

NOTICES

DEPARTMENT OF AGRICULTURE

Order of Quarantine; Plum Pox Virus

Whereas, the Plant Pest Act (3 P. S. §§ 258.1—258.27) empowers the Pennsylvania Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests in this Commonwealth; and

Whereas, the powers granted the Department under the Plant Pest Act include (at 3 P. S. § 258.21) the power to establish quarantines to prevent the dissemination of plant pests within this Commonwealth; and

Whereas, Plum Pox Virus—a plant pest indigenous to Europe—is a serious plant pest that injures and damages stone fruits such as peaches, nectarines, plums and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point it is unmarketable; and

Whereas, the Department has issued an order of quarantine (published at 29 Pa.B. 5735, November 6, 1999) with respect to Latimore and Huntington Townships, in Adams County, as a result of the presence of Plum Pox Virus on stone fruit trees in those townships; and

Whereas, Plum Pox Virus has been detected on stone fruit trees located in South Middleton Township, in Cumberland County, adjoining the Latimore/Huntington Township quarantine area; and

Whereas, Plum Pox Virus has the potential to cause serious damage to the stone fruit production industry within this Commonwealth; and

Whereas, Plum Pox Virus is transmitted from infected trees by aphids and by budding or grafting, and can be spread into new areas by movement of infected nursery stock; and

Whereas, the movement of Plum Pox Virus-infected fruit trees poses a danger to stone fruit trees in non-infected areas; and

Whereas, there is no known control for Plum Pox Virus other than destruction of infected trees.

Now, therefore, under authority of section 21 of the Plant Pest Act (3 P. S. § 258.21), the Department of Agriculture hereby establishes a quarantine effective in South Middleton Township, Cumberland County, PA.

This quarantine prohibits the movement of stone fruit trees and stone fruit budwood within the quarantined area, and prohibits the movement of stone fruit trees and stone fruit budwood out of the quarantined area.

The Department will consult with the United States Department of Agriculture, European experts and scientific authorities with respect to the most efficacious measures by which to contain and eliminate this serious plant pest. The Department will issue further restrictions under authority of this Quarantine Order, as is required under the Plant Pest Act (at 3 P. S. § 258.21(a)). These restrictions may address aphid control, elimination or reduction of aphid habitat, destruction of Plum Pox Virus-infected stone fruit trees and budwood, destruction of endangered or exposed stone fruit trees or budwood and any other measures necessary to the containment and elimination of the Plum Pox Virus in this Commonwealth.

This quarantine is effective as of June 15, 2000.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 00-1129. Filed for public inspection June 30, 2000, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, 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 June 20, 2000.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-14-00	Fidelity Bancorp, Inc., Pittsburgh, to acquire 100% of the voting shares of Pennwood Bancorp, Inc., Pittsburgh	Pittsburgh	Approved

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-15-00	M&T Bank Corporation, Buffalo, New York, and Olympia Financial Corp., a wholly-owned subsidiary of M&T, to acquire 100% of Keystone Financial, Inc., Harrisburg, Pennsylvania, and thereby indirectly acquire Keystone Financial Bank, N.A., Harrisburg	Buffalo, NY	Filed
6-19-00	Penns Woods Bancorp, Inc., Jersey Shore, to acquire up to 19.9% of the voting shares of Columbia Financial Corporation, Bloomsburg	Jersey Shore	Filed

Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
6-14-00	Chelten Hills Savings Association Abington Montgomery County <i>To:</i> Chelten Hills Savings Bank Abington Montgomery County Application represents conversion from a State-chartered mutual savings association to a State-chartered mutual savings bank.	Abington	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-14-00	Fidelity Savings Bank, Pittsburgh, and Pennwood Savings Bank, Pittsburgh Surviving Institution—Fidelity Savings Bank, Pittsburgh	Pittsburgh	Approved
6-14-00	Port Richmond Savings, Philadelphia, and Jozef Poniatowski Building & Loan Association, Philadelphia Surviving Institution—Port Richmond Savings, Philadelphia	Philadelphia	Approved
6-20-00	Somerset Trust Company, Somerset, and Somerset Interim Bank, Somerset Surviving Institution—Somerset Trust Company, Somerset	Somerset	Approved

The merger is being effected solely to effect the acquisition of Somerset Trust Company by Somerset Trust Holding Company, a bank holding company in organization.

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-12-00	Jonestown Bank & Trust Company Jonestown Lebanon County	Lebanon Valley Brethren Home 1200 Grubb Road Palmyra Lebanon County (Limited Service Facility)	Opened
6-16-00	Summit Bank Bethlehem Northampton County	Pathmark Supermarket 8700 Frankford Ave. Philadelphia Philadelphia County	Opened
6-19-00	Wayne Bank Honesdale Wayne County	Lords Valley Plaza Route 729 Blooming Grove Twp. Pike County	Approved
6-19-00	Harleysville Savings Bank Harleysville Montgomery County	640 East Main St. Lansdale Montgomery County	Approved
6-19-00	The Peoples State Bank East Berlin Adams County	Intersection of U. S. Route 30 & Lincoln Street New Oxford Adams County	Approved
6-19-00	Wilmington Trust of Pennsylvania West Chester Chester County	116 East Court St. Doylestown Bucks County	Approved
6-19-00	Wilmington Trust of Pennsylvania West Chester	2 West Market St. West Chester Chester County	Approved
6-19-00	Peoples Home Savings Bank Beaver Falls Beaver County	101 Golfview Drive Center Township Beaver County	Filed
6-20-00	S & T Bank Indiana Indiana County	820 South Aiken Ave. Pittsburgh Allegheny County	Approved
6-20-00	S & T Bank Indiana Indiana County	Messenger Service to be operated within a 5-mile radius of the 820 South Aiken Avenue, Pittsburg, Branch.	Approved
6-30-00	Premier Bank Doylestown Bucks County	2100 Street Road Bensalem Bucks County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-19-00	Northwest Savings Bank Warren Warren County	<i>To:</i> 39 S. St. Marys St. St. Marys Elk County <i>From:</i> 201 Bruxelles St. St. Marys Elk County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-20-00	Pennview Savings Bank Souderton Montgomery County	<i>To:</i> 500 Harleysville Pk. Harleysville Montgomery County <i>From:</i> 503 Harleysville Pike Harleysville Montgomery County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 00-1130. Filed for public inspection June 30, 2000, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Availability of Workforce Investment Act, Title II, Section 223 Funds for State Leadership Activities for the period July 1, 2000—June 30, 2001

These services are designed to strengthen the Pennsylvania Adult Literacy and Basic Education programs operated by the Department of Education (Department), Bureau of Adult Basic and Literacy Education by providing Statewide support for leadership activities in Title II of the Workforce Investment Act described in the Unified State Plan 1999-2005.

I. Authorization

A. Title II of The Workforce Investment Act of 1998, The Adult Education and Family Literacy Act, provides funds to local eligible provider agencies through the Department for the establishment of adult education and family literacy programs that will:

1. Assist adults to become literate and obtain the knowledge and skills necessary for employment and self-sufficiency;
2. Assist adults who are parents to obtain the educational skills necessary to become full partners in the educational development of their children, and;
3. Assist adults in the completion of a secondary school education.

B. Eligible applicants include local education agencies and public or private nonprofit agencies, organizations and institutions. A for-profit agency is eligible to participate in the program only if it is part of a consortium with a local education agency or other eligible sponsor, with the nonprofit agency acting as fiscal agent. A for-profit organization must also have the capability and capacity to augment significantly the adult education services of such a consortium.

Consistent with the purpose of the Adult Education and Family Literacy Act, for Program Year 1999-2000, the Department will give primary consideration to programs for the educationally disadvantaged.

The Federal share of a grant will be 75% of the total cost of the program. The applicant must provide 25% match of the total cost of the program. The local match

may be in kind. Other Federal funds may not be used for the local match unless specifically identified as eligible for use as matching funds.

C. Restrictions placed upon the Department by the United States Department of Education on the administration of the grant include:

1. Not more than 12.5% of the State's allotment shall be used for State Leadership Activities.
2. Not more than 5% of a local applicant's grant may be used for administrative costs, unless a higher percent is approved in advance by the Bureau of Adult Basic and Literacy Education, Department of Education.

Application due: August 4, 2000

Note: The Bureau reserves the right to consider proposals received after the deadlines and, if appropriate, to approve them if and when funds become available.

II. *Application Procedures and Program Guidelines.* Applications for State Leadership funds must be completed on-line and submitted by the e-grant website at <http://www.e-grants.ed.state.pa.us> to the Bureau of Adult Basic and Literacy Education, Department of Education. Instructions and the Application Guidelines are available by ABLEsite at www.paadulted.org and by the e-grant sites.

III. Funds for State Leadership Activities are made available under section 222(a)(2) for one or more of the following activities:

1. The establishment or operation of professional development programs to improve the quality of instruction provided under local activities required under section 231(b).
2. The provision of technical assistance to eligible providers of adult education and literacy activities.
3. The provision of technology assistance, including staff training, to eligible providers of adult education and literacy activities to enable the eligible providers to improve the quality of such activities.
4. The support of State or regional networks of literacy resource centers.
5. The monitoring and evaluation of the quality of, and improvement in, adult education and literacy activities.
6. Incentives for a) program coordination and integration; and b) performance awards.

7. Developing and disseminating curricula.
8. Other activities of Statewide significance that promote the purpose of this title.
9. Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education and literacy activities, to adults enrolled in such activities.
10. Integration of literacy instruction and occupational skill training and promoting linkages with employers.
11. Linkages with postsecondary educational institutions.

Adult Education Newsletter

Provision of a general adult basic education newsletter to be published a minimum of six times at a length of

eight pages or more to disseminate information in areas of interest to adult basic education practitioners and program supporters in Pennsylvania. The areas may include but are not limited to professional development, program areas such as GED, ABE, ESL, Workplace, and Family Literacy and include adult education theory, best practices and awareness information. Applicant must establish an editorial review board and plan for a circulation of approximately 4,000 copies across the Commonwealth with distribution as requested by the Department.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 00-1131. Filed for public inspection June 30, 2000, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

APPLICATIONS RECEIVED UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

The application and related documents, proposed effluent limitations and special conditions, comments received and other information are on file and may be inspected and arrangements made for copying at the office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications for National Pollutant Discharge Elimination System (NPDES) permit to discharge to State waters.

Southeast Regional Office: Regional Manager, Water Management, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6130.

PA 0056383. Sewage, **Todd Rabenold**, 1241 Roundhouse Road, Quakertown, PA 18951.

This application is for renewal of an NPDES permit to discharge treated sewage from the small flow sewage treatment plant in Haycock Township, **Bucks County**. This is an existing discharge to an unnamed tributary to Dimple Creek. The receiving stream is classified for the following uses: warm water fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 2.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0053180. Sewage, **Montgomery Township Municipal Authority**, 1001 Stump Road, Montgomeryville, PA 18936.

This application is for renewal of an NPDES permit to discharge treated sewage from wastewater treatment plant in Montgomery Township, **Montgomery County**. This is an existing discharge to the Little Neshaminy Creek. The receiving stream is classified for the following uses: warm water fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 0.750 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	19	24	38
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	2.3		4.6
(11-1 to 4-30)	4.2		8.4
Nitrate & Nitrate (as N)	8.7		17.4
(7-1 to 10-31)			
Phosphorus (as P)	2.0		4.0
(4-1 to 10-31)			
Total Residual Chlorine	0.4		1.0
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 proposed effluent limits for Outfall 001, based on an average flow of 2.4 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	4.0		8.0
Nitrate and Nitrate	9		18
(7-1 to 10-31)			
Phosphorus	0.65		1.30
(4-1 to 10-31)			
Total Residual Chlorine	0.025		0.083
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 not in effect.

Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553.

PA-0062383. Industrial waste, SIC: 5499, **3 Springs Water Company**, 1800 Pine Run Road, Laurel Run, PA 18702.

This proposed action is for renewal of an NPDES permit to discharge treated process wastewater into an unnamed Tributary to Pine Creek in Laurel Run Borough, **Luzerne County**. The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the Danville Borough Water Company located on the Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of .0064 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		monitor and report	
pH		6.0 to 9.0 standard units at all times	

The EPA waiver is in effect.

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

PA 0088471. SIC Code 5171, Industrial waste. **Eldorado Properties Corp. (Middletown Petroleum Storage Terminal)**, 900 Eisenhower Boulevard, P. O. Box 2621, Harrisburg, PA 17105.

This application is for issuance of an NPDES permit for a new discharge of treated industrial waste to an unnamed tributary of Laurel Run, in Lower Swatara Township, **Dauphin County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Columbia Borough Water Company located in Columbia Borough, Lancaster County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfalls 001 and 002 for a design flow of 0.576 mgd and 0.720 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbons	—	monitor and report	—

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

PA 0020826. SIC Code 4952, Sewage, **Dover Township**, 2480 West Canal Road, Dover, PA 17315.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Little Conewago Creek, in Conewago Township, **York County**.

The receiving stream is classified for trout stocking fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Wrightsville Water Supply Company intake located in York County on the Susquehanna River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 8 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	1.5	XXX	3.0
(11-1 to 4-30)	4.5	XXX	9.0
Total Phosphorus	2.0	XXX	4.0
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is not in effect.

PA 0081442. SIC Code 8211, Sewage, **South Eastern School District (Kennard-Dale High School)**, P. O. Box 217, Fawn Grove, PA 17321.

This application is for issuance of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary to Falling Branch Creek, in Fawn Township, **York County**.

The receiving stream is classified for cold water fishes, recreation, water supply and aquatic life. The discharge is not expected to impact any potable water supply.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N		
(5-1 to 10-31)	3.5	7.0
(11-1 to 4-30)	10.5	21
Total Phosphorus	2	4
Total Residual Chlorine	0.12	0.40
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	3,000/100 ml as a geometric average	

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

PA 0111490. SIC Code 3231, Industrial waste, **Guardian Industries Corp.**, 6395 State Route 103 North, Building No. 35, Lewistown, PA 17044-2434.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to the Juniata River, in Granville Township, **Mifflin County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the United Water Company intake located on the Susquehanna River in Harrisburg, PA. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.3185 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	10	XXX	20
Oil and Grease	15	XXX	30
Total Residual Chlorine	1.0	XXX	2.0
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0 to 9.0 S.U. at all times		

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

PA 0088463. SIC Code 6514, Sewage, **David L. Miller**, R. R. 3, Box 236, Tyrone, PA 16686.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to an unnamed tributary to Gypsy Run, in Snyder Township, **Blair County**.

The receiving stream is classified for trout stocking, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was United Water Supply located in Susquehanna Township, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
Total Residual Chlorine	monitor and report	
Color	monitor and report	
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	100,000/100 ml as a geometric average	

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

PA 0022250. SIC Code 4952, Sewage, **Biglerville Borough Authority**, 33 Musselman Avenue, Biglerville, PA 17307.

This application is for amendment of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary to Conewago Creek in Butler Township, **Adams County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Wrightsville Water Supply Company located in York County on the Susquehanna River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.370 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	1.5	XXX	3.0
(11-1 to 4-30)	4.5	XXX	9.0
Total Phosphorus	2.0	XXX	4.0
Total Residual Chlorine	0.17	XXX	0.57
Total Copper	monitor and report	XXX	0.03
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliforms			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

The EPA waiver is in effect.

PA 0081019. SIC Code 3678, Industrial waste, **E. I. DuPont de Nemours, Inc.**, Fishing Creek Facility, Corporate Remediation Group, Barley Mill Plaza, Building 27, Lancaster Pike and Route 141, Wilmington, DE 19805.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary to Fishing Creek, in Fairview Township, **York County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Wrightsville Borough Authority on the Susquehanna located in Wrightsville Borough, York County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of .144 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XXX	XXX	XXX
pH		within limits of 6.0 to 9.0 S.U. at all times	
1,1-Dichloroethylene	.004	.008	.010
1,1-Dichlorethane		monitor and report	
1,2-Transdichloroethylene	0.39	0.78	0.98
1,1,1-Trichloroethane	0.68	1.36	1.70
Trichloroethylene	0.50	1.00	1.25
Tetrachloroethylene		monitor and report	
Chloroethane		monitor and report	

Persons may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

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

PA 0023159. Sewage, **Crescent-South Heights Municipal Authority**, Riverview Road, Glenwillard, PA 15046.

This application is for renewal of an NPDES permit to discharge treated sewage from the Crescent-South Heights Municipal Authority Sewage Treatment Plant in Crescent Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as the Ohio River, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Arco Chemical Company BV Plant on the Ohio River (RMP 29.5).

Outfall 001: existing discharge, design flow of 0.396 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	38		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 10-31)	200/100 ml as a geometric mean			
(11-1 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.

PA 0030881. Sewage, **Charleroi Area School District**, 100 Fecsen Drive, Charleroi, PA 15022.

This application is for renewal of an NPDES permit to discharge treated sewage from Charleroi Area School STP in Fallowfield Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an Unnamed Tributary of the Monongahela River, which are classified as a warm water fishery 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: PA American Water Company, Aldrich Station.

Outfall 001: existing discharge, design flow of .03 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	4.5			9.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	.24			.56
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0203971. Sewage, **Framar, Inc.**, 424 Jamie Drive, Belle Vernon, PA 15012.

This application is for renewal of an NPDES permit to discharge treated sewage from Cedarbrook Golf Course STP in Rostraver Township, **Westmoreland County**.

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

Outfall 001: new discharge, design flow of 0.0076 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.4			4.8
(11-1 to 4-30)	7.2			14.4
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				
(1st month—36th month)	monitor and report			
(37th month—expiration)	0.20			0.45

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
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.

Northwest Regional Office: Regional Manager, Water Management, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6942.

PA 0222151-Amendment No. 1. Industrial waste. **Crompton Corporation**, One American Lane, Greenwich, CT 06831.

This Departmental action is for revoke and reissuance of NPDES PA 0222151-Amendment No. 1, to discharge treated groundwater to Tunungwant Creek in Bradford, **McKean County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the PA/NY state line on Tunungwant Creek located at Bradford, McKean County, approximately 2.7 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of .367 mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
Total Iron			
Interim Limits	XX	XX	XX
*Final Limits	3.5	7	8.8
Oil and Grease	15		30
Dissolved Iron			7
pH	6.0 to 9.0 at all times		

* Refer to Schedule of Compliance on Page 19.

1. Final Technology based limitation for Total Iron
2. Chemical Additives Special Condition
3. Condition requiring operation of the interim groundwater pump and treatment facilities.
4. Condition requiring sludge removal and reporting.
5. Condition requiring influent sampling for total and dissolved iron.
6. Schedule of Compliance to meet Total Iron limitations.

The EPA waiver is in effect.

PA 0100757. Sewage. **Lakeview Mobile Estates**, Georgetown Road and Route 73, New Lebanon, PA 16145.

This application is for renewal of an NPDES Permit to discharge treated sewage to Mill Creek in New Lebanon Borough, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Franklin General Authority on French Creek located at Franklin, approximately 14.5 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.02 mgd, are:

Parameter	Monthly Average (mg/l)	Weekly Average (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	monitor and report		
CBOD ₅	25		50
TSS	30		60
Ammonia			
(5-1 to 10-31)	7.5		15
(11-1 to 4-30)			
Fecal Coliform			
(5-1 to 9-30)	200/100 ml		
(10-1 to 4-30)	6,400/100 ml		
Total Residual Chlorine	0.81		1.88
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

PA 0221627. Sewage, **Dennis and Anna Bowser**, Tri-Lane Mobile Home Park, R. D. 7, Mercer, PA 16137.

This application is for renewal of an NPDES Permit, to discharge treated waste to an Unnamed Tributary to Little Neshannock Creek in Lackawannock Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: trout stocked fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Municipal Authority of North Sewickley on the Beaver River located at North Sewickley Township, approximately 35 miles downstream from point of discharge.

Existing treatment consists of the following: aerated septic tanks and unaerated septic tanks, dosing intermittent sand filtration, tablet chlorination and discharge.

Outfall No. 001

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	1.5	3
(11-1 to 4-30)	4.5	18
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,200/100 ml as a geometric average	
Total Residual Chlorine	0.38	0.89
Dissolved Oxygen	minimum of 5.0 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

Applications under the Pennsylvania Clean Streams Law (Part II Permits)

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department).

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following name, address and telephone number; identification of the plan or application to which the protest is addressed; and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest or protests. Each commentator will be notified in writing of the time and place if a hearing or conference concerning the plan or action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit application and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483.

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

Applications received for industrial waste and sewerage applications under The Clean Stream Law (35 P. S. §§ 691.1—691.1001).

Southcentral Regional Office: Water Management Program Manager, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110-8200, (717) 705-4707. Persons who wish to review any of these applications should contact Mary DiSanto at (717) 705-4732.

A. 0600407. Sewage submitted by **Brush Wellman Corporation**, P. O. Box 973, Reading, PA 19603 in Perry Township, **Berks County** to construct an effluent pipe line was received in the Southcentral Region on June 12, 2000.

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

A. 6500406. Sewerage, **Greater Greensburg Sewage Authority**, P. O. Box 248, Greensburg, PA 15601-0248. Application for the replacement of an existing sanitary sewer line to serve the Saybrook Interceptor located in Hempfield Township, **Westmoreland County**.

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.

WQM Permit No. 1600403. Sewage. **Kalyumet Campground**, R. R. 1, Box 672, Lucinda, PA 16235. This project is for the construction and operation of a small flow treatment facility located in Highland Township, **Clarion County**.

**INDIVIDUAL PERMITS
(PAS)**

NPDES INDIVIDUAL

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. The proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision of 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments reviewed within this 30-day permit will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

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

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the office noted above the application.

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

Southeast Regional Office: Regional Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6130.

NPDES Permit PAS10-G421. Stormwater. **Ambassador Homes**, 977 East Schuylkill Road, Pottstown, PA 19465, has applied to discharge stormwater from a construction activity located in North Coventry Township, **Chester County**, to Schuylkill River (HQ-TSF).

Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.

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

NPDES Permit PAS10Q203. Stormwater. **Bracy, Inc., t/a Wood Technologies**, Christopher W. Bracy, 5412 Shimerville Rd., Emmaus, PA 18049, has applied to discharge stormwater from a construction activity located in Upper Milford Township, **Lehigh County**, to Little Lehigh Creek, HQ-CWF.

Luzerne County Conservation District, District Manager, 485 Smith Pond Road, Lehman, PA 18627-0250, (717) 674-7991.

NPDES Permit PAS10R036. Stormwater. **Chris L. Rau**, HC2, Box 2537, Jim Thorpe, PA 18229, has applied to discharge stormwater from a construction activity located in Dennison Township, **Luzerne County**, to Mill Creek.

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 657-4707.

Franklin County Conservation District, District Manager, Franklin County CD, 550 Cleveland Avenue, Chambersburg, PA 17201, (717) 264-8074.

NPDES Permit PAS-10-M106. Stormwater. **Antrim Township Municipal Authority**, 10655 Antrim Church Road, Greencastle, PA 17225 has applied to discharge stormwater from a construction activity located in Antrim Township, **Franklin County**, to Mudd Run.

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

NPDES Permit PAS101023. Stormwater. **Portage Borough Municipal Authority**, 606 Cambria Street, Portage, PA 15946 has applied to discharge stormwater from a construction site located in Portage Borough, Portage Township and Cassandra Borough, **Cambria County** to Bens Creek, HQ-CWF, Little Conemaugh River, CWF and Spring Run, CWF.

SAFE DRINKING WATER

Applications received under the Pennsylvania Safe Drinking Water Act, (35 P. S. §§ 721.1—721.17).

Southeast Regional Office: Sanitarian Regional Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6130.

A. 4600506. Public water supply. **Audubon Water Company**, 2650 Eisenhower Drive, Norristown, PA 19403. This proposal involves the construction of a booster pump station in Lower Providence Township, **Montgomery County**.

Regional Office: Northcentral Field Operations, Environmental Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.

A. Minor Amendment. The Department has received a permit application from **McClure Municipal Authority**, P. O. Box 138, McClure, PA 17841, Borough of McClure, **Snyder County**. The application is for construction of a 290,000 gallon water storage tank.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

Sections 302—304 and 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 any 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 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, or 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)(l)(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 as 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, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.

Region Oil Company, South Centre Township, **Columbia County**. Storb Environmental, Inc. on behalf of their client, Region Oil Company, 900 Eisenhower Boulevard, Middletown, PA 17057, have submitted a Notice of Intent to Remediate soil contaminated with lead. The applicant proposes to remediate the site to meet the Statewide health standard. See Preamble 2 of this issue for additional information. A summary of the Notice of Intent to Remediate was reported to have been published in *The Press-Enterprise* on April 6, 2000.

SOLID AND HAZARDOUS WASTE

REQUEST FOR PROPOSALS FOR MUNICIPAL SOLID WASTE CAPACITY

The following notice is placed through the Department of Environmental Protection as required by section 502(d) of Act 101 of 1988: the Municipal Waste Planning, Recycling and Waste Reduction Act

Request for Proposals for Municipal Solid Waste Capacity

Beaver County through the Department of Waste Management is soliciting disposal/processing facilities to provide all or part of the disposal capacity required annually for Beaver County municipal waste for the next 10 years. Interested parties should contact the Beaver County Department of Waste Management at (724) 843-9450 to obtain a copy of the Facility Qualification Request, which will be used to qualify facilities to participate in the Beaver County Municipal Waste Management Plan. Responses to the Facility Qualification Requests must be submitted on or before July 31, 2000 at 3 p.m.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor 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.

Notice is hereby given that the Department has received applications for plan approvals and/or operating permits from the following facilities. Although the sources covered by these applications may be located at a major facility, the sources being installed or modified do not trigger major new source review or prevention of significant deterioration requirements.

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

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the

date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with Department Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

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

OPERATING PERMITS

Applications received and intent to issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001–4015).

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

40-31-029B: Gemark Service Corp. (99 Stevens Lane, Exeter, PA 18643) for operation of a polyester recovery system and associated air cleaning device in Exeter Borough, **Luzerne County**.

39-318-102: American Atelier, Inc. (301 North Front Street, Allentown, PA 18102) for operation of furniture paint spray booths in Allentown, **Lehigh County**.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

28-05021: The Lane Construction Corp. (P. O. Box 215, Willow Hill, PA 17271) for a Synthetic Minor Operating Permit for a drum mix asphalt plant in Fannett Township, **Franklin County**.

36-03076: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506-0550) for a Natural Minor Operating Permit for crushed and broken limestone quarrying operations in East Earl Township, **Lancaster County**.

67-03076: Oakworks, Inc. (923 East Wellspring Road, New Freedom, PA 17349) for a Natural Minor Operating Permit for three adhesive spray booths and one lacquer sealer spray booth at its massage therapy equipment manufacturing facility in Hopewell Township, **York County**.

67-05003: Mastercraft Specialties, Inc. (800 Maple Street, Red Lion, PA 17356) for a Synthetic Minor Operating Permit for a wood furniture manufacturing facility in Red Lion Borough, **York County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-10-021E: Indspec Chemical Corp. (133 Main Street, P. O. Box 307, Petrolia, PA 16050) for operation of a 9500 gallon resorcinol storage tank in Petrolia, **Butler County**.

PA-10-021F: Indspec Chemical Corp. (133 Main Street, P. O. Box 307, Petrolia, PA 16050) for operation of Nos. 3 & 4 Kiln in Petrolia, **Butler County**.

PA-10-037A: Witco Corp. (Route 268, P. O. Box 336, Petrolia, PA 16050) for operation of a V5 flash drum first stage flare in Fairview Township, **Butler County**.

PA-10-037B: Witco Corp. (Route 268, P. O. Box 336, Petrolia, PA 16050) for operation of a D-204 fractionator vent in Fairview Township, **Butler County**.

PA-10-037C: Witco Corp. (Route 268, P. O. Box 336, Petrolia, PA 16050) for operation of a V63 low pressure spray chamber 2nd stage flare in Fairview Township, **Butler County**.

PA-10-037D: Witco Corp. (Route 268, P. O. Box 336, Petrolia, PA 16050) for operation of a lo cat hydrogen recovery unit vent in Fairview Township, **Butler County**.

PA-10-037E: Witco Corp. (Route 268, P. O. Box 336, Petrolia, PA 16050) for operation of a H-1 feed heater in Fairview Township, **Butler County**.

PA-10-285A: Waste Management Disposal Services of PA, Northwest Sanitary Landfill (1436 West Sunbury Road, West Sunbury, PA 16061) for operation of a cell 4-A1 realignment in Clay Township, **Butler County**.

10-307-041A: Bear Metallurgical Corp. (679 East Butler Road, Butler, PA 16001) for operation of ferromolybdenum/ferrovanium products by thermite process in Summit Township, **Butler County**.

10-312-013A: Witco Corp. (Route 268, P. O. Box 336, Petrolia, PA 16050) for operation of a H2 stripper heater in Fairview Township, **Butler County**.

PA-16-130A: Eden, Inc. (Route 338, P. O. Box Y, Knox, PA 16232) for operation of two paint spray booths in Knox, **Clarion County**.

PA-25-069C: Engelhard Corp. (1729 East Avenue, Erie, PA 16503) for operation of a sphere plant loader in Erie, **Erie County**.

PA-25-124A: Mayer Brothers Construction Co. (1902 Cherry Street, Erie, PA 16502) for operation of a batch asphalt plant in Erie, **Erie County**.

PA-25-971A: Erie Plating Co. (656 West 12th Street, P. O. Box 2002, Erie, PA 16512) for operation of a chromic acid anodizing tank in Erie, **Erie County**.

PA-25-971B: Erie Plating Co. (656 West 12th Street, P. O. Box 2002, Erie, PA 16512) for operation of decorative chrome plating tanks in Erie, **Erie County**.

PA-25-971C: Erie Plating Co. (656 West 12th Street, P. O. Box 2002, Erie, PA 16512) for operation of plating tanks in Erie, **Erie County**.

PA-25-987A: Hanes Erie, Inc. (7601 Klier Drive, Fairview, PA 16415) for operation of paint spray booths in Fairview Township, **Erie County**.

PA-33-002B: Owens-Brockway Glass Container (Route 219, E & R Building, Brockway, PA 15824) for operation of a glass melting furnace in Snyder Township, **Jefferson County**.

PA-37-051C: Reactive Metals and Alloys Corp. (Route 168, P. O. Box 366, West Pittsburg, PA 16160) for operation of pmc 4 cyclone for metal grinding in Taylor Township, **Lawrence County**.

PA-37-264D: Ellwood Quality Steels Co. (700 Moravia Street, New Castle, PA 16101) for operation of a natural gas fired furnace in New Castle, **Lawrence County**.

PA-37-243A: International Metals Reclamation Co. (245 Portersville Road, P. O. Box 720, Ellwood City, PA 16117) for operation of a rotary calciner thermal oxidation furnace in Ellwood City, **Lawrence County**.

PA-37-268A: Commercial Asphalt Supply, Inc. (State Route 108, R. D. 3, Box 353, Slippery Rock, PA 16057) for operation of a drum mix asphalt plant in Scott Township, **Lawrence County**.

PA-37-279A: Lindy Paving Co. (Route 168, Eastbrook Site, R. D. 3, Northgate Industrial Park, New Castle, PA 16101) for operation of a drum mix asphalt plant in Hickory Township, **Lawrence County**.

PA-43-317A: Lindy Paving, Inc. (Mercer Plant, R. D. 3, Northgate Industrial Park, New Castle, PA 16105) for operation of a drum mix asphalt plant in Wolf Creek Township, **Mercer County**.

PA-43-319A: Sharon Tube Co. Wheatland (20 Church Street, Sharon, PA 16146) for operation of a cold draw facility in Wheatland, **Mercer County**.

43-308-008B: Cobra Metals, Inc. (3rd Street and Brentwood Avenue, Transfer, PA 16154) for operation of a rotary furnace in Pymatuning Township, **Mercer County**.

PA-61-004B: Electralloy A GO Carlson, Inc. (175 Main Street, P. O. Box 381, Oil City, PA 16301) for operation of a granular metal process in Oil City, **Venango County**.

25-00267: American Meter Co. (920 Payne Avenue, Erie, PA 16512-1251) for approval of a Natural Minor Operating Permit for surface coating and various natural gas-fueled sources in the City of Erie, **Erie County**.

42-00177: Bradford Forest (Products), Inc. (444 High Street, Bradford, PA 16701-0369) for approval of a Natural Minor Operating Permit for two wood-fired boilers and sawmill/woodworking operations in Bradford Township, **McKean County**.

NM-25-00268: Steris Corp. (2424 West 23rd Street, Erie, PA 16512) for a Natural Minor Operating Permit for combustion units, grinding operations, welding operations, painting operations, small hospital sterilizer testing operations and gluing operations in Millcreek Township, **Erie County**.

Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V operating permits).

Appointments to review copies of the Title V application, proposed permit and other relevant information must be made by contacting Records Management at the regional office telephone number noted. For additional information, contact the regional office noted.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the persons submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

15-00045: Sealed Air Corp. (22 Meredith Court, Modena, PA 19358) located in Modena Borough, **Chester County**. The facility's major emission points include a boiler rated at 46 MMBtu/hr which emit major levels of PM and Sulfur Oxides.

46-00014: Knoll, Inc. (1235 Water Street, East Greenville, PA 18041) located in Upper Hanover Township, **Montgomery County**. The facility's major emission points include: 18-spray booths, incinerator, woodworking processes, and fluidized bed burner which emit major levels of Volatile Organic Compounds (VOCs), some hazardous air pollutants, and Nitrogen Oxides.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

TVOP-49-00024: Celotex Corp., Sunbury Plant (1400 Susquehanna Avenue, Sunbury, PA 17801) for their fiberboard manufacturing facility located in Sunbury Borough, **Northumberland County**. The facility's major sources include two steam boilers, a fiberboard production process and a fiberboard dryer, which have the potential to emit major quantities of Particulate Matter (PM), Sulfur Oxides (SOx), Volatile Organic Compounds (VOCs), and Hazardous Air Pollutants (HAPs). As a result of the potential emissions, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G. The facility is also subject to Reasonably Available Control Technology (RACT) requirements for VOC emissions. The facility's potential emissions for carbon monoxide (CO) are below the major emission thresholds. The permittee has also taken a facility wide nitrogen oxides (NOx) emission restriction below major emission thresholds.

Southeast Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

TV-04-00044: Zinc Corp. of America (300 Frankfort Road, Monaca, PA 15061) for their primary zinc smelter and powder facility in Potter Township, **Beaver County**. Company operates pyrometallurgical furnaces, a roaster, sinter line and two coal fired boilers to produce zinc and zinc oxide at the site.

Nitrogen Oxides (NOx) Allowance Program

Proposed Revisions to Title V/State Only Operating Permits to include conditions relating to NOx allowance requirements in 25 Pa. Code §§ 123.101—123.120

The Department of Environmental Protection (Department) intends to revise existing Operating Permits to include revised allocations under the provisions of 25 Pa. Code §§ 123.101—123.120 (relating to NOx allowance requirements). These regulations establish a NOx budget and a NOx allowance trading program for NOx affected sources for the purpose of achieving the health-based ozone ambient air quality standard. A NOx affected

source is defined as a fossil fuel fired indirect heat exchange combustion unit with a maximum rated heat input capacity of 250 MMBtu/hour or more and all fossil fuel fired electric generating facilities rated at 15 megawatts or greater or any other source that voluntarily opts to become a NOx affected source.

The permittee has requested that the Department include the GP F-2 Unit as an opt-in source in accordance with 25 Pa. Code § 123.116. The Department is proposing to modify their permit to include this source and provide NOx allowances based on the average NOx emissions from the previous two NOx control periods.

Persons wishing to file protests or comments on the proposed revised operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed permits. Any comments or protests filed at the following address must include a concise statement of the objections to the issuance of the 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* and a newspaper of general circulation, where the facility is located, at least 30 days prior to the date of the hearing.

Copies of the proposed permits and other relevant information are available for review at the following address:

Bureau of Air Quality, Division of Permits, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

95-038: Sun Oil (3144 Passyunk Ave., Philadelphia, PA 19145-5208) located in the City of Philadelphia, **Philadelphia County**.

NOx affected Source(s):

GP F-2 Point ID: Allowance: 51

The following items were printed improperly in the June 17, 2000 issue of the Pennsylvania Bulletin:

Applications received and intent to issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

54-320-001A: OMNOVA Solutions, Inc. (95 Hickory Drive, Auburn, PA 17922) for operation of a surface coating line and mixing room and associated air cleaning device in West Brunswick Township, **Schuylkill County**.

Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V operating permits).

Appointments to review copies of the Title V application, proposed permit and other relevant information must be made by contacting Records Management at the

regional office telephone number noted. For additional information, contact the regional office noted.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the person submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

TV-04-00059: Koppel Steel Corp. (P. O. Box 750, Beaver Falls, PA 15010) for a steel melting operation and subsequent production of hot rolled bars in both carbon and alloy grades in Beaver Falls, **Beaver County**. The melt shop features an electric arc furnace, a ladle refining station and a continuous caster. Other sources include a rotary hearth furnace and other natural gas sources that support the steel making operations. The facility has the potential to emit greater than 100 tons of the following pollutants: oxides of nitrogen (NOx), carbon monoxide, sulfur of oxides and volatile organic compounds respectively.

TV-30-00072: Consol Pennsylvania Coal Co. (1800 Washington Road, Pittsburgh, PA 15201) for their coal preparation and thermal drying facility in Richhill Township, **Greene County**. As a result of the potential levels of VOC, NOx, CO, PM-10, and SOx emitted from this facility it is a major stationary source as defined in Title I, Part D of the Clean Air Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

TV-32-00059: Conemaugh Station Owners Group/Sithe Northeast (1001 Broad Street, P. O. Box 1050, Johnstown, PA 15907-1050) for the 1700 megawatt coal-fired power plant (Conemaugh Power Plant) in Johnstown, **Indiana County**. There are two identical 850-MW steam turbine generators, three auxiliary boilers and four oil-fired diesel generators at this plant. As a result of the levels of the emissions from this facility, it is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

PLAN APPROVALS

Applications received and intent to issue Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

PA-09-0103A: W. A. Schmidt, Inc. (38 Souderton Pike, Franconia, PA 18924) for construction of a spray paint conveyor line in Franconia Township, **Montgomery County**.

PA-46-0013: Hatfield Quality Meats (2700 Funks Road, Hatfield, PA 19440) for modification of a scrubber in Hatfield Township, **Montgomery County**.

PA-15-0074A: R. A. Ferris & Co., Inc. (899 Fern Hill Road, West Chester, PA 19380) for a gas fired cremation unit in West Goshen Township, **Chester County**.

PA-46-0011C: Bethlehem Lukens Plate (Conshohocken Road, Conshohocken, PA 19428) for modification of Reheat Furnace No. 1 in Plymouth Township, **Montgomery County**.

PA-23-0040A: Laurel Pipe Line Co., L.P. (3398 Garnet Mine Road, Boothwyn, PA 19061) for Petroleum Pipeline Breakout Tanks in Bethel Township, **Delaware County**.

PA-46-0206: Merck & Co., Inc. (1180 Church Road, Lansdale, PA 19446) for installation of two 400 kW Emergency Generators in Lansdale Borough, **Montgomery County**.

23-312-215GP: Baker Petrolite Corp. (4th and Saville Avenue, Eddystone, PA 19022) for modification of storage tanks in Eddystone Borough, **Delaware County**.

23-323-004GP: PyroPure, Inc., t/a Pyromet (5 Commerce Drive, Aston, PA 19014) for construction of Burn-Off Ovens in City of Chester, **Delaware County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-24-083D: Carbone of America Industries Corp. (215 Stackpole Street, St. Marys, PA 15857) for construction of two carbon beehive kilns with incineration control and a single packed bed scrubber for sulfur control at a Title V facility in St. Marys, **Elk County**.

PA-25-066C: AKW L.P. (1015 East 12th Street, Erie, PA 16503) for construction of a set of aluminum solution and double age furnaces with a quench tank in the City of Erie, **Erie County**.

42-399-015A: Temple-Inland Forest Products Corporation—Mt. Jewett (R. D. 2, Hutchins Road, Mt. Jewett, PA) for replacement of the electrified filter bed units with three new wet ESP's to control emissions from the dryers located at the Particleboard Manufacturing Facility in Mt. Jewett Boro, **McKean County**. The facility is a Title V Facility.

42-399-027B: Temple-Inland Forest Products Corporation—Mt. Jewett (R. R. 2, Hutchins Road, Mt. Jewett, PA) for installation of a new wet ESP and RTO to control emissions from the first stage dryer located at the Medium Density Fiberboard Manufacturing Facility in Mt. Jewett Boro, **McKean County**. The facility is a Title V Facility.

PA-42-176E: Temple-Inland Forest Products Corporation—Mt. Jewett (R. D. 2, Hutchins Road, Mt. Jewett, PA) for post construction of the start-up refiner located at the Medium Density Fiberboard Manufacturing Facility in Mt. Jewett Boro, **McKean County**. The facility is a Title V Facility.

PA-42-176F: Temple-Inland Forest Products Corporation—Mt. Jewett (R. D. 2, Hutchins Road, Mt. Jewett, PA) for construction of a transfer line from the saw trim silo to the chip silo as part of a recycling effort to reuse process waste located at the Medium Density Fiberboard Manufacturing Facility in Mt. Jewett Boro, **McKean County**. The facility is a Title V Facility.

PA-42-176G: Temple-Inland Forest Products Corporation—Mt. Jewett (R. D. 2, Hutchins Road, Mt. Jewett, PA) for fuel change for the Westec Dryer, Westec Coen, Geka Standby and Geka Main from sander dust to natural gas only located at the Medium Density Fiberboard Manufacturing Facility in Mt. Jewett Boro, **McKean County**. The facility is a Title V Facility.

Public Notification to Solicit Comments on Plan Approval Application No. PA-09-0028C

Under 25 Pa. Code § 127.44, the Department of Environmental Protection (Department) is soliciting comments on the proposed Air Quality Plan Approval for Fibermark, Inc. (Company), 45 North Fourth Street, Borough of Quakertown, Bucks County, PA, for the installation of Surface Coater No. 11. Surface Coater No. 11 is described in the Company's plan approval application of April 14, 2000, and subsequent supplemental submissions.

Copies of the application, technical review by the Department, and other supporting documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at (610) 832-6268, for an appointment.

Based on the information provided by the applicant and the Department's own analysis, the proposed surface coater No. 11 would emit:

<i>Pollutant</i>	<i>Emission Rate, tpy</i>
Nitrogen Oxides	7.4 tons per year
Volatile Organic Compounds	20 tons per year

In order to assure compliance with the applicable standards, the Department has placed the following conditions in the proposed Plan Approval:

1. *Operational Limitations*

A. The company shall install, operate and maintain the low NOx burners according to the manufacturer's specifications as well as good air pollution control practices.

B. The company shall control the emissions of nitrogen oxides from surface coater No. 11 by the use of low NOx burners on the drying section of the coater.

C. The company shall combust only natural gas in the low NOx burners of the drying sections of surface coater #11.

D. The company shall limit the VOC content of the coatings, as applied, to 0.05 lb of VOC/gallon of coating (minus water and exempt solvent), or less.

E. The company shall limit the application of coating on surface coater No. 11 to 400 gallons per hour, or less.

F. The company shall observe the following work practices when handling VOC containing solvents.

i. Virgin and waste solvents shall be stored in covered containers.

ii. The cover of the solvent containers shall be closed after the rag/applicator has been dipped in the solvent.

iii. Used rags/applicators shall be stored in closed containers after use.

iv. Spillage and splashing during the transfer of solvent from containers shall be minimized by all practical means.

v. The press operators shall be trained in the proper cleaning procedures and equipment use. The press operators shall be given a periodic refresher course, when deemed necessary by the company.

G. The company shall construct, operate and maintain surface coater No. 11 in accordance with manufacturer's specifications as well as good air pollution control practices.

2. Emission Limitations

A. The following air contaminant emission limits are approved for surface coater No. 11.

i. Volatile Organic Compounds (VOCs): 20 lbs/hr and 20 tons in a 12 month rolling period.

ii. Nitrogen Oxides (NOx): 7.4 tons in a 12 month rolling period.

B. The company shall comply with the provisions contained in 25 Pa. Code § 123.31(b), regarding malodors.

C. Surface coater #11 shall comply with the provisions contained in 25 Pa. Code § 123.41, regarding visible emissions.

3. Emission Reduction Credit Requirements

A. The company shall not operate surface coater No. 11 until the required emission reduction credits are processed through the ERC registry.

B. Prior to operation of surface coater No. 11, the company shall provide ERCs in the amount of 57.6 tons per year of VOCs to offset contemporaneous emission increases of 44.3 tons per year of VOCs.

4. Testing and Monitoring Requirements

A. The company shall use test Method 24 or Method 24A, whichever is applicable, when determining VOC content of the coating(s).

B. The company shall test, at least twice per year, coating(s), as applied, that were used on a coating job. The tests of the coating(s) shall be performed according to EPA method 24 or 24A, whichever is appropriate.

C. The company, on a daily basis, shall monitor:

i. daily coating quantity in gallons and pounds of coating as applied; and,

ii. the coating composition:

a. percent solids by volume

b. percent solvent by volume

c. percent water by volume

d. pounds of VOC per gallon minus water

e. solvent density

5. Recordkeeping and Reporting Requirements

Sufficient data shall be recorded so that compliance with the conditions in this Plan Approval can be determined. Records shall be kept for a minimum of 5 years and shall be made available to the Department upon request.

A. The company must record the following information:

i. daily coating quantity in gallons and pounds of coating as applied; and,

ii. the coating composition:

a. percent solids by volume

b. percent solvent by volume

c. percent water by volume

d. pounds of VOC per gallon minus water

e. solvent density

for the source covered under this plan approval.

B. The company shall keep a record, on a monthly basis, of the emissions of VOCs from surface coater No. 11.

C. The company shall keep a record, on a monthly basis, of the emissions of NOx from surface coater No. 11.

D. The company shall keep a copy of the manufacturer's specifications of the low NOx burners.

E. The company shall keep a record of all testing required by this plan approval.

Anyone wishing to provide the Department with additional information they believe should be considered prior to the issuance of the Plan Approval may submit the information to the address shown below. Written comments should include the following:

1. Name, address and telephone number of the person submitting comments.

2. Identification of the proposed Plan Approval; No. PA-09-0028C.

3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

Requests for a public fact finding conference or hearing may also be made by writing the Department at the address shown. A public conference may be held if the Department in its discretion decides that such a conference is warranted on the basis of the information received. All persons who have submitted comments or have requested a conference will be notified of the decision to hold such a conference by publication in a newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines the notification by telephone is sufficient.

Written remarks from the public will be addressed by the Department during the review process before a final action is taken on the proposal. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Written remarks should be sent to: Francine Carlini, Regional Air Quality Manager, Department of Environmental Protection, Southeast Regional Office, Lee Park, Suite 6010, 55 North Lane, Conshohocken, PA 19428. For additional information contact George A. Monasky, P. E. at (610) 941-5123.

The following items were printed improperly in the June 17, 2000 issue of the Pennsylvania Bulletin:

Applications received and intent to issue Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

48-309-065A: Essroc Cement Corp. (3251 Bath Pike, Nazareth, PA 18064-8928) for modification of the primary crushing system in Nazareth Borough, **Northampton County**.

39-302-168: Jaindl, Inc. (3150 Coffeetown Road, Orefield, PA 18069) for construction of a 300 HP boiler as a replacement in North Whitehall Township, **Lehigh County**.

40-303-012A: American Asphalt Paving Co. (500 Chase Road, Shavertown, PA 18708) for modification of a

batch asphalt plant to utilize waste derived liquid fuels at Plant No. 315 in Plains Township, **Luzerne County**.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

06-05004B: Baldwin Hardware Corp. (P. O. Box 15048, Reading, PA 19612-5048) for construction of four vapor degreasers controlled by cooling coils, free board and work practices in Reading, **Berks County**. The sources are subject to 40 CFR Part 63, Subpart T—National Emission Standards for Hazardous Air Pollutants for Source Categories.

34-03001A: Green Source Power, LLC (327 Winding Way, King of Prussia, PA 19406) for construction of a wood fired turbine generator at Swamp Road at the Cement Plant which was previously approved at Routes T384 and LR34047 in Walker Township, **Juniata County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

08-302-040: Taylor Packing Co., Inc. (P. O. Box 188, Wyalusing, PA 18853) for construction of a 600 horsepower natural gas/No. 2 fuel oil/biogas-fired boiler equipped with a low NOx (nitrogen oxides) burner in Wyalusing Township, **Bradford County**. The boiler will be subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

08-399-001C: OSRAM SYLVANIA Products, Inc. (Hawes Street, Towanda, PA 18848-0504) to install air cleaning devices (fabric collectors) on various pieces of wire drawing and swaging equipment in North Towanda Township, **Bradford County**.

PUBLIC HEARING NOTICE

Preliminary Determination to Issue Air Quality Plan Approval No. 06-05100; Public Hearing

CPN Berks LLC has submitted an application to the Southcentral Regional Office of the Department of Environmental Protection (Department) for construction of a turbine electric generating facility. The proposed facility is to be located in Ontelaunee Township, Berks County, along the east side of PA Route 61, 1 mile north of the intersection of US Route 222 and Pa. Route 61.

The proposed facility will generate up to 544 megawatts of electricity for sale to the local electrical utilities. The primary fuel will be natural gas. The major components of the facility are:

- (a) Two Siemens-Westingshouse 501F gas combustion turbines (182 MW each)
- (b) Two un-fired heat recovery steam generators (HRSG)
- (c) Steam turbine electric generator (180 MW)
- (d) Mechanical draft cooling tower with mist eliminators
- (e) Two Selective Catalytic Reduction (SCR) control devices
- (f) Stand-by Diesel Generator (127 kW) (Fire Pump) and storage tank.

The proposed turbines will exhaust through two 175-foot stacks with emissions monitoring systems for each turbine. The stack height meets the EPA good engineering practice (GEP) stack height requirement. A modeling analysis was conducted for CO, NOx, SO₂, and PM₁₀. The modeling used 5 years of meteorological data collected by

the National Weather Service and the EPA-approved ISCST3 model. The model indicated that none of the emissions from turbines will have a significant impact on the surrounding area. Additional analyses were performed to assess the proposed facility's impact on soils, vegetation and visibility in the area and the closest Class I Area. The predicted impacts from all modeled pollutants fell within the allowable concentration levels.

The following table summarizes the potential emissions from maximum operation of the facility according to the applications submitted and the Department's analysis:

<i>Pollutant</i>	<i>tons/year</i>
Nitrogen Oxides (NOx)	212
Volatile Organic Compounds (VOC)	49
Carbon Monoxide (CO)	438
Sulfur Dioxide (SO ₂)	91
Particulate Matter (TSP/PM-10)	99
Ammonia	266

A number of trace elements are also expected to be present at less than detectable levels in the turbine exhaust. These insignificant emissions are largely due to very minor concentrations of naturally occurring metals in the fuel and the combining of water vapor with SO₂.

The plan approval will contain the following conditions to ensure compliance with the noted regulations:

General Requirements

(1) This plan approval is issued for the construction of a combined cycle turbine electric generating plant including the following:

a. Two natural gas fired combustion turbines (Siemens-Westingshouse Model 501F) rated at 182 MW (gross) controlled by dry, low NOx, lean-burn combustion and selective catalytic reduction (SCR).

b. Mechanical draft cooling tower with mist eliminators.

c. Heat recovery steam generator (180 mw).

d. Emergency diesel fire pump (127 kw) with small diesel fuel storage tank (200 gallons).

(2) This approval to construct shall become invalid if:

a. Construction [as defined in 40 CFR 52.21(b)(8)] has not commenced within 18 months of the issue date of this approval; or,

b. Construction is discontinued for a period of 18 months or more.

(3) The gas combustion turbines are subject to Subpart GG of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, application, submittals, and other communications to both EPA and the Department. The EPA copies shall be forwarded to: Director, Air Protection, U. S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

(4) The gas combustion turbines are subject to the Title IV Acid Rain Program of the Clean Air Act Amendments of 1990 and shall comply with all applicable provisions of that Title, to include the following:

40 CFR Part 72	Permits Regulation
40 CFR Part 73	Sulfur Dioxide Allowance System
40 CFR Part 75	Continuous Emission Monitoring
40 CFR Part 77	Excess Emissions

(5) The gas combustion turbines are subject to the NOx Budget Program established in 25 Pa. Code §§ 123.102—123.120 and shall comply with all applicable requirements.

Emission Limits and Offset Requirements

(6) Under 25 Pa. Code Chapter 127, Subchapter E, New Source Review, the permittee shall secure Department-approved nitrogen oxide (NOx) Emission Reduction Credits (ERCs) in the amount of 244.3 tons prior to the commencement of operation of the gas turbines.

(7) The permittee shall limit the facility emissions of NOx to 212.4 tons during any consecutive 12-month period.

(8) The permittee shall limit the gas turbine emissions of carbon monoxide (CO) to 438 tons during any consecutive 12-month period.

(9) The permittee shall limit the facility emissions of volatile organic compounds (VOC) to 49 tons during any consecutive 12-month period.

(10) Under Lowest Achievable Emission Rate (LAER) provisions of 25 Pa. Code § 127.205, the permittee shall limit the emissions from each gas turbine to the following (measured 1-hour average on a dry volume basis corrected to 15% oxygen):

NOx—3.5 ppmv (0.0131 pounds per million BTU)

(11) Under Best Available Control Technology (BACT) provisions of 25 Pa. Code § 127.83, the permittee shall limit the emissions from each gas turbine to the following (measured 1-hour average on a dry volume basis corrected to 15% oxygen):

Carbon Monoxide—10.0 ppmv (0.0228 pounds per million BTU)

Sulfur Dioxide—0.0056 pounds per million BTU

TSP/PM10—0.0061 pounds per million BTU

VOC (as Methane)—1.8 ppmv (0.0023 pounds per million BTU)

H₂SO₄ Mist—0.0003 pounds per million BTU

(12) Under the Best Available Technology (BAT) provision of 25 Pa. Code § 127.1, the permittee shall limit the emission of ammonia from each SCR to 10 ppmv, measure dry volume corrected to 15% oxygen under normal operation.

(13) The emissions in Conditions 11, 12 and 13 above apply at all times except during periods of start-up and shutdown as defined as follows:

a. *Cold Start-up*: Refers to restarts made more than 12 hours after shutdown; cold start-up periods shall not exceed 4 hours per occurrence.

b. *Hot Start-up*: Refers to restarts made 12 hours or less after shutdown; hot start-up periods shall not exceed 2 hours per occurrence.

c. *Shutdown*: Commences with the termination of fuel injection into the combustion chambers.

(14) The operation of the source shall not result in visible or malodorous emissions.

Testing

(15) Within 60 days after achieving the maximum firing rate, but not later than 18 days after start-up, the permittee shall demonstrate compliance with each of the emission limits, except VOCs, established in Conditions 11, 12 and 13 above and opacity, as per Pa. Code Chapter

139 and 40 CFR. The testing shall be conducted while the turbines are operating at or above 95% capacity.

(16) Within 60 days after achieving the maximum firing rate, but no later than 180 days after startup, the permittee shall demonstrate compliance with the VOC emission limit established in Condition 12 above, as per Pa. Code Chapter 139. The testing shall be done while the turbines are operating in two load ranges: 60 to 85% of maximum load and 85 to 100% of maximum load. Additional testing shall be conducted to determine the VOC emissions of the sources during both cold and hot start-ups.

(17) The permittee shall retest the VOC emissions during operation every 12 months after the initial testing. The testing shall be conducted during both load ranges: 60 to 85% and 85 to 100% of maximum load.

(18) At least 60 days prior to the test, the company shall submit to the Department for approval the procedures for the test and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

(19) At least 30 days prior to the test, the Regional Air Quality Program Manager shall be informed of the date and time of the test.

(20) Within 30 days after the source test(s), three copies of the complete test report, including all operating conditions, shall be submitted to the Regional Air Quality Program Manager for approval.

Monitoring Requirements

(21) Continuous emission monitoring system for exhaust gas flow, nitrogen oxides (as NO₂), carbon monoxide (CO) and oxygen must be approved by the Department and installed, operated and maintained in accordance with the requirements of Chapter 139 of the Rules and Regulations of the Pennsylvania Department of Environmental Protection. Proposals containing information as listed in the Phase I section of the Department's *Continuous Source Monitoring Manual* for the CEMS must be submitted at least 3 months prior to start-up of the turbines.

(22) Phase I Department approval must be obtained for the monitors above prior to initial startup of the source. Phase III Department approval must be obtained within 60 days of achieving the maximum production rate at which the source will be operated, but not later than 180 days after initial startup of the source. Department review time for the Phase III report (time between postmark of company's Phase III report and the postmark of the Department's response letter) will not be charged against the source in determining compliance with this condition. Information on obtaining Department approval is included in the Department's *Continuous Source Monitoring Manual*.

(23) The permittee shall install and maintain fuel flow monitors that meet the requirements of 40 CFR Part 75.

(24) The permittee shall monitor the sulfur and nitrogen content of the fuel being fired in the gas turbines as per 40 CFR 60.334(b), unless the permittee receives approval from the US EPA to use an alternative method as per 40 CFR 60.13.

(25) The permittee shall monitor and record the following parameters for each SCR system:

- a. Catalyst bed inlet gas temperature
- b. Ammonia solution injection rate

c. Ammonia solution concentration.

Record Keeping and Reporting

(26) The permittee shall record each start-up and shutdown, including date and times of each event.

(27) The permittee shall, at the minimum, record the following:

- a. Monthly fuel consumption
- b. 12-month rolling total fuel consumption
- c. Monthly emissions of TSP/PM 10, SO₂, NO_x, CO and VOC
- d. 12 month rolling total of above emissions
- e. Results of fuel sampling
- f. SCR monitoring results

(28) All emissions shall be determined by the methods found in 40 CFR Part 60, Subpart GG, the Plan Approval Application and supplemental materials and *Continuous Emission Monitoring Manual*.

(29) Records required under this Plan Approval and 40 CFR 60, Subpart GG shall be kept for a period of 5 years and shall be made available to the Department upon its request.

Additional Requirements

(30) The Department reserves the right to use the CEMS data, stack test results and the operating parameters determined during optimization of the turbines and their associated air cleaning devices to verify emission rates, to establish emission factors, and to develop compliance assurance measures in the operating permit.

(31) This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met:

a. The Department must receive written notice from the permittee of the completion of construction and the Operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice shall state when construction will be completed and when the Operator expects to commence operation.

b. Operation is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c. This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from the permittee under Subpart (a), above.

d. The permittee may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established.

e. The notice submitted by the permittee under Subpart (a), above, prior to the expiration of this Plan Approval, shall modify the Plan Approval expiration date. The new Plan Approval expiration date shall be 180 days from the date of commencement of operation.

(32) The manufacturer's identification and technical specifications for all air pollution control equipment shall be submitted to the Regional Air Quality Program Manager within 30 days after the execution of the final sales agreements.

An appointment to review the pertinent documents at the Reading District Office may be scheduled by contacting Roger A. Fitterling at (610) 916-0100 between 8:30 a.m. and 3:30 p.m., Monday through Friday, except holidays.

A public hearing will be held for the purpose of receiving comments on the proposed action. The hearing will be held on July 20, 2000, at the Schuylkill Valley High School Auditorium from 7 p.m. until 9 p.m.

Those wishing to comment are requested to contact Sandra Roderick at (717) 705-4931 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Roger A. Fitterling, Air Pollution Control Engineer, DEP, 1005 Cross Roads Boulevard, Reading, PA 19605 during the 30-day period following publication of this notice.

Persons with a disability who wish to attend the hearing scheduled for July 20, 2000 at 7 p.m. and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Sandra Roderick directly at (717) 705-4931 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

**REASONABLY AVAILABLE CONTROL
TECHNOLOGY**

(RACT)

The following items were printed improperly in the June 17, 2000 issue of the *Pennsylvania Bulletin*:

Public Hearing Notice

The Department of Environmental Protection (Department) will conduct a public hearing on Thursday, July 6, 2000, beginning at 1 p.m. in the Air Quality Conference Room at the Meadville Regional Office located at 230 Chestnut Street.

The hearing is for the Department to accept testimony concerning the Department's decision to approve, with conditions, the revised Reasonably Available Control Technology (RACT) plans by Tennessee Gas Pipeline (TGP) (Station 307) (1010 Milam Street, P. O. Box 2511, Houston, TX 77252) in Howe Township, Forest County to meet the requirements under 25 Pa. Code §§ 129.91—129.95 (RACT), concerning the emissions of oxides of nitrogen (NO_x) and volatile organic compounds (VOC) from various air contamination sources. The final RACT proposals will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The proposed SIP revisions do not adopt any new regulations. They incorporate the provisions and requirements contained in RACT approvals for these facilities to comply with current regulations.

The preliminary RACT determinations, if finally approved, will be incorporated into Plan Approval(s) and/or Operating Permit(s) for the facilities and will be submit-

ted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The following is a revised summary of the preliminary NOx determination for the above listed facility:

TGP station 219

<i>Source</i>	<i>Control</i>	<i>Emission Limit</i>
Unit 6A Worthington ML-12 engine	Parametric control (ignition retard, A/F ratio control)	103 #/hr NOx 451.1 TPY NOx
Units 1A-4A KVS-412 engines	Low emission combustion	17.6 #/hr NOx (per engine) 77.1 TPY NOx (per engine)
Clark TCV-10C engine		26.4 #/hr NOx 115.8 TPY NOx
Auxiliary Engine AA1	Presumptive RACT	
Auxiliary Engine AA2	Presumptive RACT	
Main boiler	Presumptive RACT	
Aux./Comp. Boiler	Presumptive RACT	
Two Warehouse furnaces	Presumptive RACT	
Two Equipment Garage furnaces	Presumptive RACT	
4 Lunch room furnaces	Presumptive RACT	
Three Pipeline Garage furnaces	Presumptive RACT	
Water Building furnace	Presumptive RACT	
Two Pipeline Office furnaces	Presumptive RACT	
Two Main office furnaces	Presumptive RACT	
Main office hot water heater	Presumptive RACT	

For the above facility, a Public Hearing will be held for the purpose of receiving comments on the above-proposed Operating Permit and the proposed SIP revisions. The public hearing is scheduled as follows: DEP Meadville Regional Office, Air Quality Conference Room, 230 Chestnut Street, Meadville, PA 16335, Thursday, July 6, 2000, from 1 p.m. to 3 p.m.

Persons wishing to present testimony at the hearing should contact Matthew Williams, Air Pollution Control Engineer, DEP, 230 Chestnut Street, Meadville, PA 16335-3494, (814) 332-6940 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony are required. Each organization is requested to designate one witness to present testimony in its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Matthew Williams (814) 332-6940, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing but wish to comment should provide written comments to Matthew Williams, Air Pollution Control Engineer, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494. Comments should be

submitted within 30 days of the date of this publication notice.

All the pertinent documents (applications, review memos, and draft approvals) are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP contact person noted previously.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

ronmental Protection (Department). A copy of the application is available for inspection at the District mining office indicated above each 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 the certification.

Written comments or 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 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

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. These NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, 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 which have requested review of the NPDES permit requirements for a particular mining activity within the above-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 persons 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 desires to have the conference conducted in the locality of the proposed mining activities.

Hawk Run District Office, P. O. Box 209, Off Empire Road, Hawk Run, PA 16840.

Coal Applications Received

17950102. Cougar Contracting, Inc. (P. O. Box 217, Houtzdale, PA 16651), revision to an existing bituminous surface mine permit for a Change in Land Use from postmining land use of cropland to commercial (driving range) use. The permit is located in Bigler Township, **Clearfield County** affecting 25 acres. Receiving streams: Alexander Run, Upper Morgan Run and Japling Run. Application received June 5, 2000.

17910127. Fred Kitko (R. D., Coalport, PA 16627), renewal of an existing bituminous surface mine permit located in Beccaria Township, **Clearfield County** affecting 136 acres. Receiving streams: an unnamed tributary of Banian Run to Banian Run; Banian Run to Muddy Run; and an unnamed tributary of Muddy Run to Muddy

Run; Muddy Run to Clearfield Creek; Clearfield Creek to West Branch Susquehanna River. Application received June 6, 2000.

Greensburg District Office, R. R. 2, Box 603-C, Greensburg, PA 15601.

0381201. Allegheny River Land Co., Inc. (P. O. Box 188, Ivel, KY 41642). Renewal application received for continued mine drainage treatment at a facility located in Cadogan Township, **Armstrong County**. Receiving streams: Brunner Run to the Allegheny River. NPDES Renewal Application received: June 9, 2000.

366M010. Allegheny River Land Co., Inc. (P. O. Box 188, Ivel, KY 41642). Renewal application received for continued mine drainage treatment at a facility located in South Buffalo Township, **Armstrong County**. Receiving streams: Little Hill Run and Brunner Run to the Allegheny River. NPDES Renewal Application received: June 9, 2000.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

40733203R3. UGI Utilities, Inc. (P. O. Box 3200, Wilkes-Barre, PA 18706), renewal of an existing coal refuse reprocessing operation in Hanover Township, **Luzerne County** affecting 55.6 acres, receiving stream—none. Application received June 9, 2000.

40733203T. UGI Development Company (P. O. Box 3200, Wilkes-Barre, PA 18706), transfer of an existing coal refuse reprocessing operation from UGI Utilities, Inc. in Hanover Township, **Luzerne County** affecting 55.6 acres, receiving stream—none. Application received June 9, 2000.

Knox District Office, P. O. Box 669, Knox, PA 16232.

33813020. John R. Zenzi, Jr. (P. O. Box 287, Anita, PA 15711). Renewal of an existing bituminous surface strip and beneficial use of coal ash placement operation in Winslow Township, **Jefferson County** affecting 270.0 acres. Receiving streams: Two unnamed tributaries to Front Run; Front Run. Application received June 12, 2000.

33940107. Fred A. Deemer, Jr. (R. D. 1, Reynoldsville, PA 15851). Revision to an existing bituminous surface strip operation in Washington and Winslow Townships, **Jefferson County** affecting 15.5 acres. Receiving streams: Two unnamed tributaries to Sandy Lick Creek. Revision to include a post mining landuse change from forestland (now abandoned surface mine) and forestland to recreation on lands of Louie Caltagarone. Application received June 14, 2000.

Knox District Office, P. O. Box 669, Knox, PA 16232.

Small Noncoal (Industrial Minerals) Permits Returned

10000802. Bernard J. McCrea (100 Pine Haven Drive, Fenelton, PA 16034) Commencement, operation and restoration of a small noncoal shale operation in Clearfield Township, **Butler County** affecting 3.5 acres. Receiving streams: None. Application received: February 23, 2000. Permit Returned: June 13, 2000.

Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.

Noncoal Applications Returned

65850302. International Mill Service, Inc. (1155 Business Center Drive, Horsham, PA 19044-3454). NPDES renewal application returned for an existing noncoal surface mine located in Rostraver Township, **Westmoreland County**, affecting 42.0 acres. Receiving

streams: unnamed tributary to and Speers Run to the Monongahela River. NPDES renewal application received: February 14, 2000. NPDES renewal application returned: June 12, 2000.

3572SM15. Allegheny Metals & Minerals, Inc. (731—733 Washington Road, 5th Floor, Pittsburgh, PA 15228). NPDES renewal application returned for an existing noncoal surface mine located in Gilpin Township, **Armstrong County**, affecting 634.7 acres. Receiving streams: unnamed run, unnamed run, unnamed run to Allegheny River to Ohio River. NPDES renewal application received: January 27, 2000. NPDES renewal application returned: June 12, 2000.

Bureau of Deep Mine Safety

The Bureau of Deep Mine Safety has received a request for variance from Sarah Resources, Inc. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to: Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (52 P. S. §§ 701 and 702), provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

Summary of the request: Sarah Resources, Inc. requests a variance from Section 242(c) of the Pennsylvania Bituminous Coal Mine Act to allow for the common ventilation of the belt conveyor entry with other entries at the Sarah Mine.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT

ENCROACHMENTS

The following permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317 as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit, or the approval of Environmental Assessments must submit any

comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

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

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

EA46-007SE. Encroachment. **Commonwealth Construction and Development, Inc.**, 1029 Cottonwood Drive, Collegeville, PA 19426. A request for an Environmental Assessment Approval to re-construct, operate and maintain a non-jurisdictional dam across an unnamed tributary to the Mingo Creek (WWF). The dam and associated reservoir will impact 380 linear feet of watercourse and 0.72 acre of wetland (PEM). The proposed dam will provide stormwater management for a residential subdivision. The applicant also requests authorization under General Permits 4, 5 and 7 for a stormwater outfall, utility line stream crossing, and a minor road crossing of an unnamed tributary of Mingo Creek impacting a total of 105 linear feet of watercourse. The project also involves the widening of Old State Road (T426) which will impact 0.03 acre of wetlands (PEM) and 18 linear feet of culvert extension to an existing 48-inch R.C.P. road crossing of an unnamed tributary of Mingo Creek. The project is situated approximately 600 feet southwest of the intersection of Old State Road and Bechtel Road (Collegeville PA, Quadrangle N: 10.4 inches; W: 16.90 inches) in Upper Providence Township, **Montgomery County**.

Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E39-380. Encroachment. **Albert L. Granger**, 8568 Mohr Lane, Fogelsville, PA 18051. To authorize the excavation for an impoundment area, approximately 0.4 acre, of a non-jurisdictional dam in a tributary to Hassen Creek (HQ-CWF); to excavate and grade within the floodplain of a tributary to Hassen Creek to establish 0.04 acre of wetlands; to install and maintain a 6 inch diameter waterline across two tributaries to Hassen Creek; and to construct and maintain an 18 inch diameter HDPE stormwater outfall structure. The project is located at the Glenbern Inn on the north side of T-533, approximately 0.7 mile west of its intersection with T-596 (Topton, PA Quadrangle N: 17.0 inches; W: 4.8 inches), Weisenberg Township, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

Southcentral Regional Office, Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.

E28-278. Encroachment. **Mark Burkhead**, PA Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove the exist-

ing structure and to construct and maintain a pipe in the channel of Cold Spring Run (HQ-CWF) on SR 0997, Segment 0360, Offset 0368 (Scotland, PA Quadrangle N: 9.62 inches; W: 5.48 inches) in Green Township, **Franklin County**.

E31-162. Encroachment. **Charles Getz**, R. R. 1, Box 130, Mapleton, PA 17052. To maintain a previously constructed unpermitted single span bridge having a clear span of 38.83 feet and an underclearance of 6.42 feet across Hares Valley Creek (TSF) constructed for the purpose of providing access onto private property located about 250 feet west of SR 0655 and 4.2 miles south of Mapleton Borough (Butler, PA Quadrangle N: 16.0 inches; W: 14.5 inches) in Union Township, **Huntingdon County**.

E67-687. Encroachment. **Orchard Hills Real Estate Inc.**, Allan Smith, 450 Spangler Road, New Oxford, PA 17350. To place fill in 0.099 acre of wetlands and to construct and maintain 295 LF of 12-inch pipe culvert and 280 LF of 30-inch reinforced concrete pipe culvert stream enclosures (drainage areas less than 100 acres) in a tributary to Kreutz Creek (WWF) under Orchard Hill Road at the intersection with Campbell Road. The permit also authorizes construction of an 8-inch water main and 8-inch sanitary sewer line under the roadway bed to cross the tributary channel. The proposed Orchard Hills Residential Subdivision is located at the corner of Old Orchard Road (SR 2006) and Witmer Road (SR 2013) (Red Lion, PA Quadrangle N: 18.4 inches; W: 17.2 inches) in Springettsbury and Hellam Townships, **York County**.

Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E02-1308. Encroachment. **Port Authority of Allegheny County**, 2235 Beaver Avenue, Pittsburgh, PA 15233-1080. To construct and maintain a retaining wall 200 meters long (656 feet) along the right bank of Saw Mill Run (WWF) and to place and maintain fill in 0.09 acre of wetlands (PEM/PSS) for the purpose of rebuilding the northern segment of the former Overbrook Trolley Line to modern light rail standards. The project starts at the South Hills Junction and extends 2.4 km (1.5 miles) ending at Denise Street (the project starts at Pittsburgh West, PA Quadrangle N: 8.4 inches; W: 0.9 inch and ends Pittsburgh East, PA Quadrangle N: 4.3 inches; W: 17.3 inches) in the City of Pittsburgh, **Allegheny County**. To meet the wetland replacement requirements the applicant proposes to pay into the wetland replacement fund.

E56-295. Encroachment. **Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676. To remove the existing structure and to construct and maintain a 40-meter long, reinforced concrete box culvert having a normal span of 4.3 meters and an underclearance of 2.7 meters in an unnamed tributary to Kimberly Run (CWF). The applicant also proposes the relocation and maintenance of 50 meters of this tributary to Kimberly Run and the placement and maintenance fill in 0.003 hectare of PEM/PSS wetlands for the purpose of widening the highway to meet safety standards. The project is located on S. R. 0031 near Turnpike Bridge B-481 (Milepost 114.55) (Murdock, PA Quadrangle N: 21.2 inches; W: 0.5 inch) in Somerset Township, **Somerset County**. The applicant proposes wetland replacement at the Pennsylvania Department of Transportation Somerset Wetland Bank.

Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.

E62-370. Encroachment. **David R. Weston**, 3404 Charlotte Lane, Erie, PA 16508-2226. To maintain a prefabricated steel I-beam footbridge having a single span of approximately 33 feet and an approximate maximum underclearance of 5.5 feet across Irvine Run (CWF) to provide private access. This bridge was placed without a permit. The bridge is located across Irvine Run west of Irvine Run Road approximately 2.23 miles north of the intersection of Irvine Run Road on SR 6/62 interchange (Youngsville, PA Quadrangle N: 22.1 inches; W: 3.2 inches) in Brokenstraw Township, **Warren County**.

DAM SAFETY

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

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D45-270. Dam. **Locust Lake Property Owners Association** (HC 88, Box 121, Pocono Lake, PA 18347). To modify, operate and maintain Locust Lake Dam across a tributary to Trout Creek (HQ-CWF), for the purpose of recreation (Thornhurst, PA Quadrangle N: 3.95 inches; W: 7.9 inches) in Tobyhanna Township, **Monroe County**.

D25-058. Dam. **Millcreek Township** (3608 West 26th Street, Erie, PA 16505-0208). To construct, operate and maintain a flood control dam across a tributary to Lake Erie (CWF, MF), impacting 990 feet of stream channel for the purpose of providing flood control to residential and commercial areas downstream (Swanville, PA Quadrangle N: 16.2 inches; W: 4.7 inches) in Millcreek Township, **Erie County**.

ACTIONS

FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Any person aggrieved by this 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 Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action 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 decisional law.

Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

Permits Issued

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

Permit No. PA-0007919. Industrial waste. **Plainwell, Inc.**, P. O. Box 6000, Pittston, PA 18640 is authorized to discharge from a facility located in Ransom Township, **Lackawanna County** to the Susquehanna River.

Permit No. 4000402. Sewerage. **Greater Hazleton Joint Sewer Authority**, P. O. Box 651, Hazleton, PA 18201. Permit for additions and alterations to existing sewage treatment plant, located in the Borough of West Hazleton, **Luzerne County**.

Permit No. 4800201. Industrial waste. **Grand Central Sanitary Landfill**, 1963 Pen Argyl Road, Pen Argyl, PA 18072. Permit to install a Reverse Osmosis treatment system, located in Plainfield Township, **Northampton County**.

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

Permit No. PAG043639. Sewerage. **Broad Top Township (Kline/Barton)**, 187 Municipal Road, P. O. Box 57, Defiance, PA 16633-0057 is authorized to discharge from a facility located in Broad Top Township, **Bedford County** to the receiving waters named Sandy Run.

Permit No. PA0085707. Sewerage. **Cocalico Valley Poultry Farms**, 1095 Mount Airy Road, Stevens, PA 17578-9791 is authorized to discharge from a facility located in West Cocalico Township, **Lancaster County** to the receiving waters named UNT of Indian Run.

Permit No. PAG043524. Sewerage. **Alice Mcfeely Meloy**, 22448 Path Valley Road, Doyleburg, PA 17219 is authorized to discharge from a facility located in Fannett Township, **Franklin County** to the receiving waters named Burns Creek Branch.

Permit No. PAG043528. Sewerage. **Donal P. Markey**, 475 Snavely Mill Road, Lititz, PA 17543 is authorized to discharge from a facility located in Elizabeth Township, **Lancaster County** to the receiving waters named Mill Race to Hammer Run.

Permit No. PAG043539. Sewerage. **Mr. and Mrs. Douglas Elsasser**, P. O. Box 1, Cocolamus, PA 17014 is authorized to discharge from a facility located in Fayette Township, **Juniata County** to the receiving waters named Cocolamus Creek.

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

NPDES Permit No. PA0218286. Industrial. **J. A. Jones/Traylor Brothers, Inc.**, J. A. Jones Drive, Charlotte, NC 28287 is authorized to discharge from a facility located at Leetsdale Concrete Casting Facilities, Leetsdale Borough, **Allegheny County** to receiving waters named Ohio River.

NPDES Permit No. PA0096423. Sewerage. **Turkeyfoot Valley Area School District**, R. D. 1, Box 78, Confluence, PA 15424-9616 is authorized to discharge from a facility located at Turkeyfoot Valley Area School District STP, Lower Turkeyfoot Township, **Somerset County** to receiving waters named Casselman River.

Permit No. 0200202. Industrial waste. **U. S. Army Corps of Engineers.** Construction of sedimentation basins located in Duquesne, **Allegheny County** to serve concrete batch plant.

Permit No. 0200204. Industrial waste. **J. A. Jones/Traylor**, No. 1 East Grant Avenue, P. O. Box 30, Duquesne, PA 15110. Construction of Leetsdale Casting Wastewater Treatment Facility and Groundwater Sedimentation Basin located in Leetsdale, **Allegheny County** to serve Leetsdale Casting Facility.

Permit No. 6374419-A4. Sewerage. **Washington-East Washington Joint Authority**, 60 East Beau Street, P. O. Box 510, Washington, PA 15301. Construction of Sewage Treatment Plant Modifications, Phase II located in South Strabane Township, **Washington County** to serve Washington-East Washington Joint Authority Sewage Treatment Plant.

Northwest Regional Office: Regional Oil and Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6860.

NPDES Permit No. PA0101656. Industrial waste. **CNG Transmission Corporation**, P. O. Box 2450, 445 West Main Street, Clarksburg, WV 26302-2450 is authorized to discharge from an existing treatment facility located in Henderson Township, **Jefferson County**, to Stump Creek.

NPDES Permit No. PA0104060. Sewerage. **John E. McCoan**, R. R. 1, Box 1000, Clarendon, PA 16313 is authorized to discharge from a facility located in Mead Township, **Warren County** to Unnamed Tributary to the West Tionesta Creek.

WQM Permit No. 1600401. Sewerage, **Richard A. Baumcratz, SRSTP**, R. R. 1, Box 272, Lucinda, PA 16235. Construction of Richard A. Baumcratz SRSTP located in Knox Township, **Clarion County**.

WQM Permit No. 6200404. Sewerage, **Robert J. Larson, SRSTP**, R. R. 3, Box 54, Sugar Grove, PA 16350. Construction of Robert J. Larson SRSTP located in Sugar Grove Township, **Warren County**.

WQM Permit No. 6200405. Sewerage, **Ernest E. Lawson, SRSTP**, 6 Grant Street, Warren, PA 16365. Construction of Ernest E. Lawson SRSTP located in Sugar Grove Township, **Warren County**.

WQM Permit No. 2000407. Sewerage, **Robert L. Van Buren, SRSTP**, 17352 State Highway 98, Meadville, PA 16335. Construction of Richard L. Van Buren SRSTP located in Hayfield Township, **Crawford County**.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewaters into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or

changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management, and total residual chlorine control (TRC). Any major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

The EPA, Region III, Regional Administrator has waived the right to review or object to these proposed permit actions under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Office indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding these applications and proposed permit actions. Comments should include the name, address and telephone number of the writer and a

brief statement to inform the Field Office of the basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Field Office considers the public response significant.

Following the 30-day comment period, the Water Management Program Managers will make a final determination regarding the proposed permit action. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on the Department's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PA-0060984	Benton Hills Corporation 106 Doc Stroh Lane Suite 1 Milford, PA 18337	Lackawanna County Benton Township	Unnamed tributary to South Branch of Tunkhannock
PA-0060950	Lackawanna Trail School District P. O. Box 85 Factoryville, PA 18419-0085	Wyoming County Clinton Township	Unnamed Tributary to the South Branch Tunkhannock Creek

INDIVIDUAL PERMITS

(PAS)

The following approvals from coverage under NPDES Individual Permit for discharge of stormwater from construction activities have been issued.

Northcentral Region: Water Management, Soils and Waterways Section, F. Alan Sever, 208 West Third St., Williamsport, PA 17701.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10F074	Spring Benner Walker Joint Authority 170 Irish Hollow Rd. Bellefonte, PA 16823	Centre County Benner Township	Spring Creek and tribs.

INDIVIDUAL PERMITS

(PAR)

Approvals to Use NPDES and/or Other General Permits

The following parties have submitted (1) Notices of Intent (NOIs) for Coverage under General NPDES Permits to discharge wastewater into the surface waters of the Commonwealth; (2) NOIs for Coverage under General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or (3) Notifications for First Land Application of Sewage Sludge.

The approval of coverage under these General Permits may be subject to one or more of the following: pollutant or effluent discharge limitations, monitoring and reporting, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective general permit. The Department of Environmental Protection (Department) has reviewed the NOIs and determined that they comply with administrative requirements of the respective permit application. Also, the Department has evaluated the First Land Application of Sewage Sludge for the sites applying for coverage under PAG-7, PAG-8 and PAG-9 and determined that the sites are suitable for land application of sewage sludge.

The EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision: 40 CFR 123.24.

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangement made for copying at the contact office noted.

*List of
General Permit Types*

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater Construction Activities
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
PAG-7	General Permit For Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit For Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit For Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-10	General Permit for Discharges Resulting from Hydrostatic Testing of Tanks and Pipelines

General Permit Type—PAG-2

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Concord Township Delaware County	PAR10-J162	Sheridan Construction Company 1578 McDaniel Drive West Chester, PA 19380	West Branch Chester Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Upper Merion Township Montgomery County	PAR10-T584	Liberty Property Trust 65 Valley Stream Parkway Malvern, PA 19335	Matsunk Creek (WWF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Whitemarsh Township Montgomery County	PAR10-T600	Jack Molinaro 415 West Willow Grove Avenue Philadelphia, PA 19118	Lorraine Run (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Susquehanna County Hallstead Borough and Great Bend Township	PAR106411	PennDOT Engineering Dist. 4-0 S. R. 0011, Sec. 573 O'Neill Hwy., P. O. Box 111 Scranton, PA 18501	Susquehanna River WWF	Susquehanna CD (570) 278-4600
Lehigh County Hanover Township	PAR10Q139	Conewago Equities, L.P. Allen Smith P. O. Box 688 Hanover, PA 17331	Catasauqua Ck. CWF	Lehigh CD (610) 391-9583
Centre County Rush Township	PAR10F114	Pa. American Water Co. 800 W. Hersheypark Dr. Hershey, PA 17033-0888	Trout Run	Centre County CD 414 Homes Ave. Suite 4 Bellefonte, PA 16830 (814) 355-6817
Lycoming County Fairfield Township	PAR103937	Gregory F. Welteroth Jr. P. O. Box 238 Montoursville, PA 17754	Bennetts Run	Lycoming County CD 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3004

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Northumberland County Ralpho Township	PAR104932	Fleetwood Motor Home of PA 71 R. D. 1 Paxinos, PA 17860	Shamokin Creek	Northumberland County CD R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Northumberland County City of Sunbury	PAR104935	Sunbury Municipal Auth. 225 Market St. Sunbury, PA 17801	Shamokin Creek	Northumberland County CD R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Middlesex Township Cumberland County	PAR-10-H233	Penn Square Properties Whirlpool Center Warehouse Exp. 7584 Morris Court Suite 200 Allentown, PA 18105	Hogestown Run	Cumberland County CD 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
South Heidelberg Township Berks County	PAR-10-C319	Edward and Babette Racis 5152 T. 419 Womelsdorf, PA 19567	Little Cacoosing Creek	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Muhlenberg Township Berks County	PAR-10-C330	New Penn Motor Express Stephen M. O'Kane Arnold Industries, Inc. P. O. Box 210 Lebanon, PA 17042-0210	Laurel Run	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Logan Township Blair County	PAR-10-0694	GlenWhite Mine Reclamation Eric Cavazza DEP/BAMR 122 South Center Street Ebensburg, PA 15931	Glenwhite Run	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Logan Township Blair County	PAR-10-0698	Long Townhouse Development Jeffrey S. Long R. D. 1, Box 426 Tyrone, PA 16686	Little Juniata River	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Fannett Township Franklin County	PAR-10-M209	Mark Wagner 6397 High Street East Petersburg, PA 17520	Dry Run	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Caernarvon Township Lancaster County	PAR-10-O-431	MTM Properties, LLC 570 DeKalb Pike Suite 160 Box King of Prussia, PA 19406	Conestoga River	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAR-10-O-434	MGS Inc. 178 Muddy Creek Church Road Denver, PA 17517	Little Muddy Creek/Stoney Run	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manheim Township Lancaster County	PAR-10-O-438	Homeland Corporation P. O. Box 6512 Lancaster, PA 17603	UNT Conestoga Creek	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Providence Township Lancaster County	PAR-10-O-442	Harold Findley/Geo Desmond 258 Mount Airy Road New Providence, PA	UNT Pequea Creek	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Hempfield Township Lancaster County	PAR-10-O-445	East Hempfield Township 1700 Nissley Road Box 128 Landisville, PA 17538	UNT Little Conestoga Creek	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAR-10-O-446	Heatherwoods Village Assoc. 600 Olde Hickory Road Suite 350 Lancaster, PA 17601	Stony Run	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
West Cocalico Township Lancaster County	PAR-10-O-447	Nelson W. Wenger 100 East Queen Street Stevens, PA 17578	UNT Indian Run	Lancaster County CD 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Warren County Farmington Township	PAR107207	Farmington Township Supervisors R. D. 2, Box 2265 Russell, PA 16345	Unnamed Tributary to Kiantone Creek (CWF)	Warren Cons. Dist. 609 Rouse Home Avenue Suite 203 Youngsville, PA 16371 (814) 563-3117

General Permit Type—PAG-3

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Bucks County Falls Township	PAR600053	Keywell LLC—Fairless Works U. S. Steel Fairless Works USX Interior Road N-33 and E-58 Fairless Hills, PA 19030	Drainage Swale to Delaware River	DEP Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Philadelphia County City of Philadelphia	PAR600054	American Auto Parts 3501 South 61st Street Philadelphia, PA 19153	Unnamed Tributary to the Schuylkill River	DEP Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Philadelphia County City of Philadelphia	PAR600055	Fiore's Auto Parts 3300 South 61st Street Philadelphia, PA 19153	Unnamed Tributary to the Schuylkill River	DEP Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Berks County Maidencreek Township	PAR203509	Can Corporation of America, Inc. P. O. Box 170 Blandon, PA 19510	Willow Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Fulton County Needmore Township	PAR223502	Mellott Wood Preserving Co., Inc. P. O. Box 209 Needmore, PA 17238	UNT Palmer Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
York County Penn Township	PAR123510	Snyder's of Hanover, Inc. York Street Facility P. O. Box 917 Hanover, PA 17331	Oil Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Mifflin County Union Township	PAR203546	DONSCO, Inc. North Front Street P. O. Box 2001 Wrightsville, PA 17368-0040	Kishacoquillas Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Fayette County Jefferson Township	PAR606135	Assad Iron & Metals, Inc. P. O. Box 76 Albany Road Brownsville, PA 15417	Redstone Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Moon Township	PAR806167	911 Airlift Wing/CC Pittsburgh IAP ARS 2475 Defense Avenue Coraopolis, PA 15108-4403	UNT McClarens Run—Montour Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
<i>General Permit Type—PAG-4</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Hayfield Township Crawford County	PAG048345	Donald L. Schmalzried 14471 Foster Road Conneautville, PA 16406	Unnamed Tributary to Cussewago Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Knox Township Clarion County	PAG048665	Richard A. Baumcratz R. R. 1, Box 272 Lucinda, PA 16235	Unnamed Tributary to Paint Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Sugar Grove Township Warren County	PAG048666	Robert J. Larson R. R. 3, Box 54 Sugar Grove, PA 16350	Unnamed Tributary to Stillwater Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Sugar Grove Township Warren County	PAG048670	Ernest E. Lawson 6 Grant Street Warren, PA 16365	Saunders Run	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Hayfield Township Crawford County	PAG048667	Richard L. VanBuren 17352 State Highway 98 Meadville, PA 16335	Unnamed Tributary to Cussewago Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Blair County East Freedom Township	PAG053533	ExxonMobile Refining & Supply Company 1900 East Linden Avenue P. O. Box 728 Linden, NJ 07036	Frankstown Branch of Juniata River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-8

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Washington Township Franklin County	PAG-08-3538	Washington Township Mun. Auth. 11102 Buchanan Trail East Waynesboro, PA 17268	Nelson Miller Farm Washington Township Franklin County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Oley Township Berks County	PAG-08-0002 PAG-08-0004 PAG-08-0007 PAG-08-0013	Mobile Dredging & Pumping Company 3100 Bethel Road Chester, PA 19013	Charles Hetrick Oley Township Berks County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

**SEWAGE FACILITIES ACT
PLAN APPROVAL**

**Plan approval granted under the Pennsylvania
Sewage Facilities Act (35 P. S. §§ 750.1—750.20).**

Northcentral Regional Office: Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-0530.

Location: Lamar Township, Clinton County.

Project Description: Previous Act 537 planning called for the construction of a new gravity sewage collection system to serve the Village of Mackeyville in Lamar Township. The new approved update revision calls for construction instead of a grinder pump, low pressure sewage collection system to serve the Village and surrounding areas of Lamar Township. Wastewater collected from the Mackeyville area will be conveyed to the north and east over a ridge and into a new gravity collection line at Salona. The Mackeyville and Salona collection system work will be part of a larger regional project to be constructed by the East Nittany Valley Joint Municipal Authority to provide service to Mackeyville and other areas of Lamar Township as well as portions of Porter Township, Clinton County and Walker Township, Centre County. Treatment of the collected wastewater from the new regional collection system will occur at the existing wastewater treatment facility in the City of Lock Haven.

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

Regional Office: Northcentral Field Operations, Environmental Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Permit No. Minor Amendment. The Department issued a Minor Amendment Operation Permit to **Walker Township Water Association**, P. O. Box 160, Mingleville, PA 16856, Walker Township, **Centre County**. This permit is for operation of Well No. 2.

Permit No. Minor Amendment. The Department issued a permit to **Walker Township Water Association**, P. O. Box 160, Mingleville, PA 16856, Walker Township, **Centre County**. This permit authorizes modification of Well No. 2.

Permit No. 4700501 Minor Amendment. The Department issued a Minor Amendment Operation Permit to **Geisinger Medical Center**, 100 North Academy Avenue, Danville, PA 17822, Mahoning Township, **Montour County**. This permit is for operation of three Halox Series 1000 electrochemical chlorine dioxide generators to control Legionella bacteria and as a back-up

disinfectant and the operation of sodium hypochlorite chemical feed facilities at Well No. 3.

Permit No. 1799501 Minor Amendment. The Department issued a Minor Amendment Operation Permit to **Country Place Mobile Home Park**, R. R. 2, Box 71, Dubois, PA, Sandy Township, **Clearfield County** 15801-9710. This permit is for operation of Well No. 5, disinfection and the transmission line.

HAZARDOUS SITES CLEANUP

Under the Act of October 18, 1988

Middletown Township, Bucks County

Cameron-Saba Site

The Department of Environmental Protection (Department) is issuing this notice under section 506(b) of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA).

The Department, under the authority of HSCA, began an interim response action on August 6, 1999, at the Cameron-Saba Site (Site), located in Middletown Township, Bucks County. The Site is bounded on the north by the West Trenton rail line (formerly of the Reading Railroad) of the Southeastern Pennsylvania Transportation Authority (SEPTA), on the east by the eastern boundaries of residential properties with private wells, on the south by Neshaminy Creek, and on the west by the Lincoln Highway. The Site has a plume of contaminated groundwater affecting a number of private wells that supply water for domestic use at several residences. To address the release and threat of release of hazardous substances at the Site, and corresponding threats to human health and the environment, the Department proposes an interim response action at the Site under sections 501(a) and 505(b) of HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)).

The contaminants of concern at this site include volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides and inorganic compounds, that were detected in concentrations above applicable or relevant and appropriate Pennsylvania standards in home wells, surface water or sediment. Approximately 100 wells are currently known to be affected or threatened by the contamination.

The Department is providing bottled water to affected residences, to minimize the exposure to and threat from the contaminants.

A separate action is planned to investigate the source of the contamination.

The Department has considered three alternative responses:

Alternative 1) No Action: The "No Action" alternative provides a baseline against which all other alternatives can be compared. If the Department selects the "No Action" alternative, the actual and potential health and environmental risk posed by the Site would remain the same.

Alternative 2) Carbon Filtration: Carbon Filtration is not a permanent solution and would require many years of ongoing operations and maintenance costs.

Alternative 3) Connection to a Public Water Supply: This alternative would be a permanent solution, which would address all threats posed by the contaminants of concern at the Site.

In evaluating these alternatives, the Department considered the criteria of permanence, protection of human health and environment, and the alternative's ability to meet applicable or relevant and appropriate State and Federal requirements (ARARs). The Department also considered cost-effectiveness in analyzing the alternatives. The Department finds that the "No Action" alternative would not be protective of the public health. The Department proposes alternative 3, connection to a public water supply, based on its preference for a permanent solution. In respect of the permanence of the alternative, a public water connection is preferable to carbon filtration of individual wells.

The Department's proposed alternative, connection to a public water supply, is protective of public health and the environment, complies with ARARs, and is feasible and cost-effective.

An Administrative Record, which contains more detailed information concerning this proposed interim response action, is available for public inspection. The Administrative Record may be examined from 8 a.m. to 4 p.m. at the Department's office at Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6000. Those interested in examining the Administrative Record should contact David Ewald at (610) 832-6200 to arrange for an appointment. An additional copy of the Administrative Record is available for review at the Middletown Township Municipal Building at 2140 Trenton Road.

A public hearing is scheduled under section 506(d) of HSCA for September 20, 2000, at 7 p.m. at the Middletown Township Municipal Building at 2140 Trenton Road. Persons that want to present formal oral comments regarding this interim response may do so by registering with the Department before the meeting. Individuals may register by calling the Department's Community Relations Coordinator, John Gerdemann, at (610) 832-6228.

Persons with a disability who wish to attend the September 20 meeting and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact John Gerdemann at the telephone number listed above or through the Pennsylvania AT&T Relay Service at (800) 564-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's proposed interim response action during the period of public comment. Under section 506(c) of HSCA, the Department has established a period for public comment, which will run from the date of this notice through September 30, 2000. Written comments should be addressed to David Ewald, Project Officer, at the Department's address listed above.

Individuals with questions concerning this notice should contact David Ewald at (610) 832-6200.

Notice of Prompt Interim Response Reach Road Industrial Park Groundwater Contamination

Williamsport, Lycoming County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA), has initiated a prompt interim response at the Reach Road Industrial Park Groundwater Contamination Site. This response has been undertaken under section 505(b) of HSCA (35 P. S. § 6020.505(b)). The Site is located in the Newberry section of Williamsport.

After several sampling events during the summer/fall of 1999, the Department became aware that wide-spread Volatile Organic Compound (VOC) contamination exists in the soil/groundwater around Reading Avenue, Mosser Avenue Extension, Catawissa Avenue and a section of Reach Road. More specifically, there are eight known residential dwellings/businesses that have concentrations of Trichloroethylene (TCE) and/or Tetrachloroethylene (PCE) in their groundwater supply wells that currently exceed the Pennsylvania Land Recycling and Environmental Remediation Standards Act (Act 2), Medium-Specific Concentrations for drinking water for those compounds. All residences in the area were immediately offered bottled water, paid for by the Department.

Once it was learned that a wide-spread VOC plume existed, the Department decided on a two-prong approach; fund the expansion of the municipal water distribution system throughout the affected area, and conduct a VOC source identification study. This response, removing the threat pathway with bottled/public water and attempting to identify how and where the contamination occurred, is a typical and practical approach to these types of environmental situations. The source identification study and water distribution project are ongoing.

Given the nature of the wide-spread groundwater contamination, connecting the affected and potentially affected businesses and residences to public water is the only long-term, permanent solution to eliminate the threats associated with the contamination. Connecting the affected and potentially affected homes/businesses to the public water system would permanently eliminate the human health threats associated with the contamination, and ensure that the area has a stable, safe, source of water. The water main was designed and is being constructed by the Williamsport Water Authority, and a qualified plumber will accomplish the plumbing. The cost of this project is estimated to be approximately \$133,000 and is being funded by the Hazardous Sites Cleanup Act (HSCA) Fund.

If any subsequent investigations identify a source area and a responsible party, the Department will work with them to achieve a standard in accordance with the provisions of Act 2, which dictates the procedures to be followed for any voluntary or required remediation.

This notice is being provided under sections 505(b) and 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response action, is available for public review and comment. The administrative record is located in the Department's file room located at 208 West Third Street, Suite 101, Williamsport, PA, and is available for review. To schedule a review time, contact the Department file room coordinator, Kathy Arndt, at (570) 327-3693.

The administrative record will be open for comment from July 3 until October 3, 2000. Persons may submit written comments into the record, during this time only, by sending them to Kevin Kroculik, PADEP, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, or by delivering them to this office in person.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing for August 7, 2000, at 7 p.m. The hearing will be conducted in the Goddard Room of the Department's office building in Williamsport. Persons wishing to present comments must register with Kevin Kroculik before July 21, 2000,

by telephone at (570) 327-3728 or in writing, at the above address. If no person registers to present oral comments, by the date specified above, the hearing will not be held. Persons interested in finding out if anyone has registered, and if the hearing will be held, should contact Kevin Kroculik.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Kevin Kroculik or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

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 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 to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

The Department has received the following final report:

Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.

Region Oil Company, South Centre Township, **Columbia County**. Storb Environmental, Inc., on behalf of their client, Region Oil Company, 900 Eisenhower Boulevard, Middletown, PA 17057, has submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard. See Preamble 1 of this issue for additional information.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908) and Chapter 250 Administration of Land Recycling Program.

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. 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 methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the content of the plans and reports, please contact the Environmental Cleanup Program Manager in the Department's Regional Office under which the notice of the plan and report appears. If information concerning the plan and report is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports.

Southeast Regional Office: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-5950.

Langhorne Square Shopping Center, Middletown Township, **Bucks County**. A Final Report concerning remediation of site groundwater contaminated with solvents was submitted to the Department. The report demonstrated attainment of site-specific standards and was approved by the Department on March 6, 1998.

Kvaerner Philadelphia Shipyard, Inc., City of Philadelphia, **Philadelphia County**. A Baseline Environmental Report concerning remediation of site soil contaminated with PCBs, lead, pesticides, heavy metals, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons and groundwater contaminated

with PCBs, lead, heavy metals, solvents, BTEX and polycyclic aromatic hydrocarbons was submitted to the Department. The report was approved by the Department on March 27, 1998, and the special industrial area Consent Order and Agreement was executed on March 30, 1998.

Northeast Regional Field Office, Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Queen City Business Center, City of Allentown, **Lehigh County**. Jeff Obrecht, P. G., Division Manager, Apex Environmental, Inc., 301 W. Lancaster Avenue, Reading, PA 19607 submitted a Remedial Investigation Report and two Final Reports (on behalf of his client, Queen Business Center, 1801 South 12th Street, Allentown, PA 18103) concerning the remediation of site soils and groundwater found or suspected to have been contaminated with solvents and/or metals. The reports demonstrated attainment of both the Statewide health and site-specific standards, and were approved on June 12, 2000.

Pennsylvania Power & Light Company (PPL)—retired South Side Substation, City of Scranton, **Lackawanna County**. PPL, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on April 10, 1998.

Pennsylvania Power & Light Company (PPL)—Distribution pole No. 63450N45417 (Route 690), Salem Township, **Wayne County**. PPL, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on April 20, 1998.

Pennsylvania Power & Light Company (PPL)—Distribution pole No. 48695N28761 (Route 309), City of Hazleton, **Luzerne County**. PPL, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on April 14, 1998.

Pennsylvania Power & Light Company (PPL)—Distribution pole No. 67963N44494 (Route 507), Palmyra Township, **Pike County**. PPL, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on April 14, 1998.

Pennsylvania Power & Light Company (PPL)—Distribution pole No. 51878N49457 (Route 307), Overfield Township, **Wyoming County**. PPL, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on April 20, 1998.

Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

Pennsylvania Power & Light Company (PPL)—Distribution pole No. 22188S35376, East Pennsboro Township, **Cumberland County**. A Final Report has been submitted concerning the remediation of site soils contaminated with PCBs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on January 6, 1998.

Olivetti Supplies Main Building, Susquehanna Township, **Dauphin County**. A Final Report has been submitted concerning the remediation of site soils contaminated with solvents. The Final Report demonstrated attainment of the Statewide health standard, and was approved by the Department on March 6, 1998.

Wedgewood Hills Apartments, Susquehanna Township, **Dauphin County**. A Final Report has been submitted concerning the remediation of site soils contaminated with PHCs. The Final Report demonstrated attainment of the Statewide health standard, and was approved by the Department on February 20, 1998.

Smokestack Site, York City, **York County**. A Baseline Environmental Report has been submitted concerning the remediation of site soils and groundwater contaminated with lead, heavy metals, solvents, BTEX, PHCs and PAHs. The site was remediated as a special industrial area. The Baseline Environmental Report was approved by the Department on May 30, 1997. The Consent Order and Agreement was executed on October 10, 1997.

Pennsylvania Power & Light Company (PPL)—Franklin Lehigh Substation, Lancaster City, **Lancaster County**. A Final Report has been submitted concerning the remediation of site soils contaminated with PCBs. The Final Report demonstrated attainment of the Statewide health standard, and was approved by the Department on April 1, 1998.

Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.

Textron-Lycoming-Service Center, Montoursville Borough, **Lycoming County**. A Final Report was submitted addressing groundwater contaminated with BTEX and PHCs. The report documented remediation to meet the Statewide health standard and was approved by the Department on April 27, 1998.

Playworld Systems, New Berlin Borough, **Union County**. A Remedial Investigation Report and Cleanup Plan was submitted addressing soil contaminated with BTEX. The report was approved by the Department on January 9, 1998.

Herman Banks Scrap Yard, West Chillisquaque Township, **Northumberland County**. A Remedial Investigation Report was submitted addressing soil contaminated with PCBs, heavy metals, PHCs and PAHs. This report was approved by the Department on December 12, 1997. A Cleanup Plan for this remediation was submitted at a later date and was approved by the Department on February 17, 1998.

Lock Haven Laundry, City of Lock Haven, **Clinton County**. A Remedial Investigation Report, Risk Assessment Report and Cleanup Plan have been submitted addressing groundwater contaminated with solvents. The reports were approved by the Department on March 6, 1998.

Sunshine Textiles Services, Inc., Town of Bloomsburg, **Columbia County**. A Remedial Investigation Report, Risk Assessment Report and Cleanup Plan have been submitted addressing groundwater contaminated with solvents and PHCs. The reports were disapproved by the Department on November 18, 1997.

Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-5217.

Gil Fischer Residence (owned by Rolling Hills Village), Elizabeth Township, **Allegheny County**. Kevin P. Van Kuren, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103, has submitted a Final Report concerning remediation of site soil contaminated with polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on April 17, 1998.

Northwest Regional Office: Craig Lobins, Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.

Brown Boiler, 1026 Chestnut Street, Franklin, Franklin Township, **Venango County**. A Baseline Environmental Report has been submitted to the Department concerning remediation of soils contaminated with polycyclic aromatic hydrocarbons. The site was remediated as a special industrial area. The Baseline Environmental Report was approved by the Department on April 7, 1998.

Shenango Valley Industrial Development Corporation (Caparo Steel Company—former Finishing Division B), Broadway Avenue, City of Farrell, **Mercer County**. A Final Report concerning remediation of site soils and groundwater contaminated with lead and heavy metals was submitted to the Department. The report demonstrated attainment of Statewide health standards and was approved on April 3, 1998.

GPU Energy Parcel J, North of Front Street, City of Erie, **Erie County**. A Final Report concerning remediation of site soils and groundwater contaminated with BTEX, petroleum hydrocarbons, and polycyclic aromatic hydrocarbons was submitted to the Department. The report demonstrated attainment of Statewide health standards and was approved on November 6, 1997.

SOLID AND HAZARDOUS WASTE

LICENSE TO TRANSPORT HAZARDOUS WASTE

Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

D.G.D. Environmental Services, Inc., 500 Cobham Park Road, Warren, PA 16365; License No. **PA-AH 0603**; renewal license issued June 12, 2000.

Evans Worldwide, Inc., 668 Rahway Avenue, Union, NJ 07083; License No. **PA-AH 0538**; renewal license issued June 6, 2000.

Glen W. Smith and Associates, Inc., 3408 52nd Avenue, Hyattsville, MD 20781; License No. **PA-AH 0596**; renewal license issued June 7, 2000.

Nighthawk Transport, Incorporated, 811 Southeast J, Bentonville, AR 72712; License No. **PA-AH 0602**; renewal license issued June 15, 2000.

Page E.T.C., Inc., P. O. Box 1290, Weedsport, NY 13166; License No. **PA-AH 0338**; renewal license issued June 8, 2000.

Radiac Research Corp., 261 Kent Avenue, Brooklyn, NY 11211; License No. **PA-AH S007**; renewal license issued June 6, 2000.

License issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Midwest Environmental Services, Inc., P. O. Box 218, Brownstown, IN 47220; License No. **PA-AH 0661**; license issued June 8, 2000.

R. L. Carter Trucking, Inc., 8451 S. State Road 39, Clayton, IN 46118; License No. **PA-AH 0662**; license issued June 9, 2000.

Hazardous waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport hazardous waste.

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

G & O Transportation, Inc., 525 East El Compo Grande, Las Vegas, NV 89115; license terminated June 6, 2000.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Southeast Regional Office: Regional Solid Waste Manager, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428.

Permit No. 101290. Waste Management of Pennsylvania, Inc., 1121 Bordentown Road, Morrisville, PA 19067. The permit for the transfer station located at 3605 Grays Ferry Avenue, Philadelphia, was modified to provide for new processing lines and tipping, loading, unloading, and storage areas within the existing permitted area of the facility. Permit was modified by the Southeast Regional Office on June 15, 2000.

**AIR QUALITY
OPERATING PERMITS**

General Plan Approval and Operating Permit usage authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

45-310-019GP: Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for construction and operation of a portable stone crushing plant (Hazmag) and associated air cleaning device in Tobyhanna Township, **Monroe County**.

45-310-020GP: Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) for construction and operation of a portable stone crushing plant (Cedar Rapids) and associated air cleaning device in Tobyhanna Township, **Monroe County**.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

GP1-36-03110: Southern Container Corp. (500 Richardson Drive, Lancaster, PA 17603) authorized use of a general permit for construction/operation of two natural gas/No. 2 fuel oil boilers in West Hempfield Township, **Lancaster County**.

GP3-36-03030: D. M. Stoltzfus & Sons, Inc. (P. O. Box 84, Talmage, PA 17580-0084) authorized use of general permit for construction/operation of a portable crushing plant in Upper Leacock Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

GP4-36-323-017A: Novelty Manufacturing Co. (1330 Loop Road, Lancaster, PA 17601-3116) authorized use of a general permit for operation of a burnoff oven in Lancaster City, **Lancaster County**.

GP7-06-03119: Precision Offset Printing Co., Inc. (P. O. Box 675, Leesport, PA 19533) authorized use of a general permit for operation of nine sheetfed presses in Leesport Borough, **Berks County**.

Administrative Amendment of Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

OP-09-0013: Wheelabrator Falls, Inc. (1201 New Ford Mill Road, Morrisville, PA 19067-0413) on April 13, 2000, for municipal waste combustors in Falls Township, **Bucks County**.

OP-15-0027: Johnson Matthey, Inc. (456 Devon Park Drive, Wayne, PA 19087) on June 3, 2000, for facility VOCs/NO_x RACT in Tredyffrin Township, **Chester County**.

OP-09-0030: MSC Pre Finish Metals, Inc. (120 Enterprise Avenue, Morrisville, PA 19067) on June 19, 2000, for a coating line in Falls Township, **Bucks County**.

Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

OP-23-0017B: PECO Energy Co. (1 Industrial Highway, Eddystone, PA 19022) on June 8, 2000, for operation of a facility VOC/NOx RACT in Eddystone Borough, **Delaware County**.

The following items were printed improperly in the June 17, 2000 issue of the *Pennsylvania Bulletin*:

General Plan Approval and Operating Permit usage authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

GP3-67-3041: County Line Quarry, Inc. (P. O. Box 99, Wrightsville, PA 17368) authorized use of a general permit for operation of a portable crushing plant in Hellam Township, **York County**.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

GP-65-00921: North Side Foods Corp. (2200 Rivers Edge Drive, Arnold, PA 15068) on June 2, 2000, for construction and operation of one Cleaver Brooks model CBLE 700-400-150 natural gas-fired boiler, rated at 13.39 MM BTU per hour in Arnold, **Westmoreland County**.

Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

01-310-001D: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201-0809) on May 10, 2000, for operation of a traprock crushing plant controlled by a Johnson-March wet suppression system and a fabric collector at the Gettysburg Quarry in Cumberland Township, **Adams County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-42-182B: Allegheny Store Fixtures, Inc. (57 Holley Avenue, Bradford, PA 16701) issued May 31, 2000, for Paint Booth No. 2 in Bradford Township, **McKean County**.

Operating Permits Minor Modification issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Northeast Regional Office, Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

54-322-003: Commonwealth Environmental Systems, Inc. (P. O. Box 249, Dunmore, PA 18512) for minor modification of the landfill gas collection system conditions for the landfill Foster Township, **Schuylkill County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

17-303-006A: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664-0077) on May 26, 2000, to change the fuel allowed in the burner of an asphalt plant's rotary dryer from No. 2 fuel oil only to natural gas only as well as to increase the number of hours a diesel generator is allowed to operate from 1000 per 12 consecutive month period to 1500 per 12 consecutive month period in Lawrence Township, **Clearfield County**.

PLAN APPROVALS

Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southeast Regional Office: Air Quality Program, 555 North Lane, Conshohocken, PA 19428, (610) 832-6242.

PA-09-0125A: Naceville Materials (5031 Pt. Pleasant Pike, Doylestown, PA 18901) on June 14, 2000, for operation of a crushing plant in Plumstead Township, **Bucks County**.

PA-46-0036A: Ford Electronics and Refrigeration, LLC (2750 Morris Road, Lansdale, PA 19446) on June 19, 2000, for operation of a urea selective catalytic reduction in Worcester Township, **Montgomery County**.

PA-23-0088: Southco, Inc. (210 North Brinton Lake Road, Concordville, PA 19331) on June 19, 2000, for operation of two emergency generators in Concord Township, **Delaware County**.

PA-23-0001J: Sunoco, Inc. (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on June 19, 2000, for operation of 21 storage tanks in Marcus Hook Borough, **Delaware County**.

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

40-320-011: S L C Graphics, LP (50 Rock Street, Pittston, PA 18640) on June 8, 2000, for installation of an air cleaning device in Hughestown Borough, **Luzerne County**.

54-313-073C: Air Products & Chemicals, Inc. (P. O. Box 351, R. R. 1, Tamaqua, PA 18252) on June 9, 2000, for installation of an air cleaning device in Rush Township, **Schuylkill County**.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

06-01069J: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536-0147) on June 14, 2000, for construction of Battery Assembly Plants S-1, A-2, and A-4 controlled by two fabric collectors and six mist eliminators in Richmond Township, **Berks County**. These sources are subject to 40 CFR Part 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants.

06-03116: Genesis Metals, Inc. (P. O. Box 159, Birdsboro, PA 19508) on June 9, 2000, for construction of a secondary aluminum facility controlled by a secondary combustion chamber at the Birdsboro Plant in Birdsboro Borough, **Berks County**. This source is subject to 40 CFR Part 63, Subpart RRR—National Emission Standards for Hazardous Air Pollutants for Source Categories.

36-05002A: Armstrong World Industries, Inc. (P. O. Box 3001, Lancaster, PA 17604) on June 8, 2000, for modification of a limestone delivery system controlled by a fabric filter in Lancaster City, **Lancaster County**.

67-03087: The David Edward Co., Ltd. (252 North Franklin Street, Red Lion, PA 17345) on June 8, 2000, for installation of a Burnham wood-fired boiler in Red Lion Borough, **York County**.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

PA-32-349A: I-22 Processing, Inc. (One Energy Place, Suite 2200, Latrobe, PA 15650) on June 7, 2000, for operation of coal transloading facility at I-22 Yard in Burrell Township, **Indiana County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-10-021G: INDSPEC Chemical Corp. (133 Main Street, Petrolia, PA 16050) on June 6, 2000, for construction of a resin hold tank in Petrolia, **Butler County**.

24-313-086A: Carbide Graphite Group (800 Theresia Street, St. Marys, PA 15857) on June 12, 2000, for installation of a wet limestone slurry scrubber in St. Marys, **Elk County**.

Plan Approvals extensions issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

22-301-058: Pennsylvania Department of Agriculture (2301 North Cameron Street, Harrisburg, PA 17110) granted May 23, 2000, to authorize temporary operation of an animal health laboratory multi-chambered incinerator controlled by a Venturi-wet scrubber and a mist eliminator, covered under this Plan Approval until September 19, 2000, in Susquehanna Township, **Dauphin County**.

36-317-070F: Tyson Foods, Inc. (P. O. Box 1156, New Holland, PA 17557-0901) granted May 21, 2000, to authorize temporary operation of chicken processing operations at 403 South Custer Avenue in New Holland Borough, **Lancaster County**.

36-03008B: Tyson Foods, Inc. (P. O. Box 1156, New Holland, PA 17557-0901) granted May 8, 2000, to authorize temporary operation of a Johnston Boiler Company boiler fired by a Weishaupt low NOx burner in Earl

Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-10-021C: Indspec Chemical Corp. (133 Main Street, P. O. Box 307, Petrolia, PA 16050) on June 30, 2000, for a gas fired boiler economizer in Petrolia, **Butler County**.

PA-10-047D: Mine Safety Appliances Co. (1420 Mars Evans City Road, Evans City, PA 16033) on June 30, 2000, for an amines boranes plant in Forward Township, **Butler County**.

PA-24-123A: Superior Greentree Landfill, Inc. (635 Toby Road, Kersey, PA 15846) on May 31, 2000, for a landfill gas management system in Fox Township, **Elk County**.

PA-25-974A: Hi-Tech Plating Co., Inc. (1015 West 18th Street, Erie, PA 16502) on June 30, 2000, for a chrome plating operation in Erie, **Erie County**.

PA-62-158A: Lane Construction Corp. (Jakes Rocks Road, Warren, PA 16365) on June 30, 2000, for a drum mix asphalt plant in Mead Township, **Warren County**.

The following items were printed improperly in the June 17, 2000 issue of the Pennsylvania Bulletin:

Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

36-05067F: C & D Technologies, Inc. (82 East Main Street, Leola, PA 17540) on May 31, 2000, for modification of a lead-acid battery manufacturing plant in Upper Leacock Township, **Lancaster County**. These sources are subject to 40 CFR Part 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants.

67-05001A: J. E. Baker, Co. (P. O. Box 1189, York, PA 17405-1189) on May 30, 2000, for modification of the refractory production facility in West Manchester Township, **York County**.

67-05016A: R. H. Sheppard Co., Inc. (P. O. Box 877, Hanover, PA 17331-0877) on May 30, 2000, for construction/installation of sand shakeout lines and a fabric collector at Plant No. 3 in Hanover Borough, **York County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-25-069D: Engelhard Corp. (1729 East Avenue, Erie, PA 16503) on May 30, 2000, for installation of a dust collector to control fugitive emissions from Building 400 in Erie, **Erie County**.

61-308-001A: Vertical Seal Co. (Neilltown Corners, Pleasantville, PA 16341) on May 30, 2000, for replacement of a baghouse in Oil Creek Township, **Venango County**.

37-399-009A: Hickman Manufacturing, Inc. (Route 18, Wampum, PA 16157) on May 30, 2000, for addition of a bulk storage tank at the roof coating manufacturing operation in New Beaver Borough, **Lawrence County**.

PA-10-330A: Butler Veterinary Associates, Inc. (1761 North Main Street Extension, Butler, PA 16001) on May 31, 2000, for construction of a crematory for animals in Center Township, **Butler County**.

Plan Approvals extensions issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

06-01007S: Carpenter Technology Corp. (P. O. Box 14662, Reading, PA 19612-4662) granted June 1, 2000, to authorize temporary operation of a strip finish mill controlled by a fabric collector, two mist eliminators and two scrubbers, covered under this Plan Approval until December 31, 2000, at the Reading Plant in Reading City, **Berks County**.

07-305-001A: Tyrone Synfuels, L.P. (160 Quality Center Road, Homer City, PA 15748) granted June 1, 2000, to authorize temporary operation of a fuel production facility controlled by a coal hammer mill baghouse, a cooler dust cyclone and a dryer baghouse, covered under this Plan Approval until September 28, 2000, at the Tyrone Division in Snyder Township, **Blair County**.

21-312-021A: Arnold Fuel Oil, Inc. (P. O. Box 2621, Harrisburg, PA 17105) granted June 1, 2000, to authorize temporary operation of a petroleum product loading rack controlled by a vapor combustion unit at the Mechanicsburg Terminal, 127 Texaco Road in Silver Spring Township, **Cumberland County**.

Northcentral Regional Office: Air Quality Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3637.

41-329-001A: Lycoming County Resource Management Services (P. O. Box 187, Montgomery, PA 17752) on May 25, 2000, to extend the authorization to operate two 860 horsepower landfill gas-fired reciprocating internal combustion engines on a temporary basis until September 22, 2000, at the Lycoming County Landfill in Brady Township, **Lycoming County**.

55-302-005B: Wood-Mode, Inc. (1 Second Street, Kreamer, PA 17833) on May 19, 2000, to extend authorization to operate a 10.2 million BTU/hour woodwaste-fired boiler (Boiler No. 1) and associated air cleaning devices (two multiclones in series) on a temporary basis until September 16, 2000, in Middlecreek Township, **Snyder County**.

55-302-005C: Wood-Mode, Inc. (1 Second Street, Kreamer, PA 17833) on May 19, 2000, to extend authorization to operate a 32 million BTU/hour woodwaste-fired boiler (Boiler No. 3) and associated air cleaning devices (two multiclones in series) on a temporary basis until September 16, 2000, in Middlecreek Township, **Snyder County**.

17-305-042: DTE River Hill, LLC (425 South Main Street, Suite 201, P. O. Box 8614, Ann Arbor, MI 48107), owner, and **Covol Technologies, Inc.** (3280 North Frontage Road, Lehi, UT 84043), operator, on May 26, 2000, to extend authorization to operate a coal fines agglomeration

facility on a temporary basis until September 23, 2000, in Karthaus Township, **Clearfield County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-16-132A: Temple-Inland Forest Products Corp. (1 Fiberboard Avenue, Shipperville, PA 16254) on May 31, 2000, for a regenerative thermal oxidizer in Paint Township, **Clarion County**.

PA-20-0040A: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335) on May 31, 2000, for an automatic molding system in Vernon Township, **Crawford County**.

PA-20-040B: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335) on May 31, 2000, for a sand handling system in Vernon Township, **Crawford County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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); 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. Mining activity permits issued in response to such applications will also address the applicable 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).

Hawk Run District Office, P. O. Box 209, off Empire Road, Hawk Run, PA 16840.

Coal Permits Issued

17990124. Mark Coal (P. O. Box 166, Madera, PA 16661), commencement, operation and restoration of a bituminous surface mine permit in Bigler Township, **Clearfield County** affecting 73.7 acres. Receiving streams: unnamed tributaries to Muddy Run and Muddy Run. Application received December 14, 1999. Permit issued June 5, 2000.

17814033. Philip Reese Coal Company (P. O. Box 87, Karthaus, PA 16845), revision to an existing bituminous surface mine permit for a Change in Permit Acres from 403.3 to 412.8 acres. This permit is located in Karthaus Township, **Clearfield County**. Receiving streams: Saltlick Run and unnamed tributaries to Saltlick Run. Application received January 4, 2000. Permit issued June 6, 2000.

Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.

32890109. Permit Renewal for reclamation only. Kent Coal Mining Company (P. O. Box 219, Shelocta, PA 15774), for continued restoration of a bituminous surface and auger mine in Blacklick Township, **Indiana County**, affecting 18.4 acres, receiving stream Aultmans Run, application received April 10, 2000, permit issued June 12, 2000.

Knox District Office, P. O. Box 669, Knox, PA 16232.

33850123. Waroquier Coal Company (P. O. Box 128, Clearfield, PA 16830) Transfer of an existing bituminous strip operation from Starr Coal Company in Washington Township, **Jefferson County** affecting 203.2 acres. Receiving streams: Unnamed tributary to Mill Creek and unnamed tributary to Rattlesnake Run. Application received: February 4, 2000. Permit Issued: June 15, 2000.

24990102. Tamburlin Brothers Coal Co., Inc. (P. O. Box 1419, Clearfield, PA 16830) Commencement, operation and restoration of a bituminous strip and auger operation in Fox Township, **Elk County** affecting 136.0 acres. Receiving streams: Limestone Run. Application received: September 29, 1999. Permit Issued: June 7, 2000.

Hawk Run District Office, P. O. Box 209, Off Empire Road, Hawk Run, PA 16840.

Small Industrial Minerals Permits Issued

18990802. Charles J. Shaffer (P. O. Box 43, Antesfort, PA 17720), commencement, operation and restoration of a Small Industrial Minerals (Mountain Stone) permit in Wayne Township, **Clinton County** affecting 1 acre. Receiving stream: unnamed tributary to West Branch Susquehanna River. Application received October 26, 1999. Permit issued June 15, 2000.

41000801. Arthur E. Zimmerman (2740 Heshbon Street, Williamsport, PA 17701), commencement, operation and restoration of a Small Industrial Minerals (Topsoil/Gravel) permit in Loyalsock Township, **Lycoming County** affecting 1 acre. Receiving stream: Lychoming Creek, tributary to Susquehanna River. Application received April 28, 2000. Permit issued June 15, 2000.

08002801. Gary Heath & Stephen T. Schmeckenbecher (R. R. 2, Box 31, Towanda, PA 18848), commencement, operation and restoration of a Small Industrial Minerals (Topsoil) permit in Towanda Township, **Bradford County** affecting 2 acres. Receiving stream: Susquehanna River. Application received May 8, 2000. Permit issued June 15, 2000.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Noncoal Permits Issued

7574SM4C2. Essroc Cement Corp. (Route 248 and Easton Road, Nazareth, PA 18064), correction of an existing quarry operation in Upper and Lower Nazareth Townships, **Northampton County** affecting 255.0 acres, receiving stream—unnamed tributary to East Branch Monocacy Creek. Correction issued June 15, 2000.

7475SM10A1C3. Essroc Cement Corp. (Route 248 and Easton Road, Nazareth, PA 18064), correction to an existing quarry operation in Nazareth Borough and Upper Nazareth Township, **Northampton County** affecting 175.95 acres, receiving stream—unnamed tributary to East Branch Monocacy Creek. Correction issued June 15, 2000.

7475SM5C2. Essroc Cement Corp. (Route 248 and Easton Road, Nazareth, PA 18064), renewal of NPDES Permit No. PA0223522 in Upper and Lower Nazareth Townships and Nazareth Borough, receiving stream—unnamed tributary to Schoeneck Creek. Renewal issued June 16, 2000.

ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS

Permits Issued and Actions on 401 Certification

Actions on applications filed 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 sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (*Note:* Permits issued for Small Projects do not include 401 Certification unless specifically stated in the description.)

Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E35-328. Encroachment. City of Scranton, Rear 800 Providence Road, Scranton, PA 18508. To maintain an existing concrete channel with appurtenant debris basin, entrance structure and stilling basin in and along Stafford Meadow Brook. The project is located in Stafford Meadow Brook from its mouth to a point approximately 1,650 feet upstream, in the City of Scranton, **Lackawanna County** (previously authorized by Permit No. 14322).

E35-329. Encroachment. City of Scranton, Rear 800 Providence Road, Scranton, PA 18508. To maintain the existing flood protection facilities on the Lackawanna River and Roaring Brook, in the City of Scranton, **Lackawanna County** (previously authorized by Permit No. 12805).

Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.

E06-536. Encroachment. Neill Dekker, PA Department of Transportation, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103. To remove existing structures and to construct and maintain (1) a 10 foot × 6 foot box culvert in the channel of Klines Creek (CWF) at a point at SR 0222, Station 216+00, (2) a 12 foot × 9 foot box culvert in the channel of Klines Creek (CWF) at a point SR 0222, Station 230+00, (3) a 12 foot × 9 foot box culvert in the channel of Klines Creek (CWF) at a point at Grings Hill Road, (4) a 16 foot × 6 foot box culvert in the channel of a tributary to Klines Creek (CWF) at a point at Old Lancaster Pike and (5) to relocate the channel of a tributary to Wyomissing Creek (CWF) into a stormwater system consisting of culverts and detention basins at a point downstream of Hain Road and (6) to impact 1.35 acres of wetlands for the purpose of reconstructing and realigning existing Route 222 (Sinking Spring PA Quadrangle N: 7.5 inches; W: 1.4 inches—N: 7.8 inches; W: 1.0 inch—N: 7.8 inches; W: 1.4 inches—N: 7.8 inches; W: 1.4 inches—N: 8.5 inches; W: 0.1 inch and N: 8.5 inches; W: 0.1 inch respectively) in Cumru Township, **Berks County**. Wetland Replacement of 2.97 acres will be created to the Wyomissing Creek watershed. This permit also includes 401 Water Quality Certification.

E28-268. Encroachment. Waynesboro Market Place, Michael Timmons, 1398 Logan Circle, Marietta, GA 30062. To construct and maintain a multi-plate steel

plate arch culvert having a 25-foot clear span with a 7.5-foot underclearance across Red Run (CWF) for an access driveway to the proposed Waynesboro Market Place commercial development located 60 feet upstream of SR 0016 at the Village of Rouzerville (Smithsburg, MD-PA, Quadrangle N: 20.72 inches; W: 4.73 inches) in Washington Township, **Franklin County**. This permit also includes 401 Water Quality Certification.

Northcentral Region: Water Management—Soils and Waterways, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.

E14-366. Encroachment. **Calibre Boalsburg Associates II, Limited Partnership**, 100 North Patterson Street, State College, PA 16801. To construct and maintain the permanent stormwater outfall of a 15-inch diameter HDPE stormwater pipe with the associated 1.5-foot of grass protected earth cover, a HDPE end section and riprap apron on the right bank of Spring Creek located approximately 650 feet upstream of the S. R. 45 crossing of Spring Creek (State College, PA Quadrangle N: 4.9 inches; W: 5.0 inches) in Harris Township, **Centre County**. This permit was issued under section 105.13(e) "Small Projects."

E17-346. Encroachment. **Clearfield Borough Council**, 14 Front Street, Clearfield, PA 16830. To maintain an outfall pipe, 21 inches in diameter, with endwall at the West Branch Susquehanna River located approximately 250 feet south of the Market Street bridge (Clearfield, PA Quadrangle N: 3.8 inches; W: 9.1 inches) in Clearfield Borough, **Clearfield County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E60-142. Encroachment. **PA Department of Transportation**, P. O. Box 218, Montoursville, PA 17754-0218. To remove the existing structure and to construct and maintain a single span concrete spread box beam bridge with a normal span of 38 feet and underclearance of 6.5 feet across an unnamed tributary to Buffalo Creek located on SR 3003 approximately 0.5 mile east of SR 3005 (Hartleton, PA Quadrangle N: 8.9 inches; W: 0.33 inch) in Lewis Township, **Union County**.

Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E02-658-A1. Encroachment. **L. W. Molnar and Associates**, P. O. Box 11067, Pittsburgh, PA 15237. To place and maintain fill in a de minimis area of wetlands (PEM) and to construct and maintain eight outfall structures along the left bank of an unnamed tributary to Piney Fork (TSF), and to construct and maintain a sanitary sewer line under the bed and across the channel of said stream for the purpose of constructing the Kings School Village phase 3 located just west from the intersection of Kings School Road, Red Barn Road and Allandale (Bridgeville, PA Quadrangle N: 9.5 inches; W: 5.9 inches) in the Municipality of Bethel Park, **Allegheny County**.

E30-191. Encroachment. **Greene County Commissioners**, 93 East High Street, Waynesburg, PA 15370. To remove the existing structure (Greene County Bridge N. 109) and to construct and maintain a bridge having a

clear span of 30.0 feet and an underclearance of 5.9 feet across Job Creek (TSF) located on T-381 at a point approximately 130 feet west of its intersection with S. R. 3007. the project includes construction and maintenance of a temporary roadway crossing consisting of two 60-inch diameter C. M. pipe culvert (New Freeport, PA Quadrangle N: 14.5 inches; W: 0.75 inch) in Jackson Township, **Greene County**.

Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.

E25-603. Encroachment. **Commodore Perry Yacht Club**, P. O. Box 3455, Erie, PA 16508-0455. To conduct the following activities at the existing Commodore Perry Yacht Club at the foot of Poplar Street north of the Bayfront Highway (Erie North, PA Quadrangle N: 1.1 inches; W: 14.1 inches) in the City of Erie, **Erie County**:

1. To clear rock piles and maintain a 50-foot wide navigation channel from the existing marina entrance extending northeast approximately 375 feet to the lakeward end of waterlots nos. 181 and 182.

2. To perform periodic maintenance dredging within the basin of the existing marina.

E62-363. Encroachment. **Allegheny Partners, L.P.** c/o Forest Investment Associates, Michael A. McEntire, Management Forester, P. O. Box 1474, 312 West Main Street, Smethport, PA 16749. To construct and maintain a stream crossing consisting of four 36-inch diameter culverts and clean rock fill in South Branch State Line Run (CWF) for access to Allegheny Partners, L.P. Warren Tract No. 4 approximately 3,700 feet north of Lounsbury Corners (Scandia, PA-NY Quadrangle N: 17.1 inches; W: 1.9 inches) in Elk Township, **Warren County**.

DAM SAFETY

Actions on applications filed 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 sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Permits Issued and Actions on 401 Certification

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D30-047. DEP. **Cyprus Emerald Resources Corporation** (145 Elm Drive, Waynesburg, PA 15370). To construct, operate and maintain the Emerald Mine Area No. 2 Coal Refuse Dam located across a tributary to Smith Creek in Franklin Township, **Greene County**.

D30-034A. DEP. **Cyprus Emerald Resources Corporation** (145 Elm Drive, Waynesburg, PA 15370). To construct, operate and maintain Sedimentation Pond No. 1 Dam located across a tributary to Smith Creek in Franklin Township, **Greene County**.

STORAGE TANKS
SITE SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site Specific Installation Permits under the authority of the Storage Tank and Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and 25 Pa. Code Chapter 245, Subchapter C have been issued by the Bureau of Watershed Conservation, Director, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-5267.

<i>SSIP Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Tank Type and Capacity</i>
00-51-005	Jim Tucker Sunoco, Inc. (R & M) 3144 Passyunk Ave. Philadelphia, PA 19145-5299	Philadelphia County Philadelphia City	2 ASTs storing Gas Oil 2,688,000 gallons Total
00-51-006	Barbara E. Flowers Sunoco, Inc. 4700 Margaret Street Philadelphia, PA 19137	Philadelphia County Philadelphia City	1 AST Storing Alpha Methyl Styrene at 23,499 gallons 2 ASTs storing Phenol at 33,046 gallons each 1 AST storing Phenol at 26,767 gallons 2 ASTs storing Acetone at 82,614 gallons each
00-51-004	James R. Tucker Sunoco, Inc. 3144 Passyunk Ave. Philadelphia, PA 19145-5299	Philadelphia County Philadelphia City	1 AST storing various grades of fuel oil 2,032,400 gallons

SPECIAL NOTICES

Notice of Planning Grant Awards under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101

The Department of Environmental Protection (Department), hereby announces the following grants to counties under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101), (53 P. S. § 4000.901) and section 208 of the Waste Tire Recycling Act (Act 190 of 1996). The awards listed here are based upon applications received by the Department in 1999 and 2000.

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
<i>Southcentral Region</i>		
Berks County	HHW Education	\$3,733
<i>Southwest Region</i>		
Indiana County	Revision of the Indiana County Municipal Waste Management Plan	\$37,289

[Pa.B. Doc. No. 00-1132. Filed for public inspection June 30, 2000, 9:00 a.m.]

Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site (www.dep.state.pa.us) at the Public Participation Center. The "2000 Inventory" heading is the Governor's List of Non-regulatory Documents. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 2000.

Downloading/Ordering Paper Copies of DEP Technical Guidance

Persons can download all guidance documents from our website at www.dep.state.pa.us. We strongly encourage

utilizing Internet access for viewing documents whenever possible. If you do not have access to the Internet, copies of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory can be ordered by calling DEP at (717) 783-8727.

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

Changes to Technical Guidance Documents

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number are listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

Draft Guidance

DEP ID: 383-3500-106 Title: Guidance For Surface Water Identification Protocol: The guidance has been revised to reflect the change in schedule for low flow monitoring and to address the concerns regarding the appeal paragraph in the example form letters that are included with this document. Comment Period Ends: July 31, 2000 Anticipated Effective Date: September 1, 2000 Contact: Trudy Troutman (717) 783-3795, fax (717) 772-4474 or email at Troutman.Trudy@dep.state.pa.us.

Final Guidance

DEP ID: 362-2192-003 Title: Guidelines for Agricultural Utilization of Sewage Sludge Description: The document provides a coordinated and consistent Statewide process in determining compliance with requirements contained in permits issued under Chapter 275. These guidelines will provide DEP staff as well as the regulated community with concise, uniform guidance related to the calculation of the agronomic and cumulative pollutant loading rates. Comment Period Ends: July 31, 2000 Effective Date: July 7, 2000

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-1133. Filed for public inspection June 30, 2000, 9:00 a.m.]

Final Certification for the Army Corps of Engineers Nationwide Permits

The Department of Environmental Protection (Department), hereby certifies under section 401 of the CWA, 33 U.S.C.A. § 1341, subject to the conditions listed within this notice, that the activities authorized by the Army Corps of Engineers (Corps) in its *Federal Register* notice of March 9, 2000 (65 Fed. Reg. 12818) (Final Notice of Issuance, Reissuance, and Modification of Nationwide Permits (NWP)) which may result in a discharge into waters of the United States in the Commonwealth will comply with the applicable provisions of sections 301—303, 306 and 307 of the CWA, 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, and are consistent with Pennsylvania's Coastal Zone Management Program. In addition, this Commonwealth certifies, subject to the conditions within this notice, that there is a reasonable assurance that the construction and operation of the NWPs set forth in the March 9, 2000, notice will comply with applicable Federal and State water quality standards.

On May 6, 2000, the Department published a notice of the Corps' request for Section 401 Water Quality Certifi-

cation and a determination of Coastal Zone Management Program Consistency for the Corps' new and modified NWPs in the *Pennsylvania Bulletin* (30 Pa.B. 2307). During the 30-day comment period following publication of the notice, no public comments were received. Except in instances where the Pennsylvania Statewide Programmatic General Permit (PASPGP-1) issued by the Corps in March 1995 does not apply, these Nationwide Permits will be suspended for use in Pennsylvania by the Corps. This suspension will preserve the one-stop State and Federal permitting process we presently offer under PASPGP-1 while maintaining the current level of protection provided to our wetlands and water resources. For more information concerning the NWPs, contact the United States Army Corps of Engineers, Baltimore District, Attn.: CENAB-OP-R, P. O. Box 1715, Baltimore, MD 21203-1715.

In its *Federal Register* Notice, the Corps issued five new NWPs, modified six existing NWPs, amended nine NWP general conditions, and added two new NWP general conditions. The *Federal Register* provided notice that NWP 26 expired on June 5, 2000. A list of new and modified NWPs and new and modified NWP conditions follows.

Conditional Approval

New Nationwide Permits

- 39. Residential, Commercial and Institutional Developments
- 41. Reshaping Existing Drainage Ditches
- 42. Recreational Facilities
- 43. Stormwater Management Facilities
- 44. Mining Activities

Modified Nationwide Permits

- 3. Maintenance
- 7. Outfall Structures and Maintenance
- 12. Utility Activities
- 14. Linear Transportation Crossings
- 27. Stream and Wetland Restoration Activities
- 40. Agricultural Activities

New General Permit Conditions

- 25. Designated Critical Resource Waters
- 26. Fills within 100-Year Floodplains

Modified General Conditions

- 4. Aquatic Life Movements
- 9. Water Quality
- 11. Endangered Species
- 13. Notification
- 15. Use of Multiple Nationwide Permits
- 17. Shellfish Beds
- 19. Mitigation
- 20. Spawning Areas
- 21. Management of Water Flows

This certification is subject to the following conditions:

Conditions

- 1. Prior to commencing any activity covered by a Nationwide permit, the applicant must obtain all necessary permits and approvals from the Department, includ-

ing but not limited to, those required by The Clean Streams Law (35 P. S. §§ 691.1—691.1001), Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) and the regulations promulgated thereunder including 25 Pa. Code Chapters 75, 91—93, 95, 101, 102, 105 and 260—299. All environmental assessments required under these regulations, in addition to other regulatory requirements, must be complied with as a condition of Section 401 Water Quality Certification and CZM consistency for the NWP.

2. Fill material cannot contain wastes as defined in the Solid Waste Management Act.

3. For activities which impact on wetlands, a delineation shall be conducted in accordance with Pennsylvania's procedures for wetland delineation. The present procedure is published in 25 Pa. Code § 105.451.

4. The Department retains the right, on an individual activity basis, to withdraw or modify 401 Water Quality Certification for an activity subject to an NWP which it determines may adversely impact water quality.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-1134. Filed for public inspection June 30, 2000, 9:00 a.m.]

Small Water Systems Technical Assistance Center Advisory Board Special Committee Meeting

The Capability Enhancement Committee of the Small Water Systems Technical Assistance Center Advisory Board will hold a special meeting on Tuesday, July 11, 2000, from 9:30 a.m. to 11 a.m. in the 11th Floor Conference Room of the Rachel Carson State Office Building, Harrisburg, PA. The purpose of the meeting will be to review the draft package describing Pennsylvania's Capability Enhancement Program before it is finalized for submittal to EPA.

Questions concerning this schedule or agenda items can be directed to Donna Green at (717) 787-0122 or e-mail at Green.Donna@dep.state.pa.us. This schedule, an agenda for the meeting, and notices of meeting changes will be available through the Public Participation Center on Department of Environmental Protection (Department) World Wide Web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Donna Green directly at (717) 787-0122 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-1135. Filed for public inspection June 30, 2000, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Ephrata Community Hospital, 28 Pa. Code § 107.2

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Ephrata Community Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 which requires that the membership of the medical staff be limited to physicians and dentists who have made application in accordance with the bylaws, rules and regulations of the medical staff and with the bylaws of the hospital. Ephrata requests that it be permitted to add podiatrists to the medical staff.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, E-Mail Address: MVIA@STATE.PA.US.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, E-mail or facsimile to the Division at the address listed above.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 {TT}.

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 00-1136. Filed for public inspection June 30, 2000, 9:00 a.m.]

Application of Plastic Surgery Center, Ltd., 28 Pa. Code § 571.1

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Plastic Surgery Center, Ltd. has requested an exception to the requirements of 28 Pa. Code § 571.1 which requires compliance with minimum standards contained in the following publication: *Guidelines For Design and Construction of Hospitals and Healthcare Facilities*. Plastic Surgery Center, Ltd. requests exceptions to the operating room size, location of scrub sink, separate clean and soiled workrooms, patient changing area, corridor width, heating, ventilation and air conditioning requirements for ambulatory surgical facilities.

The request is on file with the Department. Persons may receive a copy of the request for exception by requesting a copy from: Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, E-Mail Address: MVIA@STATE.PA.US.

Those persons who wish to comment on this exception request may do so by sending a letter by mail, E-mail or facsimile to the Division at the address listed above.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 00-1137. Filed for public inspection June 30, 2000, 9:00 a.m.]

Notice of Funding Priorities

[CORRECTION]

An error occurred in the notice of the Department of Health which appeared at 30 Pa.B. 3123, 3124 (June 17, 2000). The date that all applications for funding and all actions on those applications are to be completed should have been June 30, 2001.

The correct version of that paragraph is as follows with ellipses referring to the existing text of the notice:

* * * * *

The regional EMS council shall prioritize funding distribution based on the EMS Development Plans (state and regional). The regional EMS council shall notify the provider of EMS of the established funding priorities, the application process, acquisition documentation requirements and processing deadlines. All applications for funding and all actions on those applications are to be completed by June 30, 2001.

* * * * *

[Pa.B. Doc. No. 00-1058. Filed for public inspection June 16, 2000, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Income and Resource Limits for Spouse Living in the Community When the Other Spouse is Institutionalized

The Department of Public Welfare (Department) increased the income and resource limits described in 55 Pa. Code §§ 181.452(d)(2)(iv), 178.124(a)(3)(i) and (ii) effective January 1, 2000, as required by 42 U.S.C.A. § 1396r-5.

The regulations at §§ 181.452(d)(2)(iv), 178.124(a)(3)(i) and (ii) establish the basis for determining the Monthly Community Spouse Maintenance Need Amount and the maximum and standard Community Spouse Resource Standard for the Categorically Needy Nonmoney Payment Medical Assistance (NMP-MA) and Medically Needy Only Medical Assistance (MNO-MA) Programs. These stan-

dards are required to be published in the *Pennsylvania Bulletin* annually and are available to the public upon request at the county assistance offices.

Effective January 1, 2000, the amounts are:

Maximum Community Spouse Resource Standard	\$84,120
Standard Community Spouse Resource Standard	\$16,824
Maximum Monthly Community Spouse Maintenance Need Amount	\$ 2,103

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-248; (1) General Fund; (2) Implementing Year 1999-00 is \$596,000; (3) 1st Succeeding Year 2000-01 is \$1.195 million; 2nd Succeeding Year 2001-02 is \$1.231 million; 3rd Succeeding Year 2002-03 is \$1.268 million; 4th Succeeding Year 2003-04 is \$1.306 million; 5th Succeeding Year 2004-05 is \$1.345 million; (4) 1998-99 Program—\$721.631 Million; 1997-98 Program—\$617.252 Million; 1996-97 Program—\$591.910 Million; (7) Medical Assistance—Long-Term Care; (8) recommends adoption.

Funds are available to cover the cost of implementing these changes.

[Pa.B. Doc. No. 00-1138. Filed for public inspection June 30, 2000, 9:00 a.m.]

Payments to Nursing Facilities July 1, 2000 Proposed Rates

The purposes of this notice are to announce the proposed changes in payment rates for nursing facilities beginning July 1, 2000, and to identify the methodology and justification for these proposed rates. Under 42 U.S.C.A. § 1902(a)(13)(A), as amended by section 4711 of the Balanced Budget Act of 1997, P. L. 105-33, § 4711, a state must use a public process when it proposes to make changes in payment rates or payment methodologies for nursing facility services under its approved Title XIX State Plan. The Department of Public Welfare (Department) is not proposing to amend its State Plan or to change its regulations, 55 Pa. Code Chapter 1187, relating to the rate-setting methodology used to set nursing facility payment rates. Rather, the Department is proposing to make changes in its nursing facility payment rates because those rate changes are required by the rate-setting methodology contained in its approved State Plan and regulations.

Rates

The proposed July 1, 2000 rates are available through the Bulletin Board System (BBS) at (800) 833-5091, at the local County Assistance Offices throughout the Commonwealth, or by contacting Tom Jayson in the Policy Section of the Bureau of Long Term Care Programs at (717) 772-2570.

Methodology

The methodology that the Department used to set the proposed rates is contained in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting) and the Commonwealth's approved Title XIX State Plan.

Justification

The justification for the proposed rates is that they were set under the rate-setting methodology required by the Commonwealth's approved State Plan and the current regulations.

The estimated increase in annual aggregate expenditures for Medical Assistance nursing facility services for FY 2000-2001 is \$132.044 million (\$61.176 million in State funds).

Interested persons are invited to submit written comments about the proposed rates to the Department within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to: Department of Public Welfare, Attention: Suzanne Love, P. O. Box 2675, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Services by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). Persons who require another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-249. (1) General Fund; (2) Implementing Year 2000-01 is \$61.176 Million; (3) 1st Succeeding Year 2001-02 is \$66.737 Million; 2nd Succeeding Year 2002-03 is \$66.737 Million; 3rd Succeeding Year 2003-04 is \$66.737 Million; 4th Succeeding Year 2004-05 is \$66.737 Million; 5th Succeeding Year 2005-06 is \$66.737 Million; (4) 1999-00 Program—\$639.625 Million; 1998-99 Program—\$721.631 Million; 1997-98 Program—\$617.252 Million; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funds are available to cover the cost of the proposed rates.

[Pa.B. Doc. No. 00-1139. Filed for public inspection June 30, 2000, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation, pursuant to the authority contained in Section 2002(c) of the Administrative Code (71 P. S. § 512(c) and in 67 Pa. Code § 495.4, gives notice that an application to lease highway right of way has been submitted to the Department by John A. Bennett, M.D., of 1100 First Avenue, Suite 100, King of Prussia, PA 19406, seeking to lease highway right of way located at State Route 0095 Section B-3, the northwest corner of Front and Market Streets, Philadelphia, 0.256 Acres, under the overpass from Delaware Avenue to Market Street. This land is and will be used for paid public parking.

Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Andrew Warren, District Engineer, Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406.

Questions regarding this application or the proposed use may be directed to Ray DeMasi, Real Estate Specialist, Pennsylvania Department of Transportation, District

6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406; (610) 205-6507.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 00-1140. Filed for public inspection June 30, 2000, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Notice of Settlement; Consol Pennsylvania Coal Company v. DEP; Doc. No. 2000-069-R

The Department of Environmental Protection (Department) and Consol Pennsylvania Coal Company (Consol) have agreed to a settlement of the noted matter. Acting on a permit application submitted by Consol, the Department issued a revision to Bituminous Coal Mining Activity Permit No. 30841316 which authorizes operation of the Bailey Underground Mine and Preparation Plant in Richhill Township, Greene County. The revision included a permit condition, Condition No. 4 of Section 7, which addressed how mining beneath utility facilities will proceed. Consol appealed the permit revision for the purpose of obtaining a modification of the language of Condition No. 4.

The parties have agreed to a settlement which provides for a modification of the language of Special Condition No. 4 to clarify the Department's original intent. The modified language provides:

Prior to undermining any gas line which poses a risk to human safety, Consol Pennsylvania Coal Company will provide the Department with written notification that: 1) the appropriate mitigation measures have been performed, 2) an agreement has been reached whereby the measures will be performed before the undermining occurs, or 3) a demonstration is provided that an imminent hazard will not occur. If the Department has not been informed two weeks prior to the proposed undermining that one of the above conditions has been met, then the Department may suspend Consol's authorization to mine beneath the gas line.

Copies of the full agreement are in the hands of:

Diana J. Stares
Regional Counsel
Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4262

Stanley R. Geary
Buchanan Ingersoll
One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, PA 15219-1410

and at the office of the Environmental Hearing Board, and may be reviewed by any interested party on request during normal business hours.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 00-1141. Filed for public inspection June 30, 2000, 9:00 a.m.]

GOVERNOR'S OFFICE

Regulatory Review

Executive Order 1996-1, which was signed by Governor Ridge on February 6, 1996, requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. The following is the ninth publication of the Administration's regulatory agenda, grouped by agency. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ADMINISTRATION			
No regulations being developed or considered at this date.			
AGING			
PA Code Title VI Chapter 11 Older Adult Daily Living Centers	February 2002, as proposed.	This regulation is being reviewed for consolidation with regulations from DPW and DOH with the intent to publish as part of regulations to be proposed as Adolescent and Adult Day Center Licensing Regulations. Review is also occurring as a result of passage of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 15 Protective Services For Older Adults	September 2000, as final.	This regulation is being reviewed as a result of the passage of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1. The proposed amendments were published as proposed rulemaking in the <i>Pennsylvania Bulletin</i> on November 27, 1999. A second draft of amendments was prepared based on comments received and a second round of meetings was held with stakeholders in May-00.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 21 Domiciliary Care Services for Adults	July 2002, as proposed.	Review is continuing as part of a Departmental evaluation in response to Executive Order 1996-1. The review will be coordinated with the Adult Residential Facilities initiative being led by the Office of Licensing and Regulatory Management, Department of Public Welfare.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 3 Fair Hearings and Appeals	July 2001, as proposed.	This regulation has been initially reviewed by stakeholders in response to passage of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1. The completion of any proposed changes is dependent on the promulgation of final adult protective services regulations.	Robert Hussar 717-783-6207

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
AGRICULTURE			
Agricultural Land Conservation Assistance Grant Program 7 Pa. Code Chapter 138h	August, 2000, as final.	This regulation will amend current regulations to refine the criteria pursuant to which the Department awards grants for farmland protection projects of Statewide scope. The proposed regulation was published at 30 Pa.B. 638 (February 5, 2000).	Raymond Pickering (717) 783-3167
"Clean and Green" Regulations 7 Pa. Code Chapter 137	July, 2000, as proposed. No later than April 30, 2001, as final.	Act 156 of 1998 revised the "Clean and Green" Law (72 P. S. §§ 5490.1—5490.13) and afforded the Department until April 30, 2001 by which to promulgate regulations to implement these revisions. The regulations will promote uniform and consistent interpretation and enforcement of the Act Statewide.	Raymond Pickering (717) 783-3167
Agricultural Conservation Easement Purchase Program	September, 2000, as proposed.	Act 138 of 1998 amended the Agricultural Area Security Law by permitting local government unit participation in agricultural conservation easement purchases. The regulations at 7 Pa. Code Chapter 138e must be revised to implement this statutory change.	Raymond Pickering (717) 783-3167
Consolidation/Update of Retail Food Store Regulations	January, 2001, as proposed.	This regulation would provide the retail food industry needed and requested guidance for the safe handling of food. The Food Act (31 P. S. §§ 20.1—20.18) is the statutory basis for this regulation.	Lenchen Radle (717) 772-3234
Agricultural Security Areas	November, 2000, as proposed.	This regulation will revise the current regulation at 7 Pa. Code Chapter 138 to address revisions to the statute on which that regulation is premised: the Agricultural Area Security Law (3 P. S. §§ 901—915).	Raymond Pickering (717) 783-3167
Maple Products	March, 2001, as proposed.	This regulation is required by the Maple Products Act (3 Pa.C.S. §§ 6101—6112). This regulation would establish standards, product quality practices and facility requirements relating to the production of maple syrup and maple products.	Lenchen Radle (717) 772-3234
Harness Racing Commission	December, 2000, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in harness racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 181, 183, 185 and 186—190, including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Anton J. Leppler (717) 787-5196

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Land application of soil and groundwater contaminated with agricultural chemicals	December, 2000, as proposed.	This regulation is required under the Land Recycling and Environmental Remediation Standards Act, at 35 P. S. § 6026.101 et seq. This regulation would allow soil and groundwater contaminated with agricultural chemicals to be treated and re-applied upon agricultural lands. Numerous comments have been received with respect to drafts of this regulation, and will be addressed as the regulation proceeds.	Phillip M. Pitzer (717) 772-5206
Farm Safety and Occupational Health Grant Program	December, 2000, as final.	This regulation is needed to replace an existing statement of policy published in the March 16, 1996 <i>Pennsylvania Bulletin</i> . This regulation would formalize the statement of policy by which the Farm Safety and Occupational Health Grant Program operates. The Program awards grants to fund projects to increase the knowledge and awareness of farm safety measures and occupational health issues among the Commonwealth's rural youth. The proposed regulation was published at 30 Pa.B. 781 (February 12, 2000).	Phillip M. Pitzer (717) 772-5206
Farm Safety Tuition Assistance Grant Program	December, 2000, as final.	This regulation will establish a program to provide individual grants of up to \$100 toward tuition charged by an approved farm safety course provider. The proposed regulation was published at 30 Pa.B. 771 (February 12, 2000).	Phillip M. Pitzer (717) 772-5206
Farm Safety Developmental and Instructional Program	December, 2000, as final.	This regulation will establish a program to provide grants totaling up to \$30,000 for the development or implementation of farm safety courses. The proposed regulation was published at 30 Pa.B. 776 (February 12, 2000).	Phillip M. Pitzer (717) 772-5206
Sustainable Agriculture Grant and Loan Programs	September, 2000, as final.	This regulation establishes grant and loan programs to implement best management practices. These programs are required under the Sustainable Agriculture Act (3 P. S. §§ 2101—2107).	Dave Bingaman (717) 772-5208
Fruit Tree Improvement Program	December, 2000, as proposed.	This regulation would facilitate interstate and international export of Pennsylvania-grown fruit tree nursery stock. This regulation would amend 7 Pa. Code Chapter 120, which provides testing and inspection standards and procedures pursuant to which fruit tree nursery stock can be certified as to quality, consistency and disease/insect-free status. The regulation would be a technical update of current provisions, would bring this program into greater conformity with programs in other states and would provide more practical assistance to participating growers.	Ruth Welliver (717) 787-5609

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Certification of Virus-Tested Geraniums	December, 2000, as proposed.	This regulation would amend the current regulatory authority to update the voluntary program pursuant to which geranium producers may obtain the Department's certification of virus-tested geraniums. This amendment would establish an inspection fee to help cover the Department's costs in inspecting and testing geraniums offered for certification. This regulation would amend 7 Pa. Code Chapter 122 to: 1) expand the certification of virus-tested geraniums to include Culture-Indexed Geraniums, which are free from certain economically-important bacterial and fungal pathogens; and 2) establish a reasonable fee for the Department's inspection and certification services.	Ruth Welliver (717) 787-5609
Dog Law	October, 2000, as proposed.	House Bill 397 of 1996 accomplished revisions of the Dog Law that will necessitate regulatory revisions. This regulation is a long-term project and would amend 7 Pa. Code Chapters 21, 23, 25 and 27 to bring them into greater conformity with statutory revisions. The Dog Law (3 P. S. §§ 459-10 et seq.) is the statutory basis for this regulation.	Richard Hess (717) 787-4833
Domestic Animals	December, 2000, as proposed.	This long-term project is intended to update the Department's regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).	John Enck, DVM (717) 772-2852
Pseudorabies Disease 7 Pa. Code Chapter 10	September, 2000, as proposed.	The planned revisions of this chapter will assist the Department in attaining "Pseudorabies-free" status under the joint Federal-State Industry Pseudorabies Eradication Program, and will bring the current regulation into greater conformity with the requirements of the Domestic Animal Law.	John Enck, DVM (717) 772-2852
Brucellosis Vaccination	October, 2000, as final.	This regulation will address advances in vaccination technology. The proposed regulation was published at 30 Pa.B. 768 (February 12, 2000).	John Enck, DVM (717) 772-2852
Equine Infectious Anemia and Brucellosis Testing Techniques	October, 2000, as final.	This regulation will address advances in testing for the referenced animal diseases. The proposed regulation was published at 30 Pa.B. 768 (February 12, 2000).	John Enck, DVM (717) 772-2852
Aquaculture Development	October, 2000, as proposed.	This Aquacultural Development Law requires the Department to develop an "Aquaculture Development Plan" through regulation.	Leo Dunn (717) 783-8462
<i>BANKING</i>			
Continuing education regulations for residential first mortgage lender and broker industry.	Fall 2000, as proposed.	The Mortgage Bankers and Brokers Act (MBBA) is Act 90 of 1989, and has been amended by Act 131 of 1998. Amended section 4(e) of the MBBA provides that the Secretary of Banking shall delineate the requirements for continuing education regulations for licensees (i.e., mortgage bankers, mortgage brokers, and loan correspondents) by regulation within three years of the effective date (February 19, 1999) of the amendments to the MBBA. Therefore, continuing education regulations are required to be promulgated by February 19, 2002.	Carter D. Frantz (717) 787-1471

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Amendment to eliminate the restriction on a banking institution taking pledges of stock or capital securities of its affiliates or the corporation which owns or controls the capital stock of the institution.	Publication not anticipated in the next 6 months.	The existing regulation at 10 Pa. Code § 13.41 was adopted in 1970. At present, national banks are permitted to make loans secured by stock or capital securities of their affiliates and/or their holding company. For competitive purposes, the Department is considering amending its regulation to permit Pennsylvania state-chartered banking institutions to make loans secured by stock or capital securities of their affiliates and/or their holding company.	Carter D. Frantz (717) 787-1471
Amendments to the Leeway Investments regulations for Pennsylvania state-chartered banking institutions.	Publication not anticipated in the next 6 months.	The existing leeway investments regulations are located at 10 Pa. Code § 27.1—27.4 and have been effective since March 9, 1974. These regulations were promulgated pursuant to authority stated in sections 103(a), 307, 311(d)(vi), and 504(b)(x) of the Banking Code of 1965, as amended, 7 P. S. §§ 103(a), 307, 311(d)(vi), and 504(b)(x), and can be amended pursuant to the same statutory authority. Leeway investments are made by Pennsylvania state-chartered banks in stock, bonds, notes, or debentures of corporations formed to promote the public welfare and community development, expand the economy, or provide for social reform.	David H. Bleicken (717) 787-1471
“Other investments” regulations for Pennsylvania state-chartered banking institutions.	Publication not anticipated in the next 6 months.	Sections 103(a) and 315(g) of the Banking Code of 1965, as amended, 7 P. S. §§ 103(a) and 315(g), provide authority for the Department to promulgate regulations to allow Pennsylvania state-chartered banking institutions to make investments not otherwise authorized by the Banking Code.	Reginald S. Evans (717) 787-1471
BUDGET			
Fiscal Notes 4 Pa. Code Chapter 7	June 2000, as proposed.	Section 612 of the Administrative Code of 1929, as amended, 71 P. S. § 232, provides the authority for the Office of the Budget to promulgate regulations regarding the preparation of fiscal notes. The modified regulation prescribes the process agencies must implement to ensure a fiscal note is written for each proposed, final, and final omitted regulation.	Pamela F. Cross (717) 787-5311 Ext. 3070
COMMUNITY & ECONOMIC DEVELOPMENT			
No regulations being developed or considered at this date.			
COMMISSION ON CRIME AND DELINQUENCY			
Constables' Education and Training Board	Summer 2000, as proposed.	A regulation is needed to implement the authority of Act 1994-44, 42 Pa.C.S.A. §§ 2944—2948, as to program content and administration of basic training and continuing education, standards for certification to carry firearms in the performance of constable duties, and qualifications for schools and instructors.	Stephen Spangenberg (717) 705-3693 ext. 3040

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Bureau of Victims' Service, Victims Compensation Division (formerly Crime Victim's Compensation Board)—Revisions to 37 Pa. Code Chapter 191	Fall 2000, as proposed.	Substantial revisions are needed to reflect elimination of Crime Victim's Compensation Board and inclusion of its functions under PCCD pursuant to Act 1995-27 of the Special Session on Crime; changes in terminology and operations brought about by that act and by section 4 of Act 1997-57; and citation changes resulting from Act 1998-111 and its relocation of the Crime Victims Act (the Act) from Title 71 of Purdon's Statutes to 18 P. S. § 11.101 et. seq. The Act at 18 P. S. § 11.312(3) gives the Bureau of Victims' Service the authority, subject to the approval of PCCD, to promulgate regulations to carry out the purposes of the Act as it relates to compensation. Also to be revised are current rules that are obsolete due to inflation (e.g. the monetary ceilings for funeral expenses) or societal changes or that limit the Bureau's flexibility in carrying out the purposes of the Act (e.g., rules for computing loss of earnings or support)	Lynn Shiner (717) 783-5153 ext. 3210
<i>CONSERVATION & NATURAL RESOURCES</i>			
State Parks Rules and Regulations	November 2000, as proposed.	Updates are necessary to reflect changes for more efficient operations, increase opportunities for public recreation, and an effort to improve visitor services and to promote good stewardship of public parks. Six state-wide regional meetings are being held to begin to gather input on regulatory changes. Legal basis for these regulations is Act 18 of 1995.	Gary Smith 717-783-3303
Conservation of Native Wild Plants	December 2000, as proposed.	This proposal is being developed to update existing native wild plant regulations. The legal basis for these regulations is the Wild Resource Conservation Act of 1982. This update is necessary to change the status of various plants to reflect field work completed during the last three years. Recommendations of the Rare Plant Committee and the Vascular Plant Technical Committee will be considered during the development of this proposed rulemaking.	Bob Hill/Chris Firestone (717) 787-3444
<i>CORRECTIONS</i>			
Review and/or revision of all current Department of Corrections regulations contained in Title 37 of the Pennsylvania Code.	Summer 2000, as proposed.	The purpose of the review is to ensure that the Department's regulations are consistent with current legal standards concerning prison administration and operation. The legal basis for the action is found at Section 506 of the Administrative Code of 1929, 71 P. S. § 186, which grants the Commissioner of Corrections the authority to prescribe regulations for the Department that are not inconsistent with law.	J. D. Shutt (717) 975-4860

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
EDUCATION			
<p>22 Pa. Code Chapter 155—Board of State College and University Directors—Personnel</p> <p>Chapter 161—School Administrators Handbook</p> <p>Chapter 181—Mentally Retarded Exceptional Children</p> <p>Chapter 251—Postsecondary Education Planning Commission—Rules & Regulations</p> <p>Chapter 329—Computation of Subsidy</p>	September 2000, as final-omitted.	<p>Chapter 155—This chapter was issued under Section 2 of the Act of February, 1970 (P. L. 24, No. 13) (24 P. S. § 20-2002) (Repealed). It was adopted June 12, 1975, 5 Pa.B. 1548.</p> <p>Chapter 161—Statutory authority for this chapter is 71 P. S. § 352.</p> <p>Chapter 181—Taken from the <i>PA Bulletin</i> (Vol. 3, No. 39-9/15/73, p. 2069), the authority was contained in the Act of January 14, 1970, P. L. (1969) 468 (24 P. S. § 13-1372).</p> <p>Chapter 251—The Postsecondary Education Planning Commission, formerly known as the 1202 Commission and also known as the 1203 Commission, was authorized by 20 U.S.C., Section 1143 and established by the Governor upon recommendation of the State Board of Education through its resolution of March 15, 1974.</p> <p>Chapter 329—This chapter provided procedures for calculating the instruction subsidy described in Sections 2502, 2502.5 and 2502.6 of the School Code.</p>	Ernest Helling (717) 787-5500
Special Education Services and Programs 22 Pa. Code, Chapter 14 and 22 Pa. Code, Chapter 342	September 2000, as proposed.	These regulations are necessary to establish procedures for the identification of students who are in need of special education services and programs and to set forth requirements and procedures for the delivery of those services and programs. The review of these current regulations will focus on current federal and state law regarding special education services and programs to ensure compliance, consistent and accurate terminology and application of existing provisions. These regulations will be published as a single regulation, Chapter 14. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14) (24 P. S. § 1-101—26-2606-B).	Peter Garland (717) 787-3787
Higher Education General Provisions, Foreign Corporation Standards, Institutional Approval, Program Approval 22 Pa. Code, Chapters 31, 36, 40, 42	July 2000, as proposed.	These regulations are necessary to establish procedures for the approval and operation of institutions of higher education in the Commonwealth. Specific revisions are necessary to clarify the intent of the chapters, modify the time frame during which new institutions must achieve accreditation, update provisions for library and learning resources, and amend regulations to accommodate for-profit baccalaureate and higher education. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No.14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Gifted Education 22 Pa. Code, Chapter 16	September 2000, as final.	These regulations establish separate rules for programs and services for gifted students apart from those established for other special needs students. Special education regulations (Chapters 14 and 342) are largely driven by federal action. Gifted education is a state program. Separation of enabling regulations will permit greater efficiency and effectiveness in program operations. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Certification of Professional Personnel 22 Pa. Code, Chapter 49	September 2000, as final-omitted.	Revisions to these regulations are necessary to incorporate provisions of Act 48 of 1999 which requires continuing professional development for all certificated educators. Since these revisions will be technical to incorporate a statutory change, they will be promulgated as final rulemaking with the public comment phase omitted.	Peter Garland (717) 787-3787
Institutional Preparation of Professional Educators 22 Pa. Code, Chapter 354	August 2000, as final.	These standards will provide general requirements for programs which prepare professional educators in the Commonwealth. Pennsylvania colleges and universities must meet these standards to obtain or retain Pennsylvania Department of Education approval to conduct professional educator programs leading to Pennsylvania certification. These regulations are being promulgated under authority of 22 Pa. Code, Chapter 49.	Ron Simanovich (717) 783-9252
College and University Security 22 Pa. Code, Chapter 33	September 2000, as final.	These regulations govern the responsibility of institutions of higher education for the provisions of college and university security information and the collection and reporting of crime statistics. Revisions are necessary to incorporate provisions for the establishment of and access to daily campus crime logs. These regulations are promulgated under authority of the College and University Security Information Act (P. L. 443, No. 73) (24 P. S. § 2502-1 to 2502-5).	Peter Garland (717) 787-3787
Program Standards and Eligibility Criteria for the Higher Education Opportunity Act 22 Pa. Code, Chapter 44	September 2000, as final.	These regulations establish program requirements and eligibility criteria for Act 101 programs in colleges and universities. Revisions update eligibility criteria to reflect current income levels. These regulations are promulgated under authority of (P. L. 423, No. 101 § 3 and 4) (24 P. S. § 2510-303, § 2510-304).	Peter Garland (717) 787-3787
Community Colleges 22 Pa. Code, Chapter 35	August 2000, as proposed.	These regulations govern the establishment and operation of community colleges and technical institutes. Revisions to reflect current practice are proposed in the formula calculating Full-Time Equivalent (FTE) Enrollments for reimbursement purposes. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Charter School Services and Programs for Children With Disabilities 22 Pa. Code, Chapter 703	July 2000, as proposed.	The proposed regulations are promulgated to facilitate compliance with Federal statute, regulation and court decrees that apply in the Commonwealth to children with disabilities. The purposes of proposed Chapter 703 are to develop procedures for special education in charter schools and adopt by reference applicable Federal regulations.	Timothy Daniels (717) 705-2343
Economic Standards and Assessment 22 Pa. Code, Chapter 4	September 2000, as proposed.	Chapter 4 sets forth requirements for instruction, graduation, strategic planning and assessment based on academic standards. When initially promulgated in 1999, Chapter 4 contained academic standards in reading, writing, speaking and listening, and mathematics. Additional sets of standards were anticipated. This revision to Chapter 4 seeks to establish academic standards in Science and Technology, and Environment and Ecology.	Peter Garland (717) 787-3787
General Provisions—State Board of Private Licensed Schools 22 Pa. Code, Chapter 73	July 1, 2000, as proposed.	The Notice of Proposed Rulemaking will amend Section 73.151 (relating to fees) of the State Board of Private Licensed Schools to raise sufficient revenue to offset the Board's projected expenditures for Fiscal Years 2000-01 and 2001-02. These regulations are promulgated under the authority of the Private Licensed Schools Act, Act 174 of 1986 (1986, Dec. 15, P. L. 1585, No. 174, § 1, effective Jan. 1, 1987) (24 P. S. §§ 6501—6518).	James G. Hobbs (717) 783-8228
General Vocational Education Standards 22 Pa. Code, Chapter 339	Department review will begin August 1, 2000.	Educational institutions offering vocational programming have evolved substantially since their inception. Many of the standards defining and governing those institutions were conceived over 30 years ago. A revision of Chapter 339 is necessary to assist schools in developing, funding and maintaining programs that will provide the Commonwealth with a competent workforce. Discussions with the State Board of Vocational Education, as well as practitioners in that field, will be initiated to revise these standards. These regulations are promulgated under the authority of the Pennsylvania School Code, Article 18 on Vocational Education and section 2502.8 on Vocational Education Funding. These standards are also provided for under Chapter 4 of Title 22 of the Pennsylvania Code, section 4.32(a).	John C. Foster (717) 787-5530
22 Pa. Code, Chapter 191	August, 2000, as proposed.	A new chapter in 22 Pa. Code will provide for procedures for calculating state subsidies for the National School Lunch and School Breakfast programs. These procedures are necessary to incorporate provisions of Act 16 of May 3, 2000, amending the Public School Code of 1949 (P. L. 30, No. 14) (24 P. S. § 1337.1)	Pat Birkenshaw (717) 783-6556
EMERGENCY MANAGEMENT AGENCY			
4 Pa. Code Chapter 120 "Public Safety Emergency Telephone Program"	July 2000, as final.	Required by Public Safety Emergency Telephone Act	Mark Goodwin 717-651-2010

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ENVIRONMENTAL HEARING BOARD			
25 Pa. Code Chapter 1021	Fall 2000, as proposed.	The Environmental Hearing Board and its Procedural Rules Committee are considering proposing new rules of procedure relating to the following: electronic filing and service of legal documents, appointment of hearing examiners, referral of pro se parties to pro bono counsel, and substitution of parties to proceedings before the Board. In addition, the Board and Rules Committee are considering the following: 1) proposing new rules of procedure relating to withdrawal of appearance and to electronic filing and service of legal documents; 2) revisions to existing rules relating to the number of copies of documents to be filed with the Board and certification of records on appeal to the Commonwealth Court; and 3) reorganization of the rules of practice and procedure in order to make the rules more user-friendly for practitioners before the Board. The Board and Rules Committee intend to propose regulations relating to one or more of these subjects during the year 2000. The legal basis for these regulations is section 5 of the Environmental Hearing Board Act (35 P. S. § 7515).	Mary Anne Wesdock 412-565-5245
ENVIRONMENTAL PROTECTION			
Stream Redesignations—Little Bush Kill, et al. Clean Streams Law	November 2000, as proposed.	This stream redesignation package includes five streams or portions thereof that were evaluated for redesignation as High Quality (HQ) or Exceptional Value (EV) Waters. The Little Bush Kill (Pike Co.) was evaluated in response to a petition from Bushkill Falls. West Penn Township (Schuylkill Co.) petitioned for redesignation of Lizard Creek. Smithtown Creek (Bucks Co.) was studied as a result of a petition from the Smithtown Creek Watershed Association. The Pennsylvania Fish and Boat Commission requested evaluation of Oswayo Creek (Potter Co.) and Browns Run (Warren Co.). Public notice that the assessments were being undertaken was given in December 1999, and draft evaluation reports were submitted to petitioners and municipal governments in May 2000.	Bob Frey, 717-787-9637
Chapter 109—Disinfectants and Disinfection Byproducts Rule Safe Drinking Water Act	August 2000, as proposed.	This proposal will incorporate the provisions of the Federal Disinfectants and Disinfection Byproducts Rule, promulgated in December 1998, into the Safe Drinking Water regulations in Chapter 109. The rule regulates disinfection practices at public water systems by implementing standards to eliminate or minimize harmful byproducts of disinfection treatment processes in public drinking water. The Technical Assistance Center for Small Water Systems (TAC) and Water Resources Advisory Committee (WRAC) reviewed drafts of the proposal.	Ed Rawski, 717-783-3796

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Chapter 109—Interim Enhanced Surface Water Treatment Rule Safe Drinking Water Act	August 2000, as proposed.	This proposal will incorporate the provisions of the Federal Interim Enhanced Surface Water Treatment Rule, promulgated in December 1998, into the Safe Drinking Water regulations in Chapter 109. The rule applies to public water systems that serve 10,000 or more people and that use surface water or ground water under the direct influence of surface water. Implementation of the rule will significantly reduce the level of <i>Cryptosporidium</i> in finished drinking water supplies through improvements in filtration. The filtration provisions of the rule are expected to increase the level of protection from other pathogens, as well. The TAC and WRAC reviewed drafts of the proposal.	Ed Rawski, 717-783-3796
Chapter 109—Consumer Confidence Report Rule and Revisions to Public Notification Safe Drinking Water Act	Contingent on EPA action.	This proposal will incorporate into DEP's Safe Drinking Water regulations the provisions of the Federal Consumer Confidence Report (CCR), which was promulgated in August 1998, and the soon-to-be promulgated revisions of the Federal Public Notification regulations. The rules expand and clarify requirements that deal with the public's right to know what is in the water they receive from a regulated public water supplier. The CCR rule requires that an annual report be prepared by every community water system and distributed to their customers and consumers. The revisions to the public notification regulations will simplify how all types of public water systems issue notice to consumers when a violation or similar event that can affect health occurs at the system. Because the two rules are closely related, they will be combined as one proposal. The TAC and WRAC will review drafts of the proposal.	Jeffrey Gordon, 717-772-4018
Chapter 105, Dam Safety and Waterway Management Clean Streams Law, Dam Safety and Encroachment Act	December 2000, as proposed.	Revisions will be proposed to simplify and clarify the regulations, streamline the process for minor wetland encroachments, establish discretion to issue expedited permit decisions during site visits, simplify the application fee schedule, and clarify the Chapters 105 & 106 programs by consolidating rules and procedures for stream channels, floodways and floodplains into one regulation. The Wetlands Protection Advisory Committee is thoroughly reviewing the issues. The Agricultural Advisory Board is also being briefed on developments. The date for EQB consideration of a proposed rulemaking remains tentative at this time pending WetPAC's deliberations.	Ken Reisinger, 717-787-6827
Waste Oil Amendments Solid Waste Management Act	December 2000, as final.	This proposal consolidates the requirements for the management of used oil into one chapter. DEP discussed issues raised during the public comment period with the Solid Waste Advisory Committee (SWAC) in September 1999. SWAC will review the draft final amendments.	Scott Walters, 717-787-7381

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Universal Waste Rule—Addition of Mercury Devices Solid Waste Management Act	October 2000, as final.	The Universal Waste Rule allows certain hazardous wastes to be managed under requirements that are less prescriptive than full RCRA hazardous waste Subtitle C regulation. This proposal adds mercury-containing devices to the list of wastes managed as universal wastes. Mercury devices were petitioned for inclusion by Advanced Environmental Recycling Corporation in August 1997. SWAC will review the draft final rulemaking.	Rick Shipman, 717-787-6239
Municipal Waste Amendments Solid Waste Management Act	August 2000, as final.	This proposal changes the environmental assessment requirements to evaluate known and potential environmental harms vs. social and economic benefits; includes revisions to ICW permit by rule and general permit requirements; includes standards for nuisance minimization and control; modifies the closure requirements and assessment and abatement standards for consistency with Act 2 regulations and federal Subtitle D criteria; and revises isolation distances, facility design and operating standards, and leachate sampling requirements. The draft final rulemaking will be reviewed by SWAC.	Bill Pounds, 717-787-7564
Residual Waste Amendments Solid Waste Management Act	August 2000, as final.	This proposal changes the definition of waste and related terms to be similar to the solid waste definitions in RCRA Subtitle C; revises definitions and final closure standards for consistency with Act 2 regulations; allows for industry-wide coproduct determinations and recycling of scrap metal; revises performance standards for odor, noise and other nuisance control; revises isolation distances; modifies the environmental assessment requirements; revises the permit application fee and simplifies the approval process for demonstration facilities; revises the facility design and operating standards for composting facilities to be more performance based; revises leachate sampling requirements and modifies the attenuating soil requirements at landfills to allow for equivalency modeling based upon site specific conditions. The draft final regulations will be reviewed by SWAC.	Bill Pounds, 717-787-7564
Chapter 250—Land Recycling Program Amendments Land Recycling and Environmental Remediation Standards Act Solid Waste Management Act	March 2001, as final.	These amendments clarify the existing regulations and update several provisions to reflect current science. The revisions are necessary to provide clear direction to those undertaking the cleanup of a contaminated site and the cleanup standards they must meet. DEP worked with the Cleanup Standards Scientific Advisory Board (CSSAB) in developing this proposal. Adopted by the EQB in June, the proposed amendments are anticipated to be published in August 2000.	Dave Hess, 717-783-7816

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Storage Tank and Spill Prevention Program—Integration of Act 2 Provisions Land Recycling and Environmental Remediation Standards Act	August 2001, as final.	This proposal integrates the provisions of the Land Recycling and Environmental Remediation Standards Act (Act 2 of 1995) into Chapter 245 (Administration of the Storage Tank and Spill Prevention Program). The proposal changes definitions in Subchapter A for consistency between the two programs. In Subchapter D, the proposal incorporates procedures for selecting and attaining one or more of the Act 2 remediation standards into the corrective action process for regulated storage tanks, eliminating language that was based on implementation of the Department's Groundwater Protection Strategy which was in effect when Subchapter D was adopted in 1993. DEP worked with the Storage Tank Advisory Committee (STAC) in developing this proposal. Adopted by the EQB in June, the proposed amendments are anticipated to be published in August 2000.	Charles Swokel, 717-783-7509
Host Municipality Fund Allocation Amendments Hazardous Sites Cleanup Act	March 2001, as final.	This proposal clarifies the eligibility requirements for a host municipality to receive a one-time payment from the Host Municipalities Fund. It also modifies the allocation formula for distribution of the one-time payment to replace the Hazardous Waste Site Ranking System established by EPA in Appendix A of 40 CFR 300 with a simpler, less costly and more appropriate method. The proposal clarifies several ambiguities in the existing regulations and responds to recent litigation initiated by a municipality that is host to a commercial hazardous waste treatment facility. SWAC reviewed a draft of the proposal. Adopted by the EQB in June, the proposed amendments are anticipated to be published in August 2000.	Rick Shipman, 717-787-6239
Household Hazardous Waste Collection and Disposal Small Business and Household Pollution Prevention Program Act Solid Waste Management Act	October 2000, as proposed.	This proposal further clarifies the household hazardous waste regulations in Chapters 261, 271 and 272, makes the language consistent with that used in the Small Business and Household Pollution Prevention Program Act and ensures that waste collected as part of a household hazardous waste program are properly managed as hazardous waste rather than as part of the municipal waste stream. SWAC reviewed a draft of the proposal.	Tom Hyatt, 717-787-8686
Nitrogen Oxides (NO _x) SIP Call Air Pollution Control Act	July 2000, as final.	This proposal is necessary for Pennsylvania to adopt a NO _x reduction program for large stationary sources to achieve the emission reductions necessary for Pennsylvania and other states to achieve the National Ambient Air Quality Standards (NAAQS) for ozone. DEP published an Advance Notice of Final Rulemaking (ANFR) on January 22, 2000, with a 30-day public comment period. The ANFR was republished on February 26, 2000, with an additional 30-day comment period and three public hearings. The final amendments were reviewed by the Air Quality Technical Advisory Committee (AQTAC).	Dean Van Orden, 717-787-4310

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Emissions of Nitrogen Oxides (NO _x) from Combustion Units and Process Heaters Air Pollution Control Act	December 2000, as proposed.	As one of the recommendations of the Southeast Pennsylvania Stakeholders Working Group to achieve additional NO _x reductions, this proposal would require operators of certain combustion units and process heaters with rated heat inputs between 100 million and 250 million Btus (MMBtus) per hour to implement NO _x reduction programs. Facilities would be required to meet an emission reduction program that has a cost effectiveness of less than \$3,000 per ton. This proposal is estimated to affect approximately 10 facilities with 35 to 40 units in the Southeast Pennsylvania area. The AQTAC will review a draft of the proposal.	Terry Black, 717-787-4310
Solvent Cleaning Operations Air Pollution Control Act	January 2001, as final.	The Southwest and Southeast Ozone Stakeholder Working Groups recommended that DEP adopt programs to reduce VOC emissions from degreasing operations. A stakeholder group consisting of degreaser manufacturers and operators, solvent suppliers and environmental groups met several times over an eight-month period to develop the proposal. The proposed regulations, published on August 28, 1999, with three public hearings, establish additional requirements for solvent cleaning operations and new requirements for operations not presently regulated by the provisions of Section 129.63. The AQTAC reviewed a draft of the proposed rulemaking and will review a draft of the final rulemaking before the EQB considers it.	Terry Black, 717-787-4310
New Source Review Air Pollution Control Act	Contingent on EPA Action.	The Department's existing new source review regulations will be reorganized and reformatted to make the requirements clear to the regulated community and to facilitate the creation and use of emission reduction credits. The Department will incorporate proposed changes in the Federal new source review requirements as necessary. Drafts of the proposal will be reviewed by the AQTAC. EPA has proposed in its draft new source review (NSR) regulations a number of mechanisms related to generation and use of Emission Reduction Credits (ERC's), and the use of an "area wide" plantwide applicability limit (PAL) to address trading issues. The proposed rules were issued in July 1996; however, EPA has not yet issued final rules. With the uncertainty of the nature of the final rules, the Department cannot proceed with revisions of the existing trading regulations until the final EPA rule is promulgated.	Terry Black, 717-787-4310

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Radiological Health (Chapters 215, 217, 219, 220, 224, 225, 226, 230 and 232) Radiation Protection Act	June 2001, as final.	The Department is updating its regulations for the control of radioactive material in preparation for becoming an Agreement State with the U. S. Nuclear Regulatory Commission (NRC). One of the NRC requirements for the agreement is to have and maintain compatible regulations with the NRC. The proposed regulations address industrial radiography, well logging, irradiators, medical uses, transportation and packaging, protection standards and licensing. The Department consulted with the Radiation Protection Advisory Committee (RPAC) in developing these regulations. Adopted by the EQB in June, the proposed amendments are anticipated to be published in September 2000.	William Kirk, 717-783-9730
Amendments to Radiological Health Chapter 218, Fees Radiation Protection Act	December 2000, as proposed.	DEP is reconsidering its fee structure for registrations, licenses, and inspections of radiation-producing machines and radioactive material. Current fees no longer cover the registration, licensing and inspection costs required by regulation. In addition, DEP's responsibilities will expand to include more complex licensing and inspection when Pennsylvania becomes an Agreement State. With Agreement State status, DEP will assume responsibility for licensing and oversight of decommissioning of a number of sites formerly licensed by the Nuclear Regulatory Commission (NRC). Authority for actual cost recovery will need to be established in the regulations. The RPAC will review drafts of the proposed rulemaking.	William Kirk, 717-783-9730
Amendments to Radiological Health Chapters 221, 227 and 228 Radiation Protection Act	September 2000, as proposed.	DEP is proposing minor changes to Chapter 221 to clarify requirements for X-ray use in the healing arts and to improve consistency with federal regulations. A new section on Radiation Safety Requirements for X-ray Calibration Systems is being added to Chapter 227. A change in Chapter 228 is proposed to modify radiation monitoring requirements to better accommodate existing equipment. These amendments were discussed with RPAC in May 2000.	William Kirk, 717-783-9730
Chapter 240, Radon Certification Radon Certification Act	January 2001, as final.	This proposal amends Section 240.306 to reduce the number of hours from 16 to 8 that are required on an annual basis for participation in Department-approved continuing education training for radon testing or mitigation. The change will reflect current industry practices in surrounding states and is supported by members of the Pennsylvania certified radon community. Adopted by the EQB in June, the proposed amendment is anticipated to be published in August.	Michael Pyles, 717-783-3594

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensing of Blasters and Storage, Handling and Use of Explosives Explosives Act, Surface Mining Control and Reclamation Act (SMCRA), and Noncoal SMCRA	May 2001, as final.	The proposed amendments reflect changes that have occurred in the industry and the experience DEP has gained in implementing the program since the regulations in Chapters 210 and 211 were developed in 1972. The proposal addresses requirements which are needlessly more stringent and burdensome than federal requirements; incorporates technological advances resulting from research on the effects of blasting on structures; and enhances DEP's ability to prevent issuance of blasters' licenses to previous violators. DEP conducted public outreach meetings from September through December 1998. In addition, the Mining and Reclamation Advisory Board (MRAB) reviewed the draft proposed regulations. The proposal was adopted by the EQB in March 2000 and published for public comment on June 3. Four public hearings will be held in July.	Rick Lamkie, 717-783-9892
Chapter 90—Coal Refuse Disposal Activities Coal Refuse Disposal Control Act, Surface Mining Conservation and Reclamation Act, Clean Streams Law	July 2001, as final.	This proposal updates Chapter 90 and conforms it with the Coal Refuse Disposal Control Act amendments of 1994. It incorporates new requirements pertaining to site selection, permitting and performance standards and consolidates existing permitting and water supply replacement requirements applicable to coal refuse disposal activities into Chapter 90. The MRAB reviewed the draft proposed rulemaking. The proposal was adopted by the EQB in April 2000 and published for comment on June 17. Two public hearings will be held in July.	Tom Callaghan, 717-783-8845
Chapter 207—Underground Noncoal Mines General Safety Law	September 2000, as proposed.	This proposal will consolidate the regulatory provisions implementing Section 2(f) of the General Safety Law, which regulates worker safety in noncoal mines, into Chapter 207 (Noncoal Mines). Most of these provisions were promulgated by the Department of Labor and Industry over 30 years ago and are found at Title 34, <i>Pennsylvania Code</i> , Chapter 33. DEP's Chapter 207 addresses the use of explosives at noncoal mines and has not been amended since its adoption in 1972. The amendments will address effective safety practices in noncoal mines based on changes in the industry and DEP's administration of the program. DEP proposes to incorporate by reference the U. S. Mine Health and Safety Administration's (MSHA) regulations found at 30 CFR Part 57 and add provisions to address certification of foremen as well as the licensing and duties of blasters.	Richard Stickler, 724-439-7469
Amendments to Chapter 78 (Oil and Gas Wells) Oil and Gas Act, Clean Streams Law, Solid Waste Management Act	January 2001, as final.	The amendments clarify several sections relating to drilling, casing and cementing standards; requirements for drilling through gas storage reservoirs; plugging requirements; bonding requirements; and environmental performance standards. The Oil and Gas Technical Advisory Board (TAB) reviewed the draft amendments. The proposal was adopted by the EQB in April 2000 and published for comment on June 17.	James Erb, 717-772-2199

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GENERAL SERVICES			
Surplus State Property 4 Pa. Code, Chapter 41	Winter, 2000, as proposed.	With the enactment of the Commonwealth Procurement Code (Act 57 of 1998) this Chapter must be substantially amended. Further, there is a need for review and revision of these regulations to implement improvements in the transfer and disposition of state surplus property.	Glenn B. Reber (717) 787-5295
Responsibility 4 Pa. Code Chapter 60	Summer, 2000, as proposed.	This chapter must be amended to conform with the legislative changes require by Act 57 and to provide for uniform Commonwealth agency debarment and suspension procedures.	Gary F. Ankabrandt (717) 783-1982
Instructions to Bidders 4 Pa. Code, Chapter 61	Summer, 2000, as proposed.	This Chapter has been superseded and should be repealed because such instructions should not be set out in regulatory form. There is a need for flexibility which can be of benefit to the Department as well as bidders.	Merle H. Ryan (717) 787-7095
General Conditions of the Construction Contract 4 Pa. Code, Chapter 63	Summer, 2000, as proposed.	See comment for Chapter 61.	Merle H. Ryan (717) 787-7095
State Art Commission 4 Pa. Code, Chapter 65	Summer, 2000, as final-omitted.	The legislation creating the State Art Commission was sunsetted.	Merle H. Ryan (717) 787-7095
Emergency Construction Repairs 4 Pa. Code, Chapter 67	Winter, 2000, as proposed.	The regulation should be amended to more accurately reflect present practice and to delete contract provisions. Such provisions should not be in regulatory form and their deletion will serve the same purpose as noted for Chapter 61.	Merle H. Ryan (717) 787-7095
Contract Compliance 4 Pa. Code, Chapter 68	Winter, 2000, as proposed.	Executive Order 1996-8 transferred the contract compliance responsibilities to the Department of General Services	John R. McCarty (717) 783-8720
Methods of Awarding Contracts 4 Pa. Code, Chapter 69	Fall, 2000, as proposed.	With the enactment of the Commonwealth Procurement Code (Act 57) it is necessary to conform this Chapter with the changes in the law and to address other procurement areas affected by Act 57.	Glenn B. Reber (717) 787-5295
Commonwealth Parking Facilities 4 Pa. Code, Chapter 71	Fall, 2000, as proposed.	Amendments are required because parking locations have been changed.	James W. Martin (717) 783-5028
Commonwealth Automotive Fleet 4 Pa. Code, Chapter 73	Fall, 2000, as proposed.	The regulation will be amended to eliminate the requirement for a Pennsylvania license to drive a state vehicle and will permit out-of-state licenses.	Gary F. Ankabrandt (717) 783-1982
First Amendment Rights 4 Pa. Code, Chapter 86	Fall, 2000, as proposed.	The amendment will extend coverage of the statement of policy to the Philadelphia State Office Building, Pittsburgh State Office Building, Scranton State Office Building, and Reading State Office Building.	Gregory C. Santoro (717) 787-5599
Processing Subscriptions and Sales of <i>Pennsylvania Code</i> and Related Publications 4 Pa. Code, Chapter 81	Spring, 2001, as proposed.	These regulations should be repealed since the Department of General Services' Bureau of Management Services no longer has responsibility for the processing of subscriptions and orders for the <i>Pennsylvania Code</i> .	John R. McCarty (717) 783-8720

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HEALTH			
Emergency Medical Services 28 Pa. Code § 1001.1 et seq.	August 2000, as final.	The amendments to existing regulations will enhance the operation of the Emergency Medical Services system in the Commonwealth. Pursuant to the Emergency Medical Services Act, 35 P. S. §§ 6921—6938.	Kenneth E. Brody 717-783-2500
Health Facility Licensure—General & Special Hospitals & Health Planning 28 Pa. Code § 301.1 et seq. 28 Pa. Code § 401.1 et seq.	December 2000, as final-omitted.	The amendments to existing regulations will repeal chapters on health planning (federal program and certificate of need), as statutory authority for both chapters has terminated. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	James T. Steele, Jr. 717-783-2500
Health Facility Licensure—General Administrative Chapter & General and Special Hospitals. 28 Pa. Code § 101.1 et seq.	January 2001, as proposed.	The amendments to existing regulations will update the licensure standards for general and special hospitals. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	James T. Steele, Jr. 717-783-2500
Home Health Care Agencies 28 Pa. Code § 601.1 et seq.	No publication anticipated in the next six months.	The amendments to existing regulations will provide for consistency with federal conditions of participation in Medicare programs. (Anticipated date of publication of federal regulations is fall of 2000). Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Carol Somerset-Griffie 717-783-2500
Birth Centers 28 Pa. Code § 501.1 et seq.	No publication anticipated in the next six months.	The amendments to existing regulations will incorporate newborn screening regulations. Pursuant to the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Carol Somerset-Griffie 717-783-2500
Pediatric Extended Care Centers	January 2001, as proposed.	These new regulations will clarify standards for pediatric extended care centers. Pursuant to Act 54 of 1999.	Carol Somerset-Griffie 717-783-2500
Communicable Diseases 28 Pa. Code § 27.1 et seq.	January 2001, as final.	The amendments to existing regulations will make them consistent with current public health practices for the control of communicable and other reportable conditions. Pursuant to the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1—521.21.	Yvette M. Kostelac 717-783-2500
School Health Immunization 28 Pa. Code § 23.83	July 2000, as proposed.	The amendments to existing regulations will add to the list of immunizations required for school entry and for entry into the seventh grade consistent with recommendations by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices. Pursuant to the Public School Code of 1949, 24 P. S. §§ 1-101, 13-1303a; the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1, 521.16; the Administrative Code of 1929, 71 P. S. §§ 51,532(g), 541(b), and 541(c.1); and the Hepatitis Prevention Act, 35 P. S. §§ 630.1 and 630.2.	Yvette M. Kostelac 717-783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Managed Care Regulations 28 Pa. Code § 9.1 et seq.	July 2000, as final.	The amendments to existing regulations will amend Chapter 9. Managed Care Organizations, Subchapter A. Health Maintenance Organizations, Subchapter D. PHOs and POs and IDs, and Subchapter E. Quality Health Care Accountability and Protection. Pursuant to the Health Maintenance Organization Act, 40 P. S. §§ 1551-1567; and Article XXI of the Insurance Company Law of 1921, as added by the Act 68 (1998) amendment of that law, 40 P. S. §§ 991.2101—991.2193.	Yvette M. Kostelac 717-783-2500
Personnel Administration in County Health Departments 28 Pa. Code § 13.1 et seq. State Aid to Local Health Departments 28 Pa. Code § 15.1 et seq.	No publication anticipated in the next six months.	The amendments to existing regulations will make them consistent with current local health administration practices. Pursuant to the Local Health Administration Law, 16 P. S. §§ 12001—12028.	Grace R. Schuyler 717-783-2500
Organized Camps and Campgrounds 28 Pa. Code § 19.1	No publication anticipated in the next six months.	The amendments to existing regulations will facilitate the transfer of authority for certain environmental regulations from the former Department of Environment Resources to the Department of Health. Pursuant to 71 P. S. § 532 and 71 P. S. § 1340.101 et seq.	Grace R. Schuyler 717-783-2500
Environmental Health Assessment 28 Pa. Code § 17.1 et seq.	No publication anticipated in the next six months.	The amendments to existing regulations will facilitate the transfer of authority for certain environmental regulations from the former Department of Environment Resources to the Department of Health. Pursuant to 71 P. S. § 532 and 71 P. S. § 1340.101 et seq.	Grace R. Schuyler 717-783-2500
Public Bathing Place Lifeguard Requirements 28 Pa. Code § 18.1; § 18.42	September 2000, as final.	The amendments to existing regulations will provide lifeguard requirements for recreational swimming establishments, and add requirements for lifeguard certification and factors to be considered in determining adequate lifeguard coverage. Pursuant to Act 75 of 1998, amending 35 P. S. §§ 672—680 (the Public Bathing Law).	Grace R. Schuyler 717-783-2500
Special Supplemental Food Program for Women, Infants and Children (WIC Program) 28 Pa. Code § 1101 et seq.	September 2000, as final.	The amendments to existing regulations will revise State WIC requirements to comply with changes in the Federal regulations (7 C.F.R. § 246) relating to sanctions, disqualification actions and civil money penalties.	Lesa E. Tressler 717-783-2500
Health Facility Licensure/Hospices 28 Pa. Code § 651.1 et seq.	December 2000, as proposed.	These new regulations to license and regulate hospices will, at a minimum, contain standards set forth in regulations for hospices certified as providers under the Medicare Program. Pursuant to the Act 95 (1998) amending the Health Care Facilities Act, 35 P. S. § 448.101 et seq.	Tanya Leshko 717-783-2500
Hearing Aid Sales and Registration/Continuing Education 28 Pa. Code § 25.201 et seq.	September 2000, as proposed.	The amendments to existing regulations will include continuing education requirements for hearing aid fitters, provide for 30-day money back written guarantees on hearing aids, and revise certification fees for consistency with the statute. Pursuant to Act 153 of 1998, amending the Hearing Aid Sales Registration Act, 35 P. S. § 6700-101 et seq.	Tanya Leshko 717-783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Head Injury Program 28 Pa. Code §§ 4.1-4.14 et seq.	September 2000, as final.	These new regulations will facilitate the implementation of this program. Pursuant to the Emergency Medical Services Act, 35 P. S. § 6934(e).	Tanya Leshko 717-783-2500
Newborn Screening 28 Pa. Code § 28.1 et seq.	September 2000, as proposed	The amendments to the existing regulations will add four diseases to the list of required diseases for which newborns must be screened. The amendments will also prescribe the manner by which specimens are to be collected and tested. Pursuant to the Newborn Child Testing Act, 35 P. S. §§ 621—625	Stephanie Michel-Segnor 717-783-2500
Drug and Alcohol Facility Physical Plant Standards 28 Pa. Code §§ 705.1—705.29.	July 2000, as final.	The amendments to existing regulations will establish uniform physical plant standards for all residential and non-residential services. Pursuant to the Pennsylvania Drug and Alcohol Abuse Control Act, 71 P. S. §§ 1690.101—1690.115.	Keith Fickel 717-783-2500
Schedule of Controlled Substances 28 Pa. Code § 25.75.	July 2000, as proposed.	The amendments to existing regulations will reschedule dronabinol from Schedule II to Schedule III. Pursuant to the Controlled Substance, Drug, Device and Cosmetic Act, 35 P. S. § 780-101 et seq.	Keith Fickel 717-783-2500
Narcotic Treatment Standards 28 Pa. Code §§ 701 and 705.	July 2000, as proposed.	The amendments to existing regulations will amend and repeal 4 Pa. Code § 263, transfer regulations to Title 28, and amend and update narcotic, including methadone, treatment standards. Pursuant to the Pennsylvania Drug and Alcohol Abuse Control Act, 71 P. S. §§ 1690-101—1690.115.	Keith Fickel 717-783-2500
Prevention Activities 28 Pa. Code §§ 701 and 713.	August 2000, as proposed.	The amendments to existing regulations will rescind standards for approval of drug and alcohol prevention activities. Pursuant to the Pennsylvania Drug and Alcohol Abuse and Control Act, 71 P. S. §§ 1690-101—1690.115.	Keith Fickel 717-783-2500
HOUSING FINANCE AGENCY			
No regulations being developed or considered at this date.			
INFRASTRUCTURE INVESTMENT AUTHORITY			
No regulations being developed or considered at this date.			
INSURANCE			
Allocation of Joint Expenses, 31 Pa. Code, Chapter 3, §§ 3.1—3.6	Summer 2000, as proposed.	Repeal needs to be effective 01/01/2001 to be consistent with NAIC codified accounting practices and procedures.	Peter J. Salvatore, 717-787-4429
Miscellaneous (Relating to Uniform Classification of Expenses), 31 Pa. Code, Chapter 11, §§ 11.1—11.7	Summer 2000, as proposed.	Repeal §§ 11.4-6 and amend § 11.7 to be effective 01/01/2001 to be consistent with NAIC codified accounting practices and procedures.	Peter J. Salvatore, 717-787-4429
Stock Ownership Statements, 31 Pa. Code, Chapter 21, §§ 21.1—21.103	December 2000, as proposed.	Amend to update requirements relating to Stock Ownership Statements consistent with NAIC model language.	Peter J. Salvatore, 717-787-4429
Proxies, Consents and Authorizations, 31 Pa. Code, Chapter 23, §§ 23.1—23.96	December 2000, as proposed.	Amend to update requirements relating to Proxies, Consents and Authorizations consistent with NAIC model language.	Peter J. Salvatore, 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Acquisitions of Capital Stock (Insurance Company Holding Law). 31 Pa. Code, Chapter 25, §§ 25.1—25.23	Summer 2000, as final.	Amend to be consistent with 1993 amendments to the authorizing statute and to eliminate unnecessary filing requirements	Peter J. Salvatore, 717-787-4429
Advances to Mutual, Stock and Life Companies (NEW Chapter 105a)	December 2000, as proposed.	New regulation to address surplus notes issued by mutual stock and life companies consistent with authorizing statute adopted in 1992.	Peter J. Salvatore, 717-787-4429
Assigned Risk Plan, 31 Pa. Code, Chapter 33, § 33.29	Summer 2000, as final.	Repeal current regulation and replace regulation with new chapter (31 Pa. Code, Chapter 67a) to be consistent with Pennsylvania Assigned Risk Plan	Peter J. Salvatore, 717-787-4429
Producer Licensing, 31 Pa. Code, Chapter 37, §§ 37.1—37.84	December 2000, as proposed.	Amend 31 Pa. Code, Chapter 37, Agent Certificates of Qualification and Broker Licenses, to address fees relating to company appointments.	Peter J. Salvatore, 717-787-4429
Advertising of Insurance, 31 Pa. Code, Chapter 51, §§ 51.1—51.61	Spring 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Special Rules of Administrative, Practice and Procedure, 31 Pa. Code, Chapter 56, §§ 56.1—56.3	Fall 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Advances to Mutual, Stock and Life Companies (NEW Chapter 105a)	December 2000, as proposed.	New regulation to address surplus notes issued by mutual stock and life companies consistent with authorizing statute adopted in 1992.	Peter J. Salvatore, 717-787-4429
Assigned Risk Plan, 31 Pa. Code, Chapter 33, § 33.29	Summer 2000, as final.	Repeal current regulation and replace regulation with new chapter (31 Pa. Code, Chapter 67a) to be consistent with Pennsylvania Assigned Risk Plan	Peter J. Salvatore, 717-787-4429
Producer Licensing, 31 Pa. Code, Chapter 37, §§ 37.1—37.84	December 2000, as proposed.	Amend 31 Pa. Code, Chapter 37, Agent Certificates of Qualification and Broker Licenses, to address fees relating to company appointments.	Peter J. Salvatore, 717-787-4429
Advertising of Insurance, 31 Pa. Code, Chapter 51, §§ 51.1—51.61	Spring 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Special Rules of Administrative, Practice and Procedure, 31 Pa. Code, Chapter 56, §§ 56.1—56.3	Fall 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Objections and Procedure for Hearings on Reports of Examination, 31 Pa. Code, Chapter 58, §§ 58.1—58.3	Fall 2000, as proposed.	Repeal to eliminate outdated, unnecessary requirements consistent with the new examination law adopted in 1992 (40 P. S. §§ 323.1—323.8).	Peter J. Salvatore, 717-787-4429
Cancellations and Refusal to Renew Homeowners Insurance, 31 Pa. Code, Chapter 59, §§ 59.1—59.13	Fall 2000, as proposed.	Amended language to regulation and statute is being drafted pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Notices for and Appeals of Cancellations and Refusals to Renew Automobile Insurance Policies, 31 Pa. Code, Chapter 61, §§ 61.1—61.14	Fall 2000, as proposed.	Modify regulation consistent with the statute (40 P. S. §§ 1008.1 et seq.). The regulations provide guidance to automobile insurers relating to cancellations and nonrenewals of certain automobile insurance policies, and the available administrative process to secure an administrative review of such terminations.	Peter J. Salvatore, 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Private Passenger Automobile Policy Forms, 31 Pa. Code, Chapter 64, §§ 64.1—64.14	Fall 2000, as final.	Repeal pursuant to Executive order 1996-1.	Peter J. Salvatore, 717-787-4429
Charter Amendments, 31 Pa. Code, Chapter 65, §§ 65.21-26	Summer 2000, as proposed.	Amend to eliminate outdated, unnecessary provisions relating to minimum capital and surplus requirements pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Motor Vehicle Financial Responsibility Law—Evidence of Financial Responsibility, 31 Pa. Code, Chapter 67, §§ 67.21-28	Fall 2000, as proposed.	Amend to make the regulation consistent with statutory requirements.	Peter J. Salvatore, 717-787-4429
Pennsylvania Assigned Risk Consumer Protections, (NEW Chapter 67a)	Summer 2000, as final.	Amend pursuant to Executive Order 1996-1. This will replace 31 Pa. Code § 33.29.	Peter J. Salvatore, 717-787-4429
Replace Life Insurance Annuities, 31 Pa. Code, Chapter 81, §§ 81.1-9	Summer 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Variable Life Insurance, 31 Pa. Code, Chapter 82, §§ 82.1-91	Fall 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Disclosure in Solicitation of Life Insurance, 31 Pa. Code, Chapter 83, §§ 83.1-57	Summer 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Annuity Disclosure, (NEW Chapter 83a)	Fall 2000, as proposed.	A new regulation to eliminate misleading illustrations, make illustrations more understandable and to standardize the disclosure statement language to be use with the selling of annuities.	Peter J. Salvatore, 717-787-4429
Variable Annuity & Accumulation Contracts, 31 Pa. Code, Chapter 85, §§ 85.1—85.40	December 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Requirements for Life Policies and Sales Practices, 31 Pa. Code, Chapter 87, §§ 87.1—87.42	Fall 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Life Insurance Illustrations (New Chapter 87a)	Fall 2000, as proposed.	Act 154 of 1996 provides for life insurance illustration requirements for life insurance policies. The statute sunsets when a life insurance illustration regulation becomes effective. A life insurance illustration regulation will eliminate misleading illustrations, make illustrations more understandable, and standardize terms and illustration formats for the entire life insurance industry. Further, it is more appropriate that technical requirements, such as these, appear in a regulation rather than in statutory form.	Peter J. Salvatore, 717-787-4429
Individual Accident & Sickness Minimum Standards, 31 Pa. Code, Chapter 88, §§ 88.1—88.195	Summer 2001, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Requirements for All Policies and Forms, 31 Pa. Code, Chapter 89, §§ 89.1—89.5, 89.11, 89.17 and 89.21—89.23 and new General Filing Requirements and General Contents of Forms §§ 89a.1—89a.6	Summer 2000, as proposed.	Changes will be promulgated regarding the deregulation of rates and forms filings for accident and health insurance, as a result of Act 159 of 1996. Changes will be made pursuant to the health care provisions of the Federal Health Insurance Portability and Accountability Act of 1996. Life, annuities and property and casualty general filing requirements are being combined in the new regulation.	Peter J. Salvatore, 717-787-4429
Preparation of Forms, etc., 31 Pa. Code, Chapter 89, §§ 89.12-16, 89.18—89.62 and 89.101	Fall 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Separate Accounts for Principle and Interest Guarantees, 31 Pa. Code, Chapter 90a, §§ 90a.1—90a.31	December 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Cash Advances to Insurance Companies 31 Pa. Code, Chapter 105, §§ 105.1—105.2	December 2000, as proposed.	Amend to reflect statutory amendments adopted in 1992 and 1995 and to eliminate outdated, unnecessary provisions relating to cash advancements to insurance companies pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Public Adjusters, 31 Pa. Code, Chapter 115, §§ 115.1—115.8	Summer 2000, as proposed.	The regulation was initially promulgated to clarify the requirements of public adjuster contracts. The authorizing statute, Act 72, was amended in 1983 (63 P. S. §§ 1601—1608), and the Insurance Department seeks to modify Chapter 115 to be consistent with the revised statutory language. Licensing requirements are being proposed to be added to this regulation.	Peter J. Salvatore, 717-787-4429
Discounting Workers' Compensation Loss Reserves, 31 Pa. Code, Chapter 116, §§ 116.1—116.9	Summer 2000, as final.	Amend the regulation to be consistent with current actuarial practices.	Peter J. Salvatore, 717-787-4429
Discounting Medical Malpractice Loss Reserve, 31 Pa. Code, Chapter 118, §§ 118.1—118.6	Summer 2000, as proposed.	Amend the regulation to phase out the discounting of Medical Malpractice Loss Reserves by December 31, 2010.	Peter J. Salvatore, 717-787-4429
Management Contracts or Exclusive General Agent Agreements, 31 Pa. Code, Chapter 127, §§ 127.1—127.8	Fall 2000, as proposed.	Amend pursuant to Executive Order 1996-1	Peter J. Salvatore, 717-787-4429
Preparation of Filing of Property and Casualty Forms for Approval, 31 Pa. Code, Chapter 133, §§ 133.1—133.12	Summer 2001, as proposed.	Repeal pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Description of Reserves—Prohibited Phrases, 31 Pa. Code, Chapter 139, §§ 139.1—139.3	Fall 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429
Unfair Insurance Practices; Unfair Claims Settlement Practices, 31 Pa. Code, Chapter 146, §§ 146.1—146.10	December 2000, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Securities Held Under Custodial Agreements, 31 Pa. Code, Chapter 148, §§ 148.1—148.4	Summer 2000, as proposed.	Amend to eliminate unnecessary forms, add uniform requirements relating to custodial agreements and duties of custodians and update provisions relating to permissible custodians.	Peter J. Salvatore, 717-787-4429
Continuing Care Providers, 31 Pa. Code, Chapter 151, §§ 151.1—151.14	December 2000, as proposed.	Amend to be consistent with 1996 statutory amendments relating to the order of distribution of assets in insolvencies and to provide for the voluntary surrender of a certificate of authority.	Peter J. Salvatore, 717-787-4429
Health Maintenance Organizations, 31 Pa. Code, Chapters 301, §§ 301.1—301.126	Summer 2001, as proposed.	Amend pursuant to Executive order 1996-1.	Peter J. Salvatore, 717-787-4429
Underground Storage Tank Indemnification Fund—Fee Regulation, 25 Pa. Code, Chapter 971, §§ 971.1—971.4	Summer 2000, as proposed.	Repeal the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). This will be combined with Chapters 973 and 975 into a new regulation, Chapter 977.	Peter J. Salvatore, 717-787-4429
Underground Storage Tank Indemnification Fund—Fee Collections Regulation, Chapter 973, §§ 973.1—973.12	Summer 2000, as proposed.	Repeal the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). This will be combined with Chapters 971 and 975 into a new regulation, Chapter 977.	Peter J. Salvatore, 717-787-4429
Underground Storage Tank Indemnification Fund—Voluntary Heating Oil Tank Program, 25 Pa. Code, Chapter 975, §§ 975.1—975.6	Summer 2000, as proposed.	Repeal the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). This will be combined with Chapters 971 and 973 into a new regulation, Chapter 977.	Peter J. Salvatore, 717-787-4429
Underground Storage Tank Indemnification Fund—Claims Regulation, 25 Pa. Code, (NEW Chapter 977)	Summer 2000, as proposed.	Requires underground storage tank owners be in compliance with certain leak detection standards in order to obtain claims coverage from the Underground Storage Tank Indemnification Fund. The proposed regulation establishes requirements for owners to file such claims. This will combine most of 25 Pa. Code, Chapters 971, 973 and 975.	Peter J. Salvatore, 717-787-4429
Workers' Compensation Security Fund Assessment Regulation	December 2000, as proposed.	HB 1370 was passed in the General Assembly and allows the Fund to develop a regulatory scheme to finance the obligations of the Fund. The proposed regulation establishes reporting requirements for licensed worker's compensation carriers and assessment calculations.	Peter J. Salvatore, 717-787-4429
LABOR AND INDUSTRY			
Workers' Compensation Bureau, Workers' Compensation Judges, and Workers' Compensation Appeal Board regulations at 34 Pa. Code Chapters 131, 121, and 111.	Fall 2000, as proposed.	These rules have not been updated in many years; they need to reflect the changes in the law and practice of workers' compensation.	Thomas J. Kuzma (717) 783-4467

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Work-place Safety Committee Certification; Evaluation of Accident/Illness Prevention Services & Programs of Insurers and Self-insureds; Qualifications of Accident/Illness Prevention Service Providers 34 Pa. Code Chapter 129	July 2000, as proposed.	The rulemaking implements the health and safety provisions of Article X of the Workers' Compensation Act. The proposed rulemaking specifies the safety committee certification application and renewal processes, and it establishes the necessary program components and evaluation criteria for accident and illness prevention programs maintained or provided by licensed insurers and self-insured employers. In addition, the regulation ensures the uniform application of the provisions of Article X; amends sections 123.202 pertaining to the qualifications of vocational experts; and, amends section 125.133(c)(4) and 125.155 (a) of the self-insurance regulations.	Len Negley (717) 772-1917
Underground Storage Facilities	October 2000, as proposed.	This regulation will address requirements for natural or man-made caverns used for LPG storage.	James Varhola (717) 787-3329
Dry Cleaning	August 2000, as proposed.	Dry Cleaning Law, Act of December 19, 1990, P. L. 1327, No. 214, 35 P. S. 1270.1 et seq. This proposal will regulate the construction, operation and maintenance of dry cleaning plants.	Edward Leister (717) 787-3323
Uniform Construction Code (UCC) regulations. Act 45 of 1999.	August 2000 as proposed.	Act 45 of 1999, providing for a uniform statewide building code, requires the Department of Labor & Industry to promulgate regulations. Because this measure effectively repealed the Dry Cleaning Law, Elevator Law and Fire & Panic Act, the regulations pursuant to each (including those for Personal Care Homes), will be addressed through regulations for Act 45. Personal Care Home regs, previously submitted to OGC, were withdrawn.	Edward Leister (717) 787-3323
Elevators and Lifting Devices	August 2000 as proposed.	The new regulation will amend the current standards to include ANSI/ASME A17.1, B20.1 and other national consensus standards. There is a need to update standards to bring them in line with national standards.	James Varhola (717) 787-3329
Pennsylvania Minimum Wage Act, Food Service Incentive Program Regulations	August 2000 as proposed.	The Department is required to promulgate new regulations to implement the new "Food Service Incentive Program" added, via amendment to the Minimum Wage Act and signed into law on December 21, 1998.	Richard Lengler (717) 772-9192
Unemployment Compensation Regulations, Title 34. Labor & Industry Regulations	July 2000, as proposed.	The proposed regulation will clarify the circumstances under which individuals will not be eligible for unemployment compensation (UC) based on services for an educational institution or educational service agency during summer vacation or school break periods. In accordance with Section 402.1 of the PA UC Law, school employees who are unemployed over the summer break can not be paid benefits based on their services for the school if they have a contract or reasonable assurance of employment in a similar position in the next academic year.	Robert Allen (717) 783-7644

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Asbestos Occupations Accreditation and Certification	June 2000, as proposed.	Act of December 19, 1990, P. L. 05, No. 194, 64 P. S. §§ 2101—2112. This regulation established the Department's worker certification and training provider accreditation program. It also sets up training course requirements. It is based on the Environmental Protection Agency's model plan.	Sharon Lawson (717) 772-3396
MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND			
Payment and Collection of Fund Surcharge 31 Pa. Code §§ 242.1 et. seq.	December 2000, as proposed.	This regulation will clarify and update the basis upon which the Medical Professional Liability Catastrophe Loss Fund's surcharge is to be paid. The regulation will be consistent with the statute as it relates to the procedure for levying, payment and collection of the surcharge. The regulation will clarify the guidelines and requirements governing proper administrative and financial operations of the Fund, and will provide uniform procedures to be used in conducting mediation. Statutory authority 40 P. S. §§ 1301.701 et. seq.	Kenneth J. Serafin 717-783-3770
MILITARY AND VETERANS AFFAIRS			
State Veterans Home 43 Pa. Code Section 7.1 et. seq.	October, 2000, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly. This regulation is a long-term project and would amend 43 Pa. Code Chapter 7.	Eclemus Wright, Jr. 717-861-8503
PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM			
16 Pa. Code Chapters 81, 83, 85, 87 and 91	August 2000, as proposed.	These regulations are in the process of review as a result of Executive Order 1996-1.	James B. Allen (717) 787-2065
PROBATION AND PAROLE			
Definitions 37 Pa. Code, Chapters 61.1—75.4	Winter 2000, as proposed.	Definitions amended pursuant to Executive Order 1996-1 and to conform to statutory changes.	Vicki Wilken 717-787-6208
PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM			
No regulations being developed or considered at this date.			
PUBLIC WELFARE			
Child Protective Services Law 55 Pa. Code Ch. 3490	September 2000, as proposed	This regulation incorporates the amendments to the Child Protective Services Law as a result of Act 127 of 1998. The major changes include: convening of an investigative team for the investigation of suspected child abuse; increased communication between county agencies and law enforcement officials; increased requirements for multi-disciplinary teams; increasing the length of time unfounded reports are retained; and expanded reporting requirements by county agencies to law enforcement officials.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Day Care Services 55 Pa. Code Chs. 3271, 3281, 3291	December 2000, as proposed	This regulation is proposed in response to Governor's Executive Order 1996-1 and to strengthen health and safety requirements in the regulation. The regulation will impact child day care centers, group day care homes and family day care homes. 55 Pa. Code, Chapter 3300, Specialized Day Care Service for Children with Disabilities, will be rescinded in order to comply with the provisions of the Americans With Disabilities Act.	Tom Vracarich (717) 783-2209
Administration of County Children and Youth Programs 55 Pa. Code Ch. 3130	March 2001, as proposed	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the final form federal regulations (effective March 27, 2000) for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include: Permanency Hearings and the matters to be determined; requirements related to reasonable efforts including aggravated circumstances, contrary to the welfare and best interests; and redefining permanency goals for children.	Tom Vracarich (717) 783-2209
Planning and Financial Reimbursement Requirements for County Children and Youth Social Service Programs 55 Pa. Code Ch. 3140	March 2001, as proposed.	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the final form federal regulations (effective March 27, 2000) for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include: Permanency Hearings and the matters to be determined; requirements related to reasonable efforts including aggravated circumstances, contrary to the welfare and best interests; and redefining permanency goals for children.	Tom Vracarich (717) 783-2209
Medical assistance estate recovery 55 Pa. Code Ch. 258	March 2001, as final.	This regulation will codify the department's collection practices to recover correctly paid Medical Assistance from the estates of certain deceased recipients age 55 or older who receive Medical Assistance for nursing facility care, home and community based services, and related hospital prescription drug services. Changes effective August 15, 1994 and are the result of OBRA' 93, Act 1994-49, and Act 1995-20.	Tom Vracarich (717) 783-2209
Continuation of Medical Assistance throughout pregnancy 55 Pa. Code Chs. 140, 181	March 2001, as proposed.	This regulation codifies the provision that Medical Assistance coverage will be continued for pregnant women throughout their pregnancy and postpartum period, regardless of changes in family income that occur after the authorization of MA or cash assistance.	Tom Vracarich (717) 783-2209
Exclusion of Resources-Medical Assistance children 55 Pa. Code Chs. 140, 178	September 2000, as final-omitted.	This regulation codifies the provision that resources are excluded in the Medical Assistance eligibility determination process for supplemental security income (SSI) related, general assistance (GA) related, and TANF-related persons under 21 years of age and for SSI-related, TANF-related, and GA-related families with children under 21 years of age.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Workfare/Community Service 55 Pa. Code Chs. 166, 275	February 2001, as proposed.	The revisions clarify who may be assigned and the priority and factors to be considered in making Workfare program assignments, define responsibilities of county assistance offices and project operators regarding participation expenses and program requirements, and provide for grievance rights for Workfare recipients and regular employees. Provisions of Act 1995-20 will also be incorporated into this regulation package.	Tom Vracarich (717) 783-2209
General Assistance Restructure—Act 1994-49 55 Pa. Code Chs. 141, 145, 147, 166, 171, 178, 181	July 2000, as final-omitted.	This regulation incorporates provisions of Act 1994-49 including acceptance of written verification of medical disability for chronically needy non-financial eligibility determination; 60-day residency requirement; savings designated for educational purposes; and certain medical services which are no longer compensable expenses.	Tom Vracarich (717) 783-2209
Elimination of transitionally needy component of general assistance program 55 Pa. Code Ch. 141	July 2000, as final-omitted.	This regulation codifies the elimination of cash assistance payments to persons in the GA-Transitional Needy (TN) category. References to both the TN and chronically needy (CN) components are deleted since there is no longer a need to differentiate between GA program requirements.	Tom Vracarich (717) 783-2209
Act 1996-35—General eligibility changes 55 Pa. Code Chs. 125, 141, 168, 171, 175, 177, 181, 183	July 2000, as final-omitted.	This regulation codifies statutory changes to eligibility conditions for General Assistance benefits, including the following: expanding the eligibility determination period to 30 days; establishing a period of residency; imposing ineligibility periods based on welfare fraud convictions; limiting Medically Needy Only/Medical Assistance (MNO/MA) eligibility to certain groups; and revising the methodology used to determine eligibility for retroactive MNO/MA.	Tom Vracarich (717) 783-2209
Elimination of PACE requirement 55 Pa. Code Ch. 181	October 2000, as final-omitted.	This regulation codifies the elimination of the deduction from income for the PACE program and the mandate to enroll in the PACE program as required by Title XIX.	Tom Vracarich (717) 783-2209
Real property liens 55 Pa. Code Chs. 101, 121, 177, 183, 257, 297	June 2001, as proposed.	This regulation codifies the elimination of the requirement that applicants who own real property, including mobile homes, which are used as their primary residence, will no longer be required to sign a lien encumbering their residence as a condition of eligibility for cash assistance. The Department intends to rescind 55 Pa. Code Chapter 257, regarding Reimbursement. Instead, the Department will propose a new chapter governing reimbursement policy for cash assistance recipients and applicants who own personal property.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Criminal history 55 Pa. Code Chs. 125, 133, 141	December 2000, as proposed.	This regulation incorporates the Act 1995-20 provision that prohibits the granting of assistance to any person sentenced for a felony or misdemeanor who has not satisfied the penalty imposed by law by having completed the period of incarceration and by paying all fines, costs, and restitution. Act 1996-35 expands the satisfied penalty requirement to include compliance with an approved payment plan.	Tom Vracarich (717) 783-2209
Act 1996-35—Provisions Effective March 3, 1997 55 Pa. Code Chs. 105, 125, 133, 140, 141, 145, 151, 153, 165, 168, 177, 178, 181, 183, 187, 255	August 2000, as final-omitted.	This regulation incorporates provisions of the TANF program implemented 3/3/97 by NORC including establishing RESET; requiring applicants and recipients to enter into an agreement of mutual responsibility with the department; and further defining Title IV-D cooperation requirements and procedures for TANF and GA applicants and recipients. Act 1996-35 provisions applicable to the TANF program may not be implemented until federal approval is received.	Tom Vracarich (717) 783-2209
Medical support rights 55 Pa. Code Ch. 187	December 2000, as proposed.	This regulation will require Medical Assistance applicants/recipients to assign their medical support rights to the Commonwealth and apply for Title IV-D support services as conditions of eligibility.	Tom Vracarich (717) 783-2209
Annuity rule 55 Pa. Code Ch. 178	July 2001, as proposed.	This regulation codifies the provision that in addition to the current provision permitting the institutionalized spouse to provide part of his monthly income to the community spouse whose income is below the minimum monthly maintenance needs allowance, either the institutionalized spouse or their representative may file an appeal and seek an administrative order permitting the protection of additional resources to enable the community spouse to purchase an annuity that will generate sufficient income to bring her income up to the minimum monthly maintenance needs allowance.	Tom Vracarich (717) 783-2209
Intentional Program Violations 55 Pa. Code Chs. 255, 275, 501	October 2000, as final-omitted.	This regulation incorporates federal mandates by the U.S. Department of Agriculture and the U. S. Department of Health and Human Services that individuals found to have committed an intentional program violation be subject to an immediate disqualification penalty regardless of the individual's current eligibility status for benefits.	Tom Vracarich (717) 783-2209
Food Stamp Disqualification Penalties 55 Pa. Code Ch. 501	March 2001, as final-omitted.	This regulation incorporates a revision to the Food Stamp disqualification penalties as required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The revision increases the Food Stamp intentional program violation disqualification penalties from six months to one year for the first violation and from one year to two years for the second violation.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
TANF Clean-up 55 Pa. Code, various chapters—not defined at this time	July 2001, as proposed.	This proposed regulation incorporates the provisions of the final Federal TANF regulations, 64 FR 17720 (April 12, 1999) which made changes affecting the implementation of the TANF program. The proposed regulations include a modification to the definition of assistance to provide that non-recurrent, short-term benefits and many supports for low-income families are considered non-assistance.	Tom Vracarich (717) 783-2209
Employment Requirements for Two-Parent Households: Definition of Unemployment 55 Pa. Code Chs. 153, 178	June 2001, as proposed.	This regulation codifies the provision in the current Temporary Assistance for Needy Families (TANF) State Plan that DPW is revising the definition of unemployment so that working parents who meet financial eligibility requirements and are otherwise eligible may receive TANF until their income exceeds eligibility limits or they exhaust their 60 months of TANF.	Tom Vracarich (717) 783-2209
Family Violence Option 55 Pa. Code Ch. 187	June 2001, as proposed.	This regulation codifies provisions in the TANF State Plan to screen and identify victims of domestic violence, refer those individuals to counseling and supportive services, and waive certain program requirements, including support requirements, for those individuals, as needed.	Tom Vracarich (717) 783-2209
Increases in Payment for Burial and/or Cremation 55 Pa. Code Ch. 285	June 2001, as proposed.	This regulation codifies an increase to the maximum payment for burial and/or cremation for eligible persons. A deceased person of any age who received or was eligible to receive a money payment — TANF, General Assistance, State Blind Pension, or Supplemental Security Income—may be eligible for a maximum burial and/or cremation payment of \$750, if there are no resources that reduce the payment.	Tom Vracarich (717) 783-2209
Early and Periodic Screening Diagnosis Treatment (EPSDT) 55 Pa. Code Chs. 1101, 1121, 1123, 1147, 1241	November 2000, as final-omitted.	This regulation relating to services provided as a follow-up to an EPSDT visit or encounter that are not currently recognized under the approved Medical Assistance (Medical Assistance) State Plan. This regulation will be reviewed by the medical assistance advisory committee (MAAC) which includes representatives of professional provider associations, providers, the health law project, the welfare rights organization, consumers, and client advocacy groups.	Tom Vracarich (717) 783-2209
Medical Assistance case management services 55 Pa. Code Ch. 1239	January 2001, as final-omitted.	This final regulation codifies payment for medically necessary case management services as mandated by Omnibus Budget Reconciliation Act '89 to Medical Assistance recipients under the age of 21. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Assistance Restructure—Act 1994-49 55 Pa. Code Chs. 1101, 1121, 1149	November 2000, as final-omitted.	This final regulation codifies Act 1994-49 provisions that affect the medical benefits of General Assistance recipients over the age of 21 when these services are solely state funded. These recipients are no longer eligible for (1) dental services unless their medical condition or handicap requires services to be provided in an ambulatory surgical center, short procedures unit or inpatient hospital; (2) medical supplies and equipment except as prescribed for family planning or with home health agency service; and (3) prescription drugs except legend birth control drugs. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Discontinue coverage—infertility 55 Pa. Code Chs. 1121, 1126, 1129, 1141, 1163, 1221, 1225, 1243	February 2001, as final-omitted.	This final regulation codifies Act 1994-49 provisions that discontinues payment for all drugs, devices, products, services and procedures that are used or related to treating infertility, including surrogacy services, effective September 1, 1994. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Residential Treatment Facilities (RTF) for mental health services 55 Pa. Code Chs. 1157, 1165	January 2001, as final-omitted.	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Pharmaceutical services drug coverage 55 Pa. Code Ch. 1121	February 2001, as final-omitted.	This regulation provides that the medical assistance program provides drug coverage to medically needy only recipients receiving nursing facility services. This includes medically needy only recipients who reside in nursing facilities and intermediate care facilities/mental retardation (ICF/MR). This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
\$150 deductible for General Assistance recipients 55 Pa. Code Ch. 1101	November 2000, as final-omitted.	This regulation implements Act 1996-35 provisions imposing a \$150 deductible on inpatient and outpatient hospital services and ambulatory surgical center services, except laboratory and x-ray services for General Assistance and General Assistance-related Medical Assistance recipients. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Early Intervention Services 55 Pa. Code Chs. 4225, 4226	July 2001, as final.	This regulation will establish program regulations for early intervention services in keeping with the Federal regulations under the Individuals with Disabilities Education Act (IDEA) and Act 212 of 1990. Early intervention services regulations are called for by the Legislative Budget and Financing Committee Report on early intervention services.	Tom Vracarich (717) 783-2209
MH Wraparound 55 Pa. Code Ch. 1154	January 2001, as final-omitted.	This final regulation codifies requirements necessary to receive reimbursement for medically necessary outpatient wraparound mental health services for individuals under 21 years of age with a diagnosis of mental illness or emotional disturbance. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Family Planning 55 Pa. Code Ch. 1101	November 2000, as final-omitted.	This final regulation removes family planning clinics from the list of providers limited under the General Assistance Basic Health Care Package to 18 practitioner's office and clinic visits per year. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Physician Assistant/Midwife 55 Pa. Code Ch. 1141	November 2000, as final-omitted.	This final regulation codifies revised supervision requirements for physician assistants and midwives. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Discontinuance of the Mandatory Second Opinion Program 55 Pa. Code Ch. 1150	November 2000, as final-omitted.	This final regulation removes the mandatory second opinion program requirement for certain surgical procedures. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
D&A Clinics 55 Pa. Code Ch. 1223	November 2000, as final-omitted.	This final regulation revises the enrollment policy for outpatient drug and alcohol clinics. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Capital Component Payment for Replacement Beds 55 Pa. Code Ch. 1187	July 2001, as proposed.	This regulation takes the policy as set forth in the Statement of Policy and promulgates it into the regulations. This regulation will be reviewed by the MAAC.	Tom Vracarich (717) 783-2209
Intergovernmental Transfer 55 Pa. Code Ch. 1187	December 2000, as final-omitted.	This regulation will extend the county nursing facility Transition Rates according to the Intergovernmental Transfer Agreement. This regulation will be reviewed by the MAAC.	Tom Vracarich (717) 783-2209
New Definition of "Emergency Medical Condition" 55 Pa. Code Chs. 1101, 1141, 1150, 1221	June 2001, as final-omitted.	This final regulation codifies the revised definition of "emergency medical condition" contained in the Balanced Budget Act of 1997, effective July 1, 1998. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Definition of Medically Necessary 55 Pa. Code Ch. 1101	November 2000, as proposed.	This proposed regulation replaces the current definition of "medically necessary" with the definition found in the HealthChoices Request for Proposal. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Provision of Drug and Alcohol Treatment 55 Pa. Code Ch. 1223	June 2001, as final-omitted.	This final regulation eliminates the need for the supervisory physician to perform a physical exam within 15 days following intake and before the provision of treatment. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Invoicing for Services 55 Pa. Code Ch. 1101	July 2001, as final-omitted.	This regulation revises the invoice submission requirements for nursing facilities. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Exceptional Payments for Durable Medical Equipment 55 Pa. Code Ch. 1187	December 2000, as final-omitted.	This regulation provides for payment for exceptional DME separate from and in addition to the case mix payment rate. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
REVENUE			
Application of P. L. 86-272 and De Minimis Standards 61 Pa. Code § 151.31	Fall 2000, as proposed.	Public Law 86-272 (15 U.S.C.A. §§ 381—3840) restricts a state from imposing a net income tax on income derived within its borders from interstate commerce if the only business activity of the company within the state consists of the solicitation of orders for sales of tangible personal property, which orders are to be sent outside the state for acceptance or rejection, and, if accepted, are filled by shipment or delivery from a point outside the state. This proposal describes the Department's policy regarding the application of P. L. 86-272 with regard to corporate net income tax and capital stock-franchise tax.	Douglas A. Berguson 717-787-1382
Commercial Motion Pictures 61 Pa. Code § 32.38	Spring 2000, as final.	The Department is setting forth its interpretation of section 2 of Act 7-1997, section 204(54) (72 P. S. § 7204(54)) regarding the sales and use tax exclusion for the sale at retail to or use by a producer of commercial motion pictures of any tangible personal property directly used in the production of a feature-length commercial motion picture distributed to a national audience.	Douglas A. Berguson 717-787-1382
Computer Software, Hardware and Related Transactions 61 Pa. Code § 31.33	Winter 2001, as final.	Pursuant to Act 7-1997, various types of computer services are no longer subject to sales and use tax on or after July 1, 1997. However, certain computer related transactions remain subject to tax. This regulation provides guidance concerning these transactions.	Douglas A. Berguson 717-787-1382
Employer Returns and Other Withholding Provisions 61 Pa. Code §§ 113.2, 113.3, 113.3a, 113.3b, 113.3c, 113.4, 113.4a, 113.7 and 121.16	Summer 2000, as proposed.	The Department is proposing amendments to various withholding regulatory sections, including requiring an employer who is required to file 250 or more withholding statements, to forward to the Department the reconciliation statement with such withholding statements via electronic or magnetic media as specified in the instructions of the Department. In addition, § 121.16 is amended to delete language relating to the filing of a W-2 with Form PA-40 as evidence of taxes withheld.	Douglas A. Berguson 717-787-1382
File-by-phone (TeleFile) System and Federal and State Electronic Tax Filing Program 61 Pa. Code §§ 117.19—117.21	Fall 2000, as proposed.	The file-by-phone (TeleFile) program involves the filing of a Pennsylvania personal income tax return by phone. The Federal and State electronic tax filing program involves the filing of a Pennsylvania personal income tax return as part of the Federal and State Electronic Filing Program.	Douglas A. Berguson 717-787-1382
Lawn Care Services 61 Pa. Code §§ 55.6 and 60.2	Summer 2000, as final.	This regulation sets forth the Department's interpretation of Act 22-1991 (72 P. S. §§ 7201(k)(17), (o)(15) and (jj)) relating to lawn care services.	Douglas A. Berguson 717-787-1382
Partial Refunds For Bad Debts 61 Pa. Code §§ 33.3 and 33.5	Summer 2000, as proposed.	This proposal explains the application of section 247.1 of the TRC (72 P. S. § 7247.1) relating to partial refund of sales tax attributed to bad debts.	Douglas A. Berguson 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Payments for Employee Welfare Benefit Plans and Cafeteria Plans 61 Pa. Code §§ 101.1, 101.6 and 101.7	Spring 2000, as final.	The amendments to §§ 101.1, 101.6, and 101.7 are being added to explain how employee welfare benefit programs and other wage and salary supplemental programs are taxed and to implement amendments to section 301(d) of the Tax Reform Code of 1971 (72 P. S. § 7306(d)) under Act 7-1997.	Douglas A. Berguson 717-787-1382
Realty Transfer Tax Amendments 61 Pa. Code, Chapter 91	Summer 2000, as proposed.	The amendments to Chapter 91. Realty Transfer Tax, are made to address numerous legislative changes and to bring the regulatory provisions into conformity with Departmental policy.	Douglas A. Berguson 717-787-1382
Sales Factor 61 Pa. Code § 153.26	Fall 2000, as proposed.	The Multistate Tax Commission (MTC), created by the Multistate Tax Compact, has promulgated regulations that interpret the Uniform Division of Income for Tax Purposes Act (UDITPA), a model act for the allocation and apportionment of income among states. UDITPA was drafted to remedy the diversity that existed among the states for determining their respective shares of a corporation's income and has been adopted, in whole or in part, by the majority of the states. The Commonwealth has adopted UDITPA with some exceptions. The Department is amending § 153.26 to add several provisions from the MTC regulations to address topics that are not currently discussed in the regulation. The amendments will bring the Commonwealth's regulation into conformity with the MTC regulations as much as possible given statutory limitations, thereby making the use of the regulations by taxpayers and tax practitioners easier because the Commonwealth's language will be similar to that used in other states that have adopted the MTC regulations.	Douglas A. Berguson 717-787-1382
Supplemental Unemployment Benefit Plan 61 Pa. Code §§ 101.1 and 101.6	Winter 2001, as final.	This regulatory amendment will provide an explanation of the meaning and scope of the exclusion from compensation in section 301(d)(vi) of the TRC (72 P. S. § 7301(d)(vi)) for employer or labor union payments for supplemental unemployment programs. The changes will address the tax treatment of programs offered to provide supplemental benefits to employees terminated from service as a result of layoff, workforce reduction, plant closings or other involuntary terminations.	Douglas A. Berguson 717-787-1382
Termination Pay, Severance Pay and Early Retirement Incentive Programs 61 Pa. Code §§ 101.1 and 101.6	Winter 2001, as final.	This regulatory change will clarify the taxation of termination pay, severance pay, early retirement incentive programs and programs offered by employers to provide benefits to employees in addition to those in qualifying retirement plans upon separation from service. This regulation also interprets section 301(d) of the TRC (72 P. S. § 7301(d)) to mean that Federal insurance benefits paid under the Railroad Retirement Act and guaranteed payments to a partner of a partnership for services to the partnership are excluded from compensation.	Douglas A. Berguson 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Utility Gross Receipts Tax 61 Pa. Code §§ 160.21—160.43	Spring 2001, as final.	The Department is proposing this regulation to clarify the changes to the utility gross receipts tax brought about by utility deregulation (Act 138-1996) codified in Title 15 and Title 66. This regulation will also provide guidance and clarity to out-of-state businesses and the emerging industry.	Douglas A. Berguson 717-787-1382
Vending Machines 61 Pa. Code § 31.28	Summer 2000, as final.	This regulation sets forth the Department's interpretation of Act 45-1998 as it relates to vending machines.	Douglas A. Berguson 717-787-1382
SECURITIES COMMISSION			
Licensing Regulations 64 Pa. Code § 301—§ 404	November 2000, as final.	The Commission plans to amend a number of licensing regulations to conform its requirements to the federal Investment Advisers Supervision Coordination Act of 1996.	G. Philip Rutledge (717) 783-5130
"Employe benefit plans" 64 Pa. Code § 202.070	November 2000, as final.	The Commission plans to amend this regulation to delete obsolete language.	G. Philip Rutledge (717) 783-5130
Exemptions from Securities Registration 64 Pa. Code § 203.101—§ 203.186	November 2000, as final.	The Commission plans to amend a number of regulations which would facilitate issuers receiving a clear legal opinion on the availability of the exemption.	G. Philip Rutledge (717) 783-5130
"SEC Rule 801 and 802 offerings exempt" 64 Pa. Code § 203.092	November 2000, as final.	The Commission plans to adopt an exemption from registration for offerings exempt from registration with SEC under SEC Rules 801 or 802.	G. Philip Rutledge (717) 783-5130
Securities Registration 64 Pa. Code § 205.021—§ 206.010	November 2000, as final.	The Commission plans to amend these regulations to revise Form 205 and adopt Form R as the application form and delete the requirement to file certain information.	G. Philip Rutledge (717) 783-5130
"Charges for Commission publications" 64 Pa. Code § 602.060	November 2000, as final.	The Commission now issues a quarterly bulletin and annual report free of charge and plans to delete the current charge for these publications.	G. Philip Rutledge (717) 783-5130
"Public inspection of records" 64 Pa. Code § 603.031	November 2000, as final.	The Commission plans to amend this regulation to keep confidential the social security number, home address and date of birth of all individuals filing an application with the Commission	G. Philip Rutledge (717) 783-5130
STATE			
Corporations Bureau	Summer 2000, through public notice. See, 15 Pa.C.S. § 133(a).	The Corporations Bureau will delete references by name to the Governor, Secretary of the Commonwealth and Director of the Corporation Bureau on its sample filing forms and to the docketing statement promulgated by the Department pursuant to 15 Pa.C.S. § 133. Changes in administration render such references obsolete.	Ken Rapp, (717) 787-1057
Bureau of Commissions, Elections and Legislation (16-22)	Summer 2000, as final.	The Department proposes to eliminate outdated references to campaign finance reporting forms. The amendments will be proposed pursuant to the Campaign Expense Reporting Law (25 P. S. § 3241 et seq).	Richard Filling, (717) 787-5280

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Athletic Commission 58 Pa. Code, Chapter 21 (16-17)	Winter 2001, as final.	Comprehensive revisions to 58 Pa. Code will reflect statutory changes to the Pennsylvania Athletic Code and changes in commission procedures. The regulations will be promulgated pursuant to the Pennsylvania Athletic Code (5 Pa.C.S.A. § 101 et seq).	Greg Sirb (717) 787-5720
Navigation Commission for the Delaware River and Its Navigable Tributaries— 13 Pa. Code Ch. 201—209. (16A-662)	Summer 2000, as proposed.	Proposed comprehensive revisions will enhance navigational safety, eliminate obsolete regulations and reflect statutory changes pursuant to 55 P. S. § 31 and 71 P. S. § 670.2(4).	L. Lawrence Boyle (717) 787-6458
Bureau of Professional and Occupational Affairs— Schedule of Civil Penalties for Act 48—State Boards of Accountancy, Architects, Auctioneers, Professional Engineers, Land Surveyors and Geologists, and Dentistry— 49 Pa. Code, Chapter 43. (16-20)	July 2000, as final.	The regulations provide for civil penalties for violations pertaining to the conduct or operation of a business or facility licensed by the Boards. Statutory authority: 63 P. S. § 2205(a).	Beth Sender Michlovitz (717) 783-7200
State Board of Auctioneer Examiners—Schedule of Fees— 49 Pa. Code § 1.41.—(16A-644)	Summer 2000, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. § 734.6.	Linda Dinger (717) 783-3397
State Board of Barber Examiners— General Revisions— 49 Pa. Code, Chapter 3. (Number not yet assigned.) Verification/Certification Fees— 49 Pa. Code § 3.103. (16A-422)	September 2000, as proposed. July 2000, as final.	The Board proposes to revise and update its entire chapter and repeal antiquated provisions. Statutory authority: 63 P. S. § 566.4(b). This regulation apportions costs of providing Board services to specific applicants and licensees Statutory authority: 63 P. S. § 564.	Sara Sulpizio (717) 783-3402
State Board of Cosmetology Application Fees— 49 Pa. Code § 7.2. (16A-458)	July 2000, as final.	The regulation amends the Board's fee schedule by revising fees to reflect the actual cost incurred by the Board to provide the following services: licensure of cosmetologist, manicurist or cosmetician; licensure of cosmetology, manicurist or cosmetician shop; licensure of cosmetology school, licensure by reciprocity; registration of cosmetology apprentice; approval of cosmetology school supervisor; change in cosmetology shop (inspection required); and reinspection of cosmetology shop. New fees are added to include reinspection of cosmetology school; certification of student or apprentice training hours; certification of examination scored; and verification of licensure, registration permit or approval. Statutory authority: 63 P. S. § 522(a).	Sara Sulpizio (717) 783-7130
State Architects Licensure Board— Biennial Renewal Fees— 49 Pa. Code § 9.3. (16A-415)	Winter 2000, as final.	The regulation will adjust the biennial renewal fees for architects to reflect actual Board costs and to fix the fees to match Board revenues with expenditures. Statutory authority: 63 P. S. § 34.11.	Dorna Thorpe (717) 783-1404

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Accountancy— Continuing Education Program Sponsors— 49 Pa. Code §§ 11.1, 11.4, 11.64- 11.65, 11.66, 11.70-11.73, 11.80. (16A-555)	September 2000, as final.	The regulations require approved continuing education program sponsors to renew their approval biennially and authorize the Board to conduct audits of approved programs. The regulations ensure that continuing education programs meet licensure renewal needs. Statutory authority: 63 P. S. § 9.3(10).	Dorna Thorpe (717) 783-1404
Commissions and Referral Fees— 49 Pa. Code § 11.24. (16A-557)	September 2000, as final.	The regulation establishes requirements for licensees who pay or receive commissions and referral fees in connection with the referral or recommendation of products and services. The regulation complies with 1997 amendments to the C.P.A. Law. Statutory authority: 63 P. S. § 9.12(p).	
General Revisions— 49 Pa. Code, Chapter 11. (16A-559)	August 2000, as proposed.	The regulations repeal outdated requirements in compliance with 1997 amendments to the C.P.A. Law. Statutory authority: 63 P. S. § 9.3(10)-(12).	
Peer Review— 49 Pa. Code, §§ 11.81—11.86. (16A-556)	August 2000, as final.	The regulations clarify deadlines for peer review compliance; establish qualifications for peer review administering organizations, peer review team captains, and peer reviewers; adopt peer review standards; prescribe conditions for out-of-state peer reviews of multi-state firms; provide for confidentiality of peer review reports; and define relevant terms. The regulation implements 1997 amendments to the C.P.A. Law. Statutory authority: 63 P. S. §§ 9.8h and 9.8i.	
Fees— 49 Pa. Code § 11.4. (16A-558)	October 2000, as final.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. § 9.6.	
State Board of Funeral Directors—Application/ Certification/ Verification/ Reinspection Fees— 49 Pa. Code § 13.12. (16A-482)	Summer 2000, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: Section 18.1 of the Funeral Director Law, act of January 14, 1952 (P. L. 1951-1898, No. 522), as amended, 63 P. S. § 479.18.1.	Cheryl Lyne (717) 783-3397
Unprofessional Conduct— 49 Pa. Code § 13.201, 202. (Number not yet assigned.)	Fall 2000, as proposed.	The amendment adds to the Board's standards of practice and conduct. Section 16(a) of the Act, 63 P. S. § 479.16(a).	
State Board of Landscape Architects—Continuing Education— 49 Pa. Code § 15.71—15.83. (16A-612)	Summer 2000, as final.	The amendments establish procedures and standards for continuing education as a condition of biennial renewal pursuant to Section 9.1 of the Landscape Architects Registration Law, Act of January 24, 1966, P. L. (1965) 1527, added by the Act of December 7, 1994, P. L. 774, 63 P. S. § 909.1.	Shirley Klinger (717) 772-8528
Application Fees— 49 Pa. Code §§ 15.12, 15.57. (16A-615)	Summer 2000, as final.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Section 5 of the Law, 63 P. S. § 905, requires the Board to adopt fees by regulation to match Board revenues with expenditures.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Medicine— Certified Registered Nurse Practitioners (CRNPs)— 49 Pa. Code § 18.21. (16A-499)	Summer 2000, as final.	The Board will collaborate with the State Board of Nursing for joint promulgation of standards and criteria by which CRNPs could write prescriptions for medical therapeutic measures. Statutory authority: Section 15 of the Medical Practice Act, 63 P. S. § 422.15.	Cindy Warner (717) 783-1400
General Delegation— 49 Pa. Code, Ch. 16. (16A-4912)	Winter 2000, as proposed.	This regulation would establish standards for the delegation of medical services to qualified personnel. Statutory authority: Section 17(b) of the Medical Practice Act, 63 P. S. § 422.17(b).	
Fees— 49 Pa. Code §§ 16.13, 16.17, 18.303. (16A-4910)	Winter 2000, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. The Board has authority to adopt such regulation under Section 6 of the Medical Practice Act, 63 P. S. § 422.6.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Nursing— RN general revisions— 49 Pa. Code §§ 21.1—21.126. (16A-516)	Fall 2000, as proposed.	These regulations will update or repeal outdated provisions pertaining to registered nurses and consolidate all regulatory provisions pertaining to registered nurse education programs. Revisions to the regulations are authorized by Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	Ann Steffanic (717) 783-7142
LPN general revisions— 49 Pa. Code §§ 21.141— 21.234. (Number not yet assigned.)	Fall 2000, as proposed.	These regulations will update or repeal outdated provisions pertaining to licensed practical nurses and consolidate all regulatory provisions pertaining to practical nurse education programs. Revisions to the Practical Nurse Law are authorized under Section 17.6, 63 P. S. § 667.6.	
Application Fees— 49 Pa. Code §§ 21.5, 21.147, and 21.1253.—(16A-5112)	Summer 2000, as final.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. These regulations are authorized under Section 11.2 of the Professional Nursing Law, 63 P. S. § 221.2, and Section 7.5 of the Practical Nurse Law, 63 P. S. § 667.5.	
CRNP prescriptive privileges— 49 Pa. Code §§ 21.151—21.351. (Tracked under 16A-499)	Summer 2000, as final.	The Board will collaborate with the State Board of Medicine for joint promulgation of standards and criteria by which CRNPs could write prescriptions for medical therapeutic measures. These regulations are authorized under Sections 2 and 2.1 under the Professional Nursing Law, 63 P. S. §§ 212 and 212.1(k), and Section 15 of the Medical Practice Act of 1985, 63 P. S. § 422.15.	
Sexual Misconduct— 49 Pa. Code §§ 21.18 and 21.148. (16A-5110)	Summer 2000, as final.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	
Biennial Renewal Fees— 49 Pa. Code §§ 21.5, 21.147 and 21.253.—(16A-5113)	Winter 2000, as final.	The regulation amends the biennial renewal fees for the State Board of Nursing by revising biennial renewal fees for Registered Nurses, Practical Nurses and Certified Registered Nurse Practitioners so that projected revenues will meet or exceed projected expenditures as required under the Acts.	
State Board of Pharmacy— Application Fees— 49 Pa. Code § 27.91.—(16A-548)	Summer 2000, as final.	These regulations will update fees for non-renewal services. Statutory Authority: 63 P. S. § 390-8.2.	Rita T. Solie (717) 783-7156

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Veterinary Medicine— Biennial Renewal Fees— 49 Pa. Code § 31.41. (16A-579)	Fall 2000, as final.	The regulation will adjust the biennial renewal fees for veterinarians and animal health technicians to reflect actual Board costs in providing these services. Section 13 of the Veterinary Medicine Practice Act, 63 P. S. § 485.13 requires the Board to fix fees by regulation to match Board revenues with expenditures.	Robert Kline (717) 783-1389
Continuing Education Requirements— 49 Pa. Code § 31.15. (16A-5711)	Fall 2000, as proposed.	This regulation will limit the number of continuing education credits that may be earned from individual instruction programs.	
Prescription Drugs— 49 Pa. Code § 31.21 Principle 8. (16A-5712)	Late Fall 2000, as proposed.	This regulation will require veterinarians to meet specified standards regarding prescription drugs, including dispensing and packaging.	
State Board of Dentistry— Continuing Professional Education— 49 Pa. Code, Chapter 33. (16A-464)	July 2000, as final.	This regulation will establish continuing education regulations for dentists, dental hygienists and expanded function dental assistants. The regulations are required under Act 113 of 1996, which amended Section 3(j) of the Dental Law, 63 P. S. § 122(j).	Lisa Burns (717) 783-7162
Administration of General Anesthesia, Conscious Sedation and Nitrous Oxide/Oxygen Analgesia— 49 Pa. Code §§ 33.331—33.344. (Number not yet assigned.)	December 2000, as proposed	This regulation amends requirements for administration of anesthesia/analgesic in response to a recent Commonwealth Court case. Section 3(o) of the Dental Law, 63 P. S. § 122(o).	
State Real Estate Commission— General Revisions— 49 Pa. Code, Chapter 35. (16A-560)	Summer 2000, as final.	The Commission plans a comprehensive amendment to Chapter 35 to bring existing regulations up to date with current policies. Statutory authority: 63 P. S. § 455.404.	Debra Sopko (717) 783-3658
Agency Disclosures— 49 Pa. Code, Chapter 35. (16A-568)	Spring 2001, as final.	This regulation will implement the requirements of Act 112 of 1998 pertaining to agency relationships. Statutory authority: 63 P. S. § 455.404.	
State Board of Certified Real Estate Appraisers— Experience Options for Certification, Duties of Supervising Appraiser— 49 Pa. Code §§ 36.13 and 36.14. (16A-706)	July 2000, as proposed.	The regulations revise qualifying experience for certification as an appraiser; impose supervisory and record-keeping duties on appraisers who supervise appraisal assistants; and require appraisal reports submitted as qualifying experience to conform to the Uniform Standards of Professional Appraisal Practice (USPAP). The regulations are consistent with standards established for state appraiser boards by the federal Appraiser qualification Board (AQB). Statutory authority: 63 P. S. § 457.5(2).	Cheryl Lyne (717) 783-3397
Standards of Practice— 49 Pa. Code § 36.51. (16A-709, soon to be resubmitted as 16A-7012)	July 2000, as proposed. (Resubmission; earlier version of regulation was withdrawn in June 2000.)	The regulation requires all certified general appraisers, residential appraisers and broker/appraisers to comply with the USPAP unless the Board has adopted supplemental practice standards. Statutory authority: 63 P. S. § 457.5(2).	
Fees— 49 Pa. Code § 36.6. (16A-7011)	July 2000, as proposed.	The regulation revises the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: 63 P. S. § 457.9.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Examiners of Nursing Home Administrators— Continuing Education— 49 Pa. Code §§ 39.31—39.71. (16A-623)	Fall 2000, as final.	The regulation will amend and clarify the continuing education requirement in Section 9 of the Nursing Home Administrators License Act, 63 P. S. § 1109.	Melissa Wilson (717) 783-7155
Application/Certification/ Verification Fees— 49 Pa. Code § 39.72. (16A-626)	Summer 2000, as final.	This regulation apportions costs of providing Board services to specific applicants and licensees. Statutory authority: Section 7.1 of the Law, 63 P. S. § 1108.	
State Board of Physical Therapy— Physical Therapists— 49 Pa. Code §§ 40.11, 40.13, 40.15, 40.17, 40.18 and 40.21-40.24. (Number not yet assigned.)	September 2000, as proposed.	Regulations correct and revise existing regulations regarding physical therapists. Proposed under Section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a).	Robert Kline (717) 783-7134
Sexual Misconduct— 49 Pa. Code, Chapter 40. (16A-656)	July 2000, as proposed.	Through the monitoring of its disciplinary process, including consumer complaints and disciplinary actions, the Board believes that enforcement standards are needed to notify licensees of acts which the Board deems unprofessional. The Board has authority to adopt regulations necessary to carry out the act under Sections 3, 5 and 10 of the Act, 63 P. S. § 1303, 1305 and 1310.	
State Board of Occupational Therapy Education and Licensure— General Revisions— 49 Pa. Code, Chapter 42. (16A-674)	July 2000, as proposed.	The Board proposes to revise its chapter by updating certain provisions and deleting outdated or redundant language. The Board has authority to adopt the regulations necessary to perform its duties and for the proper administration of the law under Section 5(b) of the Occupational Therapy Practice Act, 63 P. S. § 1505(b).	Clara Flinchum (717) 783-1389
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors— Licensure Regulations (Number not yet assigned.)	Spring 2001, as proposed.	Regulations regarding qualifications for licensure pursuant to the enactment of Act 139 adding Licensed Clinical Social Workers, Marriage and Family Therapists and Professional Counselors as new licensure classes.	Clara Flinchum (717) 783-1389
<i>STATE EMPLOYEES' RETIREMENT SYSTEM</i>			
Repeal of 4 Pa. Code § 249.7(b)	January, 2001, as final.	Allow agency to develop alternative methods of billing for multiple service credit, consistent with 71 Pa.C.S. § 5907(d).	Larry Brandenburg (717) 237-0352

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
STATE POLICE			
Firearm Regulations, Standards for Licensed Retail Dealers of Firearms Chapter 31	July 2000.	The provisions of this chapter set forth regulations for the storage of firearms, rifles, and shotguns by licensed retail dealers in the event a clear and present danger to public safety is found to exist by the Commissioner of the State Police within this Commonwealth during the hours when licensed retail dealers are closed for business. The provisions of this chapter apply to all licensed retail dealers and their designated employees.	Ronald E. Plesco, Jr. 717-772-0905
Procedures & Specifications for Firearm Record Forms Chapter 33	July 2000.	The regulations provide for the administration of the provisions of the Uniform Firearms Act (UFA) for the implementation of the Pennsylvania Instant Check System (PICS) in order to approve or deny the sale or transfer of firearms and licenses to carry a firearm in accordance with the provisions of the UFA. The regulations also ensure the identity, confidentiality, and security of all information collected and disseminated by the PICS in accordance with the UFA.	
Regulatory amendments to clarify various aspects of the Municipal Police Officers Education and Training Commission regulations. Chapter 203	July 2000.	The provisions of this chapter set forth regulations for the administration of the training program for municipal police by the Municipal Police Officers Education and Training Commission. The proposed amendments correct various aspects of the existing regulations and suspend the vision standard until disposition of pending litigation.	Ronald E Plesco, Jr. 717-772-0905
STATE SYSTEM OF HIGHER EDUCATION			
No regulations being developed or considered at this date.			
TRANSPORTATION			
Manufacturer, Dealers and Miscellaneous Motor Vehicle Businesses Registration Plates Chapter 53	August 2000, as proposed.	Amendments are needed based on revisions to related sections of the Vehicle Code and Industry/Department concerns. Proposed regulations are undergoing further review.	Sue Wilson (717) 787-4291
Permanent Registrations of Fleet Vehicles Chapter 60	December 2000, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	John Munafo (717) 787-3977
School Buses and School Vehicles Chapter 171	April 2001, as proposed.	Amendments are needed to clarify previous revisions and to address concerns raised by the School Bus Vehicle Industry and related Associations. The Department has prepared draft amendments based on recommendations received by various associations. Proposed regulations are being reviewed.	Mike Kistler (717) 783-4534
Physical and Mental Criteria, Including Vision Standards Relating to the Licensing of Drivers Chapter 83	December 2000, as proposed.	As a result of a PA Supreme Court decision (<i>Clayton vs. Department of Transportation</i>), additional waivers to seizure disorder provisions must be adopted. The Department's Medical Advisory Board is in the process of reviewing proposed amendments.	Mike Kistler (717) 783-4534
Liquid Fuels Tax Chapter 449	August 2000, as proposed.	Regulatory review committee has been formed. Regulations submitted to legal for review on October 1, 1999.	Dick Zerbe (717) 787-2183

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
School Bus Drivers Chapter 71	April 2001, as proposed.	Creates waivers for school bus drivers, with medical conditions, who pose no significant danger to driving. The Department's Medical Advisory Board will be approving amendments to incorporate recommendations being developed by the Insulin Dependant Diabetes Task Force.	Mike Kistler (717) 783-4534
Proportional Registration of Fleet Vehicles Chapter 63	December 2000, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	John Munafò (717) 787-3977
Vehicle Equipment and Inspection Chapter 175	December 2000, as final.	Proposed amendments required to comply with Act 151 of 1999.	Tom Zamboni (717) 783-9513
Vehicle Equipment and Inspection Chapter 175	June 2001, as proposed.	Proposed amendments require complying with Act 115 of July 6, 1995. No. 30, P. L. 246 that requires the establishment of equipment and inspection criterion for farm vehicles with a gross weight rating greater than 17,000 pounds.	Tom Zamboni (717) 783-9513
Authorization to Verify VIN Identification Numbers Chapter 17	February 2001, as proposed.	Proposed amendments would authorize Department employees to verify VIN Numbers for vehicles requiring a Certificate of Title.	Tom Zamboni (717) 783-9513
Administrative Practice and Procedure Chapter 491	October 2000, as final	Establish standards to facilitate administrative review of Department decisions and proceedings before Department hearing officers	Robert H. Raymond (717) 787-5473
Outdoor Advertising Devices Chapter 445	October 2000, as final	Establish standards to facilitate administrative review of Department decisions and proceedings before Department hearing officers	Robert H. Raymond (717) 787-5473
Shared-Ride Transportation Service Reimbursement Chapter 425	September 2000, as proposed.	Revised regulations are required due to the repeal of the original authorizing legislation and the enactment of revised authorizing legislation for the Shared-Ride Program for Senior Citizens.	LaVerne Collins (717) 783-8025
Display of Registration Plates Chapter 47	December 2000, as final	Amending Placement of Validation Sticker for Cities of the First Class in order to respond to the theft of validation stickers currently placed on the registration plate.	Randy Swartz (717) 787-2780
Temporary Registration Cards and Plates Chapter 43	December 2000, as final.	Proposed amendments would address changes needed in the Temporary Plate Issuance Program so as to reduce fraud and improve the accuracy of registration data.	Randy Swartz (717) 787-2780
Emission Inspection Chapter 177	December 2000, as proposed.	Amendments needed to address ongoing operational aspects of the emissions program.	Peter Gertz (717) 783-7016
Airport Rating and Licensing Chapter 471	September 2000, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements.	Kathy Reitz (717) 705-1234
Aviation Development Chapter 473	September 2000, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements.	Kathy Reitz (717) 705-1234

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Local Real Estate Tax Reimbursement Chapter 477	September 2000, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements.	Kathy Reitz (717) 705-1234
Hold-Down and Tie-Down Devices for Junked Vehicles and Vehicle Hulks Chapter 181	December 2000, as proposed.	Repeal—incorporate provisions in Chapter 231	Daniel Smyser (717) 787-7445
Engineering and Traffic Studies Chapter 201	October 2000, as proposed.	Repeal this chapter when we adopt the new Chapter 212 and the Federal Highway Administration's <i>Manual on Uniform Traffic Control Devices (MUTCD)</i> . Some current provisions not included in the MUTCD will be incorporated into Chapter 212.	Art Breneman (717) 787-3620
Work Zone Traffic Control Devices Chapter 203	October 2000, as proposed.	Repeal this chapter when we adopt the new Chapter 212 and the Federal Highway Administration's <i>Manual on Uniform Traffic Control Devices (MUTCD)</i> . Some current provisions not included in the MUTCD will be incorporated into Chapter 212.	Art Breneman (717) 787-3620
Official Traffic Control Devices Chapter 211	October 2000, as proposed.	Repeal the current chapter when we adopt the new Chapter 212 and the Federal Highway Administration's <i>Manual on Uniform Traffic Control Devices (MUTCD)</i> . Some of the current provisions not included in the MUTCD will be incorporated into Chapter 212.	Art Breneman (717) 787-3620
Official Traffic Control Devices Chapter 212	October 2000, as proposed.	This chapter is being proposed to replace Chapters 201, 203 and 211, and adopt the Federal Highway Administration's <i>Manual on Uniform Traffic Control Devices (MUTCD)</i> . By adopting the MUTCD, the volume of the new regulation will be only about 5 percent of the combination of the three current regulations.	Art Breneman (717) 787-3620
Hazardous Materials Transportation Chapter 403	December 2000, as proposed.	Incorporate new Federal provisions and eliminate registration requirement.	Daniel Smyser (717) 787-7445
Consultant Highway Design Errors Chapter 455	October 2000, as proposed.	Since there is no legal need for this chapter, the Department proposes to delete Chapter 455 and propose a Department policy to address consultant design errors.	Donald Childs (717) 783-9309
Vehicle Equipment & Inspection Chapter 175	September 2000, as proposed	Current language is not flexible enough to accommodate changing industry practices and needs.	John Munafo (717) 787-3184
Prequalification of Bidders Chapter 457	June 2001, as proposed rulemaking.	These changes are being brought about as a result of a reengineering project.	Fred Starcinic (717) 787-3733
Flashing or Revolving Lights on Emergency and Authorized Vehicles Chapter 173	December 2000, as final.	Proposed amendments required to comply with Act 151 of 1999.	Tom Zamboni (717) 783-9513

[Pa.B. Doc. No. 00-1142. Filed for public inspection June 30, 2000, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Mandated Benefits

Section 9 of the Health Care Cost Containment Act (35 P.S. §§ 449.1—449.19) requires that the Health Care Cost Containment Council (Council) review proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator Edwin G. Holl, Chairperson of the Senate Banking and Insurance Committee, to review Senate Bill 1291, Printers Number 1668 (Hart), the Access to Dental Care Act. Senate Bill 1291 would require health insurance policies to provide coverage for general anesthesia and associated medical costs to eligible dental patients. Eligible patients include: 1) children under 5 years of age; and 2) individuals who are severely disabled mentally, physically or developmentally and are extremely fearful or uncooperative, whose dental needs are deemed important enough that dental care cannot be deferred.

Initial notification of request for information and documentation was published in the *Pennsylvania Bulletin* on April 8, 2000, with documentation due to the Council by June 8, 2000.

Following is a list of the documentation received. This information is available for public review and comment at the Council office during regular business hours (Monday through Friday, 8:30 a.m. to 5 p.m.) until August 1, 2000. Any additional comments on this information must be received by 5 p.m. on August 1, 2000. The Council office is located at: 225 Market Street, Suite 400, Harrisburg, PA 17101. Send comments (six copies) to Flossie Wolf at this address.

Submissions for Senate Bill 1291

1. AFLAC—American Family Life Assurance Company of Columbus (Richard J. Gmerek of the Law Offices of Gmerek & Hayden)

- Statement addressing SB 1291 and requesting exemptions for certain supplemental policies.

2. American Academy of Pediatric Dentistry (Paul S. Casamassimo, DDS, MS, President)

- Letter supporting SB 1291.
- Attachment addressing mandated benefits for dental anesthesia for children and special needs patients.

3. Blue Cross of Northeastern Pennsylvania (Connie Jewett, Vice-President of External Affairs)

- Letter opposing SB 1291.
- Attachment addressing mandated benefits for dental anesthesia for children and special needs patients.

4. Highmark Blue Cross Blue Shield (Bruce R. Hironimus, Vice President of Government Affairs)

- Statement addressing Section 9 requirements and opposing SB 1291.
- Attachments addressing dental anesthesia, health insurance, and health insurance mandates.

5. Independence Blue Cross (Mary Ellen McMillen, Vice President of Legislative Policy)

- Letter opposing SB 1291.

6. The Insurance Federation of Pennsylvania, Inc. (John R. Doubman, Secretary & Counsel)

- Letter addressing Section 9 requirements and opposing SB 1291.

- Attachment addressing safety of sedation during pediatric dental procedures.

7. Managed Care Association of Pennsylvania (Kimberly J. Kockler, Executive Director)

- Letter addressing Section 9 requirements and opposing SB 1291.

8. Pennsylvania Chamber of Business and Industry (Fred A. Sembach, Vice President of Government Affairs)

- Letter opposing mandated coverage of dental anesthesia.

9. Pennsylvania Dental Association (Philip T. Siegel, DDS, Chair, PDA Council on Government Relations)

- Statement addressing Section 9 requirements and supporting SB 1291.

- Attachments addressing pediatric dental treatment and the proposed cost of SB 1291.

10. Pennsylvania Society of Oral and Maxillofacial Surgeons (John Ciabattini, DDS, President)

- Letter supporting SB 1291.

11. Representative Stanley E. Saylor

- Memo supporting coverage of dental anesthesia.
- Attachments addressing dental anesthesia legislation in Maryland.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 00-1143. Filed for public inspection June 30, 2000, 9:00 a.m.]

INSURANCE DEPARTMENT

Highmark Inc.; Addendum to 1-DEM-99-HBCBS; Addendum to Demographic Rating Methodology Filing Rating Factor for Association Group Size of One

Highmark Inc. submitted filing number 1-DEM-99-HBCBS Addendum for Insurance Department (Department) approval. This filing requests approval for a rating factor based on the size of a group to be used in conjunction with the demographic rating methodology approved for groups with 50 or fewer contracts.

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

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. 00-1144. Filed for public inspection June 30, 2000, 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 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). This administrative hearing will be held in the Insurance Department's Regional Offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Second Floor Hearing Room, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Linda Mattioli; file no. 00-181-03276; Liberty Mutual Insurance Company; doc. no. P00-06-028; July 19, 2000, at 10 a.m.

Appeal of Donald R. Smith; file no. 00-181-03530; Erie Insurance Company; doc. no. P00-06-029; July 18, 2000, at 10 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 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 Insurance 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 the referenced administrative hearings and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1145. Filed for public inspection June 30, 2000, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

York County, Wine & Spirits Shoppe #6711, 1000 Carlisle Street, Hanover, PA 17331-1101.

Lease Expiration Date: May 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,200 net useable square feet of new or existing retail commercial space within a 2 mile radius of the intersection of Route 94 and Eisenhower Drive, Hanover Borough.

Proposals due: July 21, 2000 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661.

Contact: Willard J. Rhodes, (717) 657-4228

JOHN E. JONES, III
Chairperson

[Pa.B. Doc. No. 00-1146. Filed for public inspection June 30, 2000, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule; Milk Marketing Area No. 2

Under the provisions of the Milk Marketing Law (31 P. S. § 700j-101—700k-10.1), the Milk Marketing Board will conduct a public hearing for Milk Marketing Area No. 2 on August 2, 2000, commencing at 10 a.m. in Room 202 of the Agriculture Building, 2301 N. Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive evidence concerning minimum prices milk dealers shall pay to producers for various classes of milk; minimum prices milk dealers shall charge for milk, including prices to be charged to wholesale customers such as stores, restaurants, and institutions; discounts; and minimum prices to be charged to consumers for milk sold for consumption off the premises. Evidence will also be received concerning the various types, classifications and containers of fluid milk and milk products; in-store handling costs; reasonable profit margins for milk dealers and stores; and adoption of a cost replacement system, including whether in-store handling costs should be part of that system.

The Area 2 Milk Dealers Association and the Pennsylvania Food Merchants Association, which petitioned for the hearing, are deemed to be parties, as is the staff of the Board, and their attorneys are deemed to have entered their appearances. Other persons that may be affected by the Board order fixing prices in Area No. 2 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, on or before July 7, 2000, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25, which shall identify by name and address the party on whose behalf the appearance is made. Thereafter documents and other

written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21, filing with the Board, on or before July 7, 2000, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. On or before July 19, 2000, each party shall file with the Board seven copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. On or before July 26, 2000, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office on or before July 10, 2000.

The filing address for the Board is Pennsylvania Milk Marketing Board, Room 110, Agriculture Building, 2301 N. Cameron Street, Harrisburg, PA 17110.

If this information is required in an alternate format, call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD Users).

LYNDA J. BOWMAN,
Secretary

[Pa.B. Doc. No. 00-1147. Filed for public inspection June 30, 2000, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

Application Cut-Off Dates and Meeting Dates

The first meeting of Fiscal Year 2000-01 of the Pennsylvania Infrastructure Investment Authority (PENNVEST)

Board of Directors has been scheduled for Wednesday, July 12, 2000, at 10 a.m. in the Leland Room of the Harrisburg Hilton and Towers, 1 North Second Street, Harrisburg, PA. The November and March meetings will be held at the Governor's Residence, 2035 North Front Street, Harrisburg, PA.

Application Cut-Off Dates

September 6, 2000

January 17, 2001

Board Meeting Dates

November 15, 2000

March 21, 2001

Funding applications must be received by 5 p.m. on the stated cut-off dates at the PENNVEST Office, 22 South Third Street, Harrisburg, PA 17101.

Persons requiring ADA accommodations should contact Elaine Keisling (717) 783-4494.

PAUL K. MARCHETTI,
Executive Director

[Pa.B. Doc. No. 00-1148. Filed for public inspection June 30, 2000, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before July 24, 2000, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

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-00116998. Philadelphia Coach Limo, Inc., t/d/b/a Philadelphia Coach Limo Service (851 Kent Lane, Philadelphia, Philadelphia County, PA 19115), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the counties of Philadelphia, Delaware, Montgomery and Bucks, and from points in said counties, to points in Pennsylvania, and return; which is to be a transfer of all of the right authorized under the certificate issued at A-00116054, F. 3 to Alexa Cab Co., t/d/b/a Keystone Limousine Service, Inc., subject to the same limitations and conditions. *Attorney:* Brendan M. McGinley, 329 South 16th Street, Philadelphia, PA 19102.

Applications of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons by transfer of rights as described under each application.*

A-00116855, Folder 2. MTR Transportation, Inc., t/d/b/a K-Cab Co. (120 East 15th Street, Berwick, Co-

lumbia County, PA 18603), a corporation of the Commonwealth of Pennsylvania—additional right—(1) persons, in paratransit service, between points in the town of Bloomsburg, the borough of Catawissa, and the townships of Montour, Hemlock, Franklin, Catawissa, Mt. Pleasant, Scott, Main, Greenwood and Madison, Columbia County, and the borough of Danville and the townships of Cooper, Derry, Mahoning, Valley and West Hemlock, Montour County, and the borough of Riverside, Northumberland County, and from points in said town, boroughs and townships to points in Pennsylvania, and return; subject to the following condition: that the service herein authorized shall be rendered without the use of domelights or taximeters; and (2) persons, in paratransit service, between points in Columbia County and the township of Salem, Luzerne County, and from points in said county and township, to points in Pennsylvania, and return; which is to be a transfer of the rights authorized under the certificate issued to K-Cab, Inc., at A-00111416, F. 3, subject to the same limitations and conditions. *Attorney:* Brenda R. Hess, 208 East Second Street, Berwick, PA 18603.

A-00116855, Folder 3. MTR Transportation, Inc., t/d/b/a K-Cab Co. (120 East 15th Street, Berwick, Columbia County, PA 18603), a corporation of the Commonwealth of Pennsylvania—additional right—persons, upon call or demand; (1) in the town of Bloomsburg, Columbia County; (2) in the townships of Montour, Hemlock, Franklin, Catawissa, Mt. Pleasant, Scott and Main, Columbia County; (3) in the borough of Catawissa, Columbia County; (4) in the borough of Berwick, Columbia County, and within an airline distance of 15 statute miles of the limits of said borough; (5) the township of Cooper and Mahoning, Montour County; (6) in the borough of Danville, Montour County; and (7) in the borough of Riverside, Northumberland County; which is to be a transfer of the rights authorized under the certificate issued to K-Cab, Inc. at A-00111416, subject to the same limitations and conditions. *Attorney:* Brenda R. Hess, 208 East Second Street, Berwick, PA 18603.

Applications of the following for approval amendment 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-00112764, Folder 3, Am-C. Eastern Medical Ambulance, Inc. (1309 East Market Street, Warren, OH 44483), a corporation of the State of Ohio—inter alia, to transport, by motor vehicle, persons, in paratransit service, between points in the county of Mercer, and from points in the said county, to points in Pennsylvania, and return: *So as to permit* the transportation of persons, in paratransit service, in vehicles not to exceed a seating capacity of 26 passengers, excluding the driver, between points in Lawrence County, and from points in said county, to points in Pennsylvania, and return; which is to be a transfer of all of the right authorized under the certificate issued at A-00096018, F. 4 to George Ku, Inc., subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1149. Filed for public inspection June 30, 2000, 9:00 a.m.]

Telecommunications

A-310574F0002. Bell Atlantic-Pennsylvania, Inc. and Conectiv Communications, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and Conectiv Communications, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and Conectiv Communications, Inc., by its counsel, filed on June 16, 2000, at the Pennsylvania Public Utility 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 Bell Atlantic-Pennsylvania, Inc. and Conectiv Communications, Inc. Joint Petition are on file with the Pennsylvania Public Utility 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. 00-1150. Filed for public inspection June 30, 2000, 9:00 a.m.]

Telecommunications

A-310569F0002. Bell Atlantic-Pennsylvania, Inc. and OneStar Long Distance, Inc. Joint Petition of Bell Atlantic-Pennsylvania, Inc. and OneStar Long Distance, Inc. for approval of a resale agreement under section 252(e) of the Telecommunications Act of 1996.

Bell Atlantic-Pennsylvania, Inc. and OneStar Long Distance, Inc., by its counsel, filed on June 16, 2000, at the Pennsylvania Public Utility Commission, a joint petition for approval of a resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Bell Atlantic-Pennsylvania, Inc. and OneStar Long Distance, Inc. Joint Petition are on file with the Pennsylvania Public Utility 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. 00-1151. Filed for public inspection June 30, 2000, 9:00 a.m.]