auger permit in Knox, Ferguson and Jordan Townships, **Clearfield County** affecting 291 acres. Receiving streams: to unnamed tributaries to McNeel Run to Gazzem Run and to Carson Run to Little Clearfield Creek to Clearfield Creek to West Branch of the Susquehanna River. Application received June 9, 2003.

17820118 and NPDES Permit No. PA0608823. Shale Hill Coal Company, P. O. Box I, Grampian, PA 16838. Renewal of an existing bituminous surface mine permit in Greenwood, Bell and Penn Townships, **Clearfield County** affecting 454 acres. Receiving streams: two unnamed tributaries to and Curry Run and Haslett Run to West Branch Susquehanna River. Application received June 10, 2003.

17820139 and NPDES Permit No. PA0611727. Hepburnia Coal Company, P. O. Box I, Grampian, PA 16838. Renewal of an existing bituminous surface mine permit in Ferguson and Greenwood Townships, **Clearfield County** affecting 514.5 acres. Receiving streams: Watts Creek to Little Clearfield Creek to Clearfield Creek to West Branch Susquehanna River to Susquehanna River. Application received July 7, 2003.

Coal Applications Returned

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

26970106 and NPDES Permit No. 0202061. T. L. Hill Coal Company (R. D. 3, Box 690A, Uniontown, PA 15401). Renewal application for continued operation and reclamation of an existing bituminous surface mine, in Georges Township, **Fayette County**, affecting 243 acres. Receiving streams: unnamed tributaries to York Run, York Run and Georges Creek (WWF). There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received July 28, 2003.

Noncoal Applications Received

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

Parameter	*30-Day Average*	*Daily Maximum*	*Instantaneous Maximum*
suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

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

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

8073SM2A1C5 and NPDES PA0595519. Glasgow, Inc. (Willow Grove Ave. and Limekiln Pike, Glenside, PA 19038), renewal of existing discharge of treated mine drainage in Upper Merion Township, **Montgomery County**, affecting 191.7 acres. Receiving stream: unnamed tributary to Schuylkill River (WWF). Application received July 31, 2003.

Noncoal Applications Returned

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

25022807. Walter Kuhl (9415 Peck Road, Erie, PA 16510). Commencement, operation and restoration of a small noncoal sand and gravel operation in Greene Township, **Erie County** affecting 5.0 acres. Receiving streams: unnamed tributary to Fourmile Creek. Application received October 21, 2002. Application returned July 31, 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, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users 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 FWPCA (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E52-187. C. W. D. J. S., 130 Buck Road, Holland, PA 18966 in Palmyra Township, **Pike County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove approximately ten large boulders along the shoreline of Lake Wallenpaupack (HQ-CWF) for the purpose of improving access for boating. Boulder heights will be made equal to the surrounding ground surface elevations, impacting in the area of approximately 600 square feet below normal pool elevation. The project is on lot no. 12 in the Whispering Pine Subdivision, approximately 3,500 feet northwest of the intersection of SR 0507 and T-413 (Hawley, PA Quadrangle N: 7.0 inches; W: 14.2 inches).

E58-258. James J. Cleary, 8 Barr Road, White House Farm, Berwyn, PA 19312 in Ararat Township, **Susquehanna County**, U. S. Army Corps of Engineers, Baltimore District.

To construct and maintain a single-span bridge, having a span of approximately 30 feet and an underclearance of approximately 7 feet, across East Branch Lackawanna River (HQ-CWF), for the purpose of providing access to a single-family dwelling. The bridge will replace a temporary bridge that was authorized under General Permit No. BDWM-GP-8. The project is on the north side of T-732 (Mud Pond Road), just west of the Susquehanna/Wayne County boundary (Orson, PA Quadrangle N: 10.1 inches; W: 13.4 inches).

E52-186. James Brewington, 19 Chesterfield Drive, Chester, NJ 07930 in Palmyra Township, **Pike County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove approximately ten large boulders along the shoreline of Lake Wallenpaupack (HQ-CWF) for the purpose of improving access for boating. Boulder heights will be made equal to the surrounding ground surface elevations, impacting in the area of approximately 750 square feet below normal pool elevation. The project is on lot no. 2 in the Whispering Pines Subdivision, approximately

4,000 feet northwest of the intersection of SR 0507 and T-413 (Hawley, PA Quadrangle N: 7.6 inches; W: 14.0 inches).

E39-424. Lower Macungie Township, 3400 Brookside Road, Macungie, PA 18062 in Lower Macungie Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a cable-concrete lined, trapezoidal outfall channel consisting of a 6-foot bottom width and 3:1 side slopes in the floodway of Little Lehigh Creek (HQ-CWF) and to construct and maintain a highway obstruction consisting of new road construction and pavement widening in the floodplain of Little Lehigh Creek. The project is on Spring Creek Road approximately 1.6 miles east of SR 0100 (Allentown West, PA Quadrangle N: 8.0 inches; W: 10.8 inches).

E45-451. Pocono Lake Preserve, Pocono Lake Preserve, PA 18348 in Tobyhanna Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain an open bottom, concrete arch culvert having a span of 24.0 feet and an underclearance of approximately 6.8 feet across Wagner Run (HQ-CWF). The project is along the North Shore Road of Pocono Lake Preserve, approximately 0.5 mile south of SR 0940 (Blakeslee, PA Quadrangle N: 20.2 inches; W: 3.2 inches).

E48-336. Strausser Enterprises, Inc., 602 Village at Stones Crossing, Easton, PA 18042 in Forks Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structures and to construct and maintain a pedestrian bridge, five road crossings, a stormwater outfall structure and an 8-inch diameter sanitary sewer line crossing, in a tributary (CWF) to the Delaware River and a stormwater outfall structure in the floodway of the Delaware River (WWF, MF). The work is associated with Riverview Estates Residential Subdivision and Golf Course and is northwest of the intersection of SR 2038 (Froth Hollow Road) and SR 0611 (Easton, PA-NJ Quadrangle N: 18.0 inches; W: 9.0 inches).

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

E36-763: Jennaro Pullano, 2117 Blair Avenue, Reading, PA 19601 in Fulton Township, **Lancaster County**, ACOE Baltimore District.

To maintain an existing bulkhead measuring approximately 165 feet long and 16 feet wide projecting into the Conowingo Pool of the Susquehanna River (WWF) at a point approximately 0.75 mile south of Peach Bottom Road along the southwest side of Peters Creek Road (Wakefield, PA Quadrangle N: 0.61 inch; W: 14.76 inches) in Fulton Township, Lancaster County.

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

E02-1431. Allegheny County Department of Public Works, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219. Babcock Boulevard and Three Degree Road culvert extension in Ross Township, **Allegheny County**, Pittsburgh ACOE District (Latitude: 40°, 32′, 42″ and Longitude: 80°, 01′, 51″) (Emsworth, PA Quadrangle N: 8.2 inches; W: 4.3 inches). The applicant proposes to extend, operate and maintain the existing stream enclosure in an unnamed tributary to Girty's Run (WWF) for the purpose of reconstructing the intersection of Babcock Boulevard and Three Degree Road. The project is at the intersection of Babcock Boulevard and Three Degree Road and will impact 18.3 feet of stream channel.

E26-312. Fairchance and Georges Joint Municipal Sewage Authority, 141 Big Six Road, Smithfield, PA 15478. Fairchance-Georges Sewage Treatment Plant extension in Georges Township, **Fayette County**, Pittsburgh ACOE District (Latitude: 39°, 48′, 30″ and Longitude: 79°, 46′, 7″) (Smithfield, PA Quadrangle N: 10.6 inches; W: 2.4 inches). The applicant proposes to place and maintain fill associated with construction of three tanks in 0.1 acre of wetlands and in and along approximately 120 linear feet of the floodway of Georges Creek (WWF) for the purpose of expansion of the sewage treatment plant. The project is on the right bank of Georges Creek just downstream of Big Six Road Bridge.

E26-313. Department of Transportation, P. O. Box 459, Uniontown, PA 15401. Lamb Lick Run culvert in Fayette City Borough, **Fayette County**, Pittsburgh ACOE District (Latitude: 40°, 5′, 55″ and Longitude: 79°, 50′, 14″) (Fayette City, PA Quadrangle N: 17.9 inches; W: 12.2 inches). The applicant proposes to operate and maintain: (1) a cast-in-place reinforced concrete box culvert having a normal span of 14.0 feet and an underclearance of 6.5 feet in Lamb Lick Run (WWF, perennial). The invert of the box culvert will be depressed 1.0 feet thus reducing the effective underclearance to 5.5 feet; (2) place and maintain R-7 rock riprap bank protection for a linear distance of 76.0 feet upstream and 56.0 feet downstream from the box culvert; and (3) operate and maintain a 15-inch diameter CCP stormwater outfall along the downstream left bank of Lamb Lick Run. Removal of the existing bridge and construction of the box culvert was authorized by Emergency Permit EP2603202. The project will directly impact 176 linear feet of stream channel. No vegetated wetlands will be impacted.

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

E10-361A, Knockout Development Associates, 215 Executive Drive, Cranberry Township, PA 16066, Route 228 Commercial Center Project in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 10.9 inches; W: 11.4 inches).

The purpose of the application is to modify the stormwater management facilities for the Route 228 Commercial Center Project. On October 22, 2002, the Department issued a permit for the project that authorized an 0.121 acre impact to PEM wetlands for the construction of the project. At that time, the project proposed an underground detention piping system and two aboveground detention ponds to address stormwater management at the site. Knockout has proposed to modify the stormwater facilities to eliminate the underground detention piping system and construct a surface impoundment. The impoundment will be constructed on neighboring property and will result in an additional 0.11 acre impact to PEM wetlands. The total wetland acreage to be impacted under this project will rise from 0.121 acre to 0.231 acre.

E20-529, Byzantine, Inc., 1198 Mulberry Street, Bridgewater, PA 15009. Crawford Landing Commercial Retail Plaza in Vernon Township, **Crawford County**, ACOE Pittsburgh District (Geneva, PA Quadrangle N: 21.8 inches; W: 4.7 inches).

To fill 0.11 acre of a 0.34 acre nonexceptional value shrubbed and herbaceous wetland for the construction of

the Crawford Landing Commercial Retail Plaza south of SR 6/322 at the intersection of Cutter Road within the Watson Run Watershed (WWF). The permit applicant has met the wetland replacement requirements by participating in the Pennsylvania Wetland Replacement Project and by creating 0.06 acre of replacement wetland onsite.

E25-674, Erie-Western Pennsylvania Port Authority, 208 East Bayfront Parkway, Suite 201, Erie, PA 16507-2405, East and West Canal Basin Improvements in the City of Erie, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 2.1 inches; W: 12.2 inches).

The purpose of the application is to make improvements to the east and west basins on the Lake Erie bayfront. The project will be conducted in two phases:

Phase I:

- Removal of the existing fishing pier in the West Canal Basin.
- Removal of the sediments in the vicinity of the fishing pier through dredging.
- Construction of a floating header dock and finger piers in the are of the former fishing pier.
- Construction of an extension to the west floating dock in the Wolverine Park Marina in the West Canal Basin.
- Construction of a new header dock and finger piers along the east bulkhead for State Street in the East Canal Basin.

Phase II:

- Construction of a new fishing pier in the East Canal Basin.

The total acreage to be impacted under this project is 1.5 acres.

E42-301, Hamlin Township, P. O. Box 23, Ludlow, PA 16333. T-315 Central Avenue Across Twomile Run in Hamlin Township, **McKean County**, ACOE Pittsburgh District (Ludlow, PA Quadrangle N: 18.22 inches; W: 9.0 inches).

To remove the existing bridge and to construct and maintain a precast concrete arch having a clear span of 32 feet and a maximum underclearance of 10 feet across Twomile Run (HQ-CWF) on T-315 Central Avenue approximately 175 feet south of SR 6 in the Village of Ludlow.

E42-302, National Fuel Gas Supply Corporation, P. O. Box 2081, Erie, PA 16512-1720, Line C-2 Kinzua Creek Pipeline in Hamilton Township, **McKean County**, ACOE Pittsburgh District (Westline, PA Quadrangle N: 3.4 inches; W: 16.0 inches).

The purpose of the application is to replace an existing 8-inch pipeline that is exposed and damaged in Kinzua Creek (CWF). NFG Supply proposes to replace the exposed portion of pipeline with a 6-inch PVC pipe that will be directionally bored under Kinzua Creek. In addition, the application proposes two temporary stream crossings to access the pipeline, one 90-foot crossing of wetland and one stream crossing of an unnamed tributary to Kinzua Creek.

ACTIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

Location	*Permit Authority*	*Application Type or Category*
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 Notices of Intent (NOI) 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.

I. NPDES Renewal Permit Actions

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

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PAS232204	Poly One Corporation 177 Mikron Road Bethlehem, PA 18017	Lower Nazareth Township Northampton County	Unnamed tributary Bushkill Creek 2C	Y
PA0012505	LaFarge North American 5160 Main Street Whitehall, PA 18052	Lehigh County Whitehall Township	Lehigh River 2B	Y
PA0040487	Maple Lane Estates 1300 Market Street P. O. Box 622 Lemoyne, PA 17043-0622	Foster Township Luzerne County	Pond Creek 5D	Y
PA0060151	Camp Na'arim, Inc. R. R. 1, Box 1735 Waymart, PA 18472	Clinton Township Wayne County	Unnamed tributary to Van Auken Creek 2B	Y
PA0070513 Sewage	Edward A. Redding 3432 Sweet Arrow Lake Road Pine Grove, PA 17963-9061	Schuylkill County Washington Township	Upper Little Swatara Creek 7D	Y

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

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PAR10I170R	Shaffer/Gelder Dev. Corp. P. O. Box 42 Hershey, PA 17033 Abel Construction 3925 Columbia Ave. P. O. Box 476 Mountville, PA 17554-0476	Dauphin County Derry Township	Swatara Creek WWF	Y

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

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PA0111937 Sewerage	Patriot Treatment Plant, Inc. 6009 Columbia Boulevard Bloomsburg, PA 17815	South Centre Township Columbia County	Campbells Run 5-D	Y
PA0209627 Sewerage	Curtis and Nancy Runyan R. R. 6, Box 189 Wellsboro, PA 16901	Tioga County Shippen Township	Unnamed tributary to Stowell Run 9A	Y

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

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PA0095621	Ashville Borough STP P. O. Box 165 Ashville, PA 16613	Cambria County Ashville Borough	Clearfield Creek	Y
PA0205176	Consolidated Steel Services 632 Glendale Valley Blvd. Fallentimber, PA 16639	Cambria County Reade Township	Clearfield Creek	Y

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PA0206016	Donald L. Gardner 213 Pine Run Road Amity, PA 15311	Washington South Franklin Township	Unnamed tributary of Chartiers Creek	Y
PA0217841	Bureau of State Parks Ryerson Station State Park 361 Bristonia Road Wind Ridge, PA 15308-1258	Greene Richhill Township	North Fork of Dunkard Fork Wheeling Creek	Y

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

NPDES Permit No. (Type)	*Facility Name and Address*	*County and Municipality*	*Stream Name (Watershed No.)*	*EPA Waived Y/N?*
PA0103896	County Landfill, Inc. P. O. Box 237 Leeper, PA 16233	Farmington Township Clarion County	Unnamed tributary to Walley Run 16-F	Y
PA0006378	Wheatland Tube Company Division of John Maneely Company One Council Avenue Wheatland, PA 16161	City of Sharon Mercer County	Shenango River 20-A	Y
PA0034592	Laurel School District R. R. 4, Box 30 New Castle, PA 16101-9705	Hickory Township Lawrence County	Unnamed tributary to Big Run 20-A	Y

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

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

NPDES Permit No. PA0013285, IW, **Pennsylvania Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, Schuylkill Township, **Chester County**.

This notice reflects changes to the notice published at 33 Pa.B. 2769 (June 14, 2003).

The maximum daily limit for Manganese, Total has been modified to 4.0 mg/l for the discharges related to basin cleaning operations.

NPDES Permit No. PA0013285, Industrial Waste, **Pennsylvania Suburban Water Company**, 762 West Lancaster Avenue. This proposed facility is in Schuylkill Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge into Pickering Creek-3D Watershed.

NPDES Permit No. PA0026794 Amendment No. 2, Sewage, **Conshohocken Borough Authority**, 601 East Elm, Conshohocken, PA 19428. This proposed facility is in Conshohocken Borough, **Montgomery County**.

Description of Proposed Action/Activity: Amendment to comply with the EPA's Phase II Stormwater regulations.

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

NPDES Permit No. PA0064297, Sewage, **Portland Borough**, P. O. Box 476, Portland, PA 18351. This proposed facility is in Portland Borough, **Northampton County**.

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

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

NPDES Permit No. PA0026051 Amendment No. 1, Sewage, **Borough of Chambersburg**, 100 South Second Street, Chambersburg, PA 17201. This proposed facility is in Chambersburg Borough, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to Conococheague Creek in Watershed 13-C.

NPDES Permit No. PA0087769, Industrial Waste, **Duke Energy Gas Transmission Corporation, Shermans Dale Compressor Station**, 5400 Westheimer Court, SP311, Houston, TX 77056. This proposed facility is in Carroll Township, **Perry County**.

Description of Proposed Action/Activity: Authorization to discharge to a pond in the Shermans Creek in Watershed 7-A.

NPDES Permit No. PA0087866, Industrial Waste, **Duke Energy Gas Transmission Corporation, Entriken Compressor Station**, 5400 Westheimer Court, SP311, Houston, TX 77056. This proposed facility is in Todd Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Great Trough Creek in Watershed 11-D.

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327 3666.

PA0027171, Sewerage SIC, 4952, **The Municipal Authority of the Town of Bloomsburg**, 301 East Second Street, Bloomsburg, PA 17815. This existing facility is in Town of Bloomsburg, **Columbia County**.

Description of Proposed Activity: This proposed action is for issuances of an NPDES permit amendment for an existing discharge of treated sewage wastewater

The receiving stream, Susquehanna River, is in the State Water Plan watershed 5D and classified for WWF. The nearest downstream public water supply intake for the Danville Municipal Water Authority is on the Susquehanna River, 10 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 4.29 MGD.

Parameter	*Average Monthly (mg/l)*	*Average Weekly (mg/l)*	*Daily Maximum (mg/l)*	*Instantaneous Maximum (mg/l)*
$CBOD_5$	25	40		50
TSS	30	45		60
Total Cl_2 Residual	0.78			4
Fecal Coliforms				
(5-1 to 9-30)	200 col/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean			
pH	6.0 to 9.0 at all times			

In addition to the effluent limits, the permit contains the following major special condition. Part C 8—Permit Condition for the Development, Operation and Implementation of a Pretreatment Program; Part C, 9 Permit Condition for Stormwater Management.

PA0027553, Sewerage SIC, 4952, **Pine Creek Municipal Authority**, P. O. Box 608, Avis, PA 17721. This existing facility is in Pine Creek Township, **Clinton County**.

Description of Proposed Activity: This proposed action is for amendment of an NPDES permit for an existing discharge of treated sewage wastewater.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan watershed 9B and classified for WWF. The nearest downstream public water supply intake for the Pennsylvania American Water Company is on the West Branch Susquehanna River, 51 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 1.3 MGD.

Parameter	*Average Monthly (mg/l)*	*Average Weekly (mg/l)*	*Daily Maximum (mg/l)*	*Instantaneous Maximum (mg/l)*
$CBOD_5$	25	40		50
TSS	30	45		60
Total Cl_2 Residual	0.50			1.6
Fecal Coliforms				
(5-1 to 9-30)	200 col/100 ml as a geometric mean			
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean			
pH	6.0 to 9.0 at all times			

In addition to the effluent limits, the permit contains the following major special condition: Part C, 10 Permit Condition for Stormwater Management.

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

NPDES Permit No. PA0026751-A1, Sewage, **Borough of Indiana**, 80 North Eighth Street, Indiana, PA 15701. This proposed facility is in Indiana Borough, **Indiana County**.

Description of Proposed Action/Activity: Addition of an outfall and discharge of uncontaminated stormwater from the STP parking lot and surrounding area.

NPDES Permit No. PA0046906-A1, Sewage, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108. This proposed facility is in Moon Township, **Allegheny County**.

Description of Proposed Action/Activity: Discharge treated sewage from Flaugherty Run STP in Moon Township, Allegheny County.

NPDES Permit No. PA0025674-A2, Sewage, **Franklin Township Municipal Sanitary Authority**, 3001 Meadowbrook Road, Murrysville, PA 15668. This proposed facility is in the Municipality of Murrysville, **Westmoreland County**.

Description of Proposed Action/Activity: Addition of outfalls and discharge of uncontaminated stormwater runoff from the sewage treatment plant site.

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

NPDES Permit No. PA0238970, Industrial Waste, **Watergait Community Water Association**, 10 Northgait Drive, Slippery Rock, PA 16057. This proposed facility is in Liberty Township, **Mercer County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Wolf Creek.

NPDES Permit No. PA0239186, Sewage, **3 Rivers Ice Cream Service, Inc., Davis International, Inc.**, 1155 Meadowbrook Avenue, Youngstown, OH 44512. This proposed facility is in Forward Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Connoquenessing Creek.

NPDES Permit No. PA0239127, CAFO, **Sperry Farms, Inc.**, Atlantic, PA 16111-2336. This proposed facility is in East Fallowfield Township, **Crawford County**.

Description of Size and Scope of Proposed Operation/Activity: This facility is authorized to operate a CAFO in Watersheds 16-D and 20-A.

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

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

WQM Permit No. 5202403, Sewerage, **Municipal Authority of the Township of Westfall**, P. O. Box 235, Matamoras, PA 18336. This proposed facility is in Westfall Township, **Pike County**.

Description of Proposed Action/Activity: Upgrade and expansion of the Westfall Township Municipal Authority's wastewater treatment plant to 300,000 GPD.

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

WQM Permit No. 1803201, Industrial Waste, **First Quality Tissue, LLC**, 599 South Highland Street, Lock Haven, PA 17745. This existing facility is in Castanea Township, **Clinton County**.

Description of Proposed Action/Activity: Issuance of a permit authorizing the transfer and consolidation of two previous WQM permits for the existing aeration stabilization basin, formerly utilized by International Paper.

WQM Permit No. 6095405, Sewerage (4952), **Borough of Mifflinburg Wastewater Treatment Plant**, 333 Chestnut Street, Mifflinburg, PA 17844. This proposed facility is in the Borough of Mifflinburg, **Union County**.

Description of Proposed Action/Activity: The respective WQM permit will be transferred from the Mifflinburg Borough Municipal Authority to the Borough of Mifflinburg. There are no changes to the permit, other than the ownership transfer.

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

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

Description of Proposed Action/Activity: Construction of 500 gpd single residence sewage treatment facility to serve Leib property SRSTF.

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

WQM Permit No. 4303202, Industrial Waste, **Watergait Community Water Association**, 10 Northgait Drive, Slippery Rock, PA 16057. This proposed facility is in Liberty Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for the construction and operation of an industrial wastewater treatment facility to treat filter backwash.

WQM Permit No. 3703401, Sewerage, **Wilmington Township Sewer Authority**, R. D. 5, Box 469, 992 Wilson Mill Road, New Castle, PA 16105-9411. This proposed facility is in Wilmington Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for the construction of two pump stations and sewer extensions to serve the Maiden Blush Lane/Phillips School Road area and the Beechwood Drive area.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*	*Department Protocol (Y/N)*
PAG133693	Allegheny Township Supervisors 3131 Old Sixth Avenue Road North Duncansville, PA 16635	Blair	Allegheny Township	Blair Gap Run and Tributaries TSF Gillans Run CWF Spencer Run WWF Sugar Run CWF Burgoon Run TSF Beaverdam Branch TSF Beaverdam Branch Tributaries WWF Brush Run WWF Mill Run WWF	Y

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*	*Department Protocol (Y/N)*
PAG133693	Allegheny Township Supervisors 3131 Old Sixth Avenue Road North Duncansville, PA 16635	Blair	Allegheny Township	Blair Gap Run and Tributaries TSF Gillans Run CWF Spencer Run WWF Sugar Run CWF Burgoon Run TSF Beaverdam Branch TSF Beaverdam Branch Tributaries WWF Brush Run WWF Mill Run WWF	Y

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

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*
PAI024503009	Pocono Mountains Industries, Inc. 556 Main St. Stroudsburg, PA 18360	Monroe	Coolbaugh Township	Hawkey Run HQ-CWF

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*
PAI023903013	East Penn School District 800 Pine St. Emmaus, PA 18049	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI023903016	Cedar Crest College 100 College Drive Allentown, PA 18104	Lehigh	City of Allentown	Little Lehigh Creek HQ-CWF
PAI021303002	United States Army Corps of Engineers Philadelphia District Wanamaker Building 100 Penn Square East Philadelphia, PA 19107-3390	Carbon	Kidder and Bear Creek Townships	Lehigh River HQ-CWF
PAI025803001	New Milford Municipal Authority 175 Main St. New Milford, PA 18834	Susquehanna	New Milford Township and Borough	Salt Lick, Meylert, Smith and Beaver Creeks HQ-CWF

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*
PAI030603003	Edward J. Swoyer 19 North 6th Street, Suite 200 Reading, PA 19608-8621	Berks	City of Reading	Schuylkill River WWF
PAI033603005	Martin Brothers Builders	Lancaster	Brecknock Township	Rock Run TSF-HQ

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*
PAG2000603046	Merrit Hole 25 Gaul Rd. Sinking Spring, PA 19608	Berks	Lower Heidelberg Township	Little Cacoosing Creek WWF
PAG2000603068	James W. Sigworth 1775 Welsh Rd. Mohnton, PA 19540	Berks	Cumru Township	Rock Run TSF-HQ UNT to Angelica Creek CWF
PAG2000603058	Mike Jeffers Kinsley Construction Co. 2700 Water St. York, PA 17403	Berks	Borough of Wyomissing	Schuylkill River CWF
PAG2000603067	The National Center for Padre Pio, Inc. R. D. 1, Box 134 2213 Old Rt. 100 Barto, PA 19504	Berks	Washington Township	Perkiomen Creek CWF
PAR10C412-1	Department of Transportation Allen Mickalonis District 5-0 1713 Lehigh St. Allentown, PA 18103	Berks	Borough of Hamburg Windsor and Tilden Townships	Schuylkill River WWF/MF
PAG2000603070	Robert Deeds 1471 Golf Course Road Birdsboro, PA 19508	Berks	Robeson Township	Seidel Creek WWF Indian Corn Creek CWF
PAG2000603066	David H. Robbins 1445 E. Main St. Douglassville, PA 19518	Berks	Amity Township	Manatawny Creek CWF

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAG2000603048	Gregg Bogia 100 Seyler Rd. Fleetwood, PA 19522	Berks	Ruscombmanor Township	Furnace Creek TSF
PAG2000603053	Harry Boyajian 1312 Old Swede Rd. Douglassville, PA 19518	Berks	Amity Township	Manatawny Creek CWF
PAG2000603054	Peter Wanner P. O. Box 395 Douglassville, PA 19518	Berks	Amity Township	Schuylkill River WWF

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

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAG2002103026	Don Mowery 1000 Bent Creek Blvd. Mechanicsburg, PA 17050	Cumberland	Silver Spring Township	Conodoguinet Creek WWF

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

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAG2002203009	Susquehanna Township 1900 Linglestown Rd. Harrisburg, PA 17110	Dauphin	Susquehanna Township	Paxton Creek WWF
PAG2002203025	Derry Township Municipal Authority 670 Clearwater Rd. Hershey, PA 17033	Dauphin	Derry Township	Swatara Creek WWF

Franklin County Conservation District, 100 Sunset Blvd. West, Chambersburg, PA 17201-2211.

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAG2002803021	Richard and Laura Rockwell 3745 Lincoln Way West Chambersburg, PA. 17201	Franklin	Borough of Chambersburg	East Branch Conococheague Creek WWF
PAG2002803028	Derry Township Municipal Authority 670 Clearwater Rd. Hershey, PA 17033	Franklin	Southampton Township	Mountain Run CWF

Lancaster County Conservation District, 1383 Arcadia Road, Room 6, Lancaster, PA 17601.

NPDES Permit No.	Applicant Name and Address	County	Municipality	Receiving Water/Use
PAG2003603054	High Properties Ltd. 1853 William Penn Way Lancaster, PA 17605	Lancaster	East Lampeter Township	UNT Stauffer Run WWF
PAG2003603074	QVC Inc. 1200 Wilson Dr. West Chester, PA 19380	Lancaster	West Hempfield Township	UNT Swarr Run CWF
PAG2003603093	Lititz United Methodist Church 201 E. Market St. Lititz, PA 17543	Lancaster	Lititz Borough	Santo Domingo Creek WWF
PAG2003603094	Andrew Purcell P. O. Box 188 Denver, PA 17517	Lancaster	Brecknock Township	UNT Muddy Creek WWF
PAG2003603096	Kenneth L. Garman 160 W. Stract Dr. Myerstown, PA 17067	Lancaster	Clay Township	Middle Creek TSF
PAG2003603097	Joann Realty Assoc. 160 A Route 41, Box 529 Gap, PA 17527	Lancaster	Salisbury Township	Houston Run CWF

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

NPDES Permit No.	*Applicant Name and Address*	*County*	*Municipality*	*Receiving Water/Use*
PAI044903001	Municipal Authority of Ralpho Township 32A South Market Street Elysburg, PA 178234	Northumberland	Ralpho Township	South Branch Roaring Creek HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Single Residence Sewage Treatment 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	CAFOs
PAG-13	Stormwater Discharges from MS4

General Permit Type—PAG-2

Facility Location and Municipality	*Permit No.*	*Applicant Name and Address*	*Receiving Water/Use*	*Contact Office and Telephone No.*
Franconia Township Montgomery County	PAR10T809	Peter Becker Community Maplewood Estates 800 Maple Avenue Harleysville, PA 19438	Unnamed tributary Indian Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Providence Township Montgomery County	PAG2004603032	Pineville Properties Commercial Development 7 North Park Avenue Norristown, PA 19043	Perkiomen Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Providence Township Montgomery County	PAG2004603143	Andrew Vasco, Jr. and William Bruce R & R Kelly Associates 1003 Egypt Road, P. O. Box 731 Oaks, PA 19456	Unnamed tributary Schuylkill River TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Chichester Township Delaware County	PAG2002303040	Upper Chi Crossing, Inc. Robert G. Wittig 404 North Lincoln Street Wilmington, DE 19805	West Branch Naaman's Creek WWF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

Facility Location and Municipality	*Permit No.*	*Applicant Name and Address*	*Receiving Water/Use*	*Contact Office and Telephone No.*
Lehigh County North Whitehall Township	PAR10Q107-R-1	Ralph Handwerk 2717 North Lane Orefield, PA 18069	Coplay Creek CWF	Lehigh County Conservation District (610) 391-9583
Northampton County Lehigh Township	PAG2004803006-1	Larry Turoscy 453 Main St. P. O. Box 68 Walnutport, PA 18088	Lehigh River TSF	Northampton County Conservation District (610) 746-1971
Northampton County Bangor Borough	PAG2004803026	Joe Posh, Jr. Posh Properties 2216 Willow Park Rd. Bethlehem, PA 18017	Brushy Meadow Creek TSF-MF	Northampton County Conservation District (610) 746-1971
Schuylkill County East Norwegian Township	PAG2005403014	Norwegian Real Estate Limited Partnership 454 N. Claude A. Lord Blvd. Pottsville, PA 17901	Mill Creek CWF	Schuylkill County Conservation District (570) 622-3742
Lycoming County Wolf Township	PAG2004103009	Tracy Keeney P. O. Box 741 Wyalusing, PA 18853	Muncy Creek TSF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Lycoming County Hepburn Township	PAG2004103010	Harry Yoder Christian Church of Cogan Station 5904 Lycoming Creek Rd. Cogan Station, PA 17728	Lycoming Creek WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Tioga County Lawrence Township	PAG2005903001	Fred Robbins Robbins Gravel Mine R. R. 2, Box 25A Tioga, PA 16946	Tioga River CWF	Tioga County Conservation District 29 East Avenue Wellsboro, PA 16901 (570) 724-1801
Union County Buffalo Township	PAG2006003006	Tim Yoder R. R. 2, Box 572A Lewisburg, PA 17837	Limestone Run WWF	Union County Conservation District 88 Bull Run Crossing Suite 5 Lewisburg, PA 17837 (570) 523-8782
Clarion County Redbank and Porter Townships	PAG2081603001	EOG Resources, Inc. Southpointe Plaza One 400 Southpointe Blvd. Suite 300 Canonsburg, PA 15317	Town Run CWF Middle Run CWF Leisure Run CWF Redbank Creek TSF	Northwest Region Oil and Gas Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6860

General Permit Type—PAG-4

Facility Location and Municipality	*Permit No.*	*Applicant Name and Address*	*Receiving Water/Use*	*Contact Office and Telephone No.*
Snyder County Washington Township	PAG045056	John R. Lenker P. O. Box 12 Richfield, PA 17806	UNT to Susquehecka Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

General Permit Type—PAG-8

Facility Location and Municipality	*Permit No.*	*Applicant Name and Address*	*Site Name and Location*	*Contact Office and Telephone No.*
Lower Chanceford Township York County	PAG080004	Philadelphia Water Department 7800 Penrose Ferry Road Philadelphia, PA 19154	Crowl, Miller and Burk Farms Lower Chanceford Township York County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Williams Township Dauphin County	PAG083576	Williamstown Borough Sewer Authority 48 S. Orange Street Williamstown, PA 17098	SGL 264 Williams Township Dauphin County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-9

Facility Location and Municipality	*Permit No.*	*Applicant Name and Address*	*Site Name and Location*	*Contact Office and Telephone No.*
Peters Township Franklin County	PAG093522	Gipe's Septic Tank Pumping 8014 Corner Road Mercersburg, PA 17236	Witter Farm Peters Township Franklin County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707
Bratton Township Mifflin County	PAG093544	Renno's Custom Spreading and Vacuum Service 23 Mountain View Lane McVeytown, PA 17051		DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-10

Facility Location and Municipality	*Permit No.*	*Applicant Name and Address*	*Receiving Water/Use*	*Contact Office and Telephone No.*
City of Greensburg Westmoreland County	PAG109615	TE Products Pipeline Company, Limited P. O. Box 2521 Houston, TX 77252	Statewide Use Water/use information to be provided to the Department before the discharge	DEP Central Office 400 Market Street Harrisburg, PA 17105 (717) 787-8184

General Permit Type—PAG-12

Facility Location and Municipality	*Permit No.*	*Applicant Name and Address*	*Receiving Water/Use*	*Contact Office and Telephone No.*
Lancaster County Conoy Township	PAG123574	Paul Swanger 150 Kissel Valley Road Bainbridge, PA 17502	UNT to Conoy Creek 7-G	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Peters Township	PAG123513	Hostetter Management Company New Hope Farm P. O. Box 526 Ephrata, PA 17522	UNT to Maiden Creek TSF 3-B	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Greenwich Township	PAG123573	Charles Plushanski 166 Rahn Road Kutztown, PA 19530	UNT to Maiden Creek TSF 3-B	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

PUBLIC WATER SUPPLY (PWS) PERMITS

The Department of Environmental Protection has taken the following actions on applications received under the 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).

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

Permit No. 0603508 MA, Minor Amendment, Public Water Supply.

Applicant	**Department of Public Welfare—Hamburg Center**
Municipality	Windsor Township
County	**Berks**
Type of Facility	Permit is for interior repainting of existing storage tank.
Consulting Engineer	Joseph R. Mancuso, P. E. P. O. Box 1325 Harrisburg, PA 17125-0001
Permit to Construct Issued	July 17, 2003

Permit No. 3102504, Public Water Supply.

Applicant	**Alexandria Borough Water Authority**
Municipality	Alexandria Borough
County	**Huntingdon**
Type of Facility	Construction of a new Pall membrane water filteration plat with a 100,000 gallon finished water storage tank and sludge drying beds.
Consulting Engineer	Mark V. Glenn, P. E. Gwin, Dobson & Foreman, Inc. 3121 Fairway Dr. Altoona, PA 16602-4475
Permit to Construct Issued	July 10, 2003

Operations Permit issued to **Department of General Services**, 7210046, Lower Allen Township, **Cumberland County** on July 24, 2003, for the operation of facilities approved under Construction Permit No. 2102505 MA.

Operations Permit issued to **Myerstown Water Authority**, 7380025, Myerstown Borough, **Lebanon County** on July 18, 2003, for the operation of facilities approved under Construction Permit No. 3801505.

Operations Permit issued to **Citizens Utilities Company of Pennsylvania**, 3060069, South Heidelberg Township, **Berks County** on July 16, 2003, for the operation of facilities approved under Construction Permit No. 0601519.

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

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

Applicant	**Pennsylvania American Water Company** **c/o William C. Kelvington** **Vice President, Operations** 800 West Hersheypark Drive Hershey, PA 17033
Township	Rush Township
County	**Centre County**
Type of Facility	PWS—Relocation of the treatment facility for the two new Trout Run wells.
Consulting Engineer	Bruce E. Juergens, P. E. Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Permit to Construct Issued	August 1, 2003

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

Applicant	**Pennsylvania State University** **Robert E. Cooper** 101 P Physical Plant Building University Park, PA 16802-1118
Township	College Township
County	**Centre County**
Type of Facility	PWS—Construction of a ductile iron 16-inch transmission main.
Consulting Engineer	Scott E. Russell, P. E. Buchart-Horn, Inc. 1200 West College Ave. State College, PA 16801
Permit to Construct Issued	July 31, 2003

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

Operations Permit issued to **Shaffer's Countryside Personal Care Boarding Home, Inc.**, 1841 Stoystown Road, Friedens, PA 15541, PWS ID 4560056, Somerset Township, **Somerset County** on July 30, 2003, for the operation of facilities approved under Construction Permit No. 5602502.

Operations Permit issued to **Greater Johnstown Water Authority**, 111 Roosevelt Boulevard, P. O. Box

1287, Johnstown, PA 15907, PWS ID 4110014, City of Johnstown, **Cambria County** on July 22, 2003, for designation of Water Quality Parameter Performance Requirements.

Operations Permit issued to **Municipal Authority of Westmoreland County**, SW Corner US Route 30 West and South Greengate Road, P. O. Box 730, Greensburg, PA 15601, PWS ID No. 5230036, Dunbar Township, **Fayette County** on July 22, 2003, for designation of water quality parameter performance requirements at the Indian Creek Water Treatment Plant.

Operations Permit issued to **Municipal Authority of the Borough of West View**, 210 Perry Highway, Pittsburgh, PA 15229, PWS ID No. 5020043 West View Borough, **Allegheny County** on July 22, 2003, for designation of water quality parameter performance requirements.

Permit No. 0303501, Minor Amendment. Public Water Supply.

Applicant	**Manor Township Joint Municipal Authority** 2310 Pleasant View Drive Ford City, PA 16226
Borough or Township	Manor Township
County	**Armstrong**
Type of Facility	Water treatment plant
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road P. O. Box 200 Indianola, PA 15051
Permit to Construct Issued	July 21, 2003

Permit No. 5677503-A2, Minor Amendment. Public Water Supply.

Applicant	**Borough of Hooversville** Box 176 Hooversville, PA 15936
Borough or Township	Hooversville Borough
County	**Somerset**
Type of Facility	Water storage tank
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive P. O. Box 837 Somerset, PA 15501
Permit to Construct Issued	July 29, 2003

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

Permit No. 4302502, Public Water Supply.

Applicant	**Watergait Community Water Association** 10 Northgait Drive Slippery Rock, PA 16057
Borough or Township	Liberty Township
County	**Mercer**
Type of Facility	PWS—Well nos. 1 (emergency only) and 2 (main); chlorination, iron and manganese filtration.
Consulting Engineer	Hickory Engineering, Inc. 3755 East State Street Hermitage, PA 16148
Permit to Construct Issued	July 31, 2003

SEWAGE FACILITIES ACT PLAN APPROVAL

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

Plan Location:

Borough or Township	*Borough or Township Address*	*County*
North Sewickley Township	893 Mercer Road Beaver Falls, PA 15010	Beaver

Plan Description: The approved plan amendment provides for a basement service, gravity-heavy alternative supplemented with low-pressure sewer where topography dictates. The planning area includes the Park Gate area in the northeast region of the township, the Route 65 corridor including developments on either side of Route 65, the Wise Grove Road area on the southernmost border of the township and the Brush Creek Watershed on the eastern border of the township. This alternative incorporates 7 pump stations and 236 grinder pumps. Sewage treatment is provided at the Beaver Falls Wastewater Treatment Plant, which discharges to the Beaver River. 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.

Plan Location:

Borough or Township	*Borough or Township Address*	*County*
Big Beaver Borough	114 Forest Drive Darlington, PA 16115	Beaver

Plan Description: The approved plan provides for construction of sanitary sewer lines north along SR 18 to Stockman Run, then west along Stockman Run and SR 351 to approximately 1,000 feet east of Route 60. There will also be a line size increase at the Northern Beaver Falls interceptor. A new pump station will be constructed near Stockman Run at SR 18. Sewage treatment is provided at the Beaver Falls Sewage Treatment Plant, which discharges to the Beaver River. The Wallace Run and College Pump Stations will both be replaced. 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

Proposed Consent Order and Agreement

William Taylor Estate Site

Wheatland Borough, Mercer County

Under section 1113 of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. § 6020.1113), the Department of Environmental Protection (Department) has agreed to a Consent Order and Agreement (CO&A) with the Wheatland Conservation Authority (Authority) concerning the acquisition of the property containing the William Taylor Estate Site (Site) in Wheatland Borough, Mercer County. The Site is approximately 42 acres and includes a portion formerly utilized as a mixed waste landfill in a residential/industrial area. The landfill operated at the Site from approximately 1958 until mid-1970s and accepted industrial wastes containing hazardous substances from several industrial manufacturing operations.

These wastes and other materials containing hazardous substances were dumped, spilled or otherwise disposed at the Site and these hazardous substances contaminated the soils and sediments at the Site. These substances are defined in section 103 of the HSCA (35 P. S. § 6020.103) as a "hazardous substance." The presence of these hazardous substances at the property constitutes a "release" and a "threat of release" of a hazardous substance, as defined in section 103 of the HSCA.

Two response actions were conducted at the Site. In 1991, the Department implemented an Interim Response at the Site that included, among other things, erection of a fence to control access to known areas of contamination. In 1998, a group of responsible persons, as defined in section 103 of the HSCA implemented a Remedial Response at the Site. That Response included, among other things, excavation and consolidation of areas of contamination, followed by capping, then regrading with an extension and maintenance of the fence installed in 1991. The Authority intends to obtain ownership of the property that includes the Site and utilize the property for nonintrusive, recreational usage by the public without profit by the Authority. By virtue of this ownership, the Authority will not become a "responsible person" as defined in sections 103 and 701 of the HSCA (35 P. S. § 6020.701).

The specific terms of this settlement are set forth in the CO&A with the Authority. The Department will receive and consider comments relating to the CO&A for 60 days from the date of this notice. The Department has the right to withdraw its consent to the CO&A if the comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper or not in the public interest. After the public comment period, the Department's settlement with Authority shall be effective upon the date that the Department notifies Authority, in writing, that this CO&A is final and effective in its present form and that the Department has filed a response to significant written comments to the CO&A, or that no comments were received.

The CO&A is available for inspection and copying at the Department's office at 230 Chestnut Street, Meadville, PA. Comments may be submitted, in writing, to Mark Gorman, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648. TDD users may contact the Department through the Pennsylvania Relay Service 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 a 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. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

JMH Site, formerly Goss Graphic Systems, Inc., Borough of Wyomissing, **Berks County**. ARCADIS Geraghty & Miller, 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047, on behalf of JMH, Inc. c/o Stevens & Lee, PC, P. O. Box 679, Reading, PA 19603-0679, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with lead, heavy metals, solvents, BTEX, PHCs, PAHs, sulfate and chloride. The report is intended to document remediation of the site to a combination of the Statewide Health and Site-Specific Standards.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS

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 municipal waste regulations for a general permit to operate infectious and chemotherapeutic waste processing facilities.

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

General Permit No. WMGI005C. Merck & Co. Inc., 466 Devon Park Drive, Wayne, PA 19087-1816. The general permit authorizes processing of infectious waste through chemical and thermal inactivation. Merck & Co. Inc., which has been authorized to operate under General Permit No. WMGI005 at two other locations since August 19, 1996, provided notice of their intent to operate at this new location. Merck & Co. Inc. was authorized by the Central Office on July 29, 2003, to operate under General Permit No. WMGI005 at the Wayne location.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 101625. Tamaqua Transfer & Recycling Facility, Environmental Awareness Corp., 244 East Broad Street, Tamaqua, PA 18252. A permit approving the Radiation Protection Action Plan for radioactivity monitoring at this municipal waste transfer facility in Walker Township, **Schuylkill County**. The permit was issued in the regional office on July 28, 2003.

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. 101606. Kline's Services, Inc., 5 Holland St., Salunga, PA 17538, East Hempfield Township, **Lancaster County**. The permit modification is for the Radiation Monitoring Action Plan for Kline's Services, Inc. The permit was approved by the Southcentral Regional Office on July 30, 2003.

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

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

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

Permit No. 400683. Tyrone Borough, 1100 Logan Ave., Tyrone, PA 16686, Tyrone Borough, **Blair County**. The permit renewal is for the Tyrone Wastewater Treatment Plant. The permit was approved by the Southcentral Regional Office on August 1, 2003.

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

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.

Christy Stahl Tire Recycling, 1301 Frankstown Road, Johnstown, PA 15902. Authorization No. WH5084. Effective July 29, 2003.

East Norriton Township, Montgomery County, 2501 Stanbridge St., East Norriton, PA 19401-1617. Authorization No. WH2587. Effective July 30, 2003.

Rodrigo Rodriguez, Apartment 20G, 2999 8th Avenue, New York, NY 10039. Authorization No. WH3251. Effective July 30, 2003.

A. Bancroft & Sons Roofing Contractor, Inc., 31 Hartford Road, Delran, NJ 08075. Authorization No. WH3922. Effective July 30, 2003.

Charles C. Zaborsky, 437 Freehold Road, Jackson, NJ 08527-4632. Authorization No. WH3960. Effective July 30, 2003.

David O. Alvarez, 240 Terrace Drive, Saylorsburg, PA 18353. Authorization No. WH5020. Effective July 30, 2003.

Ismael Hernandez Jr., 1918 Hunt Ave., Bronx, NY 10462. Authorization No. WH5022. Effective July 30, 2003.

Ronald Dolloway, 600 Ringwood Ave., Pompton Lakes, NJ 07442. Authorization No. WH5019. Effective July 30, 2003.

Lokman Cakir, Apt. 4, 14 Bradford Ave., Trenton, NJ 08810. Authorization No. WH5023. Effective July 30, 2003.

Carlos L. Badillo, 108 Park Ave., Summit, NJ 07901. Authorization No. WH5035. Effective July 30, 2003.

Thunder Hill Farm, 39 Schick Road, Milford, NJ 08848. Authorization No. WH5036. Effective July 30, 2003.

Curtis E. Randolph, 5848 Kemerer Hollow Road, Export, PA 15632-1540. Authorization No. WH3560. Effective July 31, 2003.

Joao M. Santos, 68 Van Buren St., Newark, NJ 07105. Authorization No. WH5066. Effective July 31, 2003.

Christopher J. Murry, 146 Spring Valley Ave., Maywood, NJ 07607. Authorization No. WH5067. Effective July 31, 2003.

Buds Truck & Diesel Service Inc., 25 Islandbrook Avenue, Bridgeport, CT 06606. Authorization No. WH4050. Effective August 1, 2003.

Complete Distinction, 91 Willow Lane, Shippenville, PA 16254-4841. Authorization No. WH5024. Effective July 31, 2003.

Juan Pastor, Apartment 3, 39 65th Street, West New York, NJ 07093. Authorization No. WH5025. Effective July 31, 2003.

Kenneth D. Reed, 1376 Windy Hill Road, Curwensville, PA 16833. Authorization No. WH5027. Effective July 31, 2003.

Hiram Wakman Inc., 162 Transport Street, P. O. Box 62, Bedford, PA 15522. Authorization No. WH5028. Effective July 31, 2003.

Gerald D. Moran, 4 Edgewood Drive, Towanda, PA 18848. Authorization No. WH5029. Effective July 31, 2003.

Olgetown Fence Company, 94 Salem Church Road, Newark, DE 19713-2935. Authorization No. WH5030. Effective July 31, 2003.

Con-Serv Industries Inc., P. O. Box 650490, Sterling, VA 20165-0490. Authorization No. WH5031. Effective July 31, 2003.

Proline Construction Inc., 671 Brunswick Pike, Lambertville, NJ 08530. Authorization No. WH5032. Effective July 31, 2003.

Delaware Valley Shred-It, P. O. Box 1898, 1324 West Chester Pike, West Chester, PA 19380-0143. Authorization No. WH5037. Effective July 31, 2003.

North East Township, Erie County, P. O. Box 249, 10300 West Main Road, North East, PA 16428-2858. Authorization No. WH5039. Effective July 31, 2003.

Roy Struble Trucking Inc., 89 Singer Struble Lane, Beech Creek, PA 16822-7327. Authorization No. WH5040. Effective July 31, 2003.

Juan Adan Menjivar, No. 203, 3300 Neshaminy, Bensalem, PA 19020. Authorization No. WH5041. Effective July 31, 2003.

AIR QUALITY

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

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

45-310-027GP: Reading Materials, Inc. (P. O. Box 1467, 2052 Lucon Road, Skippack, PA 19474) to construct and operate a portable stone crushing plant and associated air cleaning device at their Aventis Pasteur facility, Pocono Township, **Monroe County**.

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

20-094: Dad's Pet Care (18746 Mill Street, Meadville, PA 16335) on July 30, 2003, to operate a natural gas fired combustion unit in Vernon 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.

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

13-399-008A: Horsehead Resource Development Co., Inc. (900 Delaware Avenue, Palmerton, PA 18071) on July 29, 2003, to construct a calcine kiln receiving bin and associated air cleaning device at their facility in Palmerton Borough, **Carbon County**.

35-322-006: Alliance Sanitary Landfill Inc. (398 South Keyser Avenue, Taylor, PA 18517) on July 28, 2003, to install air cleaning devices at their landfill in Taylor and Old Forge Boroughs and Ransom Township, **Lackawanna County**.

40-303-021: Reading Materials LLC (P. O. Box 79, Skippack, PA 19474) on July 28, 2003, to modify a batch asphalt plant to utilize waste derived liquid fuel at their facility in Foster Township, **Luzerne County**.

58-308-001: Baran's Surplus Co., Inc. (138 West Poplar Street, Plymouth, PA 18651) on July 29, 2003, to construct an aluminum sweat furnace and associated air cleaning device at their facility in Auburn Township, **Susquehanna County**.

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

67-05069D: Oldcastle Stone Products (P. O. Box 220, Thomasville, PA 17364) on July 30, 2003, to install a dolomitic limestone pelletizing system with associated controls at their Thomasville Facility in Jackson Township, **York County**. The source is subject to 40 CFR 60, Subpart OOO—Standards of Performance for New Stationary Sources.

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.

09-0015C: Rohm and Haas Co. (Old Route 13 and Route 413, Bristol, PA 19007) on July 22, 2003, to operate a thermal oxidizer in Bristol Township, **Bucks County**.

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

49-303-005B: Meckley's Limestone Products, Inc. (R. R. 1, Box 1682, Herndon, PA 17830) on July 29, 2003, to identify revised analytical methods for determining contaminant concentrations in reprocessed oil used as fuel in an asphalt plant in Lower Mahanoy Township, **Northumberland County**.

8-322-001D: Northern Tier Solid Waste Authority (P. O. Box 10, Burlington, PA 18814) on July 30, 2003, to extend the plan approval and to extend the authorization to operate a landfill gas-fired reciprocating internal combustion engine on a temporary basis, until November 27,

2003, at their Northern Tier Landfill in West Burlington Township, **Bradford County**.

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

37-181A: New Castle Industries (925 Industrial Street, New Castle, PA 16107) on July, 31, 2003, to install chrome plating tanks in New Castle, **Lawrence County**.

Operating Permits for Non-Title V Facilities Issued 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.

AQ-SE-0016: Allan A. Myers, L. P. (North Black Horse Hill Road, Coatesville, PA 19320) on July 18, 2003, to relocate portable crushers and screening unit in Valley Township, **Chester County**.

09-00093: Castrol Industrial North America, Inc. (775 Louis Drive, Warminster, PA 18974) on August 5, 2003, to operate a Natural Minor Operating Permit in Warminster Township, **Bucks County**.

15-00075: Lasko Metal Products Inc. (820 Lincoln Ave, West Chester, PA 19380) on August 5, 2003, to operate a Natural Minor Operating Permit in West Goshen Township, **Chester County**.

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

30-00110: Equitrans, LP (100 Allegheny Center Mall, Pittsburgh, PA 15212) on July 29, 2003, for renewal of Equitrans State-only Operating Permit to operate their Pratt Compressor Station in Franklin Township, **Greene County**.

56-00153: Somerset Hospital (225 South Center Avenue, Somerset, PA 15501) on July 31, 2003, in Somerset, **Somerset County**. The facility's sources of emissions include three dual-fuel boilers and two emergency generators.

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

25-00919: Vitco Co.—Fast Fabricators (802 Walnut Street, Waterford, PA 16441) on July 28, 2003, for a Natural Minor Operating Permit to operate a facility involved in the glass lining of pipe and fittings in Waterford Township, **Erie County**. Emissions sources associated with this facility include two surface coating booths, one shot blasting machine, three natural gas driers and seven natural gas space heaters.

42-00117: Zippo Manufacturing Co. (Congress Street Extension, Bradford, PA 16701) on July 28, 2003, for a Natural Minor Permit to operate a fabricated metal products facility in the Township of Bradford, **McKean County**. Emissions sources associated with this facility include a surface imprint operation, plating machine, buffing machine, etching machine, polishing machine, boilers, dryer and ovens.

37-00241: Laurel School District—Laurel High School (Route 108, New Castle, PA 16101) on July 29, 2003, a Natural Minor Operating Permit issued to their facility in Hickory Township, **Lawrence County**. The facility's primary emissions are two boilers used to provide heat and hot water.

37-00302: New Castle Battery Manufacturing Co. (3601 Wilmington Road, New Castle, PA 16105) on July 29, 2003, for a Natural Minor Operating Permit issued to their lead-acid battery manufacturing operations in Neshannock Township, **Lawrence County**. The facility's primary emissions are lead and PM.

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.

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

11-00288: Johnstown America Corp. (17 Johns Street, Johnstown, PA 15901) on July 30, 2003, to change the name of the responsible official in the Title V permit as identified in the administrative amendment application for their railcar manufacturing facility in Franklin Borough, **Cambria County**.

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

25-00955: Foam Fabricators, Inc. (6550 West 26th Street, Erie, PA 16506) on July 28, 2003, for an amendment of Synthetic Minor Operating Permit at their facility in Fairview Township, **Erie County** which is operating an expandable polystyrene processing plant. This amendment incorporated the newly applicable requirements from Plan Approval No. PA25-955C.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permit Actions

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

24820107 and NPDES Permit No. PA0605085. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA 15650). Transfer of an existing bituminous strip and auger operation from Senate Coal Mines, Inc. in Horton Township, **Elk County** affecting 134.0 acres.

Receiving streams: unnamed tributaries to Brandy Camp Run. Application received April 3, 2003. Permit issued July 22, 2003.

10980105 and NPDES Permit No. PA0227731. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous strip operation in Cherry Valley and Eau Claire Boroughs, **Butler County** affecting 81.0 acres. Receiving streams: two unnamed tributaries of South Fork Little Scrubgrass Creek. Application received May 28, 2003. Permit issued July 24, 2003.

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

56823008 and NPDES Permit No. PA0608637. Croner, Inc., P. O. Box 260, Friedens, PA 15541, permit renewal and for continued operation of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 176.0 acres. Receiving streams: unnamed tributaries to Buffalo Creek and to Tubs Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 5, 2003. Permit issued July 28, 2003.

56020103 and NPDES Permit No. PA0249238. AMFIRE Mining Co., LLC, One Energy Place, Suite 7500, Latrobe, PA 15950, commencement, operation, restoration of a bituminous surface and auger mine and for treated mine drainage in Jenner Township, **Somerset County**, affecting 172.7 acres. Receiving streams: unnamed tributary to/and Beam Run (CWF). There are no potable water supply intakes within 10 miles downstream. Application received June 24, 2002. Permit issued July 28, 2003.

11823003 and NPDES Permit No. PA0608211. Cooney Bros. Coal Company, P. O. Box 246, Cresson, PA 16630, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Summerhill Township, **Cambria County**, affecting 125.6 acres. Receiving streams: Beaverdam Run (HQ-CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh Surface Withdrawal. Application received June 23, 2003. Permit issued July 30, 2003.

56010106 and NPDES Permit No. PA0249076. Heritage Mining Company (P. O. Box 126, Cresson, PA 16630), commencement, operation and restoration of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 317.1 acres. Receiving streams: Dixie Run and Fallen Timber Run (CWF). The first downstream potable water supply intake from the point of discharge is Allegheny River. Application received September 6, 2001. Permit issued July 31, 2003.

32960102 and NPDES Permit No. PA0213314. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued restoration of a bituminous surface and auger mine in Canoe Township, **Indiana County**, affecting 262.0 acres. Receiving streams: unnamed tributaries of Canoe Creek (CWF). There are no potable water supply intakes within 10 miles downstream. Application received March 11, 2003. Permit issued July 31, 2003.

32930102 and NPDES Permit No. PA0212474. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650 for continued operation of a bituminous surface mine in Canoe and Banks Townships, **Indiana County**, affecting 160.0 acres. Receiving streams: unnamed tributaries to Canoe Creek. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water Company East Branch Mahoning Creek Surface Water Withdrawal. Application received March 11, 2003. Permit issued July 31, 2003.

11940201 and NPDES Permit No. PA0212831. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Senate Coal Mines, Inc., One Energy Place, Suite 5100, Latrobe, PA 15650, for continued operation of a bituminous surface mine (coal refuse reprocessing) and coal ash beneficial use in Adams Township, **Cambria County**, affecting 76.9 acres. Receiving streams: unnamed tributary to South Fork of the Little Conemaugh River (HQ-CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh Surface Water Intake. Application received March 11, 2003. Permit issued July 31, 2003.

11960102 and NPDES Permit No. PA0213322. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650 for continued operation of a bituminous surface mine in Adams Township and South Fork Borough, **Cambria County**, affecting 215.0 acres. Receiving streams: South Fork Branch Little Conemaugh River (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh Surface Water Intake. Application received March 11, 2003. Permit issued July 31, 2003.

56920111. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Senate Coal Mines, Inc., One Energy Place, Suite 5100, Latrobe, PA 15650, for continued operation of a bituminous surface, auger, coal refuse reprocessing, coal refuse disposal and coal preparation/processing facility mine in Jenner Township, **Somerset County**, affecting 80.0 acres. Receiving streams: unnamed tributary to Quemahoning Creek (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003. Permit issued July 31, 2003.

56960106 and NPDES Permit No. PA0234192. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Senate Coal Mines, Inc., One Energy Place, Suite 5100, Latrobe, PA 15650 for continued restoration of a bituminous surface and auger mine in Lincoln Township, **Somerset County**, affecting 351.6 acres. Receiving streams: North Branch Quemahoning Creek (CWF) and Horner Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003. Permit issued July 31, 2003.

56980105 and NPDES Permit No. PA0234818. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued restoration of a bituminous surface and auger mine in Lincoln Township, **Somerset County**, affecting 93.0 acres. Receiving streams: UNTs to North Branch Quemahoning Creek (CWF) and UNTs to Horner Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003. Permit issued July 31, 2003.

56980104 and NPDES Permit No. PA0234729. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued restoration of a bituminous surface mine in Lincoln Township, **Somerset County**, affecting 20.5 acres. Receiving streams: unnamed tributary to North Branch of Quemahoning Creek (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003. Permit issued July 31, 2003.

56990104 and NPDES Permit No. PA0235181. AMFIRE Mining Co., LLC, One Energy Place, Latrobe, PA 15650, permit transfer from Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650, for continued operation of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 140.0 acres. Receiving streams: unnamed tributaries to/and Gum Run and unnamed tributaries to/and Roaring Run (CWF). The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Surface Water Intake. Application received March 11, 2003. Permit issued July 31, 2003.

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

03020112 and NPDES Permit No. PA0250325. Thomas J. Smith, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774). Permit for commencement, operation and reclamation of a bituminous surface mine in South Bend Township, **Armstrong County**, affecting 49.5 acres. Receiving streams: Craig Run and Crooked Creek to Allegheny River. Application received January 10, 2003. Permit issued July 31, 2003.

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

17860122 and NPDES Permit No. PA0115410. AMFIRE Mining Company, LLC, One Energy Place, Suite 7500, Latrobe, PA 15650. Transfer of an existing bituminous surface mine-auger permit from Laurel Energy, L. P. in Lawrence Township, **Clearfield County** affecting 490.5 acres. Receiving streams: unnamed tributary of Wallace Run to Wallace Run, Wallace Run and Mitchell Run to Little Clearfield Creek, Little Clearfield Creek to Clearfield Creek, Clearfield Creek to West Branch Susquehanna River. Application received April 4, 2003. Permit issued July 24, 2003.

17990119 and NPDES Permit No. PA0242748. Laurel Energy, L. P., One Energy Place, Suite 7500, Latrobe, PA 15650. Transfer of an existing bituminous surface mine permit from Forcey Coal, Inc. in Woodward Township, **Clearfield County** affecting 83.3 acres. Receiving streams: unnamed tributaries of Goss Run to Goss Run to Beaver Run to Moshannon Creek to West Branch Susquehanna River. Application received November 23, 2002. Permit issued July 24, 2003.

17910125 and NPDES Permit No. PA0206733. AMFIRE Mining Company, LLC, One Energy Place, Suite 7500, Latrobe, PA 15650. Transfer of an existing bituminous surface mine-auger permit from Laurel Energy, L. P. in Lawrence Township, **Clearfield County** affecting 78 acres. Receiving streams: unnamed tributary to Wallace Run and McLaughlin Run to Little Clearfield Creek to Clearfield Creek to West Branch of the Susquehanna River. Application received April 4, 2003. Permit issued July 24, 2003.

Noncoal Permit Actions

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

58020826. Dennis R. Bevan (R. R. 2 Box 2406, Hallstead, PA 18822), commencement, operation and restoration of a quarry operation in Silver Lake Township, **Susquehanna County** affecting 4.0 acres, receiving stream: none. Application received May 15, 2002. Permit issued July 28, 2003.

45880301C6 and NPDES Permit PA0594113. Selig Construction Co., Inc. (HC 88, P. O. Box 185, Pocono Lake, PA 18347), renewal of NPDES Permit in Tobyhanna Township, **Monroe County**, receiving stream: unnamed creek to Lehigh River. Application received June 13, 2003. Renewal issued July 29, 2003.

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

4876SM12. Waterford Sand & Gravel (15871 Sturgis Road, Union City, PA 16438). Renewal of NPDES Permit No. PA0108448 in Waterford Township, **Erie County**. Receiving streams: unnamed tributary to LeBoeuf Creek. Application received June 9, 2003. Permit issued July 31, 2003.

25820301. Frank Tucci (25000 PA Route 99, Cambridge Springs, PA 16403). Renewal of NPDES Permit No. PA0604208 in McKean Township, **Erie County**. Receiving streams: unnamed tributary to Elk Creek. Application received May 30, 2003. Permit issued July 24, 2003.

20800301. Conneaut Lake Sand & Gravel, Inc. (11203 Ellion Road, Conneaut Lake, PA 16316). Renewal of NPDES Permit No. PA0211851 in Vernon Township, **Crawford County**. Receiving streams: unnamed tributary to Watson Run and unnamed tributary to Mud Run. Application received June 4, 2003. Permit issued July 24, 2003.

43820309. Roger Hoffman (22 McMillan Road, Mercer, PA 16137). Renewal of NPDES Permit No. PA0601101 in Findley Township, **Mercer County**. Receiving streams: unnamed tributary to Cool Spring Creek. Application received May 29, 2003. Permit issued July 24, 2003.

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

59020801. Richard Barlow, R. R. 1, Box A79, Covington, PA 16917. Commencement, operation and restoration of a small industrial minerals (shale) permit in Covington Township, **Tioga County** affecting 5 acres. Receiving streams: Canoe Camp Creek, tributary to Tioga River. Application received December 9, 2002. Application withdrawn July 23, 2003.

08030801. Robert J. Johnson, R. R. 4, Box 4055, Wyalusing, PA 18853. Commencement, operation and restoration of a small industrial minerals (bluestone) permit in Herrick Township, **Bradford County** affecting 3 acres. Receiving streams: Camps Creek. Application received January 10, 2003. Permit issued July 25, 2003.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

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

06034042. Dick Corporation (3001 Lancaster Pike, Sinking Spring, PA 19608) and **Senex Explosives, Inc.** (710 Millers Run Road, Cuddy, PA 15031), construction blasting in Cumru and Spring Townships, **Berks County** with an expiration date of May 30, 2004. Permit issued July 28, 2003.

36034065. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in Mt. Joy Township, **Lancaster County** with an expiration date of January 14, 2004. Permit issued July 28, 2003.

09034016. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting in Buckingham Township, **Bucks County** with an expiration date of August 15, 2005. Permit issued July 28, 2003.

46034027. Rock Work, Inc. (1257 DeKalb Pike, R. D. 2, Blue Bell, PA 19422), construction blasting in Lower Providence Township, **Montgomery County** with an expiration date of December 31, 2004. Permit issued July 28, 2003.

39034009. Rick Rufe Drilling & Blasting (R. R. Box 6360B, Saylorsburg, PA 18353) and **Austin Powder, Inc.** (P. O. Box 289, Northampton, PA 18629), construction blasting in North Whitehall Township, **Lehigh County** with an expiration date of February 15, 2004. Permit issued July 28, 2003.

58034001. Ruth and Charlie Littman (R. R. 1 Box 1633, Hop Bottom, PA 18824) and **Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting in Brooklyn Township, **Susquehanna County** with an expiration date of August 31, 2003. Permit issued July 28, 2003.

36034066. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in West Cocalico Township, **Lancaster County** with an expiration date of November 14, 2003. Permit issued July 28, 2003.

58034002. B. S. Quarries, Inc. (R. D. 3 Box 324A-1, Montrose, PA 18801) and **M & S Blasting, Inc.** (R. D. 2 Box 2319, Hallstead, PA 18822), construction blasting in Silver Lake Township, **Susquehanna County** with an expiration date of August 23, 2004. Permit issued July 28, 2003.

15034026. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting in Schuylkill Township, **Chester County** with an expiration date of August 14, 2004. Permit issued July 28, 2003.

35034011. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in the City of Scranton, **Lackawanna County** with an expiration date of July 5, 2004. Permit issued July 28, 2003.

45034023. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in Middle Smithfield Township, **Monroe County** with an expiration date of July 5, 2004. Permit issued July 28, 2003.

21034035. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Upper Allen Township, **Cumberland County** with an expiration date of August 15, 2004. Permit issued July 28, 2003.

22034016. Mazzuca Enterprises, Inc. (14th and Laurel Boulevard, Pottsville, PA 17901), construction blasting in Derry Township, **Dauphin County** with an expiration date of August 15, 2004. Permit issued July 29, 2003.

36034068. Gerlach's Drilling & Blasting, Inc. (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in East Cocalico Township, **Lancaster County** with an expiration date of August 15, 2008. Permit issued July 29, 2003.

36034069. Gerlach's Drilling & Blasting, Inc. (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in East Hempfield Township, **Lancaster County** with an expiration date of August 18, 2008. Permit issued July 29, 2003.

36034067. Gerlach's Drilling & Blasting, Inc. (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in Manheim and Lancaster Townships, **Lancaster County** with an expiration date of August 15, 2008. Permit issued July 29, 2003.

35034012. Max Bohleman (536 North Main Avenue, Scranton, PA 18504) and **Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting Archbald Borough, **Lackawanna County** with an expiration date of October 7, 2003. Permit issued July 29, 2003.

38034018. Gerlach's Drilling & Blasting, Inc. (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in South Londonderry Township, **Lebanon County** with an expiration date of August 16, 2008. Permit issued July 29, 2003.

45034024. Keystone Hollow Corporation (P. O. Box 1158, Marshalls Creek, PA 18355) and **Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866), construction blasting in Middle Smithfield Township, **Monroe County** with an expiration date of October 22, 2005. Permit issued July 29, 2003.

15034028. Rock Work, Inc. (1257 DeKalb Pike, R. D. 2, Blue Bell, PA 19422), construction blasting in Kennett Township, **Chester County** with an expiration date of August 16, 2006. Permit issued July 29, 2003.

13034003. Joao & Bradley Construction (P. O. Box 20345, Lehigh Valley, PA 18002) and **AJT Blasting, LLC** (P. O. Box 20412, Bethlehem, PA 18020), construction blasting in Banks Township, **Carbon County** with an expiration date of April 24, 2004. Permit issued July 29, 2003.

15034027. Joao & Bradley Construction (P. O. Box 20345, Lehigh Valley, PA 18002) and **AJT Blasting, LLC** (P. O. Box 20412, Bethlehem, PA 18020), construction blasting in East Whiteland Township, **Chester County** with an expiration date of May 16, 2004. Permit issued July 29, 2003.

36034070. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in Salisbury Township, **Lancaster County** with an expiration date of December 16, 2003. Permit issued July 30, 2003.

22034017. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in South Hanover Township,

Dauphin County with an expiration date of December 31, 2004. Permit issued July 30, 2003.

46034028. AMROC (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Perkiomen Township, **Montgomery County** with an expiration date of February 28, 2004. Permit issued July 30, 2003.

35034013. Northeast Blasting (R. R. 6 Box 6692, Honesdale, PA 18431), construction blasting in Carbondale Township, **Lackawanna County** with an expiration date of December 24, 2003. Permit issued July 30, 2003.

06034034. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in Marion Township, **Berks County** with an expiration date of February 21, 2004. Permit issued July 30, 2003.

67034046. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Fairview Township, **York County** with an expiration date of August 21, 2004. Permit issued July 30, 2003.

21034036. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in North Middletown Township, **Cumberland County** with an expiration date of August 21, 2004. Permit issued July 30, 2003.

36034071. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in Manheim Township, **Lancaster County** with an expiration date of August 21, 2008. Permit issued July 30, 2003.

45034025. Holbert Explosives, Inc. (237 Masthope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting in Middle Smithfield Township, **Monroe County** with an expiration date of August 25, 2005. Permit issued August 1, 2003.

52034018. Holbert Explosives, Inc. (237 Masthope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting in Dingman's Township, **Pike County** with an expiration date of December 26, 2003. Permit issued August 1, 2003.

45034026. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in Hamilton Township, **Monroe County** with an expiration date of July 11, 2004. Permit issued August 1, 2003.

09034017. Codown-Carney (329 Keewayden Street, Coopersburg, PA 18036) and **Explo-Tech/AEEI** (401 West High Street, Suite 102, Pottstown, PA 19464), construction blasting in Haycock Township, **Bucks County** with an expiration date of October 24, 2003. Permit issued August 1, 2003.

36034072. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in West Donegal Township, **Lancaster County** with an expiration date of September 21, 2003. Permit issued August 1, 2003.

15034029. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380), construction blasting in Honeybrook Township, **Chester County** with an expiration date of August 21, 2004. Permit issued August 1, 2003.

67034047. Brubacher Excavating, Inc. (P. O. Box 528, 825 Reading Road, Bowmansville, PA 17507), construction blasting in Carroll Township, **York County** with an expiration date of August 21, 2004. Permit issued August 1, 2003.

21034037. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Silver Spring Township, **Cumberland County** with an expiration date of August 22, 2004. Permit issued August 1, 2003.

09034018. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting in Plumstead Township, **Bucks County** with an expiration date of August 28, 2005. Permit issued August 1, 2003.

23034011. Allan A. Myers, L. P. (P. O. Box 98, Worcester, PA 19490), construction blasting in Concord Township, **Delaware County** with an expiration date of August 22, 2005. Permit issued August 1, 2003.

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

14034014. Sunrise Homes, 2790 W. College Avenue, State College, PA 16801 for construction blasting in College Township, **Centre County**, with an expected duration of 30 days. Permit issued July 28, 2003.

14034002. Paradise Contracting, 223 Paradise Road, Bellefonte, PA 16823 for construction blasting in Spring Township, **Centre County**, with an expected duration of 60 days. Permit issued July 30, 2003.

14034013. Dawson Geophysical, 508 West Wall, Suite 800, Midland, TX 79701 for seismic exploration in Howard and Curtin Townships, **Centre County**, with an expected duration of 30 days. Permit issued July 31, 2003.

14034011. New Enterprises Stone & Lime Co., Inc., P. O. Box 77, New Enterprise, PA 16664 for construction blasting in Taylor Township, **Centre County**, with an expected duration of 720 days. Permit issued July 28, 2003.

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.

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 FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

EA54-012NE. Schuylkill Headwaters Association, P. O. Box 138, Pottsville, PA 17901. Reilly Township, **Schuylkill County**, Army Corps of Engineers Philadelphia District.

To construct and maintain an acid mine discharge (AMD) treatment system situated in and along a tributary to Muddy Creek and adjacent wetlands. The purpose of the project is to treat and reduce AMD loadings discharging from the Otto Discharge. The project is approximately 0.2 mile southeast of the intersection of SR 0209 and SR 4008 (Minersville, PA Quadrangle N: 7.9 inches; W: 9.8 inches).

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

E34-105: Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 26301 in Lack Township, **Juniata County**, ACOE Baltimore District.

To operate and maintain approximately 7.95 miles of an existing 30-inch natural gas pipeline (PL-1) in Lack Township, Juniata County. The PL-1 section begins at the Juniata/Huntingdon County border near the Town of Blairs Mills (Blairs Mills, PA Quadrangle N: 5.9 inches; W: 11.8 inches) and ends near the Town of Perulack (Blairs Mills, PA Quadrangle N: 18.9 inches; W: 4.1 inches). The existing pipeline crosses the following resources illustrated on the Blairs Mills, PA Quadrangle and the Blairs Mills, Pennsylvania National Wetlands Inventory map: Georges Creek (CWF), unnamed tributary to Blair Hollow (CWF), Blair Hollow (CWF), Tuscarora Creek (CWF), Narrows Branch Tuscarora Creek (CWF) and a 10.1-acre PFO wetland along Georges Creek.

E07-370: Blair County Commissioners, Blair County Court House, 423 Allegheny Street, Hollidaysburg, PA 16648 in Frankstown Township, **Blair County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a two-span concrete bridge; each span is 81.48 feet with an average underclearance of 17.7 feet over the Frankstown Branch Juniata River on T-444 about 530 feet south of its intersection with SR 22 (Frankstown, PA Quadrangle N: 17.75; W: 3.1 inches) in Frankstown Township, Blair County.

E07-371: The Lakemont Partnership, 1873 Old Route 22, P. O. Box 806, Duncansville, PA 16635-0806 in Logan Township, **Blair County**, ACOE Baltimore District.

To construct and maintain a pedestrian bridge having a clear span of 52.2 feet, a maximum under clearance of 6.3 feet and an in-stream length of approximately 7.0 feet, crossing Brush Run (WWF) at a point approximately 1,500 feet east of SR 220 along the south side of 11th Street in Lakemont Park (Hollidaysburg, PA Quadrangle N: 18.6 inches; W: 2.7 inches) in Logan Township, Blair County.

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

E02-1394. Levin Furniture, 301 Fitz Honey Road, Smithton, PA 15479. Levin Furniture Store in the Municipality of Monroeville, **Allegheny County**, Pittsburgh ACOE District (Murrysville, PA Quadrangle N: 10.7 inches; W: 14.9 inches). To place and maintain fill in 0.375 acre of wetlands, to construct and maintain a stormwater pond within a tributary to Thompson Run (WWF) and to construct and maintain various outfall structures to Thompson Run for a proposed Levin Furniture Store. The project is in the northeast corner of the intersection of Old William Penn Highway and Elliott Road. To meet wetland replacement requirements, the applicant has made a payment to the Wetland Replacement Fund. This project will also culvert approximately 775 feet of stream channel that qualifies for authorization under the Department's waiver 105.12(a)(2).

E03-414. Roaring Run Watershed Association, P. O. Box 333, Apollo, PA 15613-0333. Former Coal Mine Portal

in Kiskiminetas Township, **Armstrong County**, Pittsburgh ACOE District. To place and maintain a riparian buffer along approximately 600 linear feet of Roaring Run (CWF) at a site along McCartney Road (T-460), between intersections of this roadway with Hilty Road and Edmond Road in Kiskiminetas Township, Armstrong County (Vandergrift, PA Quadrangle N: 13.55 inches; W: 0.45 inch). The project will include:

1. The removal of a 50-foot long, 6-foot diameter CM pipe culvert and a 45-foot long stream crossing consisting of three 3-foot diameter concrete pipes.

2. Restoring the stream banks after the removal of these culverts with approximately 145 linear feet of R-5 rock riprap bank stabilization.

3. The removal of material that was stockpiled along approximately 400 linear feet of stream bank.

4. The planting of an approximately 35-foot wide vegetative buffer along both stream banks for the entire project length of 600 feet.

E26-306. Board of Supervisors of German Township, 2 Long Street, McClellandtown, PA 15458. Browns Run Trail Bridge Replacements in German Township, **Fayette County**, Pittsburgh ACOE District. To rehabilitate and maintain six abandoned railroad bridges and a bridge of T-376 across Browns Run (WWF). The proposed rehabilitation consists of construction of superstructures and repair of substructures of the six bridges on the abandoned railroad track and a deck replacement on T-376:

1. Bridge No. 1 having three spans of 59.5 feet each, at station 20+85 (Masontown, PA Quadrangle N: 22.17 inches; W: 5.82 inches).

2. Bridge No. 2 having three spans of 44 feet each, at station 64+78 (Masontown, PA Quadrangle N: 22.21 inches; W: 4.43 inches).

3. Bridge No. 3 having two spans of 38.5 feet each at station 75+58 (Masontown, PA Quadrangle N: 2172 inches; W: 4.2 inches).

4. Bridge No. 4 having two spans of 38.5 feet each at station 81+02 (Masontown, PA Quadrangle N: 21.63 inches; W: 3.98 inches).

5. Bridge No. 5 having two spans of 38.5 feet each at station 86+64 (Masontown, PA Quadrangle N: 21.58 inches; W: 3.71 inches).

6. Bridge No. 6 having three spans of 23.5 feet each at station 93+32 (Masontown, PA Quadrangle N: 21.48 inches; W: 3.4 inches).

7. Bridge No. 7 on T-376 having a single span of 51 feet (Masontown, PA Quadrangle N: 20.91 inches; W: 2.88 inches).

The purpose of the project is to construct and maintain a bicycle-pedestrian trail on an abandoned railroad track. The project starts from Huron on the eastern bank of the Monongahela River and extends for approximately 2 miles to SR 21 along Browns Run.

E65-814. Municipality of Murrysville, 4100 Sardis Road, Murrysville, PA 15668. Saddle Pack Trail Culvert in the Municipality of Murrysville and Washington Township, **Westmoreland County**, Pittsburgh ACOE District (Murrysville, PA Quadrangle N: 21.4 inches; W: 3.4 inches). To remove the existing structure and to construct and maintain a 40.0-foot long, 1.0-foot depressed 16.0-foot by 7.0-foot reinforced concrete box culvert with baffles in Pucketa Creek (TSF) on Saddle Pack Trail, 300 feet south of Route 366.

E65-815. Municipality of Murrysville, 4100 Sardis Road, Murrysville, PA 15668. Structure No. 46 Replacement Cline Hollow Road in the Municipality of Murrysville, **Westmoreland County**, Pittsburgh ACOE District (Murrysville, PA Quadrangle N: 9.29 inches; W: 4.9 inches). To remove the existing structure and to construct and maintain a 40.0-foot long, 1.0-foot depressed 10.0-foot by 6.0-foot reinforced concrete box culvert with baffles in an unnamed tributary to Turtle Creek (TSF). With the installation of wingwalls and a riprap apron, approximately 58.5 feet of watercourse will be permanently impacted by this activity. The project site is on Cline Hollow Road, approximately 800 feet north of Route 22.

SPECIAL NOTICES

Certification to Perform Radon-Related Activities in this Commonwealth

In the month of July 2003, the Department of Environmental Protection, under 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.

Name	*Address*	*Type of Certification*
Advantage Radon Control Centers	626 Jacksonville Road Center Pointe Office Center Suite 200 Warminster, PA 18974	Mitigation
Timothy Beemer	2843 North Front Street Suite 100 Harrisburg, PA 17110	Testing
Jeffrey Calta	106 Vensel Lane P. O. Box T Chicora, PA 16025	Laboratory
George Corkdale	P. O. Box 149 Crosswicks, NJ 08515	Testing

Name	*Address*	*Type of Certification*
D-Tech	P. O. Box 902 Blue Bell, PA 19422	Testing
Delta Inspection Services, Inc.	P. O. Box 586 Yardley, PA 19067	Testing
Fidelity Inspection & Consulting Services	626 Jacksonville Road Center Pointe Office Center Suite 200 Warminster, PA 18974	Testing
Brian Gallagher	3650 Concorde Parkway Suite 100 Chantilly, VA 20151	Testing
Stephen Gazzo	780 Pierson Run Road Pittsburgh, PA 18239	Testing
Richard Haag Safe Shelter Environmental	346 North Pottstown Pike Exton, PA 19341	Testing and Mitigation
Robert Jesberg	2275 East New Street East Petersburg, PA 17520	Testing
Patrick Kelly	601 South Irving Avenue Scranton, PA 18505	Testing
Robert Krause	P. O. Box 187 208 Depot Street Clarks Summit, PA 18411	Testing
David Lanzer Clean Air Pro	174 Penn Lear Drive Monroeville, PA 15146	Mitigation
Cynthia Lawn Franklin Environmental Analysis	2334 Orthodox Street Philadelphia, PA 19137	Testing and Laboratory
Joseph Miloser	134 Woodrow Drive Ellwood City, PA 16117	Testing
Joseph Molony	220 Dotterer Road Lenhartsville, PA 19534	Testing
Lewis Nelson, IV First Choice Radon Testing Co., Inc.	Box 830 Huntingdon Valley, PA 19006	Testing
Josh Rudy	1604 Lititz Pike Lancaster, PA 17601	Testing
Val Sarko	Box 15052 Reading, PA 19612	Testing
Rodney Williams	4296 Limeport Pike Coopersburg, PA 18036	Testing
Sharon Young	301 Rt. 940 Mt. Pocono, PA 18344	Testing

Individual CAFO NPDES Permit

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

PA0247260, Craig Metzler (Metzler Swine Farm), 41 Miller Road, Delta, PA 17314. Craig Metzler has submitted an application for an NPDES permit for a proposed swine finishing operation known as Metzler Swine Farm, Aubel Road, Peach Bottom Township, **York County**. The operation will be situated between an unnamed tributary of Neill Run and an unnamed tributary of Fishing Creek (TSF). The operation will be designed to maintain an animal population of approximately 603 AEUs consisting of 4,400 finishing swine.

Two swine finishing houses are proposed, each containing 2,200 swine. The expected annual liquid manure production is approximately 2.4 million gallons. Manure will be stored in 8-foot deep concrete pits below each of the houses. Approximately 200,000 gallons of manure will be applied on the home farm and 2.2 million gallons will be exported to three offsite farms annually. The total capacity of the manure storage facilities will be approximately 2 million gallons.

The Department has scheduled a public hearing to receive testimony and comments on the proposed CAFO NPDES permit. The hearing will be held on Wednesday, September 17, 2003, at 7 p.m. at the Delta Cardiss Volunteer Fire Company, 500 Main Street, Delta, PA 17314.

Persons intending to testify at the hearing should register by Friday, September 12, 2003, by calling Karen Sitler at (717) 705-4904. If no person registers to present oral comments by this deadline, the hearing will not be held. In addition, persons who wish to submit testimony but who cannot attend the hearing may do so in writing by Wednesday, September 24, 2003. Written comments

should be sent to Sean Furjanic, Water Management Program, Permits Section, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, sefurjanic@state.pa.us. Testimony can also be hand-delivered to Karen Sitler at the public hearing.

All testimony should be to the point. Individuals will have between 5 and 10 minutes for a presentation. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the proceedings.

The permit application is on file at the Southcentral Regional Office in Harrisburg. An appointment to review the files may be scheduled by calling Cynthia Wolfe at (717) 705-4732 between 8 a.m. and 4 p.m., Monday through Friday.

Comments received will be considered in formulating the Department's decision 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.

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

[Pa.B. Doc. No. 03-1595. Filed for public inspection August 15, 2003, 9:00 a.m.]

Acceptance of Applications for New or Innovative Water/Wastewater Technology Grants through the Growing Greener Program

As part of the Department of Environmental Protection's (Department) Growing Greener Program (program), applications are now being accepted for new or innovative water/wastewater technology grants. The Environmental Stewardship and Watershed Protection Act (27 Pa.C.S. §§ 6101—6113) authorizes the Department to make these grants available to municipalities, municipal authorities, counties and school districts that are making improvements to existing drinking water or sewage treatment facilities using new or innovative technology. Grants for individual projects will be available up to $500,000 under this program.

Preference will be given to the following new or innovative projects: treatment of groundwater under the direct influence of surface water; holistic approaches to treatment of drinking water for nitrates and other mobile contaminants to ensure safety with respect to potential current and future risks; treatment of municipal wastewater for beneficial reuse; innovative construction methods and materials to correct infiltration and inflow problems in sanitary and combined sewer collection and conveyance systems; and advanced wastewater treatment for nutrient removal in watersheds where nutrient removal has been identified by the Department as a priority.

The deadline for submitting grant applications to the Department's Growing Greener Grants Center is October 17, 2003. The grant application form is available electronically on the Department's website at http://www.dep.state.pa.us/eps/. Select "Forms" and "Water Supply and Wastewater Management." The form name and number are: Application for Growing Greener Grant Assistance—New or Innovative Water/Wastewater Technology, 3800-FM-WSWM0271.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-1596. Filed for public inspection August 15, 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) 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.

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final Technical Guidance

DEP ID: 383-0400-114. Title: Pennsylvania's Capability Enhancement Program. Description: This guidance will apply to all community, nontransient noncommunity and transient drinking water systems. The purpose of this document is to establish a rational methodology to implement, track and allocate resources needed to meet the Federal requirements for a state capacity development strategy for all public water systems. Effective Date: August 16, 2003. Contact: Trudy Troutman, (717) 783-3795, trutroutma@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-1597. Filed for public inspection August 15, 2003, 9:00 a.m.]

Diesel Retrofit Demonstration Project Grant Opportunity

The Department of Environmental Protection (Department) is seeking applicants to participate in a demonstration project that will greatly reduce diesel emissions. The Department will reimburse applicants up to 100% of the costs to purchase and install diesel retrofit technology. Fleet owners or operators in this Commonwealth who want to lower emissions from their vehicles or property owners who want to lower excessive diesel emissions from idling on their property may apply. Qualifying retrofit technology can be exhaust after-treatment devices, cleaner combusting fuels, engine replacements and upgrades or idling-reducing technology. Retrofit equipment must be Environmental Protection Agency (EPA) verified technology with the exception of idling-reducing technology, which must be approved on a case-by-case basis by the Department. Technical information about diesel vehicle retrofit is available from the EPA at www.epa.gov/otaq/retrofit.

Applicants will be ranked on the severity of the pollution in the area, appropriateness of the fleet for retrofit, potential emission reductions, the project's cost effectiveness and completeness of the application. Proposed projects completed or operating in environmental justice areas, as identified by the Department, as well as projects supported by matching funds, will increase the competitiveness of the applications. The applicant must submit a detailed budget and plan.

The Department is accepting applications at this time to have a pool of potential projects for anticipated Federal and private funding. Some funding streams may only be available for school bus retrofit projects. No grant awards will be executed with applicants unless, and until, the Commonwealth receives funding from these sources. Applications filed under this grant notice will be retained for a period of 18 months in case additional funds become available.

Applications are due October 21, 2003. For more information and an application package, access the Department's website at www.dep.state.pa.us (DirectLINK: Air Quality) or contact Chris Trostle, Bureau of Air Quality, (717) 787-9494, dtrostle@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-1598. Filed for public inspection August 15, 2003, 9:00 a.m.]

Wetlands Protection Advisory Committee Meeting Cancellation

The Wetlands Protection Advisory Committee (Committee) meeting scheduled for Thursday, August 28, 2003, has been cancelled. The next meeting of the Committee is scheduled for Thursday, November 20, 2003, at 10 a.m. in the First Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg.

Questions concerning the November 20, 2003, meeting should be directed to Kelly Heffner, (717) 787-6827, kheffner@state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at http://www.dep.state.pa.us.

Persons with a disability who require accommodations to attend the meeting should contact the Department at (717) 787-6827 or though the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 03-1599. Filed for public inspection August 15, 2003, 9:00 a.m.]

DEPARTMENT OF HEALTH

Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under section 3 of the Pennsylvania Cancer Control, Prevention, and Research Act (35 P. S. § 5633), will hold a meeting on Thursday, October 30, 2003, from 8 a.m. to 12:30 p.m. at the Department of Health, Room 505, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA 17120.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Kathleen A. Zitka, Chief, Department of Health, Cancer Prevention and Control Section, Room 1011, Health and Welfare Building, Harrisburg, PA, (717) 787-5251, for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

The Department of Health reserves the right to cancel this meeting without notice.

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

[Pa.B. Doc. No. 03-1600. Filed for public inspection August 15, 2003, 9:00 a.m.]

DEPARTMENT OF REVENUE

[Correction]

Pennsylvania Crown Jewels Instant Lottery Game

An error occurred in the document which appeared at 33 Pa.B. 3084, 3085 (June 28, 2003). A prize play symbol was printed incorrectly. The correct version of the material is as follows, with ellipses referring to the existing text:

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:

* * * * *

4. *Prize Play Symbols*: The prize play symbols and their captions located in the "Your Numbers" area are: $2^{.00}$ (TWO DOL), $5^{.00}$ (FIV DOL), $6^{.00}$ (SIX DOL), $8^{.00}$

(EGT DOL), $10.00 (TEN DOL), 12 (TWELV), 15 (FIFTN), 25 (TWY FIV), 50 (FIFTY), 75 (SVY FIV), $150 (ONEHUNFTY), $300 (THR HUN) and $50,000 (FTY THO).

* * * * *

[Pa.B. Doc. No. 03-1273. Filed for public inspection June 27, 2003, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Addendum and Revision of the Listing of Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles, under the authority of 75 Pa.C.S. § 3368 (relating to speed timing devices), published at 32 Pa.B. 6424 (December 28, 2002) a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

Addition

As an addendum to the list of approved Official Maintenance and Calibration Stations, the Department hereby gives notice of the addition, as an Electronic Speed-Timing (Radar) Inspection Station, of the following station:

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063. The station number will be R11.

Other approved speed-timing devices and appointments of maintenance and calibration stations appear at 32 Pa.B. 6424, 33 Pa.B. 1545 (March 21, 2003) and 33 Pa.B. 3806 (August 2, 2003).

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 03-1601. Filed for public inspection August 15, 2003, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, July 24, 2003, and announced the following:

Regulation Disapproved

State Board of Veterinary Medicine #16A-5712: Professional Conduct; Prescription Drugs (amends 49 Pa. Code § 31.21)

Disapproval Order

Public Meeting held
July 24, 2003

Commissioners Voting: Alvin C. Bush, Vice Chairperson, dissenting; Daniel F. Clark, Esq.; Arthur Coccodrilli; Murray Ufberg, Esq.

State Board of Veterinary Medicine—Professional Conduct; Prescription Drugs; Regulation No. 16A-5712

On June 10, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Veterinary Medicine (Board). This rulemaking amends 49 Pa. Code § 31.21. The proposed regulation was published in the June 22, 2002, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 17, 2003.

The final-form regulation establishes requirements and standards for prescribing and dispensing both prescription and nonprescription drugs. Additionally, the regulation allows a veterinarian to refuse a client's request for a written prescription if the veterinarian has a good faith belief that the prescription may be misused.

One issue, which we raised in our comments, remains a concern. Our comments suggested that the final-form regulation require veterinarians to inform clients that they have the option of receiving a written prescription that can be filled elsewhere. The Board did not include this requirement in the final-form regulation.

We believe that notification to the consumer of the opportunity to request a written prescription is in the public interest and will not impose an unreasonable burden upon veterinarians (71 P. S. § 745.5b(b)(1)(i) and (ii) and (b)(3)).

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 485.5(2)) and the intention of the General Assembly. However, after considering all of the other criteria of the Regulatory Review Act discussed, we find promulgation of this regulation is not in the public interest.

By Order of the Commission:

This regulation is disapproved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-1602. Filed for public inspection August 15, 2003, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

Final-Form Reg. No.	*Agency/Title*	*Received*
7-362B	Environmental Quality Board Stream Redesignations, Little Bush Kill, et al.	8/6/03

Final-Form Reg. No.	*Agency/Title*	*Received*
7-371	Environmental Quality Board Architectural and Industrial Maintenance Coatings	8/6/03

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 03-1603. Filed for public inspection August 15, 2003, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Warren James; Doc. No. SC03-07-047

Notice is hereby given of the Order to Show Cause issued on July 31, 2003, by the Deputy Insurance Commissioner in the previously referenced matter. Violation of the following is alleged: sections 604 and 633 of The Insurance Department Act of 1921 (40 P. S. §§ 234 and 273); and 31 Pa. Code §§ 37.46 and 37.47 (relating to standards for denial of certificate/license; and revocation, suspension, nonrenewal of certificates and licenses).

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 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. 03-1604. Filed for public inspection August 15, 2003, 9:00 a.m.]

Independence Blue Cross; Blue Cross Community Rated Group Hospital Program; Rate Filing No. 12-P-03

Independence Blue Cross is requesting approval to increase the premium 22.5% for the community rated Basic Blue Cross hospitalization program. The increase will affect 2,465 contract holders in this Commonwealth and will generate $3.4 million additional annual income. An effective date of October 1, 2003, is requested.

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 Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-1605. Filed for public inspection August 15, 2003, 9:00 a.m.]

Independence Blue Cross; Nongroup Basic Blue Cross; Rate Filing No. 13-P-03

Independence Blue Cross has requested approval to increase its premium rates for its nongroup hospital products as follows:

	Percentage Increase
Blue Cross Regular	35.4%
Blue Cross HIPAA and HCTC eligibles	50.0%

The proposed rate adjustment would affect approximately 7,100 contracts and produce additional annual premium income of $5.4 million. An effective date of January 1, 2004, is requested.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices Harrisburg and Philadelphia.

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. 03-1606. Filed for public inspection August 15, 2003, 9:00 a.m.]

Daniel Medic, Jr., D.O.; Prehearing

Appeal of Daniel Medic, Jr., D.O. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-07-035

On or before August 20, 2003, the appellant shall file a concise statement setting forth the factual and/or legal basis for his disagreement with MCARE's determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for September 9, 2003, at 10:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 8, 2003. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 26, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before September 2, 2003.

Persons with a disability who wish to attend the 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. 03-1607. Filed for public inspection August 15, 2003, 9:00 a.m.]

Pennsylvania Medical Society Liability Insurance Company; Physicians and Surgeons Liability Rate and Rule Filing

On August 1, 2003, the Insurance Department received from the Pennsylvania Medical Society Liability Insurance Company (PMSLIC) a filing for a rate level change in physicians and surgeons liability rates.

PMSLIC requests to increase primary base rates by an overall 18% effective January 1, 2004. Additionally, PMSLIC proposes to revise specialty and rate class relativities and to implement other changes as described in the filing.

Unless formal administrative action is taken prior to September 15, 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 Insurance Department's regional offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, kcreighton@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-1608. Filed for public inspection August 15, 2003, 9:00 a.m.]

QCC Insurance Company; Nongroup Personal Choice Rate Increase; Rate Filing No. QCC-1-03

QCC Insurance Company submitted a proposal to increase the premium rates for its Nongroup Personal Choice product. The proposed average rate increases are: 21.31% for prime option, 34.93% for high option and 9.67% for standard option. A January 1, 2004, effective date is proposed. The proposed rate adjustment would affect approximately 14,800 contracts and would produce additional annual premium income of $22.8 million.

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 Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120 within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 03-1609. Filed for public inspection August 15, 2003, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing 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 Harrisburg and Philadelphia, 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 Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Mark Higgins; file no. 03-181-06515; Progressive Insurance Company; doc. no. P03-07-039; September 2, 2003, 10:30 a.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of C. Louis Moravec, III and Susan Thauer; file no. 03-265-03050; Travelers Insurance Company; doc. no. PH03-07-041; September 18, 2003, 3:30 p.m.

Appeal of Gregory and Cheryl Venezia; file no. 03-280-03445; Continental Casualty Company; doc. no. PH03-07-040; September 19, 2003, 3 p.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. 03-1610. Filed for public inspection August 15, 2003, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurer has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with the termination of the insured's automobile policy. The hearing 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 office in Philadelphia, 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 Erie Insurance Exchange; file no. 03-215-02952; Sharon C. Johnson; doc. no. PH03-07-042; September 18, 2003, 9:30 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. 03-1611. Filed for public inspection August 15, 2003, 9:00 a.m.]

Uma Uadagiri, M.D.; Prehearing

Appeal of Uma Uadagiri, M.D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM03-07-039

On or before August 21, 2003, the appellant shall file a concise statement setting forth the factual and/or legal basis for his disagreement with MCARE's determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for September 11, 2003, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before August 8, 2003. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 28, 2003, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before September 4, 2003.

Persons with a disability who wish to attend the 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. 03-1612. Filed for public inspection August 15, 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.

Executive Board

Resolution No. CB-03-192, Dated July 21, 2003. The Executive Board Resolution authorizes the replacement of the July 1, 2003, Corrections Supervisory Pay Schedule (Schedule K) that was previously approved in Executive Board Resolution No. CB-02-150. That resolution authorized the 2-year side letter of understanding with AFSCME for approximately 188 first-level supervisory employees who supervise Corrections rank and file employees.

Governor's Office

Management Directive No. 305.16—Lobbying Certification and Disclosure, Amended July 3, 2003.

Management Directive No. 590.5—Guidelines to be Followed During Legal or Illegal Strikes, Amended June 27, 2003.

Administrative Circular No. 03-15—Purchasing Card Program—Utility Purchasing Cards, Dated June 27, 2003.

Administrative Circular No. 03-16—Workers' Compensation Rates, Dated July 3, 2003.

Administrative Circular No. 03-17—Availability—Commonwealth Telephone Directory, Dated July 11, 2003.

Administrative Circular No. 03-18—Revised Revenue Estimates, 2003-04 Fiscal Year, Dated July 16, 2003.

MARY JANE PHELPS,
Director
Pennsylvania Bulletin

[Pa.B. Doc. No. 03-1613. Filed for public inspection August 15, 2003, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The Liquor Control Board seeks the following new site:

Philadelphia County, Wine & Spirits Shoppe #5112, Robins and Keystone Streets, Philadelphia.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space within a 1-mile radius of Robins and Keystone Streets in Philadelphia.

Proposals due: September 5, 2003, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128
Contact: Robert Jolly, (215) 482-9671

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 03-1614. Filed for public inspection August 15, 2003, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Physical and Cyber Security Program Self Certification Requirements for Public Utilities

Public Meeting held
July 17, 2003

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Glen R. Thomas; Kim Pizzingrilli

Physical and Cyber Security Program Self Certification Requirements for Public Utilities; Doc. No. M-00031717

Tentative Order

By the Commission:

Background

The Pennsylvania Public Utility Commission's (Commission) primary emergency management staff has been working closely with its jurisdictional utilities since July 1998 to ensure the safe and reliable delivery of utility services to citizens in this Commonwealth and to refine emergency management and response processes. The Commission has also been working closely with the Pennsylvania Emergency Management Agency (PEMA) and the State Office of Homeland Security to ensure coordination of critical infrastructure emergency and security procedures.

A. *Pre-Y2K*

From July 1998—November 1999, the Commission instituted a formal investigation to determine the Year 2000 technology (Y2K) readiness of approximately 750 public utilities and conducted an assessment of Y2K readiness for 23 jurisdictional companies and the Pennsylvania Rural Electric Association (PREA). These electric, natural gas, telecommunications and water companies represented the largest potential impact to Commonwealth citizens. The companies also provided emergency response plans, business continuity plans and contingency plans for review. At that time, it was unknown what type of events (terroristic, physical, cyber threats or other actions) could potentially trigger an emergency. The companies were prepared for what were then perceived as the "worst case scenarios."

B. *September 11, 2001*

When the events of September 11th occurred, the Commission immediately surveyed its jurisdictional companies, the PJM Interconnection, which is responsible for the operation and control of the bulk electric power system throughout major portions of five mid-Atlantic states, the District of Columbia and PREA to determine what actions were being taken. Rail safety inspectors, gas safety inspectors and telecommunications staff were also

contacted to assess their industry groups. Companies responded that they were at a "heightened state of awareness," had implemented emergency procedures as developed during Y2K and took additional steps in preparation for responding to a potential event in their service territories within this Commonwealth.

The Department of Environmental Protection (DEP) and the Commission offered recommendations to public water suppliers and dam owners to take reasonable precautions to protect raw and finished water supplies and dams from external threats. Plans have since been reviewed by the companies and modified or updated where necessary.

C. Post September 11, 2001

Shortly after September 11th, the Commission secured/inventoried sensitive documents in its possession (for example, system maps) and established procedures for information flow. Additionally, the Commission began coordinating with the local Federal Bureau of Investigation Infragard program on issues involving Pennsylvania utilities and the Commission serves on the National Association of Regulatory Utility Commissioners Critical Infrastructure Committee.

Post September 11th, the Commission and PEMA personnel assisted in the review and analysis process for Executive Order 2001-6, the Governor's Task Force on Security, with Commission staff participating in all 11 subcommittee meetings.

D. *House Resolution 361*

On December 3, 2001, the House of Representatives tasked the Commission and PEMA with the following:

- To review, analyze and evaluate utility infrastructure security protection and risk mitigation policies and other related security issues.
- To recommend prudent strategies to enhance the standards for the physical security and integrity of this infrastructure.
- To recommend statutory changes to enable cost recovery mechanisms for security modifications to utility infrastructure.

This resolution directed the Commission and PEMA to submit a comprehensive report to the House of Representatives addressing utility infrastructure security issues on or before September 1, 2002.

The Commission determined that nine industries under its jurisdiction—the fixed utilities of electric, natural gas, water and wastewater, telecommunications, steam heat and the transportation utilities of rail, motor carrier (trucking), taxi and limousine and busing—were the industries to be profiled. Seventy-two companies, both Commission jurisdictional and nonjurisdictional, encompassed these nine industries.

The evaluations included small, medium and large-scale companies, as well as nonjurisdictional entities, such as electric generators, natural gas suppliers, municipal authorities, and the like. The jurisdictional and nonjurisdictional companies were profiled to address the industry as a whole, and also to identify any trends within an industry. Where appropriate, Emergency Response Plans, Contingency Plans, Cyber Security Plans and Business Continuity Plans were reviewed.

The overall findings are fully profiled in the HR 361 report, "Protecting Critical Infrastructure: Keeping Pennsylvanians Safe," that was submitted to the Legislature on September 1, 2002.

E. *House Resolution 361—Phase Two Update*

On January 30, 2003, the Pennsylvania Director of Homeland Security tasked the Commission to request additional information from the participants of the HR 361 report. The primary focus of the additional information was related to the potential escalation in the Federal Office of Homeland Security's Advisory System from Elevated (Yellow) to High (Orange) or to Severe (Red).

One of the recommendations to the HR 361 report was to acknowledge that all utilities should uniformly adopt the Department of Homeland Security color code system. This second phase of the survey process further encouraged the implementation of the color code system by the companies and industries.

The Commission submitted "Protecting Critical Infrastructure: Keeping Pennsylvanians Safe"—Phase II Update to the Pennsylvania Office of Homeland Security on February 24, 2003.

Discussion

The Commission, as well as the critical infrastructure industries, recognizes that it is impossible to completely protect all utility infrastructures in Pennsylvania. Nevertheless, all parties want a foundation to organize efforts to protect this Commonwealth, its critical facilities and its citizens from any type of event—manmade or natural. The parties involved recognize that as security risks and vulnerabilities change and as information becomes available, plans will need to be adjusted and amended over time to reassess priorities and realign resources. The initiatives are recognized as permanent additions to our society and will need to be addressed for years and decades, not just weeks or months.

Additionally, in its February 2003 release, "The National Strategy for the Physical Protection of Critical Infrastructures and Key Assets," the Federal government stresses that "States should further facilitate coordinated planning and preparedness for critical infrastructure and key asset protection, applying unified criteria for determining criticality, prioritizing protection investments, and exercising preparedness within their jurisdictions." (Executive Summary, P. x.)

We find that the security issue presents questions that are of fundamental importance to the public health, safety and convenience of Pennsylvanians and that each of our jurisdictional utilities must be prepared to demonstrate that it is adequately addressing the security issue so as to enable it to furnish and maintain adequate, efficient, safe and reasonable service. 66 Pa.C.S. § 1501.

The Commission believes that the development, maintenance, exercising and implementation of physical and cyber security, emergency response and business continuity plans are essential to ensuring our jurisdictional utilities are equipped to furnish and maintain adequate, efficient, safe and reasonable service. Therefore, as described in this Tentative Order, we urge each jurisdictional utility, if they have not already done so, to develop and maintain written physical and cyber security, emergency response and business continuity plans.

We recognize that various Federal and State agencies have already placed requirements on many of our jurisdictional utilities to develop and maintain security and emergency response related plans and we do not wish to replicate the efforts of those authorities, nor create duplicative or undue effort for our jurisdictional utilities. However, we advise all jurisdictional utilities that the Law Bureau, in conjunction with the Bureau of Fixed

Utility Services and the Bureau of Transportation and Safety, will initiate a rulemaking to include, as a permanent part of the Commission's regulations, requirements for our jurisdictional utilities to develop and maintain appropriate physical and cyber security, emergency response and business continuity plans.

To permit the Commission to determine the current and anticipated level of security compliance of our jurisdictional utilities, following this Tentative Order is a Physical and Cyber Security Planning Self Certification Form (Self Certification Form) that jurisdictional utilities will be required to submit to the Commission annually. This form addresses four areas of security planning:

- Physical Security Plan
- Cyber Security Plan
- Emergency Response Plan
- Business Continuity Plan

For the purposes of the Self Certification Form, we will define Physical Security as the physical (material) measures designed to safeguard personnel, property and information. A Physical Security Plan should be a document that characterizes the response to security concerns at mission critical equipment or facilities. The Physical Security Plan may include the specific features of a mission critical equipment or facility protection program, such as fences, surveillance cameras, and the like, and company procedures to follow based upon changing threat conditions or situations.

Cyber Security shall be defined as the measures designed to protect those computers, software and communications networks that support, operate or otherwise interact with the company's operations. As part of a Cyber Security Plan, we would expect each company to maintain and test an information technology disaster recovery plan, including: (1) critical functions requiring automated processing; (2) appropriate backup for application software and data; (3) alternative methods for meeting critical functional responsibilities in the absence of information technology capabilities; and (4) a recognition of the critical time period, for each information system, before the company could no longer continue to operate.

An Emergency Response Plan is defined as a plan describing the actions a company will take if a problem exists at a facility, whether due to natural causes or sabotage. Actions typically include identifying and assessing the problem, mitigating the problem if possible, and notifying the emergency management system to protect human life and property.

A Business Continuity Plan is defined as a plan that should ensure the continuity or uninterrupted provision of operations and services. As part of its business continuity planning process, a company needs to review the continuity or recovery of facilities or operations that are critical to the company's survival. Business continuity planning is an on-going process with several different but complementary elements. Planning for business continuity is a comprehensive process that includes business recovery, business resumption, and contingency planning.

By this Tentative Order, we are requiring each utility subject to the reporting requirements of 52 Pa. Code §§ 27.10, 61.28, 63.36, 65.19, 59.48 and 57.47[1] to submit the Self Certification Form. The Self Certification Form shall be submitted as an appendix to Annual Financial Reports filed on or after January 1, 2004. For those utilities that are not subject to the previous annual financial reporting requirements, the Self Certification Form shall be submitted by each utility subject to the reporting requirements of 52 Pa. Code §§ 29.43, 31.10 and 33.103.[2] For these utilities, the Self Certification Form shall be submitted as an appendix to Annual Assessment Reports filed on or after January 1, 2004.

Although these annual reports are public documents, we recognize that a utility may want to seek proprietary treatment of the Self Certification Form under the Commission's Procedures Manual and 52 Pa. Code § 5.423 governing treatment of proprietary information. Customarily, requests to treat information as proprietary are automatically honored by the Commission unless and until challenged by a third party. In this case, to maintain the proprietary treatment, the utility must file for a protective order. By this Tentative Order, we direct the Secretary to grant, upon the Law Bureau's review and approval, petitions for protective order filed by a jurisdictional utility to maintain proprietary treatment of its completed Self Certification Form. Because of the potential security interests implicated by the release of a completed Self Certification Form, we find that the harm from release of the completed forms outweighs the public's interest in access to this information.

We direct the Secretary to supply Self Certification Forms to jurisdictional utilities upon request. Furthermore, we direct that blank Self Certification Forms be available on the Commission's website.

In addition to submittal of the Self Certification Form, each of our jurisdictional utilities should note that we intend, as necessary, to review how their security plans affect, and will in the future affect, the ability to provide service and facilities to the public.

We note that the Commission has explicit statutory authority to institute these reporting requirements and to carry out and enforce the purposes of the Public Utility Code in the public interest. 66 Pa.C.S. §§ 501 and 504. The subject matter that the Commission may examine and act on under the Public Utility Code is very broad and includes any issue, such as security, which, if left unaddressed, could pose a serious threat to the utilities' responsibility to provide safe and reliable utility service.

By this Tentative Order, we further advise that the Law Bureau, in conjunction with the Bureau of Fixed Utility Services and the Bureau of Transportation and Safety, will initiate a rulemaking to include the security self-certification reporting requirements as a permanent part of the Commission's regulations.

The HR 361 report stressed the importance of communicating with smaller and mid-sized companies regarding security issues and the sharing of best practices. While the Commission has made strides in this endeavor, more can and needs, to be done. Therefore, we direct that Commission staff develop an educational outreach component so that the purpose and intent of the Self Certification Form and additional information relative to the security, emergency response and business continuity plans are communicated to all companies. This outreach component should include trade associations representing the affected industries, existing working groups, such as the small water task force and any other opportunities that Commission staff deems appropriate.

[1] This group includes common carriers of passengers and/or household goods and jurisdictional telecommunications, electric, gas, steam heating and water/wastewater utilities.

[2] This group includes common carriers and forwarders of property and railroad carriers.

As a result of the foregoing and, upon full consideration of all the matters before us at this time, we determine that a self certification process for utility security programs should be instituted to determine the current and anticipated security compliance of all jurisdictional utilities; *Therefore,*

It Is Ordered That:

1. Utilities under the reporting requirements of 52 Pa. Code §§ 27.10, 61.28, 63.36, 65.19, 59.48 and 57.47 be required to complete and file the Self Certification Form appended to this Tentative Order as Appendix A with each Annual Financial Report filed on or after January 1, 2004.

2. Utilities not subject to the previous reporting requirements but subject to the reporting requirements of 52 Pa. Code §§ 29.43, 31.10 and 33.103 be required to complete and file the Self Certification Form appended to this Tentative Order as Appendix A with each Annual Assessment Report filed on or after January 1, 2004.

3. Blank Self Certification Forms be available to jurisdictional utilities from the Commission's website and from the Secretary.

4. Commission staff develop and implement an educational outreach program so that the purpose and intent of the Self Certification Form and additional information relative to the security, emergency response and business continuity plans are communicated to all companies.

5. Law Bureau, in conjunction with the Bureau of Fixed Utility Services and the Bureau of Transportation and Safety, initiate a rulemaking in an expedited manner to include the requirement for jurisdictional utilities to develop and maintain appropriate written physical and cyber security, emergency response and business continuity plans and the requirement for jurisdictional utilities to submit the security Selfcertification Form as part of the Commission's regulations.

6. Copies of this Tentative Order be provided to PEMA, the Pennsylvania Office of Homeland Security, DEP, the Energy Association of Pennsylvania, the Pennsylvania Telephone Association, the Pennsylvania Motor Truck Association, the Pennsylvania Bus Association, the Pennsylvania Taxicab and Paratransit Association, the Pennsylvania Moving and Storage Association, the Pennsylvania Limousine Association and the Commission jurisdictional respondents to HR 361.

7. This Tentative Order be published in the *Pennsylvania Bulletin* and posted on the Commission's website.

8. Interested parties' comments on this Tentative Order shall be filed within 20 days of publication date in the *Pennsylvania Bulletin*.

9. If no comments are filed to this Tentative Order by the end of the 20 day period, this Tentative Order shall become a Final Order.

JAMES J. MCNULTY,
Secretary

Appendix A

Annual Report of: Year Ended

Physical and Cyber Security Planning Self Certification

(Do Not Submit Actual Physical, Cyber, Emergency Response or Business Continuity Plans)

Item No.	Classification	Response (Yes—No—N/A*) or (Date)
1	Does your company have a physical security plan?	
2	Has your physical security plan been reviewed and updated in the past year?	
3	When was the most recent test of your physical security plan?	
4	Does your company have a cyber security plan?	
5	Has your cyber security plan been reviewed and updated in the past year?	
6	When was the most recent disaster recovery test of your cyber security plan?	
7	Has your company performed a vulnerability or risk assessment analysis as it relates to physical and/or cyber security? If so, when?	
8	Does your company have an emergency response plan?	
9	Has your emergency response plan been reviewed and updated in the past year?	
10	When was the most recent test of your emergency response plan?	
11	Does your company have a business continuity plan?	
12	Has your business continuity plan been reviewed and updated in the past year?	
13	When was the most recent test of your business continuity plan?	

* Attach a sheet with a brief explanation if N/A is supplied as a response to a question.

The foregoing certification must be verified by the officer having control of the security planning for the respondent.

I am authorized to complete this form on behalf of _____ [name of corporation/partnership/proprietorship] being the _____ [position] of this corporation/partnership/proprietorship and verify that the facts set forth above are true and correct to the best of my knowledge, information and belief. This verification is made pursuant to 52 Pa. Code § 1.36 and that statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Name of Officer: _____

Signature of Officer: _____

Phone Number of Officer: _____

Email Address of Officer: _____

[Pa.B. Doc. No. 03-1615. Filed for public inspection August 15, 2003, 9:00 a.m.]

Relief Plan for the 570 NPA

Public Meeting held
July 17, 2003

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Glen R. Thomas; Kim Pizzingrilli

Relief Plan for the 570 NPA; P-00961071F0002

Final Order

By the Commission:

Before the Commission is a petition that was filed on behalf of the Pennsylvania telecommunications industry on July 19, 2000, for approval of a relief plan to implement all services distributed overlay in the 570 area code. By this Order, we are dismissing the petition.

Background

History of the 570 NPA

On June 28, 1996, the telecommunications industry asked the Commission to decide how to relieve the shortage of numbering resources in the 717 Number Plan Area (NPA or area code) as the industry could not reach a consensus. Accordingly, the Commission opened a docket at P-00961071 that ultimately led to the creation of the 570 area code on May 21, 1998. The 570 NPA was a geographic split[1] of the 717 NPA and was activated on April 8, 1999. The geographic area covered by the 570 NPA is comprised of 21 northcentral counties and includes the Cities of Williamsport, Wilkes-Barre, Scranton and Stroudsburg.

Upon creation, the 570 NPA was projected to contain enough numbering resources to last for approximately 6 years before the entire NPA would exhaust. Unfortunately, this prediction was not accurate, and approximately 1 year later, the Commission was notified of the industry's consensus to implement an overlay over the 570 NPA by the filing of the petition currently before us.

On May 4, 2000, the industry was notified by the North American Numbering Plan Administrator (NANPA)[2] that relief planning for the 570 NPA was necessary. The unavailability of NXX codes[3] in an area code for assignment to telecommunications carriers leads to the exhaust of the area code. At that time, the projected exhaust date of the 570 NPA was the first quarter of 2002. Under the Industry Numbering Committee Guidelines (*INC Guidelines*),[4] the NANPA was required to prepare relief options for an NPA that was projected to exhaust within 36 months and to conduct an industry meeting with the goal of reaching industry consensus regarding the form of relief for the area code. Accordingly, a 570 NPA Relief Meeting was held on June 1, 2000, where the industry reached a consensus to implement an all services distributed overlay[5] for the 570 area code.

On July 19, 2000, NeuStar, as the neutral third party NPA Relief Planner for Pennsylvania, acting on behalf of the Pennsylvania telecommunications industry, filed a petition with the Commission requesting approval of its relief plan to implement an overlay for the geographic area covered by 570.

On September 15, 2000, the Commission entered a Tentative Order at the previously captioned docket seeking comments from interested parties regarding what type of relief should be implemented in the 570 NPA and when this relief should be implemented. In response, Verizon Pennsylvania Inc., Verizon Wireless, Sprint Communications Company, L. P. and The United Telephone Company of Pennsylvania, the Office of Consumer Advocate, the Lycoming County Planning Commission, State Representative Keith R. McCall and the Northeast Delegation[6] filed timely comments.

[1] A geographic split occurs when an existing area code is divided into two or more separate geographic areas where one area retains the existing NPA and the others receive new NPAs.

[2] A NANPA is the entity that allocates numbering resources and monitors the viability of area codes to determine when the numbers available in the area code are nearing exhaust. The *INC Guidelines* provide that when an area code is nearing exhaust, the NANPA, which then becomes the NPA Relief Planner, convenes a meeting of the industry to discuss relief alternatives. *NPA Code Relief Planning & Notification Guidelines*, INC97-0404-016, Nov. 13, 2000, at § 5.5. If the industry reaches a consensus, the consensus plan is filed with the Commission. *INC Guidelines* at § 5.6. Under Federal rules, the Commission has ultimate authority to approve or deny a relief plan. 47 CFR 52.19. The NANPA is NeuStar, Inc.

The *INC Guidelines* are developed by the Industry Numbering Committee of the Alliance for Telecommunications Industry Solutions. The Industry Numbering Committee is a standing committee that provides an open forum to address and resolve industry-wide issues associated with the planning, administration, allocation, assignment and use of resources and related dialing considerations for public telecommunications within the North American Numbering Plan area. The guidelines and recommendations are used by the NANPA in the management of numbering resources.

[3] An NXX code comprises 10,000 telephone numbers in a specific area code and is identified by the second three digits in a telephone number. Traditionally, telephone numbers were assigned to carriers by NXX code. Once those 10,000 numbers of the NXX code were assigned to a carrier, they were unavailable for assignment to any other carriers.

[4] *INC Guidelines* at §§ 5.0 and 5.5.

[5] A consensus is established when substantial agreement has been reached. Substantial agreement means more than a simple majority, but not necessarily unanimity. *CLC Principles and Procedures*, May 1998, at § 6.8.8. An overlay is when a new area code is introduced to serve the same geographic area as the existing area code. *NPA Code Relief Planning & Notification Guidelines*, INC97-0404-026, June 21, 2002, at § 6.3. With the overlay method, ten-digit local dialing is required by Federal rules. 47 CFR 52.19(c)(3)(ii).

[6] The Northeast Delegation is comprised of the following representatives: Phyllis Mundy, Luzerne County; John R. Gordner, Columbia County; Joseph W. Battisto, Monroe County; Fred Belardi, Lackawanna County; Robert E. Belfanti, Jr., Columbia/Montour/Northumberland Counties; Kevin Blaum, Luzerne County; Thomas R. Caltagirone, Berks County; Gaynor Cawley, Lackawanna County; Todd A. Eachus,

Because several of these commentators requested that the Commission schedule public input hearings to further discuss area code relief in the 570 NPA, we conducted four public input hearings on December 18, 2000, in Wilkes-Barre and December 19, 2000, in Williamsport. During these hearings, the Commission received testimony from State Representative Keith McCall, State Representative John T. Yudichak, Craig Rickard, Vincent Matteo, Howard Grossman, Mark Rutkowski, Henry O'Dell, David Hines, Ambrose Meletsky, Bill Kuklewicz, Mayor Thomas McCroarty, Jerry S. Walls, Allen Kaplin, Anthony Rampulla and Michael Ochs. Transcripts from these hearings were filed with the Commission on December 26, 2000, and January 3, 2001.

In addition to the testimony, the Commission received as exhibits letters from the following: R. Neil Henrie and Cora Maie Henrie, senior citizens from the Bloomsburg area; Representative John R. Gordner, State Representative from the 109th Legislative District; Ronald F. Kozma, Director of Columbia County Department of Public Safety; Natalie Duy, a citizen from Danville; Ed Edwards, President of the Bloomsburg Area Chamber of Commerce; Maureen E. Savitsky, a citizen from Danville; Crystal J. Fink, a citizen from Wilkes-Barre; and Gregory and Deborah Lutz, citizens from Mifflinville. Subsequently, other written comments were received by the Commission and filed in this docket. These comments were from State Senator Lisa Boscola, the Milton Area Chamber of Commerce and the Pocono Mountain Vacation Bureau.

Since the public input hearings, Pennsylvania NPAs, including 570, have experienced an unprecedented, efficient use of number resources due to the implementation of number conservation measures as 1,000-block number pooling[7] and NXX code reclamation.[8] The Commission implemented NXX code reclamation in the 570 NPA in August 2000, while mandatory 1,000-block pooling was implemented in February 2002.[9] Furthermore, the Federal Communications Commission (FCC) mandated that all wireless carriers participate in pooling as of November 24, 2002.[10] Presently, wireless carriers have implemented pooling and are participating in Pennsylvania's mandatory pools, including the pool in 570.

Projected Exhaust Date for the 570 NPA

Under the *INC Guidelines*, the NANPA is charged with the responsibility of predicting the expected exhaust period for an area code by analyzing the historical growth data available for the NPA as well as any expected changes to the NXX demands in the future.[11] As previously stated, once the NANPA projects the exhaust date for the NPA to occur within 36 months, the *INC Guidelines* require it to prepare relief options and to conduct industry meetings with the goal of reaching industry consensus regarding the form of relief for the NPA.

If during the period after the NANPA has filed an industry relief plan but prior to regulatory approval of that plan it is determined that the NPA will not exhaust in the next 5 years, a relief plan may be withdrawn.[12] In May 2003, the NANPA revised the projected exhaust date for the 570 NPA to the third quarter of 2008. Because this most recent projected exhaust date falls outside the 5-year period in the *INC Guidelines* and because the area code is not in jeopardy, the NANPA filed a letter with the Commission dated June 17, 2003, informing us that the relief plan was eligible to be withdrawn.

Discussion

As previously mentioned, the 570 NPA has experienced an unprecedented, efficient use of numbering resources due in large part to the diligent efforts of the Commission and others to implement mandatory 1,000-block pooling and NXX code reclamation. Since March 2002, around the time when 1,000-block pooling was implemented in 570, only two NXX codes per month on average have been assigned in the 570 area code. During this same time period, to date, nearly 20 NXX codes have been returned to the NANPA for use by other carriers in the 570 NPA. In May 2003, the NANPA reported that approximately 200 NXX codes are available for assignment to carriers in 570.[13] We believe that the decrease in code demands will continue in the 570 area code as 1,000-block number pooling continues and as unused NXX codes are reclaimed.

Based on our analysis of the current numbering resources in the 570 NPA, adequate resources exist for carriers to receive numbers in a timely fashion. Because of the current availability of numbering resources in 570, we believe there is good cause to dismiss the industry's petition for approval of its relief plan in the 570 NPA. The dismissal is consistent with the *INC Guidelines*, which specify that a relief plan may be withdrawn while the plan is pending, if it is determined that the projected exhaust date is more than 5 years away. This is exactly the case here with the most recent projected exhaust date of the third quarter of 2008 for the 570 NPA. *INC Guidelines* at § 5.10.

Moreover, we believe that the pending 570 relief plan is based on information that is outdated, which further warrants dismissal. As previously mentioned, the proposed relief plan for 570 was filed nearly 3 years ago in July 2000. Moreover, the comments regarding the proposed relief plan were filed in September 2000, while the public input hearings were held approximately 2 1/2 years ago in December 2000. Given the fluid nature of the numbering landscape including, inter alia, the more efficient allocation of numbering resources, the change of carriers doing business in Pennsylvania and the additional delegated numbering authority from the FCC, the Commission believes that more up-to-date information on the merits of the proposed 570 relief plan is needed. Based on the foregoing reasons, we dismiss the Neustar's relief plan for the 570 NPA.

As the case with relief planning for the 570 NPA illustrates, the situation in area codes is fluid and the implementation of number conservation measures can

Luzerne County; Robert Freeman, Northampton County; Richard T. Grucela, Northampton County; Edward J. Lucyk, Schuylkill County; Jennifer L. Mann, Lehigh County; Keith R. McCall, Carbon/Luzerne Counties; T. J. Rooney, Lehigh/Northampton Counties; Steve Samuelson, Northampton/Lehigh Counties; Dante Santoni, Jr., Berks County; Edward G. Staback, Lackawanna/Wayne Counties; Thomas M. Tigue, Luzerne/Monroe Counties; Jim Wansacz, Lackawanna County; and John T. Yudichak, Luzerne County.

[7] Thousand-block number pooling is the process by which a 10,000 block of numbers is separated into 10 sequential blocks of 1,000 numbers and allocated separately to providers within a rate center.

[8] NXX code reclamation involves the return of unused NXX codes to the NANPA. Within 6 months of receiving an NXX code, a carrier must assign at least one number to an end user or the entire NXX code must be returned to the NANPA. 47 CFR 52.15(g)(iii).

[9] See *Petition of Representative Keith R. McCall and Members of the Northeast Delegation of the Pennsylvania House of Representatives Requesting that Additional Authority be Delegated to the Pennsylvania Public Utility Commission to Implement Additional Number Conservation Measures*, CC Docket No. 99-200 and NSD-L-01-113 (Order released December 28, 2001). By order entered on August 9, 2001, at Docket No. M-00001427, the Commission, with the consensus of the industry, ordered the implementation of a voluntary pool in 570, which subsequently became mandatory at the direction of the FCC in the *McCall Order*.

[10] *In the Matter of Verizon Wireless' Petition For Partial Forbearance From the Commercial Mobile Radio Services Number Portability Obligation and Telephone Number Portability*, WT Docket 01-84, CC Docket No. 95-116 (Order adopted July 16, 2002).

[11] *INC Guidelines* at § 5.1.

[12] *INC Guidelines* at § 5.10.

[13] See the May 2003 *Code Assignment Activity Report* available on NANPA's website at http://www.nanpa.com.

alleviate the need to activate new area codes. The long-term effects of activating new area codes will be monumental for the telephone industry and consumers. As a threshold matter, there is only a finite amount of available area codes. When all of the states activate all of these area codes, the entire telephone network infrastructure will need to be redesigned to dramatically change local and long distance dialing patterns. Consequently, a continued emphasis needs to be placed on monitoring the specific situation in each of Pennsylvania's area codes to ensure that all available number conservation measures are implemented prior to seeking area code relief.

Accordingly, we encourage the industry, the statutory advocates and the NANPA to work together with the Commission to ensure that new area codes are not unnecessarily opened in this Commonwealth when other viable alternatives are available. To this end, we direct that future petitions for NPA relief filed with the Commission contain an analysis of both the number conservation measures for that NPA as well as specific information about the utilization of the NXX codes in that NPA; *Therefore,*

It Is Ordered That:

1. Neustar's petition filed with the Commission on behalf of the Pennsylvania telecommunications industry at the previous docket for approval of its relief plan for the 570 area code is dismissed.

2. In any future petition for NPA relief that is filed with the Commission, the industry must delineate in specific terms what number conservation measures have been implemented in the NPA, the success of these measures and the reasons why those or other number conservation measures will not alone lengthen the life of the area code.

3. During the relief planning stages of any NPA, the industry is to cooperate with Commission staff to provide specific and detailed information about the utilization of NXX codes in the NPA to ensure that the NXX codes already assigned in that NPA are being used as efficiently as possible.

4. A copy of this order shall be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-1616. Filed for public inspection August 15, 2003, 9:00 a.m.]

Relief Plan for the 717 NPA

Public Meeting held
July 17, 2003

Commissioners Present: Terrance J. Fitzpatrick, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Glen R. Thomas; Kim Pizzingrilli

Relief Plan for the 717 NPA; P-00961071F0003

Final Order

By the Commission:

Before the Commission is a petition that was filed on behalf of the Pennsylvania telecommunications industry on May 29, 2001, for approval of a relief plan to implement all services distributed overlay in the 717 area code. By this Order, we are dismissing the petition.

Background

History of the 717 NPA

On June 28, 1996, the telecommunications industry asked the Commission to decide how to relieve the shortage of numbering resources in the 717 Number Plan Area (NPA or area code) as the industry could not reach a consensus. Accordingly, the Commission opened a docket at P-00961071 that ultimately led to the creation of the 570 NPA on May 21, 1998. The 570 NPA was a geographic split[1] of the 717 NPA and was activated on April 8, 1999. The 717 NPA presently includes all or part of the following counties: Mifflin, Juniata, Perry, Dauphin, Lebanon, Berks, Fulton, Franklin, Cumberland, Adams, York and Lancaster.

In May 2000, the industry was advised by the North American Numbering Plan Administrator (NANPA)[2] that relief planning for the 717 NPA was necessary in light of the fact that the area code was expected to exhaust by the second quarter of 2001. The unavailability of NXX codes[3] in an area code for assignment to telecommunications carriers leads to the exhaust of the area code. Relief planning was necessary under the *INC Guidelines*,[4] which provide that when the projected exhaust date of an area code is to occur within 36 months, the NANPA is required to prepare relief options and to conduct an industry meeting with the goal of reaching industry consensus regarding the form of relief for the NPA.

On February 20, 2001, the NANPA notified the industry that a meeting was necessary to discuss relief alternatives for the 717 NPA. A meeting was convened on April 18, 2001. After discussion of several alternatives, the industry reached a consensus to adopt an all services distributed overlay[5] as the form of relief for the 717 NPA. By that time, the projected exhaust date for the 717 NPA was pushed back to the fourth quarter 2003 but was still within the 3-year time-period required by the *INC Guidelines*.

On May 29, 2001, Neustar, as the neutral third party NPA Relief Planner for Pennsylvania, acting on behalf of the Pennsylvania telecommunications industry, filed a petition with the Commission requesting approval of its relief plan to implement an overlay for the geographic area covered by 717.

[1] A geographic split occurs when an existing area code is divided into two or more separate geographic areas where one area retains the existing NPA and the others get new NPAs.

[2] A NANPA is the entity that allocates numbering resources and monitors the viability of area codes to determine when the numbers available in the area code are nearing exhaust. The *INC Guidelines* provide that when an area code is nearing exhaust, the NANPA, which then becomes the NPA Relief Planner, convenes a meeting of the industry to discuss relief alternatives. *NPA Code Relief Planning & Notification Guidelines*, INC97-0404-016, November 13, 2000 (*INC Guidelines*) at § 5.5. If the industry reaches a consensus, the consensus plan is filed with the Commission. Id. at § 5.6. Under Federal rules, the Commission has ultimate authority to approve or deny a relief plan. 47 CFR 52.19. The NANPA is NeuStar, Inc.

The *INC Guidelines* are developed by the Industry Numbering Committee of the Alliance for Telecommunications Industry Solutions. The Industry Numbering Committee is a standing committee that provides an open forum to address and resolve industry-wide issues associated with the planning, administration, allocation, assignment and use of resources and related dialing considerations for public telecommunications within the North American Numbering Plan area. The guidelines and recommendations are used by the NANPA in the management of numbering resources.

[3] An NXX code comprises 10,000 telephone numbers in a specific area code and is identified by the second three digits in a telephone number. Traditionally, telephone numbers were assigned to carriers by NXX code. Once those 10,000 numbers of the NXX code were assigned to a carrier, they were unavailable for assignment to any other carriers.

[4] *INC Guidelines* at §§ 5.0 and 5.5.

[5] A consensus is established when substantial agreement has been reached. Substantial agreement means more than a simple majority, but not necessarily unanimity. *CLC Principles and Procedures*, May 1998, at § 6.8.8. An overlay is when a new area code is introduced to serve the same geographic area as the existing area code. *NPA Code Relief Planning & Notification Guidelines*, INC97-0404-026, June 21, 2002, at § 6.3. With the overlay method, ten-digit local dialing is required by Federal rules. 47 CFR 52.19(c)(3)(ii).

On September 5, 2001, the Commission entered an Order at the previously captioned docket seeking comments from interested parties regarding what type of relief should be implemented in the 717 NPA and when this relief should be implemented. In response, the Pennsylvania Telephone Association, Verizon Pennsylvania, Inc. and Verizon North, Inc., the Office of Consumer Advocate (OCA) and the Office of Small Business Advocate filed timely comments with the Commission. The OCA filed timely reply comments.

While the industry relief plan has been pending before the Commission, Pennsylvania's NPAs, including 717, have experienced an unprecedented, efficient use of number resources due to the implementation of 1,000-block number pooling[6] and other number conservation measures such as NXX code reclamation.[7] The Commission implemented NXX code reclamation in the 717 NPA in August 2000, while we implemented mandatory 1,000-block pooling in the 717 NPA in March 2002.[8] Furthermore, the Federal Communications Commission (FCC) mandated that all wireless carriers participate in pooling as of November 24, 2002.[9] Presently, wireless carriers have implemented pooling and are participating in Pennsylvania's mandatory pools, including the pool in 717.

Projected Exhaust Date for the 717 NPA

Under the *INC Guidelines*, the NANPA is charged with the responsibility of predicting the expected exhaust period for an NPA by analyzing the historical growth data available for the NPA as well as any expected changes to the NXX demands in the future.[10] As previously stated, once the NANPA projects the exhaust date for the an NPA to occur within 36 months, the *INC Guidelines* require it to prepare relief options and to conduct industry meetings with the goal of reaching industry consensus regarding the form of relief for the NPA. In May 2003, the NANPA revised the projected exhaust date for the 717 NPA to the fourth quarter of 2007, more than 4 years away.

Discussion

As previously mentioned, the 717 NPA has experienced an unprecedented, efficient use of numbering resources due in large part to the diligent efforts of the Commission and others to implement mandatory 1,000-block pooling and NXX code reclamation. Since March 2002 when 1,000-block pooling was implemented, roughly 2 1/2 NXX codes per month on average have been assigned in the 717 area code, while since January 2003, only three NXX codes in total have been assigned to carriers in the 717 NPA. In addition, since March 2002, nearly 30 NXX codes have been returned to the NANPA for use by other carriers in the 717 NPA. Also, in May 2003, the NANPA reported that 191 NXX codes are available for assignment to carriers in 717.[11] We believe that the decrease in code demands will continue in the 717 area code as 1,000-block number pooling continues and as unused NXX codes are reclaimed.

Although the projected exhaust date of the 717 area code is not within the 5-year period for withdrawal of a relief plan as specified in section 5.10 of the *INC Guidelines*, we believe there is good cause to dismiss the NANPA's petition for approval of its relief plan in the 717 NPA under our delegated authority over NPA relief. 47 CFR 52.19(c)(3)(ii). Based on our analysis of the current numbering resources available in 717, adequate resources exist for carriers to receive numbers in a timely fashion. We further believe that more up-to-date information on the merits of the proposed 717 relief plan is necessary in light of the fact that the consensus plan is more than 2 years old. Based on the foregoing reasons, we dismiss the industry's relief plan for the 717 NPA.

As the case with relief planning for the 717 NPA illustrates, the situation in area codes is fluid and the implementation of number conservation measures can alleviate the need to activate new area codes. The long-term effects of activating new area codes will be monumental for the telephone industry and consumers. As a threshold matter, there is only a finite amount of available area codes. When all of the states activate all of these area codes, the entire telephone network infrastructure will need to be redesigned to dramatically change local and long distance dialing patterns. Consequently, a continued emphasis needs to be placed on monitoring the specific situation in each of Pennsylvania's area codes to ensure that all available number conservation measures are implemented prior to seeking area code relief.

Accordingly, we encourage the industry, the statutory advocates and the NANPA to work together with the Commission to ensure that new area codes are not unnecessarily opened in this Commonwealth when other viable alternatives are available. To this end, we direct that future petitions for NPA relief filed with the Commission contain an analysis of both the number conservation measures for that NPA as well as specific information about the utilization of the NXX codes in that NPA; *Therefore,*

It Is Ordered That:

1. Neustar's petition filed with the Commission on behalf of the Pennsylvania telecommunications industry at the previous docket for approval of its relief plan for the 717 area code is dismissed.

2. In any future petition for NPA relief that is filed with the Commission, the industry must delineate in specific terms what number conservation measures have been implemented in the NPA, the success of these measures and the reasons why those or other number conservation measures will not alone lengthen the life of the area code.

3. During the relief planning stages of an NPA, the industry is to cooperate with Commission staff to provide specific and detailed information about the utilization of NXX codes in the NPA to ensure that the NXX codes already assigned in that NPA are being used as efficiently as possible.

[6] Thousand-block number pooling is the process by which a 10,000 block of numbers is separated into 10 sequential blocks of 1,000 numbers and allocated separately to providers within a rate center.

[7] NXX code reclamation involves the return of unused NXX codes to the NANPA. Within 6 months of receiving an NXX code, a carrier must assign at least one number to an end user or the entire NXX code must be returned to the NANPA. 47 CFR 52.15(g)(iii).

[8] See *Petition of Representative Keith R. McCall and Members of the Northeast Delegation of the Pennsylvania House of Representatives Requesting that Additional Authority be Delegated to the Pennsylvania Public Utility Commission to Implement Additional Number Conservation Measures*, CC Docket No. 99-200 and NSD-L-01-113 (Order released December 28, 2001). By order entered on August 9, 2001, at Docket No. M-00001427, the Commission, with the consensus of the industry, ordered the implementation of a voluntary pool in 717, which subsequently became mandatory at the direction of the FCC in the *McCall Order*.

[9] *In the Matter of Verizon Wireless' Petition For Partial Forbearance From the Commercial Mobile Radio Services Number Portability Obligation and Telephone Number Portability*, WT Docket 01-84, CC Docket No. 95-116 (Order adopted July 16, 2002).

[10] *INC Guidelines* at § 5.1.

[11] See the May 2003 *Code Assignment Activity Report* available on NANPA's website at http://www.nanpa.com.

4. A copy of this order shall be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-1617. Filed for public inspection August 15, 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 applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg PA 17105-3265, with a copy served on the applicant by September 8, 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-00120004. Vernon A. Stoltzfus (12 Walnut Drive, Kirkwood, Lancaster County, PA 17566)—persons in paratransit service, between points in the County of Lancaster, and that portion of the County of Chester on and west of US Highway Route 10, and from points in said territory, to points in Pennsylvania, and return, limited to the transportation of persons whose personal convictions prevent them from owning or operating motor vehicles. *Attorney*: Neil L. Albert, 22 South Duke Street, Lancaster, PA 17602.

A-00120005. Franklin R. Little (983 Dry Wells Road, Quarryville, Lancaster County, PA 17566)—persons in paratransit service, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return, limited to the transportation of persons whose personal convictions prevent them from owning or operating motor vehicles.

A-00120009. Elizabeth Lewis t/d/b/a Lewis Transportation (301 Hillside Drive, Moscow, Lackawanna County, PA 18444)—persons, in paratransit service, between points in the Counties of Lackawanna, Wayne, Luzerne and Monroe.

A-00120011. Samuel D. Sims., Sr. (P. O. Box 13116, Reading, Berks County, PA 19612)—persons, upon call or demand, in the City of Reading, the Township of Muhlenberg and the Boroughs of Temple and Laureldale, all located in Berks County.

A-00120014. Frank Stoner Weidman (404 Bell Road, Christiana, Lancaster County, PA 17509)—persons, in paratransit service, between points in the Counties of Lancaster and Chester, and from points in said counties, to points in Pennsylvania, and return, limited to persons whose personal convictions prevent them from owning or operating motor vehicles.

A-00120012. Nagi Transportation, Inc. (1405 W. Pike Street, City and County of Philadelphia, PA 19140), a corporation of the Commonwealth—persons, in limousine service, between points in the City and County of Philadelphia and the Counties of Bucks, Montgomery and Delaware, and from points in said territory, to points in Pennsylvania, and return.

Application of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as *contract carriers* for the transportation of *household goods* as described under the application.

A-00096707, F.2. Premium Transportation Co. (6409 North 12th Street, Philadelphia, PA 19126), a corporation of the Commonwealth—household goods in use, between points in the Counties of Montgomery and Philadelphia, and from points in said counties, to points in Pennsylvania, and vice versa.

Application of the following for approval of the *additional right* and privilege of operating motor vehicles as *common carriers* for transportation of *persons* as described under the application.

A-00114103, Folder 2. John R. Stauffer t/d/b/a Stauffer Enterprise (82 Heyberger Road, Quarryville, Lancaster County, PA 17566)—persons, in paratransit service, between points in the Counties of Lancaster and Lebanon, and from points in said counties, to points in Pennsylvania, and return, limited to persons whose personal convictions prevent them from owning or operating motor vehicles.

Applications 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 each application.

A-00120017. YCG Acquisition Corporation t/d/b/a Yellow Cab of Greensburg (4 River Road, McKees Rocks, Allegheny County, PA 15136), a corporation of the Commonwealth, persons, upon call or demand: (1) in the City of Greensburg, the Boroughs of South Greensburg, Southwest Greensburg, Youngwood, New Stanton, Madison, Arona and Hunker, and the Township of Hempfield, all in Westmoreland County; with right no. 1 subject to the following condition: That no right, power or privilege is granted to transport train crews to or from the facilities of Consolidated Rail Corporation in the Borough of Youngwood, Westmoreland County; and (2) between points in the City of Jeannette, and within an airline distance of 3 statute miles of the limits of said city, the Boroughs of Penn and Adamsburg and the Township of Hempfield, all located in Westmoreland County; which is to be a transfer of all the rights held by Greensburg Yellow Cab, Co. t/d/b/a Yellow Cab of Greensburg at A-00106109, F.1, subject to the same limitations and conditions. *Attorney*: Marc Morley Kane, The Boggs Building, Suite 100, 116 Federal Street, Pittsburgh, PA 15212.

A-00120017, Folder 2. YCG Acquisition Corporation t/d/b/a Yellow Cab of Greensburg (4 River Road, McKees Rocks, Allegheny County, PA 15136), a corporation of the Commonwealth—persons, in paratransit service: (1) between points in the City of Greensburg, the Boroughs of South Greensburg, Southwest Greensburg, Youngwood, New Stanton, Madison, Arona, Hunker and Mt. Pleasant, the Townships of Hempfield, East Huntingdon and Mt. Pleasant, all located in Westmoreland County, to points in the Township of Hempfield, and within an airline distance of 5 statute miles of the limits of said township and return; and (2) between points in

the City of Jeannette, and the Boroughs of Delmont, Murrysville and Export, all in Westmoreland County, and from points in said city and boroughs, to points in Pennsylvania, and return; subject to the following conditions: (a) that no right, power or privilege is granted to transport persons who, due to chronic or acute physical or mental conditions, require pretrip preparations such as assistance in being dressed or lifted, or medical monitoring, or the use of medical appliances or equipment, or a medical escort during transit; (b) that no right, power or privilege is granted to provide service with vehicles having emergency vehicle registration plates or in vehicles operated by State certified emergency medical technicians; (c) that no right, power or privilege is granted to transport nonambulatory persons to or from medical appointments from the City of Jeannette, the Borough of Murrysville, except where service is provided under written agreements with Federal, State or local agencies and payment is made by those agencies; and (d) that carrier can only provide service to the curb at a person's residence and service cannot be provided if the person requires assistance in entering the person's residence; which is to be a transfer of all the rights held by Greensburg Yellow Cab, Co. t/d/b/a Yellow Cab of Greensburg at A-00106109, F. 2, subject to the same limitations and conditions. *Attorney*: Marc Morley Kane, The Boggs Building, Suite 100, 116 Federal Street, Pittsburgh, PA 15212.

Application of the following for *amendment* to the certificate of public convenience approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-00118717, Folder 1, Am-A. Sallie A. Bender (2056 Plank Road, P. O. Box 139, Carrolltown, Cambria County, PA 15722)—for the discontinuance of service and cancellation of her certificate—persons, in group and party service, in vehicles seating 15 passengers or less, including the driver, between points in the Counties of Blair, Cambria, Somerset, Clearfield, Westmoreland, Indiana, Bedford and Centre, and from points in said counties, to points in Pennsylvania, and return.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Bruce Stevenson t/a ABC Moving Service, 428 Harvy Street, Trenton, NJ 08868; Doc. No.: C-

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Bruce Stevenson, t/a ABC Moving Service, respondent, maintains its principal place of business at 428 Harvy Street, Trenton, NJ 08868.

2. That on the dates of the violations alleged in this complaint, respondent did not hold a certificate of public convenience issued by this Commission.

3. That respondent advertised in the 2002 Edition of the Verizon Directory Services, Inc., for the transportation of residential and commercial moving services without holding a certificate of public convenience. Penalty is $500.00.

4. That respondent advertised in the 2001 Edition of the Yellow Book USA, for local and long distance moving services without holding a certificate of public convenience. Penalty is $750.00.

5. That on November 15, 2002, at approximately 12:30 p.m., respondent held itself out to transport household goods on December 12, 2002, for Steve Posivak. Respondent quoted $100 per hour for four (4) men and a truck. Penalty is $1,000.00.

6. That respondent, on November 20, 2002, advertised on the internet at www.abcmove.com for local and long distance moving services without holding a certificate of public convenience. Penalty is $1,000.00.

7. That respondent, in performing the acts described in Paragraphs 3, 4, 5 and 6 of this complaint, violated the Public Utility Code, 66 Pa.C.S. § 1101, in that respondent held itself out to transport household goods for compensation between points in the Commonwealth of Pennsylvania while not then holding a certificate of public convenience issued by this Commission.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Bruce Stevenson, t/a ABC Moving Services, the sum of three thousand, two hundred fifty dollars ($3,250.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, hereby state that the facts set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____ _____
Michael E. Hoffman

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty (see B).

E. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine set forth in C, above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Technical Unit at (717) 783-5945.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-1618. Filed for public inspection August 15, 2003, 9:00 a.m.]

Telecommunications

A-310917F7001. Verizon North Inc. and Line Systems Inc. Joint petition of Verizon North Inc. and Line Systems Inc. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and Line Systems Inc., by its counsel, filed on August 4, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and Line Systems Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-1619. Filed for public inspection August 15, 2003, 9:00 a.m.]

Telecommunications

A-310932F7000. Verizon Pennsylvania Inc. and Broadview Networks, Inc. Joint petition of Verizon Pennsylvania Inc. and Broadview Networks, Inc. for approval of amendment no. 1 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Broadview Networks, Inc., by its counsel, filed on July 29, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 1 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Broadview Networks, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-1620. Filed for public inspection August 15, 2003, 9:00 a.m.]

Telecommunications

A-310963F7000. Verizon Pennsylvania Inc. and Cypress Communications Operating Company Inc. Joint petition of Verizon Pennsylvania Inc. and Cypress Communications Operating Company Inc. for approval of adoption of an interconnection agreement under section 252(i) and amendment no. 1 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Cypress Communications Operating Company Inc., by its counsel, filed on July 30, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement and amendment no. 1 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Cypress Communications Operating Company Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-1621. Filed for public inspection August 15, 2003, 9:00 a.m.]

Telecommunications

A-311182F7000. Verizon Pennsylvania Inc. and Line 1 Communications LLC d/b/a Direct Line Communications. Joint petition of Verizon Pennsylvania Inc. and Line 1 Communications LLC d/b/a Direct Line Communications for approval of an interconnection agreement under section 252(e)of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Line 1 Communications LLC d/b/a Direct Line Communications, by its counsel, filed on July 30, 2003, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Line 1 Communications LLC d/b/a Direct Line Communications joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-1622. Filed for public inspection August 15, 2003, 9:00 a.m.]

Water Service

A-210104F0034. Pennsylvania Suburban Water Company. Application of Pennsylvania Suburban Water Company for approval of: (1) the acquisition by Pennsylvania Suburban Water Company of the water system assets of Walter Horst trading as Pine Beach Water Supply; and (2) the right of Pennsylvania Suburban Water Company to begin to offer, render, furnish or supply water service to the public in an additional portion of Paupack Township, Wayne 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 September 2, 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: Pennsylvania Suburban Water Company

Through and By Counsel: Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 03-1623. Filed for public inspection August 15, 2003, 9:00 a.m.]