

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Agricultural Land Conservation Assistance Grant Program

Notice is hereby given of the commencement of an application period for grants under the Agricultural Land Conservation Assistance Grant Program (program) administered by the Department of Agriculture (Department). The program is authorized by sections 7.1 and 7.3 of the act of June 18, 1982 (P. L. 549, No. 159) (3 P. S. §§1207.1 and 1207.3). Regulations for the program appear at 7 Pa. Code Chapter 138h (relating to Agricultural Land Conservation Assistance Program Grant program). Amendments to Chapter 138h appear at 30 Pa.B. (October 28, 2000).

Applications for the program will be accepted by the Department beginning November 28, 2000, for a 45 day period ending January 12, 2000. Information and grant application forms may be obtained from Sandra E. Robison, Bureau of Farmland Preservation, Department of Agriculture, 2301 N. Cameron Street, Room 404, Harrisburg, PA 17110-9408.

SAMUEL E. HAYES, Jr.,  
Secretary

[Pa.B. Doc. No. 00-1859. Filed for public inspection October 27, 2000, 9:00 a.m.]

### Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (PDA) hereby gives notice that it intends to award up to \$100,000 in grants under its Year 2001 Dog Control Facility Bill Reimbursement Program (Program). The Program will award bill reimbursement grants of up to \$7,500-per-recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this Program. The Program will be funded from the Dog Law Restricted Account, from funds which are hereby declared to be "surplus" funds for the limited purposes set forth in the Dog Law (3 P. S. § 459-1002(b)).

The proposed guidelines and conditions for the Program are set forth below. These proposed guidelines and conditions are substantively identical to the guidelines and conditions for last year's "Year 2000 Dog Control Facility Bill Reimbursement Grant Program," published at 30 Pa.B. 313 (January 15, 2000). In fulfillment in 7 Pa. Code § 23.4 (relating to conditions and guidelines), PDA invites public and legislative review of these proposed guidelines and conditions. Commentators should submit their comments, in writing, so they are received by PDA no later than 30 days from the date the proposed guidelines and conditions are published in the *Pennsylvania Bulletin*. Comments should be directed to the following: Richard Hess, Director, Bureau of Dog Law Enforcement, Pennsylvania Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

PDA will review and consider all written comments in preparing the final guidelines and conditions for the

Program. The final guidelines and conditions for the Program will be published in the *Pennsylvania Bulletin* after the close of the comment period referenced. The Department will invite the submission of grant applications at that time.

### Proposed Guidelines and Conditions for the Year 2001 Dog Control Facility Bill Reimbursement Grant Program

#### 1. Definitions.

The following words and terms, when used in these guidelines and conditions, have the following meanings:

*Department*—The Pennsylvania Department of Agriculture.

*Dog control*—The apprehending, holding and disposing of stray or unwanted dogs, or as otherwise defined in the Dog Law at 3 Pa.C.S. § 459-102.

*Eligible Bill*—A document seeking payment for materials, services or utilities from a grant recipient, setting forth the following:

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.
- iii. If for materials, a description of the materials and the date of delivery.
- iv. If for services, a description of the nature of the services and the dates upon which the services were rendered.
- v. If for utilities (such as electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility for which payment is sought was provided.
- vi. The name, address and telephone number of the entity issuing the document.

*Humane society or association for the prevention of cruelty to animals*—A nonprofit society or association duly incorporated under 15 Pa.C.S. Ch. 53 Subch. A (relating to incorporation generally) for the purpose of prevention of cruelty to animals, or as otherwise defined in the Dog Law at 3 Pa.C.S. § 459-102.

*Program*—The Year 2001 Dog Control Facility Bill Reimbursement Program.

#### 2. Eligibility.

A humane society or association for the prevention of cruelty to animals is eligible to apply to receive a grant under the Program if that humane society or association for the prevention of cruelty to animals:

- a. Has been in operation for at least 1 year immediately preceding the application date.
- b. Has performed dog control functions for at least 1 year immediately preceding the application date.
- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.
- d. Is not a party to a contract with PDA under which PDA pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2001.

e. Agrees—as a condition of receiving any grant money under the Program—to continue to perform dog control activities through the year 2001.

f. Has a total operating budget of \$150,000 or less for the 2001 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$150,000 or less for each fiscal year comprising any portion of calendar year 2001.

### 3. Use of Grant Funds.

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement, and will not exceed \$7,500 with respect to any application. The maximum grant amount will be retained by PDA and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2001 through December 31, 2001. The total reimbursement PDA will pay a grant recipient will not exceed the maximum grant amount. Any money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2001 or after December 31, 2001, that bill is not an eligible bill and will not be reimbursed by PDA under the Program.

### 4. Application Process.

a. *Application required.* A humane society or association for the prevention of cruelty to animals seeking a grant under the Program must complete a written application form and deliver it to PDA no later than 30 days from the date the final guidelines and conditions are published in the *Pennsylvania Bulletin*. Applications received by PDA beyond that date will not be considered.

b. *Obtaining an application form.* PDA will provide grant application forms upon request. Requests for application forms should be directed to the following:

Richard Hess, Director  
Bureau of Dog Law Enforcement  
Pennsylvania Department of Agriculture  
2301 North Cameron Street  
Harrisburg, PA 17110-9408  
Telephone: (717) 787-4833  
Fax: (717) 772-4352

c. *Contents of grant application form.* A grant application form shall require the following information:

- i. The name and address of the applicant.
- ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2, above.
- iii. The maximum grant amount sought by the applicant—not to exceed \$7,500.
- iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2000 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.
- v. Such other information as PDA might reasonably require.

### 5. Review and approval of grant application.

a. *Review and notification.* PDA will review each timely grant application and provide the applicant written notification of whether PDA awards the grant, denies the grant or awards a grant in some amount less than the applicant sought. This written notification will be mailed no later than 60 days from the date the final guidelines and conditions are published in the *Pennsylvania Bulletin*, to the address provided by the applicant on the grant application form. If an application is incomplete or PDA requires additional information or documentation in order to evaluate the grant request, it will so advise the applicant.

b. *Review criteria.* PDA will consider the following, among other factors, in determining whether to award a grant application:

- i. The number of applications received and the availability of funds for the grants sought.
- ii. The relative contribution of the applicant to dog control activities in the area it serves.
- iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.
- iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.
- v. The expense or logistical difficulty PDA would encounter if the applicant's dog control facility was no longer in operation.

### 6. Grant agreement.

a. *Grant agreement required.* A successful grant applicant must execute a grant agreement with PDA, setting forth the terms and conditions under which the grant money will be used by PDA to reimburse the grant recipient for payment of eligible bills.

b. *Reimbursement requests.* The grant agreement will set forth the exact procedure by which a grant recipient shall seek reimbursement from PDA for payment of eligible bills. The basic reimbursement request procedure will be as follows:

By May 15, 2001 the grant recipient will: (1) Deliver copies of the eligible bills it has paid between January 1 and April 30, 2001; (2) Verify that these bills have been paid and are eligible for reimbursement; and (3) Provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By September 15, 2001 the grant recipient will: (1) Deliver copies of the eligible bills it has paid between May 1 and August 31, 2001; (2) Verify that these bills have been paid and are eligible for reimbursement; and (3) Provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

By January 15, 2002 the grant recipient will: (1) Deliver copies of the eligible bills it has paid between September 1 and December 31, 2001; (2) Verify that these bills have been paid and are eligible for reimbursement; and (3) Provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

c. *Payment by PDA.* PDA will reimburse a grant recipient for eligible bills within 60 days of receiving a complete and timely reimbursement request.

d. *Termination.* PDA may terminate a grant agreement at any time by providing the grant recipient written notice of termination at the address set forth on the grant application.

SAMUEL E. HAYES, Jr.,  
Secretary

[Pa.B. Doc. No. 00-1860. Filed for public inspection October 27, 2000, 9:00 a.m.]

### Land Trust Reimbursement Grant Program

The Department of Agriculture (Department) published the procedures and standards for the Land Trust Reimbursement Grant Program (Program) at 29 Pa.B. 6342 (December 18, 1999). In summary, these standards and procedures restate the self-executing language set forth in section 1716(a)(3) of The Administrative Code of 1929 (71 P. S. § 456(a)(3)).

The Program is a pilot program, and is funded by a \$500,000 allocation from the State Agricultural Land Preservation Board (State Board). The Program allows for the awarding of reimbursement grants to qualified land trusts. A grant can reimburse a qualified land trust up to \$5,000 of the expenses it incurs in acquiring an "agricultural conservation easement," as that term is defined in the Agricultural Area Security Law (3 P. S. §§ 901—915). These expenses include appraisal costs, legal services, title searches, document preparation, title insurance, closing fees and survey costs.

Since the Program has been in effect, a number of qualified land trusts have suggested the standards and procedures be revised to allow for the reimbursement of expenses relating to the acquisition of agricultural conservation easements that do not—by themselves—meet the minimum size (acreage) requirements for agricultural conservation easement purchase, but that adjoin land that is already subject to an agricultural conservation easement.

To date, only a relatively small portion of the \$500,000 allocated to the Program by the State Board has been expended. The Department is inclined to accept the suggestion offered by the qualified land trusts, and expand the eligibility requirements for reimbursement grants under the Program. This revision: (1) is consistent with the statutory authority for the Program; (2) is consistent with the definition of "agricultural conservation easement" in section 3 of the Agricultural Area Security Law (at 3 P. S. § 903); and (3) is expected to increase the rate at which Program funds will be spent to reimburse these qualified land trusts for a portion of their costs in acquiring agricultural conservation easements.

The Department hereby rescinds Section 8 of the terms and conditions of the Program (published at 29 Pa.B. 6342) in its entirety and replaces that section with the following:

8. *State Board Review.* The State Board will review any complete, timely application for a reimbursement grant within 60 days of receipt. PDA shall stamp or otherwise identify each complete reimbursement grant application to record the date and the order in which these applications are received. The State Board will consider reimbursement grant applications in the order they are received. The State Board may not approve a reimbursement grant application unless all of the following criteria are met:

a. The application meets the requirements of 71 P. S. § 456.

b. The land use restrictions imposed under the deed of agricultural conservation easement are comparable to restrictions imposed under a deed of agricultural conservation easement acquired in accordance with the Agricultural Area Security Law.

c. The land subject to the agricultural conservation easement is within an agricultural security area of 500 or more acres.

d. One or more of the following is true of the land:

i. The land is comprised of at least 50 contiguous acres, contains at least 50% of soils which are both available for agricultural production and of land capability classes I-IV, as defined by the USDA-NRCS, and contains at least 50% harvested cropland, pasture or grazing land; or

ii. The land is of any acreage but adjoins land that is either currently subject to an agricultural conservation easement purchased under authority of the Agricultural Area Security Law or adjoins land that has been approved by the State Board for agricultural conservation easement purchase under authority of the Agricultural Area Security Law, such that—in the aggregate—the land and the restricted land it adjoins comprise at least 50 contiguous acres; or

iii. Is comprised of 10 or more acres, and adjoins land that is both comprised of 10 or more acres and subject to an agricultural conservation easement held by a "qualified conservation organization," as that term is defined in section 170(h)(3) of the Internal Revenue Code (26 U.S.C.A. § 170(h)(3)).

e. There are sufficient unencumbered funds available to fund the reimbursement grant amount sought in the reimbursement grant application.

Further information may be obtained by contacting the Pennsylvania Department of Agriculture, Attn: Raymond C. Pickering, Director, Bureau of Farmland Preservation, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 783-3167.

SAMUEL E. HAYES, Jr.,  
Secretary

[Pa.B. Doc. No. 00-1861. Filed for public inspection October 27, 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 October 17, 2000.

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
10-6-00	M&T Bank Corporation and Its Wholly-Owned Subsidiary, Olympia Financial Corp., Buffalo, New York, acquired 100% of the voting shares of Keystone Financial, Inc., Harrisburg, Pennsylvania	Buffalo, NY	Effective
10-10-00	National Penn Bancshares, Inc., Boyertown, to acquire 100% of the voting shares of Community Independent Bank, Inc., Bernville	Boyertown	Filed

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-12-00	Iron and Glass Bank Pittsburgh Allegheny County	3400 South Park Rd. Bethel Park Allegheny County	Filed
10-12-00	Premier Bank Doylestown Bucks County	2100 Street Road Bensalem Bucks County	Opened
10-16-00	The Muncy Bank and Trust Company Muncy Lycoming County	319 S. Main Street Muncy Lycoming County (Drive-Up Facility)	Approved

#### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-12-00	Parkvale Savings Bank Monroeville Allegheny County	<i>To:</i> 74 Allegheny River Boulevard Verona Allegheny County <i>From:</i> 736 Allegheny River Boulevard Verona Allegheny County	Approved
10-16-00	Sun Bank Selinsgrove Snyder County	<i>To:</i> 141 Plaza 15 Route 15 North Lewisburg Union County <i>From:</i> Routes 15 & 45 Lewisburg Union County (Approved/Unopened)	Approved

#### Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-16-00	Laurel Bank Johnstown Cambria County	324 Curry Hollow Rd. Pleasant Hills Allegheny County	Approved

## NOTICES

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-11-00	Belco Community Credit Union, Harrisburg, and Quaker Oats Shiremanstown Federal Credit Union, Shiremanstown Surviving Institution— Belco Community Credit Union, Harrisburg	Harrisburg	Filed

JAMES B. KAUFFMAN, Jr.,  
*Acting Secretary*

[Pa.B. Doc. No. 00-1862. Filed for public inspection October 27, 2000, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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### 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 his 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 Field Office indicated as the office responsible, 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 Field Office of the exact basis of a 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. 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 received and other information are on file and may be inspected and arrangements made for copying at the Field Office that has been indicated above the application.

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

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

**PA 0063428.** Sewerage, **Blue Mountain Ski Area**, Box 201, 127 Harvard Ave., Palmerton, PA.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Buckwha Creek in Lower Towamensing Township, **Carbon County**.

The receiving stream is classified for the following uses: cold water migratory fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of .05 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	50.0
Total Suspended Solids	30.0	60.0
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times	
Total Residual Chlorine	1.20	2.80

The EPA waiver is not in effect.

**PA 0045985.** Sewerage, **Mountaintop Area Joint Sanitary Authority**, R. R. 4, Morio Drive, Mountaintop, PA 18707.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Big Wapwallopen Creek in Dorrance Township, **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, NO<sub>2</sub>,-NO<sub>3</sub>, fluoride, and phenolics, the existing proposed downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Co. located on the north branch of the Susquehanna River.

The proposed effluent limits for Outfall 001 for a design flow of 4.16 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31) (11-1 to 4-30)	2.5 7.5	— —	5 15
Dissolved Oxygen	a minimum of 5 mg/l at all times		
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	maximum at .05 mg/l at all times		
Total Fluoride	monitor and report		monitor and report
Total Copper	monitor and report		monitor and report

\*Limits based on increase of flow from 2.85 mgd to 4.16 mgd and become effective when expanded plant becomes operational.

The EPA waiver is not in effect.

**PA 0044423.** Industrial, **Lehigh University**, 461 Webster Street, Bethlehem, PA 18015.

This proposed action is for renewal of an NPDES permit to discharge non-contact cooling water into Saucon Creek in the City of Bethlehem, **Northampton County**.

The receiving stream is classified for the following uses: Cold water fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.002 mdg are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature	monitor and report		110°F

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 0084034.** SIC Code 8211, Sewage, **West Perry School District**, (Carroll Elementary), R. R. 1, Box 7A, Elliptsburg, PA 17024.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary to Sherman Creek in Watershed 7-A (Sherman Creek), in Carroll Township, **Perry 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was United Water Company located in 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 0.0125 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Suspended Solids	30	60
NH <sub>3</sub> -N		
(5-1 to 10-31)	3.5	7.0
(11-1 to 4-30)	10.5	21
Total Residual Chlorine	0.38	1.25
Dissolved Oxygens	minimum of 5.0 at all times	
pH	from 6.0—9.0 inclusive	
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	5,000/100 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 0009776.** SIC Code 3269, Industrial waste, **The Pfaltzgraff Company (West York Facility)**, Bowman Road, P. O. Box 244, Thomasville, PA 17364.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to an unnamed tributary of Codorus Creek in Watershed 7-H (Codorus Creek), in West Manchester 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Wrightsville Water Supply Company located on the Susquehanna River in Wrightsville Borough, York County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 101 for a design flow of 0.0416 mgd are:

<i>Parameter</i>	<i>Average (mg/l) Monthly</i>	<i>Maximum (mg/l) Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		from 6.0 to 9.0 inclusive	
Total Suspended Solids	10	20	25

In addition, the proposed monitoring requirements for stormwater at the facility include sampling twice per year and monitoring for the following: CBOD<sub>5</sub>, Chemical Oxygen Demand, Dissolved Iron, Oil and Grease, pH, Total Copper, Total Kjeldahl Nitrogen, Total Lead, Total Phosphorus, Total Suspended Solids and Total Zinc.

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.

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*Northcentral Region: Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3666*

**PA 0045969.** Industrial waste, SIC: 5771, **Sunoco, Inc. (R & M)**, 1801 Market Street, 15th Floor/10PC, Philadelphia, PA 19380.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated stormwater runoff from a petroleum marketing terminal to an unnamed tributary to the Susquehanna River in Point Township, **Northumberland County**.

The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Sunbury Municipal Authority located approximately 4 river miles downstream.

The proposed effluent limits for Outfall 001 limits are:

Parameter	Concentration (mg/l)			Mass (lbs/day)	
	Average Monthly	Daily Maximum	Instantaneous Maximum	Average Monthly	Daily Maximum
Total Recoverable Petroleum Hydrocarbons					report

*Other Conditions:*

- (1) Treatment facilities must be "API approved oil/water separator."
- (2) Design requirements for sizing treatments units.
- (3) Minimum inspection requirements.
- (4) Disposal of oil and solids.
- (5) Record keeping.
- (6) Preparedness, Prevention and Contingency (PPC) Plan.
- (7) No Discharge of Tank Bottom Water.
- (8) No discharge of sewage, wash water, boiler blow down or other waste waters.

The EPA waiver is in effect.

**PA 0115088.** Sewerage, SIC: 4952, **Benton Municipal Water and Sewer Authority**, P. O. Box 516, Benton, PA 17814-0516.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Fishing Creek in Benton Borough, **Columbia County**.

The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Bloomsburg Water Company located on Fishing Creek approximately 15 miles downstream.

The proposed effluent limits for Outfall 001 based on a design flow of 0.132 mgd are:

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

The EPA waiver is in effect.

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

**PA 0097306.** Industrial waste, SIC: 4941, **Municipal Authority of the Township of Robinson**, P. O. Box 15539, Pittsburgh, PA 15244.

This application is for renewal of an NPDES permit to discharge treated process water from the Municipal Authority of the Township of Robinson Water Treatment Plant in Robinson Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Midland Borough Water Authority, located 25 miles below the discharge point.

*Outfall 001:* existing discharge, design flow of 0.265 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			30.0		60.0
Iron			2.0		4.0
Aluminum			4.0		8.0
Manganese			1.0		2.0
Total Residual Chlorine			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.



**PA 0217077.** Industrial waste, SIC, **Almac Machine Company, Inc.**, 205 Morgan Place, Johnstown, PA 15907.

This application is for renewal of an NPDES permit to discharge treated process water and untreated stormwater/groundwater from Almac—Johnstown Plant in the City of Johnstown, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters of Little Conemaugh River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Saltsburg Municipal Water Works, located at 308 Point Street, Saltsburg, PA 15681, 49 miles below the discharge point.

*Outfall 302:* existing discharge, design flow of 0.0072 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	monitor and report				
Total Suspended Solids			30		60
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA 0092827.** Sewage, **All American Energy SW, Inc.**, 1851 North Road, McDonald, PA 15057.

This application is for renewal of an NPDES permit to discharge treated sewage from Oakdale Warehouse STP in North Fayette Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as drainage swale to Fink Run, 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: West View Borough Municipal Water Authority on the Ohio River.

*Outfall 001:* existing discharge, design flow of 0.0002 mgd.

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

The EPA waiver is in effect.

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

**PA0028371.** Sewage. **Youngsville Municipal Authority**, 40 Railroad Street, Youngsville, PA 16317.

This application is for renewal of an NPDES Permit to discharge treated sewage to Brokenstraw Creek in Youngsville Borough, **Warren 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Municipal Authority on the Allegheny River located at Emlenton, approximately 90 miles below point of discharge.

The proposed effluent limits, based on a design flow of 0.324 mgd, are:

*Outfall No. 001*

Parameter	Interim Limits		
	Monthly Average (mg/l)	Weekly Average (mg/l)	Instantaneous Maximum (mg/l)
Flow	monitor and report		
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	100,000 ml as a geometric average		

*Interim Limits*

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.5		1.6
pH		6.0—9.0 at all times	

The proposed effluent limits, based on a design flow of 0.624 mgd, are:

*Outfall No. 001*

*Final Limits*

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		monitor and report	
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		100,000 ml as a geometric average	
Total Residual Chlorine	0.5		1.6
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 name, address and telephone number of the protestor, identification of the plan or application to which the protest is addressed and a concise statement or protest 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 protestor will be notified in writing of the time and place of any scheduled hearing or conference concerning the plan or action or application to which the protest relates. 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.

#### Industrial waste and sewerage applications under The Clean Streams Law (35 P. S. §§ 691.1— 691.1001).

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

**A. 4000403.** Sewerage. **Wyoming Valley Sanitary Authority**, P. O. Box 33A, Wilkes-Barre, PA 18703-1333.

Application to replace three existing screen pumps with four submersible pumps, located in Hanover Township, **Luzerne County**. Application received in the Regional Office September 5, 2000.

*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. 6700201.** Industrial waste submitted by **United Defense LP**, P. O. Box 15512, York, PA 17405-1512 in West Manchester Township, **York County** to install a dissolved air flotation unit at the UDLP Industrial Wastewater Plant was received in the Southcentral Region on October 2, 2000.

**A. 2170410 (amendment 00-1).** Sewage submitted by **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428 in Fairview Township, **York County** to re-rate their existing sewage treatment plant was received in the Southcentral Region on October 6, 2000.

**A. 0100406.** Sewage submitted by **Test Enterprises, Inc.**, 1235 Abbottstown Pike, Hanover, PA 17331 in Berwick Township, **Adams County** to install an aeration treatment plant to serve 72+ dwelling units was received in the Southcentral Region on October 6, 2000.

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

**A. 0483202-A1.** Industrial waste, **Industrial Waste Inc.**, 333 N. Summit Street, P. O. Box 10086, Toledo, OH 43699-0086. Application for the modification and operation to the existing chlorine contact tank to include a sulfonation process to serve the Darlington Site located in Darlington Township, **Beaver County**.

**A. 9939-S-A1.** Sewerage, **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237. Application for the replacement and operation of an interceptor to serve Rochester Road located in the town of McCandless, **Allegheny 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. These 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 discharge.

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 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement to the Regional Office or County Conservation District Office indicated as the responsible office, within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. Comments reviewed within this 30-day 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 Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Water 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 appealable 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 County Conservation District Office or the Department Regional Office indicated 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.

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

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

**NPDES Permit PAS10R036.** Stormwater. **Chris L. Rau**, Cherry Ridge, 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 Watershed.

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

**NPDES PAS101024.** Stormwater. **Cambria County Industrial Development Corporation**, 209 South Center Street, Ebensburg, PA 15931 has applied to discharge stormwater from a construction site located in Cambria Township, **Cambria County** to Stewart Run, HQ-CWF.

**NPDES PAS10W081.** Stormwater. **J. R. Properties-I, Inc.**, 600 Waterdam Plaza Road, McMurray, PA 15317 has applied to discharge stormwater from a construction site located in North Strabane Township, **Washington County** to Little Chartiers Creek, HQ-WWF.

**NPDES PAS103118.** Stormwater. **Dominion Transmission Corporation**, 445 West Main Street, P. O. Box 2450, Clarksburg, WV 26302-2450 has applied to discharge stormwater from a construction site located in Green Township and Montgomery Township, **Indiana County** to Hazlett Run (HQ-CWF) and Howell's Run (CWF).

**SAFE DRINKING WATER**

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

*Bureau of Water Supply Management, Division of Drinking Water Management, 400 Market Street, Harrisburg, PA 17105, Contact: Godfrey C. Maduka, (717) 787-9037.*

**A. 9996494. Danone International Brands, Inc.**, 208 Harbor Drive, Stamford, CT 06902, Philippe Caradec, VP Quality, Environmental & Regulatory Affairs. Applicant requests Department approval to sell bottled water in Pennsylvania under the brand names: Walgreens Drinking Water, Pure American Spring Water, CVS Natural Spring Water, Great Buy Spring Water, Pure American Distilled Water, Walgreens Distilled Water, Great Buy Distilled Water and CVS Distilled Water.

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

**Minor Amendment.** The Department has received a permit application from **Blossburg Municipal Authority**, 206 Main Street, Blossburg, PA 16912, Blossburg Borough, **Tioga County**. The application is for replacement of media and porous plates in filter and sandblast and paint filter tank of the Belman Run traveling bridge filter rehab.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**Under Act 2, 1995**

**Preamble 1**

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of 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)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified 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, contact the Environmental Cleanup Program Manager in the Department 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:

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

**Branch Road Farm Property**, East Rockhill Township, **Bucks County**. Walter H. Hungarter, III, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, has submitted a revised Notice of Intent to Remediate site soil contaminated with heavy metals and pesticides. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The News Herald* on July 12, 2000.

**Celotex Site**, City of Philadelphia, **Philadelphia County**. Jacenty Serwik, Urban Engineers, Inc., 530 Walnut St., 14th Floor, Philadelphia, PA 19106, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and polycyclic aromatic hydrocarbons and site groundwater contaminated with solvents, BTEX, and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health and site-specific standards. A summary of the

Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on August 4, 2000.

**Former Diamond Oil Property—Lot 2**, City of Coatesville, **Chester County**. James R. Taylor, Taylor Geoservices, 341 Dartmouth Avenue, Swarthmore, PA 19081, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The site is located in a special industrial area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent to Remediate was reported to have been published in *The Brandywine Ledger* on August 10, 2000.

**Balabanovic Residence**, Norristown Borough, **Montgomery County**. Joshua Trewitz, Marshall Miller & Assoc., 3913 Hartsdale Drive, Suite 1306, Camp Hill, PA 17011, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Times Herald* on August 21, 2000.

**Richmond Waterfront Industrial Park LLC**, City of Philadelphia, **Philadelphia County**. A. L. Holmstrom, Rohn & Haass Company, Box 584, Bristol, PA 19107, has submitted a Notice of Intent to Remediate site soil, groundwater, surface water and sediment contaminated with PCBs, lead, heavy metals, pesticides, dioxin, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Inquirer* on September 1, 2000.

**Home Depot, USA, (Phila.)** Port Richmond, City of Philadelphia, **Philadelphia County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia PA 19406, has submitted a Notice of Intent to Remediate site soil contaminated with lead, BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Inquirer* on September 20, 2000.

**Bensalem Redevelopment, L.P.**, Former Elf-Atochem NA, Inc., Cornwells Heights Plant, Bensalem Township, **Bucks County**. C. Peter Barringer, Environmental Resources Management, 855 Springdale Drive, Exton PA 19341, has submitted a Notice of Intent to Remediate site soil, groundwater and surface water contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Statewide health, background and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on September 25, 2000.

**3207 Kennedy Road Property**, East Norriton Township, **Montgomery County**. Michael Williams, Clayton Services, Corp., 111 North 2nd Street, North Wales PA 19454, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The applicant pro-

poses to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Bucks Mont Courier* on September 27, 2000.

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

**Boas School, City of Harrisburg, Dauphin County.** Skelly & Loy, Inc., 2601 North Front Street, Harrisburg, PA 17110 and Boas Associates, P. O. Box 622, Lemoyne, PA 17043 have submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PHCs. The applicants propose to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot News* on October 5, 2000.

**Distribution Pole 40732S30345, Borough of Lititz, Lancaster County.** PPL Generation LLC, Two North Ninth Street, Allentown, PA 18101 has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer Journal/New Era* on August 28, 2000.

**Alex and Dawn Marie Acevedo Residence, Rapho Township, Lancaster County.** Alex and Dawn Marie Acevedo, 32 Crystal Court, Manheim, PA 17545 and Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 have submitted a Notice of Intent to Remediate site soils contaminated with BTEX and PAHs. The applicants propose to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer Journal* on August 17, 2000.

## SOLID AND HAZARDOUS WASTE

### RESIDUAL WASTE PROCESSING FACILITIES

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

*Central Office: Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101-2301.*

**General Permit Application No. WMGR063. Advanced Recycling Technology, Inc.,** 149 Main Street, P. O. Box 374, Philmont, NY 12565. General Permit Number WMGR063 for processing of combustion residues, metallurgical process residues, sludges and scales, chemical wastes, generic manufacturing wastes, spent catalysts, batteries, and non-hazardous residue from treatment of hazardous waste prior to metal reclamation at a smelter. The processing involves grinding, drying, blending, and combustion at their facility located at 340 South Broad Street, Hallam, PA 17406. The Department accepted the application as administratively complete on September 24, 1999. A request from the applicant to expand the types of residual waste to be covered under the application was received on September 28, 2000.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

### Applications received under the Solid Waste Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a solid waste processing or disposal area or site.

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

**A. 300370. Allegheny Energy Supply Co., LLC,** 800 Cabin Hill Drive, Greensburg, PA 15601-1689. Harfield's Power Station, Route 21, P. O. Box 728, Masontown, PA 15063. An application for a reissuance and acceptance of additional wastes to a residual waste landfill in Monongahela Township, **Greene County** was received in the Regional Office on October 10, 2000.

**A. 300809. Allegheny Energy Supply Co., LLC,** 800 Cabin Hill Drive, Greensburg, PA 15601-1689. Mitchell Power Station, 50 Electric Way, Courtney, PA 15067. An application for a reissuance and acceptance of additional wastes to a residual waste landfill in Union Township, **Washington County** was received in the Regional Office on October 11, 2000.

## 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.

The Department has received applications for plan approvals 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 receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest to the Department Regional Office within 30 days of the date of this notice, and must file protests or comments on

a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with the Department Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts, which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office identified below. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121 through 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) and 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements).

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

**58-317-001: Pennfield Corp.** (711 Rohrerstown Road, P. O. Box 4366, Lancaster, PA 17604) for operation of a grain processing operation in Bridgewater Township, **Susquehanna County**.

**48-309-110: Keystone Cement Co.** (P. O. Box A, Bath, PA 18014) for operation of raw material transfer system in East Allen Township, **Northampton County**.

**48-00008: Mack Printing Co.** (1991 Northampton Street, Easton, PA 18042-3189) for a Synthetic Minor Operating Permit for commercial printing and bookbinding in Wilson Borough, **Northampton County**.

**45-00014: Mack Printing Co.** (34 North Crystal Street, East Stroudsburg, PA 18301) for a Synthetic Minor Operating Permit for commercial printing and bookbinding in East Stroudsburg Borough, **Monroe County**.

**39-00043: Beatrice Cheese, Inc.** (1002 MacArthur Road, Whitehall, PA 18052) for a Synthetic Minor Operating Permit for a fluid milk processing facility in Whitehall Township, **Lehigh County**.

**35-00045: Eureka Stone Quarry, Inc.** (P. O. Box 249, Chalfont, PA 18914) for a Synthetic Minor Operating Permit for a hot mix asphalt, sand, gravel and concrete facility in Covington Township, **Lackawanna County**.

**45-00013: All American Sports Corp.** (P. O. Box 305, Stroudsburg, PA 18301) for a Synthetic Minor Operating Permit for a liquid coating operation in Stroudsburg Borough, **Monroe County**.

**45-00003: Reliant Energy Mid Atlantic Power Holdings LLC** (1001 Broad Street, Johnstown, PA

15907) for a Synthetic Minor Operating Permit for transportation and utilities electric services in Middle Smithfield Township, **Monroe County**.

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

**28-03033: Nitterhouse Masonry Products, LLC.** (859 Cleveland Avenue, Chambersburg, PA 17201) for a Natural Minor Operating Permit for a concrete and brick manufacturing facility in Chambersburg Borough, **Franklin County**.

**28-03034: Nitterhouse Masonry Products, LLC.** (859 Cleveland Avenue, Chambersburg, PA 17201) for a Natural Minor Operating Permit for a concrete block and brick manufacturing facility in Guilford Township, **Franklin County**.

**28-03035: Nitterhouse Concrete Products, Inc.** (2655 Molly Pitcher Highway South, Chambersburg, PA 17201) for a Natural Minor Operating Permit for a concrete products manufacturing facility in Guilford Township, **Franklin County**.

**67-03063: Advanced Recycling Technology, Inc.** (340 South Broad Street, Hallam, PA 17406) for the construction of an industrial dryer controlled by a wet scrubber in Hallam Borough, **York County**.

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

**10-021G: Indspec Chemical Corp.** (133 Main Street, Petrolia, PA 16050) for operation of a reactor in Petrolia, **Butler County**.

**25-028C: International Paper Co.** (1540 East Lake Road, Erie, PA 16533) for operation of a lime silo and lime slaker in Erie, **Erie County**.

**25-069D: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) for operation of a metal oxide catalyst in Erie, **Erie County**.

**37-309A: Kasgro Rail Corp.** (320 East Cherry Street, New Castle, PA 16102) for operation of a paint booth in New Castle, **Lawrence County**.

**37-399-009A: Hickman Mfg. Inc.** (R. D. 2, Route 18, New Beaver, PA 16141) for operation of a roof coating process in New Beaver Borough, **Lawrence County**.

**37-00011: Dairy Farmers of America** (R. D. 1, P. O. Box 198, New Wilmington, PA 16142) for a Natural Minor Operating Permit for operation of a cheese manufacturing plant with associated boilers, whey spray dryer and waste water treatment plant with flare in Wilmington Township, **Lawrence County**.

##### Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code §§ 127.521 and 127.424, 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 using the appropriate regional office telephone number noted below. For additional information, contact the appropriate 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. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office identified. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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.*

**32-00055: Edison Mission Energy** (1750 Power Plant Road, Homer City, PA 15748) for their 1,850 MW coal powered electrical generation plant in Center Township, **Indiana County**.

#### PLAN APPROVALS

**Applications received and intent to issue Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).**

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

**46-0035: SmithKline Beecham Pharmaceuticals** (709 Swedeland Road, King of Prussia, PA 19406) for modification of Building No. 11 Acid Gas Scrubber in Upper Merion Township, **Montgomery County**.

**46-0035: SmithKline Beecham Pharmaceuticals** (709 Swedeland Road, King of Prussia, PA 19406) for modification to remove current permit conditions identified by the Department as not applicable in Upper Merion Township, **Montgomery County**.

**15-0015B: Sartomer Co., Inc.** (610 South Bolmar Street, West Chester, PA 19382) for an amendment of an emergency Generator in West Chester Borough, **Chester County**.

**46-313-093A: SmithKline Beecham Research Co.** (1250 South Collegeville Road, Collegeville, PA 19426) for modification of three centrifuges and one filter dryer in Upper Providence Township, **Montgomery County**.

**AQ-SE-0010: Valley Forge Land Cleaning & Wood Recycling** (Route 23 and Frog Hollow Road, Phoenixville, PA 19460) for construction of a Portable Wood Grinder in East Vincent Township, **Chester County**.

**23-0014A: Kimberly-Clark Tissue Co.** (Front Street and Avenue of the States, Chester, PA 19013) for an

amendment of the No. 12 Paper Machine—Dryer Burner in City of Chester, **Delaware County**.

**23-0021A: Congoleum Corp.** (4401 Ridge Road, Trainer, PA 19061) for construction of a 1,000 kilowatt emergency generator in Trainer Borough, **Delaware County**.

**46-0208: PPL Upper Hanover LLC** (Gravel Pike and Route 29, East Greenville, PA 18041) for installation of two simple cycle turbines in Upper Hanover Township, **Montgomery County**.

**15-310-044: Glasgow, Inc.** (660 Morehall Road, Malvern, PA 19355) for construction of a portable crushing plant in East Whiteland Township, **Chester County**.

**46-310-054: Glasgow, Inc.** (309 and Hartman, Montgomeryville, PA 18936) for construction of a portable crushing plant in Montgomery Township, **Montgomery County**.

**46-310-055: Glasgow, Inc.** (Church Road, King of Prussia, PA 19046) for construction of a portable crushing plant in Upper Merion Township, **Montgomery County**.

**46-0198C: Blommer Chocolate Co.** (1101 Blommer Drive, East Greenville, PA 18041) for installation of a W400 Winnower and Baghouse in Upper Hanover Township, **Montgomery County**.

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

**41-327-003: PMF Industries, Inc.** (2601 Reach Road, Williamsport, PA 17701) for construction of a solvent vapor degreaser in the City of Williamsport, **Lycoming County**. This degreaser is subject to Subpart T of the National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 63.

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

**03-207A: Pioneer Mid-Atlantic, Inc.** (400 Industrial Boulevard, New Kensington, PA 15068) for installation of a diesel engine, generator and tanks at the Allegheny II Dredge in Gilpin Township, **Armstrong County**.

**32-330B: Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650) for installation of a generator at the Ondo Mine in Brushvalley Township, **Indiana County**.

**65-864B: Zeus Aluminum Products (USA) Inc.** (R. R. 6 Box 20, Latrobe Industrial Park, Latrobe, PA 15650) for installation of a sand reclamation unit at the Latrobe Plant in Unity Township, **Westmoreland County**.

**03-147A: Asbury Graphite Mills, Inc.** (R. D. 7, Box 1, Kittanning, PA 16201) for installation of a cage mill crusher at the Kittanning Division in North Buffalo Township, **Armstrong County**.

**65-788K: Sony Electronics, Inc.** (1001 Technology Drive, Mt. Pleasant, PA 15666) for installation of a lacquer spray machine at the Pittsburgh Manufacturing Center in Mt. Pleasant Township, **Westmoreland County**.

**65-891B: Firestone Building Products Co.** (525 Congressional Boulevard, Carmel, IN 46032) to replace the blowing agent, HCFC-141B with Pentane, and an addition of a regenerative thermal oxidizer to the process at the Youngwood Plant in Youngwood Boro, **Westmoreland County**.

**04-439A: Arrow Terminals L.P.** (2701 Midland-Beaver Road, Industry, PA 15052) for the barge unloading at the Industry Terminal in Industry Borough, **Beaver County**.

**04-707B: Quality Aggregates, Inc.** (200 Neville Road, Pittsburgh, PA 15225) for installation of a barge unloading excavator at the Colona Dock in Monaca Borough, **Beaver County**.

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

**24-123B: Superior Greentree Landfill, Inc.** (635 Toby Road, Kersey, PA 15846) to install an upgraded enclosed flare. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. The permit will be subject to the following conditions:

1. The enclosed flares shall be designed and operated to either reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3% oxygen.

2. The following conditions are for the LFG Specialties Flare, Model No. EF1255I16 or equivalent:

a) Within 30 days of the operator's intent to commence operation, a test procedure and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples shall be submitted to the Department.

b) Within 90 days of the operator's intent to commence operation, stack tests shall be performed in accordance with the provisions of Chapter 139 to show that the flare is complying with condition 1 and to determine the emission rate of oxides of nitrogen. The stack test shall be performed when the enclosed flare is initially started. The expected flow rate will be approximately 1,000 cfm. As the LFG flow rate increases, additional stack tests will be required. Stack tests shall be performed when the enclosed flare is operated at a LFG flow rate of 2,500 cfm and 5,000 cfm (maximum design capacity).

c) At least 2 weeks prior to the test, the Department shall be informed of the date and time of the test.

d) Within 60 days after completion of the test, two copies of the complete test report, including all operating conditions, shall be submitted to the Department for approval.

3. The following conditions are for the John Zink Flare, Model ZTOF or equivalent:

a) Within 30 days of the operator's intent to commence operation, a test procedure and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples shall be submitted to the Department.

b) Within 90 days of the operator's intent to commence operation, stack tests shall be performed in accordance with the provisions of Chapter 139 to show that the flare is complying with condition 1 and to determine the emission rates for NO<sub>x</sub> and CO emissions. The stack test shall be performed while the enclosed flare is operated at the maximum rated capacity as stated on the application or the maximum achievable flow rate from the existing gas collection system at the time the performance test is conducted.

c) At least 2 weeks prior to the test, the Department shall be informed of the date and time of the test.

d) Within 60 days after completion of the test, two copies of the complete test report, including all operating conditions, shall be submitted to the Department for approval.

4. Temperature sensing devices shall be installed on both flares at a place to show that the exhaust gases, prior to being discharged into the atmosphere.

a) The LFG Specialties or equivalent flare (expansion area) shall achieve a minimum temperature of 1500°F for at least 0.3 second. If, during the stack test, a temperature higher than 1500°F is maintained, then the flare shall always be operated at the higher temperature.

b) The John Zink or equivalent flare (original disposal area) shall achieve a minimum temperature of 1800°F for at least 1 second. If, during the stack test, a temperature other than 1800°F is maintained and all requirements are achieved, the flare shall always be operated, at the minimum, of the tested temperature.

5. Temperatures shall be recorded whenever the enclosed flares are in operation. The recording charts shall be made available to the Department personnel upon request. These charts shall be maintained for a period of not less than 6 months.

6. The enclosed flares must be enclosed ground types which are shrouded with no visible flame shooting from the flare.

7. The facility shall either:

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

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

8. Any gas collected from the landfill that is not routed to a treatment system that processes gas for subsequent sale or use, shall be controlled by one of the enclosed flares.

9. The facility shall comply with New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart WWW and shall comply with all applicable requirements of this subpart, 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both EPA and the Department. The EPA copies shall be forwarded to: Director, Air, Toxics and Radiation Division, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

## 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 Environmental 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 such 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. The 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 Chs. 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.

*Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

*Coal Applications Received:*

**56920105, Permit Revision. Sanner Energies, Inc.** (1179 Rockdale Road, Rockwood, PA 15557-6409), to change the land use from woodland to cropland and unmanaged natural habitat in Southampton Township, **Somerset County**, affecting 100.2 acres, receiving stream unnamed tributaries to North Branch of Jennings Run, application received October 2, 2000.

**11960103, Permit Renewal for reclamation only. K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), for continued restoration of a bituminous surface mine in Chest Township, **Cambria County**, affecting

29.0 acres, receiving stream unnamed tributaries to Chest Creek, application received October 5, 2000.

**56900201, Permit for reclamation only. RNS Services, Inc.** (P. O. Box 38, 7 Riverside Plaza, Blossburg, PA 16912), for continued restoration of a bituminous coal refuse reprocessing surface mine in Lincoln Township, **Somerset County**, affecting 8.0 acres, receiving stream unnamed tributary to Quemahoning Creek, application received October 11, 2000.

**56890108, Permit Revision. Godin Brothers, Inc.** (136 Godin Drive, Boswell, PA 15531), for a land use change from woodland to unmanaged natural habitat on properties owned by Coal Junction Coal Company, Inc. and James Godin, Gladys Godin, and David Godin in Jenner Township, **Somerset County**, affecting 82.9 acres, receiving stream unnamed tributary to Quemahoning Creek; and unnamed tributary to Hoffman Run, application received October 11, 2000.

**32900106, Permit Revision. Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728), for a land use change from forestland to unmanaged natural habitat on the lands of Boyzy King and Albert Stiffler in Grant Township, **Indiana County**, affecting 260.0 acres, receiving stream unnamed tributaries to Little Mahoning Creek, application received October 10, 2000.

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

**03950109. Walter L. Houser Coal Co., Inc.** (R. R. 9, Box 434, Kittanning, PA 16201). Renewal application received for continued reclamation of a bituminous surface mine located in Mahoning Township, **Armstrong County**, affecting 80.0 acres. Receiving streams: unnamed tributary to Mahoning Creek and Mahoning Creek. Renewal application received: October 11, 2000.

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

**17960101. Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849), revision to an existing bituminous surface mine permit for a change in permit acreage from 170.7 to 184.8 acres. The permit is located in Morris Township, **Clearfield County**. Receiving streams: Hawk Run and two unnamed tributaries to Hawk Run. Application received September 22, 2000.

**17950119. Moravian Run Reclamation Co., Inc.** (605 Sheridan Drive, Clearfield, PA 16830), revision to an existing bituminous surface mine permit for a postmining change in land use from pastureland to forestland and wildlife habitat. The permit is located in Pike Township, **Clearfield County** and affects 168 acres. Receiving streams: unnamed tributaries to Little Clearfield Creek. Application received September 22, 2000.

**17970119. Moravian Run Reclamation Co., Inc.** (605 Sheridan Drive, Clearfield, PA 16830), transfer of an existing bituminous surface mine permit from Penn Grampian Coal Company, located in Gulich Township, **Clearfield County** affecting 52.7 acres. Receiving streams: Muddy Run. Application received September 29, 2000.

**17000904. R. B. Contracting** (R. D. 1, Box 13, Curwensville, PA 16833), commencement, operation and restoration of an Incidental Coal Extraction permit in Pike Township, **Clearfield County** affecting 6.5 acres. Receiving streams: unnamed tributaries to Little Clearfield Creek. Application received September 28, 2000.

**17000905. Shud's Coal Hounds, Inc.** (R. R. 1, Box 301, Houtzdale, PA 16651), commencement, operation and restoration of an Incidental Coal Extraction permit in Bigler Township, **Clearfield County** affecting 5.7 acres. Receiving streams: unnamed stream to Upper Morgan Run. Application received September 28, 2000.

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

**33950109. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous surface strip and auger operation in Beaver Township, **Jefferson County** affecting 110.5 acres. Receiving streams: Unnamed tributary of Tarkiln Run and Red Run to Redbank Creek to the Allegheny River. Application for reclamation only. Application received October 6, 2000.

**33970106. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319). Renewal of an existing bituminous surface strip and auger operation in Henderson and Bell Townships, **Jefferson and Clearfield Counties** affecting 300.00 acres. Receiving streams: Unnamed tributaries of Laurel Run and Laurel Run. Application for reclamation only. Application received October 10, 2000.

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

**54803203T2. International Anthracite Corporation** (213 S. 16th Street, Pottsville, PA 17901), transfer of an existing coal refuse reprocessing operation from Harriman Coal Corporation in Hegins Township, **Schuylkill County**, affecting 76.0 acres, receiving stream—Rausch Creek. Application received September 27, 2000.

**54930102T. International Anthracite Corporation** (213 S. 16th Street, Pottsville, PA 17901), transfer of an existing anthracite surface mine operation from Harriman Coal Corporation in Porter Township, **Schuylkill County**, affecting 460.0 acres, receiving stream—none. Application received September 27, 2000.

**54880203T2. Meadowbrook Coal Company** (Box 477, Lykens, PA 17048), transfer of an existing coal refuse reprocessing operation from Harriman Coal Corporation in Tremont Township, **Schuylkill County** affecting 15.8 acres, receiving stream—Lorberry Creek. Application received September 27, 2000.

**54683045T. Blaschak Coal Corp.** (P. O. Box 12, Mahanoy City, PA 17948), transfer of an existing anthracite surface mine operation from Pagnotti Enterprises, Inc. in Union, Butler and West Mahanoy Townships, **Schuylkill County** affecting 743.0 acres, receiving stream—none. Application received October 10, 2000.

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

*Small Noncoal (Industrial Mineral) Bond Release Application*

**40980803. Diane Gabriel** (R. R. 1 Box 440B, Hazleton, PA 18201), Stage I and II bond release of a small quarry operation in Butler Township, **Luzerne County** affecting 5.0 acres for \$5,000 on property owned by Kevin Lamont. Application received October 2, 2000.

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

*Noncoal Applications Received*

**09840301C5. Waste Management Disposal Services of PA, Inc.** (1121 Bordentown Road, Morrisville, PA 19067), renewal of NPDES Permit No. PA0614301 in

Falls Township, **Bucks County**, receiving stream—unnamed tributary to Delaware River. Application received October 2, 2000.

**8274SM5A1C5. D. M. Stoltzfus & Son, Inc.** (P. O. Box 84, Talmage, PA 17580), correction to an existing quarry operation in Fulton Township, **Lancaster County** affecting 330.23 acres, receiving stream—Octoraro Creek. Application received October 5, 2000.

*Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

*Industrial Minerals NPDES Permit Renewal Applications Received:*

**4274SM26. New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664), renewal of NPDES Permit No. PA0599174, Cromwell Township, **Huntingdon County**, receiving stream Shade Creek. NPDES Renewal application received October 11, 2000.

## 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.

**Application 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.*

**E09-811. Encroachment. Lower Makefield Township,** 1100 Edgewood Road, Yardley, PA 19067. To perform the following activities associated with the bridge replacement and roadway improvements for Sandy Run Road: 1. To remove an existing simple span bridge and to construct and maintain, in its place, a twin cell precast concrete box culvert with cast-in-place concrete wing walls across Brock Creek (WWF). Each of the precast box culverts will have a clear span of 22.0 feet. The left cell

will be placed along the stream channel and will have a rise of approximately 6.0 feet (1.0 feet depressed) and the right cell will be placed along the overbank and will have a rise of approximately 3.5 feet. 2. To install and maintain 490 linear feet of cellular concrete lining along the right overbank to provide scour protection for the ingress and egress of flood flows in this area. 3. To relocate and maintain a 30-inch RCP stormwater outfall structure and to install and maintain a 24-inch RCP stormwater outfall structure associated with proposed drainage facilities. 4. To relocate and maintain an existing 8-inch sanitary sewer pipe on the downstream side of the culvert. 5. To modify and maintain an existing stormwater drainage channel and to provide lining protection with R-6 riprap. 6. To construct and maintain temporary cofferdams associated with the diversion of stream flow through the project area. The site is located approximately 300 feet northwest of the intersection of Sandy Run Road and College Avenue (Trenton West, NJ-PA USGS Quadrangle N: 20.1 inches, W: 13.3 inches) in Lower Makefield Township, **Bucks County**.

**EA09-009SE.** Encroachment. **J. Kevan Busik**, 6603 Route 202, Box 778, New Hope, PA 18938. A request for an Environmental Assessment to construct, operate and maintain a nonjurisdictional dam across a small intermittent tributary to the Cuttalousa Creek (HQ-CWF). The dam and associated impoundment will impact about 350-linear foot of the stream. The project is situated approximately 200-feet northeast of the intersection of Paxson Road and Paxson Hill Road (Lumberville, PA-NJ Quadrangle N: 4.30 inches; W: 2.00 inches) in Solebury Township, **Bucks County**.

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

**E22-418.** Encroachment. **Milton Hershey School**, Founders Hall, Hershey, PA 17033. To remove a wooden plank pedestrian bridge and (1) construct and maintain a twin cell pre-cast concrete box culvert having twin spans of 14.0 feet and a height of 5.0 feet with concrete wing walls in an unnamed Tributary to an unnamed Tributary to Spring Creek (WWF); (2) construct and maintain a twin cell, pre-cast concrete box culvert having twin spans of 17.0 feet and heights of 6.0 feet in an unnamed Tributary to Spring Run (WWF); (3) construct three 29-inch by 45-inch, 85 feet long, elliptical reinforced concrete culvert pipes in an unnamed Tributary to an unnamed Tributary to Spring Creek (WWF); (4) construct three 29-inch by 45-inch, 65 feet long, elliptical reinforced concrete culvert pipes in an unnamed Tributary to an unnamed Tributary to Spring Creek (WWF); (5) and fill in de minimis acres wetlands associated with both twin cell box culvert crossings all associated with the construction of the Milton Hershey School, Student Housing Expansion and Campus Consolidation Project located on both north and south sides of US 322 and on the east side of Homestead Road (Palmyra, PA Quadrangle N: 3.2 inches; W: 16.0 inches) and (Hershey, PA Quadrangle N: 15.55 inches; W: 1.5 inches, N: 6.1 inches; W: 0.1 inch and N: 6.3 inches; W: 16.9 inches) in Derry Township, **Dauphin County**.

**E31-165.** Encroachment. **Richard Wilt**, 819 Washington Street, Huntingdon, PA 16652. To remove some areas of fill and to fill in some areas in the floodway of the Juniata River (WWF) at a point approximately 1,800 feet upstream of Route 829 for the purpose of providing

recreational activities (Mount Union, PA Quadrangle N: 12.0 inches; W: 10.5 inches) in Henderson Township, **Huntingdon County**.

**E34-097.** Encroachment. **Norfolk Southern Railway Company**, 600 West Peachtree Street, Atlanta, GA 30308. To construct a fiber optics line across the channel of Tuscorora Creek (CWF) at a point approximately 500 feet upstream of its mouth (Mifflintown, PA Quadrangle N: 5.75 inches; W: 1.0 inch) in Turbett Township, **Juniata County**.

**E44-103.** Encroachment. **Norfolk Southern Railroad**, 600 W. Peachtree Street, Atlanta, GA 30308. To construct a fiber optic line across the channels of the Juniata River (WWF) at four Norfolk Southern Railroad crossings (Lewistown, PA Quadrangle N: 13.5 inches; W: 12.5 inches); (Lewistown, PA Quadrangle N: 11.0 inches; W: 14.5 inches); (Newton Hamilton, PA Quadrangle N: 12.25 inches; W: 12.5 inches); (Newton Hamilton, PA Quadrangle N: 1.5 inches; W: 17.25 inches) in Granville, Bratton and Wayne Townships, **Huntingdon County**.

*Northcentral Region, Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**E59-410.** Encroachment. **Union Township Supervisors**, R. R. 1, Box 282A, Roaring Branch, PA 17765. To remove an existing culvert and to construct and maintain a 5-foot diameter 60-foot long ADS N-12 culvert with the associated R-7 riprap inlet and outlet protection in Sugar Works Run located 0.75 mile southwest of Gleason on T-341 (Back Road) (Gleason, PA Quadrangle N: 1.1 inches; W: 9.7 inches) in Union Township, **Tioga County**. This project proposes to impact 120 linear feet Sugar Works Run, which is classified as High Quality—Cold Water Fishery, with the minor channel realignment and new culvert installation.

**E59-412.** Encroachment. **DCNR, Bureau of Forestry**, P. O. Box 8451, Harrisburg, PA 17105-8451. To remove an existing bridge and to construct and maintain a pre-stressed concrete spread box beam bridge with a normal span of 5.94-meters and a minimum underclearance of 2.36-meters in Left Asaph Run located 0.4 mile located 1,000 feet south west of the intersection of Left Asaph Run Road and Right Asaph Run Road (Asaph, PA Quadrangle, N: 7.2 inches; W: 10.1 inches) in Shippen Township, **Tioga County**. This project proposes to temporarily impact 35-meters and permanently impact 22-meters of Left Asaph Run Road, which is classified as a High Quality—Cold Water Fishery.

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

**E32-425.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 10-0, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701-0429. To remove the existing bridge and to construct and maintain a bridge having a normal clear span of 75.0 feet and an underclearance of 18 feet across Yellow Creek (TSF), on S. R. 3035, Section 450 for the purpose of realignment of the roadway. The project is located approximately 200 feet south of Station Street (Indiana, PA Quadrangle N: 7.95 inches; W: 5.1 inches) in Homer City Borough, **Indiana County**.

**E26-274.** Encroachment. **CBF, Inc., Landfill**, R. D. 1, Box 266, McClellandtown, PA 15458. To place and maintain fill in 0.08 acre of wetland in the watershed of an unnamed tributary to Dunlap Creek (WWF) in association with an expansion of the existing J & J Landfill,

located approximately 1,200 feet north of S. R. 21, and 9,000 feet east of the intersection of S. R. 3013 (New Salem, PA Quadrangle N: 3.8 inches; W: 12.1 inches) in German Township, **Fayette County**.

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

**E43-286.** Encroachment. **PA Department of Transportation**, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. To fill a total of 0.38 acre of seven wetland areas (0.25 acre PEM, 0.01 acre PEM/PFO, 0.02 acre PSS/PFO and 0.10 acre PEM/PSS/PFO) and to extend the existing 70.33-foot long, 5-foot diameter reinforced concrete pipe culvert by 36.6 feet upstream and 35 feet downstream and to maintain the resulting 142-foot long stream enclosure in Pine Hollow Run approximately 1,600 feet north of S. R. 62 (Sharon East, PA Quadrangle N: 20.5 inches; W: 10.3 inches) associated with widening of S. R. 18, Section A01 beginning at the intersection with S. R. 62 Bypass (Sharon East, PA Quadrangle N: 19.0 inches; W: 10.3 inches) and extending north approximately 2.4 miles (Sharpville, PA Quadrangle N: 2.9 inches; W: 9.6 inches) in the City of Hermitage, **Mercer County**. This project also includes the modification of four existing culverts on watercourses (tributaries to Pine Hollow Run) having contributory drainage areas less than 100 acres.

This project proposes to provide for replacement of 0.38 acre of wetland through a monetary contribution to the Pennsylvania Wetland Replacement Project.

**E62-372.** Encroachment. **City of Warren**, 318 West Third Avenue, Warren, PA 16365-2388. To conduct the following activities along the right bank of the Allegheny River associated with the City of Warren's Riverfront Development Project at the existing Liberty Street parking lot upstream of the Hickory Street Bridge (Warren, PA Quadrangle N: 17.1 inches; W: 3.2 inches) in the City of Warren, **Warren County**:

1. To lower approximately 350 feet of the existing concrete stream bank retaining wall by 10 feet and excavate the area behind the wall back approximately 16 feet.
2. To construct and maintain approximately 350 feet of reinforced concrete retaining wall approximately 16 feet back from the existing wall.
3. To construct and maintain approximately 350 feet of 16-foot wide concrete sidewalk between the new wall and existing wall.
4. To construct and maintain a pile supported wooden observation deck over the sidewalk.
5. To install and maintain approximately 350 feet of rock riprap bank protection along the toe of the existing concrete retaining wall.
6. To rehabilitate and maintain the remaining existing concrete stream bank retaining wall.

#### **WATER QUALITY CERTIFICATION**

##### **Requests for Certification under Section 401 of the Federal Water Pollution Control Act**

The following requests have been made to the Department of Environmental Protection (Department) for certification under § 401(a) of the 1972 amendments to the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) that there is reasonable assurance that the construction herein described will not violate applicable Federal and State water quality standards.

Prior to final approval of the proposed certification, consideration will be given to any comments, suggestions or objection which are submitted in writing 30 days of the date of this Notice. Comments should be submitted to the Department at the address indicated above each of the following requests for certification. All comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions in sufficient detail to inform the Department of the exact basis of the proposal 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 comments if deemed necessary to resolve conflicts. Each individual will be notified in writing of the time and place of any scheduled hearing or conference concerning the certification request to which the protest relates. Maps, drawings and other data pertinent to the certification request are available for inspection and review at the address indicated above each request for certification between the hours of 8 a.m. and 4 p.m. on each working day.

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

*Certification Request Initiated By: Sunoco, Inc., Ten Penn Center, 1801 Market Street, Philadelphia, PA 19103.*

*Project Description/Location: This activity involves the discharge of supernatant from the U. S. Army Corps of Engineers Fort Mifflin Dredge Disposal Basin into the Delaware Estuary—Zone 4. The supernatant will be generated through the disposal of approximately 50,000 cubic yards of sediment dredged from the Sunoco Girard Point Wharf facility at the Philadelphia Refinery. A hydraulic suction dredge and pipeline will be used to move the sediment directly to the disposal basin.*

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## **ACTIONS**

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### **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.

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

**Permit No. PA0023108.** Sewerage. **Borough of Elizabethtown**, 600 South Hanover Street, Elizabethtown, PA 17022 is authorized to discharge from a facility located in West Donegal Township, **Lancaster County** to the receiving waters named Susquehanna River in Watershed 7-G.

**Permit No. PA0083526.** Sewerage. **R. H. Sheppard Company, Inc.**, 101 Philadelphia Street, Hanover, PA 17331 is authorized to discharge from a facility located in Hanover Borough, **York County** to the receiving waters named Oil Creek in Watershed 7-H.

**Permit No. 3600404.** Sewage. **Borough of Elizabethtown**, 600 South Hanover Street, Elizabethtown, PA 17022. This permit approves the construction of sewage treatment facilities and pump stations in West Donegal Township, **Lancaster County**.

**Permit No. 6700407.** Sewage. **Springfield Township Sewer Authority**, 9211 Susquehanna Trail South, Seven Valleys, PA 17360. This permit approves the construction of pump stations in Springfield Township, **York County**.

*Northcentral Regional Office, Department of Environmental Protection, 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.*

**NPDES PA0209694.** Sewerage Amendment. **James Sherwood Personal Care Retirement Home**, James V. and Karen E. Sherwood, R. R. 2 Box 2, Canton, PA 17724. Permission granted to discharge from a facility located at Canton Township, **Bradford County**.

**NPDES PA0114961.** Sewerage. **Hughesville-Wolf Township Joint Municipal Authority**, P. O. Box 207, Hughesville, PA 17737. Permission granted to discharge from facility located at Wolf Township, **Lycoming County**.

**NPDES PA0028282.** Sewerage. **Eagles Mere Borough Authority**, P. O. Box 393, Eagles Mere, PA 17731. Renewal granted to discharge from facility located at Eagles Mere Borough, **Sullivan County**.

**NPDES PA0008575-A3 Amendment.** Industrial waste. **Williamsport Wire Rope Inc.**, P. O. Box 3188, Williamsport, PA 17701. Department amendment the permit with concurrence of the Company to include the stormwater discharge from facility and will cancel the stormwater general permit. Facility located at City of Williamsport, **Lycoming County**.

**NPDES PA0113751.** Industrial waste. **TRW Valve Division**, 601 E. Market Street, Danville, PA 17821. Renewal granted to discharge to storm sewer from a groundwater remediation system. Facility located at Borough of Danville, **Montour County**.

**NPDES PA0008915.** Industrial waste. **Osrsm Sylvania**, One Jackson Street, Wellsboro, PA 16901. Renewal granted to discharge from facility located at Wellsboro Borough, **Tioga County**.

**NPDES PA0112275.** Industrial waste. **Con-Lime Inc.**, P. O. Box 118, Bellefonte, PA 16823. Permission granted to discharge from facility located at Con-Lime Mine # 1, located at Benner Township, **Centre County**.

**WQM Permit No. 4900401.** Sewerage. **The Municipal Authority of the City of Sunbury**, 225 Market Street, Sunbury, PA 17801-3482. Permission granted to upgrade the existing facility to meet projected loadings. Facility located at City of Sunbury, **Northumberland County**.

**WQM Permit No. 1499409.** Sewerage Amendment. **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801. Letter Amendment granted due to problems of right-of-way easements for that portion of the sewer line that establishes connection with the existing downstream University Area Joint Authority. Facility name is Colonnade located at Patton Township, **Centre County**.

**WQM Permit No. 1900404.** Sewerage. **Susan Powlus**, R. R. 3 Box 2390B, Berwick, PA 18603. Permission granted to repair malfunctioning on lot system. Facility located at North Centre Township, **Columbia County**.

**WQM Permit No. 1800403.** Sewerage. **Western Clinton County Municipal Authority**, 365 Huron Avenue, Renovo, PA 17764-0363. Permission granted to construct a new 45 foot diameter secondary clarifier and addition of 1.2 meter belt filter press with a package polymer feet system. Facility located at Renovo Borough, **Clinton County**.

**WQM Permit No. 4185405-T5.** Transfer Sewerage. **Joe De Gregorio**, 1923 Biddle Road, Montoursville, PA 17754. Permission granted for transfer of ownership to facility located at Upper Fairfield Township, **Lycoming County**.

**WQM Permit No. 1900403.** Sewerage. **Molly B. Conrad**, 2185 Mill Road, Catawissa, PA 17820. Permission granted to replace malfunctioning septic system at facility located at Locust Township, **Columbia County**.

**WQM Permit No. 4900201.** Industrial waste. **Merck & Company, Inc.**, P. O. Box 600, Danville, PA 17821-0600. Permission granted to modify treatment facility. Facility located in Riverside Borough, **Northumberland County**.

**WQM Permit No. 4975201.** Industrial waste amendment. **Merck & Company Inc.**, P. O. Box 600, Danville, PA 17821-0600. Permission granted to update existing North Belt Filter press to facility located at Riverside Borough, **Northumberland County**.

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

**NPDES Permit No. PA0217824-A1.** Sewage. **YMCA of Pittsburgh**, 126 Nagle Road, Fombell, PA 16123-9414 is authorized to discharge from a facility located at Camp Kon-O-Kwee/Spencer STP, Marion Township, **Beaver County** to receiving waters named Connoquenessing Creek.

**Permit No. 0400408.** Sewage. **YMCA of Pittsburgh**, Camp Kon-O-Kwee/Spencer, 126 Nagle Road, Fombell, PA 16123-9414. Construction of sewage treatment plant, pump station located in Marion Township, **Beaver County** to serve Camp Kon-O-Kwee/Spencer.

**Permit No. 3279406-A5.** Sewage. **Indiana Borough**, 80 North Eighth Street, Indiana, PA 15701. Construction

of wastewater treatment plant expansion and upgrade, wastewater detention tank and interceptor sewer replacement located in Indiana Borough, **Indiana County** to serve Indiana Borough and White Township.

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

**NPDES Permit No. PA0103233.** Sewage. **Moniteau School District**, Dassa McKinney Elementary School, 391 Hooker Road, West Sunbury, PA 16061 is authorized to discharge from a facility located in Clay Township, **Butler County** to an unnamed tributary to South Branch Slippery Rock Creek.

**NPDES Permit No. PA0103276.** Sewage. **Shippenville Borough Municipal Authority**, 106 School Street, Box 244, Shippenville, PA 16254 is authorized to discharge from a facility located in Elk Township, **Clarion County** to Deer Creek.

**NPDES Permit No. PA0025445.** Sewage. **Borough of Wampum**, P. O. Box 65, 355 Main Street Ext., Wampum,

PA 16157 is authorized to discharge from a facility located in Wampum Borough, **Lawrence County** to Beaver River.

**NPDES Permit No. PA0103934.** Sewage. **The Well (Restaurant/Tavern)**, R. D. 1, Ridgway, PA 15853 is authorized to discharge from a facility located in Ridgway Township, **Elk County** to Elk Creek.

**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**.

**WQM Permit No. 4300410.** Sewage. **Upper Shenango Valley Water Pollution Control Authority**, Orangeville Pump Station, P. O. Box 1449, Hermitage, PA 16148. This project is for the expansion of the existing pump station and includes replacement of the raw sewage pumps, comminutor and standby generator with electrical and heating and ventilating upgrades as necessary in the City of Hermitage, **Mercer County**.

**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, Chief, 208 West Third Street, Williamsport, PA 17701.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County Municipality</i>	<i>Receiving Stream</i>
PAS10F092	State College Boro Water Auth. 1201 W. Branch Rd. State College, PA 16801	Centre County Ferguson Township	Slab Cabin Run
PAS101919	PA DEP Bur. Abandoned Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105-8476	Clinton County Noyes and Leidy Townships	Stony Run and Brewery Run

**INDIVIDUAL PERMITS**

(PAR)

The following parties have submitted (1) Notices of Intent (NOIs) for Coverage under General NPDES Permits to discharge wastewater into the surface 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 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 NPDES and/or other General Permit Type*

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater From 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

*List of NPDES  
and/or other  
General Permit Type*

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
PAG-11	(TO BE ANNOUNCED)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

*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>
Lackawanna County City of Carbondale	PAR10N109	Nancy Perri 1 N. Main St. Carbondale, PA 18407	Lackawanna River TSF	Lackawanna CD (570) 281-9495
Lackawanna County Moosic Borough	PAR10N114	Victor DePhillipo 600 Linden St. Scranton, PA 18503	Springbrook Creek CWF	Lackawanna CD (570) 281-9495
Ferguson and Patton Townships Centre County	PAR10F118	North Atherton Shoppes V-M ASC LP Greg Morris P. O. Box 1252 Altoona, PA 16602	Unt. Big Hollow Run	Centre County Cons. Dist. 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817

*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>
Luzerne County Wilkes-Barre Township	PAR402201	Stericycle, Inc. 260 Johnson Street Wilkes-Barre, PA 18702	N/A	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511
Snyder County McClure Borough	PAR204805	Lozier Corporation 48 East Ohio Street McClure, PA 17841	UNT to S. Br. Middle Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664

*General Permit Type—PAG-4*

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Bedford County Broad Top Township	PAG043662	Broad Top Township William and Regina Fisher 187 Municipal Road P. O. Box 57 Defiance, PA 16633-0057	Shermans Valley Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County Broad Top Township	PAG043661	Broad Top Township Russell and Mona Pittman 187 Municipal Road P. O. Box 57 Defiance, PA 16633-0057	Shermans Valley Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

## NOTICES

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<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Bedford County Broad Top Township	PAG043663	Broad Top Township Lou and Lorraine Figard 187 Municipal Road P. O. Box 57 Defiance, PA 16633-0057	Int. Trib. to Longs Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lycoming County Clinton Township	PAG044844	Donald R. Person 212 Elimsport Road Montgomery, PA 17752	Unt. Black Hole Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Centre County Harris Township	PAG044852	Petronella Hesser 610 South Academy Street Boalsburg, PA 16827	Unt Spring Ck.	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Clearfield County Bradford Township	PAG044807	Cheryl Y. Cartley R. R. 1 Box 482A Woodland, PA 16881	Unt of Millstone Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Clearfield County Bradford Township	PAG044976	Marjorie Jo Teats R. R. 1 Box 82-5 Woodland, PA 16873	Forcey Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Columbia County North Centre Township	PAG045097	Susan Powlus R. R. 3 Box 2390B Berwick, PA 18603	Fester Hollow	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Clearfield County Brady Township	PAG044805	Jeffrey Jamison R. D. 1 Box 177 Luthersburg, PA 15848	Stump Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Montour County Mayberry Township	PAG045103	Richard Morris R. D. 2 Box 299 Catawissa, PA 17820	Little Roaring Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Lycoming County Upper Fairfield Township	PAG044863	Joe DeGregorio 1923 Biddle Road Montoursville, PA 17754	UNT to Mill Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Columbia County Locust Township	PAG045096	Molly B. Conrad 2185 Mill Rd. Catawissa, PA 17820	Roaring Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Cambridge Township Crawford County	PAG048350	Ronald J. Riley 22389 Walters Road Venango, PA 16440	Unnamed Tributary of French Creek	DEP 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 or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Luzerne County Kingston Township	PAG-052208	Anthony Butler 62 Laurel Road White Haven, PA 18661	Toby's Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511



*General Permit Type—PAG-8**Facility Location*

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Union County East Buffalo Township	PAG084820	Lewisburg Area Joint Authority P. O. Box 305 Lewisburg, PA 17837-0305		Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664

*General Permit Type—PAG-9**Facility Location*

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Westmoreland County Hempfield Township		George Hapchuk d/b/a Hapchuk Sanitation R. D. 10 Box 276 Greensburg, PA 15601		Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-10**Facility Location*

<i>County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Lycoming County Armstrong Township	PAG104803	Gulf Limited Partnership 90 Everett Ave. Chelsea, MA 02150-2337	W. Br. Susquehanna River	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664

**SEWAGE FACILITIES ACT****PLAN APPROVAL****Plan revision approval granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).**

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

*Location: The Villages of Maxwell and LaBelle* and sewer lines being extended to the site of the proposed State Correctional Institution along S. R. 4020, Luzerne Township, **Fayette County**.

Approval of a special study to the official Sewage Facilities Plan of Luzerne Township, Fayette County. Project involves the construction of sewage collection, conveyance and treatment facilities for the Villages of Maxwell, LaBelle and the new proposed State Correctional Institution along S. R. 4020. Treated sewage will be discharged to the Monongahela River near the Village of Maxwell.

The Department's review of the Sewage Facilities Special Study has not identified any significant impacts resulting from this proposal.

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

*Location: Ray and Gladys Spangler Single Residence STP.* West side of SR 1005 approximately 0.6 mile south of intersection of SR 1005 and SR 1007, Stonycreek Township, **Somerset County**.

Approval of a revision to the Official Sewage Plan of Stonycreek Township, Somerset County. Project involves construction of a small flow sewage treatment facility to serve an existing dwelling located on SR 1005. Treated effluent is to be discharged to an unnamed tributary of the Stonycreek River.

**SAFE DRINKING WATER****Actions 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. 1498505-Operation Temporary # 1.** The Department issued an Operation Permit to **College Township Water Authority**, 1481 East College Avenue, State College, PA 16801, College Township, **Centre County**. This permit authorizes temporary operation of Spring Creek Park Well, a disinfection system, a sequestration system and a pump station.

**Permit No. 449603-A9.** The Department issued an Operation Permit to **Tulpehocken Spring Water Company**, 28 Meadow Run Drive, Winfield, PA 17889, Point Township, **Northumberland County**. This permit authorizes operation of Well # 1, the softeners and ultraviolet light. The well and associated treatment is located at the Oak Park Plant in Point Township, Northumberland County.

**Permit No. 1499501.** The Department issued an Innovative Operational Permit to **Boggs Township Water System**, 1270 Runville Road, Bellefonte, PA 16823, Boggs Township, **Centre County**. This permit authorizes operation of a new EPD filtration plant, new pump in Well 1, and associated transmission mains and controls.

**Permit No. 1400506.** The Department issued a construction permit to **State College Borough Water Authority**, 1201 West Branch Avenue, State College, PA 16801, State College Borough, **Centre County**. This permit authorizes construction of a pump station and transmission main to serve water to the Pine Grove Mills area.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 2

**The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the Act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling 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 reports:

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

**Alex and Dawn Marie Acevedo**, Rapho Township, **Lancaster County**. Alex and Dawn Marie Acevedo, 32 Crystal Court, Manheim, PA 17545 and Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 have submitted a Final Report concerning remediation of site soils contaminated with BTEX and PAHs. The report is intended to document remediation of the site to the Statewide health standard.

**Cole Office Environments**, Springettsbury Township, **York County**. ARCADIS Geraghty & Miller, Inc., 3000 Cabot Blvd., West, Suite 3004, Langhorne, PA 19047 has submitted a combined Remedial Investigation/Final Report concerning remediation of site soils contaminated with heavy metals. The report is intended to document remediation of the site to the site specific standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediations 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 Remediations 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 site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. 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 plans and reports, please contact the Environmental Cleanup Program Manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a plan or 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 acted upon the following plans and reports:

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

**Former Allentown Paint Factory**, City of Allentown, **Lehigh County**. William Ahlert, Manager, Mid-Atlantic Services, Lawler, Matusky & Skelly Engineers, LLP, The Sovereign Building, 609 Hamilton Mall, Allentown, PA 18101 submitted a Final Report (on behalf of his client, Abraham Atiyeh, Sixth Street, Whitehall, PA 18052) concerning the remediation of site soils found or suspected to have been contaminated with lead, petroleum hydrocarbons, polycyclic aromatic hydrocarbons, and

BTEX components. The report documented attainment of the Statewide health standards and was approved on October 12, 2000.

## SOLID AND HAZARDOUS WASTE

### HAZARDOUS WASTE, TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage, or disposal facility.**

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

**Permit No. PAD980550412. Lonza, Inc.,** Riverside Facility, 900 River Road, Conshohocken, PA 19428. A 10-year permit renewal and permit modification was issued for permittee's captive hazardous waste storage and treatment (incineration) facility located in Upper Merion Township, **Montgomery County**. Permit was issued by the Southeast Regional Office on October 3, 2000.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Solid waste permits issued under the Solid Waste Management Act and regulations to operate solid waste processing or disposal area or site.**

*Southcentral Regional Office: Regional Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4706.*

**Permit No. 100944. Lanchester Landfill, Chester County Solid Waste Authority** (7224 Division Highway, Narvon, PA 17555). Permit modification issued for the construction and operation of a leachate recirculation and spray irrigation system for a facility in Caenarvon and Honey Brook Townships, **Lancaster County**. Permit issued in the Southcentral region on October 11, 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 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

**65-0934: Kriebel Minerals, Inc.** (P. O. Box 765, Clarion, PA 16214) on October 13, 2000, for construction and operation of a compressor engine at the Lynn Compressor in East Huntingdon Township, **Westmoreland County**.

**65-0933: Kriebel Minerals, Inc.** (P. O. Box 765, Clarion, PA 16214) on October 13, 2000, for construction and operation of a compressor engine at the Sony Compressor in East Huntingdon Township, **Westmoreland County**.

**Administrative Operating Permit Amendments issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450 (relating to administrative operating permit amendments).**

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

**10-00171: Butler Color Press** (Bonnie Brook Industrial Park, Butler, PA 16003) for an administrative amendment to the Synthetic Minor Operating Permit to incorporate the newly applicable requirements from Plan Approval No. PA10-00171A in Butler Township, **Butler County**. The facility's emission limitation for Volatile Organic Compounds remains at 49.9 tons per year.

**Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements).**

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

**04-000-227: Koppel Steel Corp.** (P. O. Box 750, Beaver Falls, PA 15010) on October 12, 2000, for heat treat furnaces and heaters at the Ambridge Plant in Harmony Township, **Beaver County**.

*Philadelphia Department of Public Health, Air Management Services, 321 University Ave., Philadelphia, PA 19104, (215) 685-7584.*

**95-084: LaFrance Corp.** (8425 Executive Avenue, Philadelphia, PA 19153-3893) on September 7, 2000, for operation of a zinc die caster in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include four significant combustion units each rated less than 4.5 MMBTU/hr, five spray booths with dry panel filters, one roller coat, two silk screen machines, one chromium electroplating operation and one nitric acid stripping operation. The facility's air emission control devices include one chromium scrubber and one nitric scrubber.

**95-033: McWhorter Technologies** (7600 State Road, Philadelphia, PA 19136) on October 3, 2000, for operation of a facility that manufactures liquid coating resins in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include three natural gas or propane-fired furnaces each rated less than 3.5 MMBTU/hr, one 10.5 MMBTU/hr # 2 oil, natural gas or propane-fired boiler, one 4.2 MMBTU/hr natural gas or propane-fired boiler and one 6.0 MMBTU/hr # 2 oil-fired back-up boiler, one diesel fire pump, three process reactors, seven process tanks, one rupture tank, 31 storage tanks, one split tank, two tankwagon loading stations, one unloading station, one drum-fill station, and one air stripping tower. The facility's air emission control devices include one scrubber system and 10 condensers.

**96-028: Pearl Pressman Liberty** (5th and Poplar Streets, Philadelphia, PA 19123) on October 3, 2000, for operation of an offset lithographic printing facility in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include five non-heatset offset sheetfed lithographic printing presses and two # 2 oil-fired boilers each rated less than 2.0 MMBTU/hr.

**00-003: Pioneer Leathertouch, Inc.** (2250 E. Ontario Street, Philadelphia, PA 19134) on October 3, 2000, for

operation of a rotogravure printing facility in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include one 150 hp # 5 oil-fired boiler, one rotogravure printing press and one gluer.

#### PLAN APPROVALS

**Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B (relating to plan approval requirements).**

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

**09-0127: Bracalente Mfg. Co., Inc.** (20 West Creamery Road, Trumbauersville, PA 18970) on October 10, 2000, for operation of a solvent recovery system in Trumbauersville Borough, **Bucks County**.

**09-0019A: Miller & Son Paving, Inc.** (887 Mill Creek Road, Rushland, PA 18956) on October 10, 2000, for operation of a batch asphalt plant in Wrightstown Township, **Bucks County**.

**15-0102: Columbia Transmission Communications** (55 Pottstown Pike, Chester Springs, PA 19425) on October 12, 2000, for operation of a 1,850-hp Diesel Fired Generator in West Vincent Township, **Chester County**.

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

**06-03085A: Power Packaging, Inc.** (1055 Cross Roads Boulevard, Reading, PA 19605) on October 16, 2000, for construction of a boiler with flue gas recirculation at the Reading Plant in Muhlenberg Township, **Berks County**. This source is subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

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

**04-009A: Maverick Tube, LP** (4400 West Fourth Avenue, Beaver Falls, PA 15010) on October 12, 2000, for a boiler and metal heat furnaces at the Beaver Falls Site in Beaver Falls, **Beaver County**. The Department has reissued this plan approval so that it may correctly identify the sources in operation at this facility.

**56-263B: RoxCoal, Inc.** (P. O. Box 149, Friedens, PA 15541) on October 16, 2000, for screening operation at the Sarah Mine in Jenner Township, **Somerset County**.

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

**25-070D: Gunite EMI Corp.** (603 West 12th Street, Erie, PA 16501) on October 13, 2000, for modification of the # 11 Cleaning Mill in Erie, **Erie County**.

**Plan Approvals extensions issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.13 (relating to extensions).**

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

**46-0124: Montgomery Chemical** (901 Conshohocken Road, Conshohocken, PA 19428) on October 13, 2000, for operation of a chemical manufacturing process in Plymouth Township, **Montgomery County**.

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

**26-020A: Commercial Stone Co., Inc.** (2200 Springfield Pike, Connellsville, PA 15425) on October 12, 2000, for operation of a crusher and grizzly feeder at the Rich Hill Quarry in Bullsken Township, **Fayette County**.

**26-177A: Golden Eagle Construction/Asphalt Division** (P. O. Box 945, Uniontown, PA 15401) on October 12, 2000, for operation of a hot-mix asphalt plant at the Coolspring Asphalt Plant in North Union Township, **Fayette County**.

**65-858A: American Video Glass Co.** (777 Technology Drive, Mt. Pleasant, PA 15666) for installation of television glass manufacturing at the New Stanton Plant in Mount Pleasant Township, **Westmoreland County**.

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

**33-002B: Owens Brockway Glass Container** (Crenshaw Plant # 19, Route 219 North, Brockway, PA 15824) on September 30, 2000, for a glass melting furnace in Snyder Township, **Jefferson 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).

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

##### Coal Permits Issued

**54921301C. M & H Coal Company** (P. O. Box 559, Hegins, PA 17938), correction to an existing anthracite underground operation in Frailey Township, **Schuylkill County** affecting 12.46 acres, receiving stream—Middle Creek. Correction issued October 6, 2000.

*Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

**56990104. Dunamis Resources, Inc.** (One Energy Place, Suite 4000, Latrobe, PA 15650), commencement, operation and restoration of a bituminous surface-auger mine in Jenner Township, **Somerset County**, affecting 140 acres, receiving stream unnamed tributaries to/and Gum Run, unnamed tributaries to/and Roaring Run, application received September 20, 1999, permit issued October 6, 2000.

**11001104. Permit Revision. Alverda Enterprises, Inc.** (P. O. Box 87, Alverda, PA 15701), to utilize an existing stream crossing on an unnamed tributary to Brubaker Run situated on the property of Matthew and

Amy Dillon in Elder Township, **Cambria County**, for the purpose of entering and conducting exploration activities throughout the site. Application received August 30, 2000, issued October 6, 2000.

**11960103. Permit Renewal for reclamation only. K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), for continued restoration of a bituminous surface mine in Chest Township, **Cambria County**, affecting 29.0 acres, receiving stream unnamed tributaries to Chest Creek, application received October 5, 2000, issued October 10, 2000.

**56980109. Permit Revision. Mountaineer Mining Corporation** (1010 Garrett Shortcut Road, Berlin, PA 15530), to add 3.7 acres to the existing 29.4 acre permit in Brothersvalley Township, **Somerset County**, affecting 33.1 acres, receiving stream unnamed tributaries to/and Hays Run and unnamed tributaries to/and Buffalo Creek, application received June 27, 2000, issued October 11, 2000.

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

**03000101. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface auger mine located in Plumcreek Township, **Armstrong County**, affecting 233.0 acres. Receiving streams: unnamed tributaries to Cherry Run to Cherry Run to Crooked Creek to the Allegheny River. Application received: February 24, 2000. Permit issued: October 10, 2000.

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

**17950105. Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838), renewal of an existing bituminous surface mine permit in New Washington and Newburg Boroughs, Chest Township, **Clearfield County** affecting 185.3 acres. Receiving streams: unnamed tributaries to Chest Creek and Chest Creek to West Branch of the Susquehanna River. Application received May 10, 2000. Permit issued September 28, 2000.

**17890124. Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838), renewal of an existing bituminous surface mine permit in Penn Township, **Clearfield County** affecting 490 acres. Receiving streams: unnamed tributaries to Kratzer Run to Kratzer Run and unnamed tributaries to the West Branch of the Susquehanna River to the West Branch of the Susquehanna River to the Susquehanna River. Application received July 17, 2000. Permit issued September 26, 2000.

**14820103. Al Hamilton Contracting Company** (R. D. 1, Box 87, Woodland, PA 16881), renewal of an existing bituminous surface mine permit in Rush Township, **Centre County** affecting 379.7 acres. Receiving streams: unnamed tributary to Trout Run and unnamed tributary to Moshannon Creek to Moshannon Creek, to the West Branch Susquehanna River to Susquehanna River. Application received July 25, 2000. Permit issued September 26, 2000.

**17930117. Sky Haven Coal, Inc.** (R. R. 1, Box 180, Penfield, PA 15849), transfer of an existing bituminous surface mine permit from Al Hamilton Contracting Co., located in Goshen Township, **Clearfield County** affecting 329.8 acres. Receiving streams: unnamed tributary to Surveyor Run and Surveyor Run. Application received April 13, 2000. Permit issued September 27, 2000.

**17980118. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830), commencement, operation and restoration of a bituminous surface mine permit in Lawrence Township, **Clearfield County** affecting 193.3 acres. Receiving streams: unnamed tributaries Numbers 1 and 2 to the West Branch of the Susquehanna River and unnamed tributary Number 3 to Montgomery Creek to the West Branch of the Susquehanna River. Application received August 27, 1998. Permit issued October 3, 2000.

**17970108. M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717-7960), revision to an existing bituminous surface mine permit for a change in permit acreage from 475.2 to 513.7 acres. The permit is located in Bell Township, **Clearfield County**. Receiving streams: unnamed tributaries of Whisky Run and unnamed tributaries of Haslett Run to Whisky Run and Haslett Run both contributory to West Branch Susquehanna River. Application received June 28, 2000. Permit issued October 12, 2000.

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

*Small Noncoal (Industrial Mineral) Permits Issued*

**58000812. Robert Strohl** (71 South Main Street, Apt. 4, Montrose, PA 18801-1300), commencement, operation and restoration of a bluestone quarry operation in Forest Lake Township, **Susquehanna County** affecting 3.0 acres, receiving stream—none. Permit issued October 12, 2000.

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

*Small Industrial Minerals Permits Issued*

**14000801. Martin L. Koleno** (120 Hickory Road, Clarence, PA 16829), commencement, operation and restoration of a Small Industrial Minerals (Shale) permit in Snow Shoe Township, **Centre County** affecting 1.0. Receiving streams: Cherry Run, North Fork, tributary to Beech Creek. Application received June 9, 2000. Permit issued September 26, 2000.

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

*Noncoal Permits Issued*

**4873SM1A1C5. J. E. Baker Company** (320 North Baker Road, York, PA 17405), correction to an existing quarry operation in West Manchester Township, **York County** affecting 1031.9 acres, receiving stream—unnamed tributary to Codorus Creek and Honey Run. Correction issued October 3, 2000.

**7174SM1C2. Hempt Bros.** (205 Creek Road, Camp Hill, PA 17011), correction of an existing quarry operation in Steelton Borough and Swatara Township, **Dauphin County** affecting 213.3 acres, receiving stream—Susquehanna River. Correction issued October 4, 2000.

**7174SM1C3. Hempt Bros.** (205 Creek Road, Camp Hill, PA 17011), renewal of NPDES Permit # PA 0009407 in Steelton Borough and Swatara Township, **Dauphin County**, receiving stream—Susquehanna River. Renewal issued October 4, 2000.

**47950301T2. Hanson Aggregates Pennsylvania, Inc.** (1900 Sullivan Trail, P. O. Box 231, Easton, PA 18044-0231), transfer of an existing quarry operation in Limestone Township, **Montour County** affecting 30.0 acres, receiving stream—none. Transfer issued October 4, 2000.

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

*Industrial Minerals NPDES Permit Renewal Application Issued:*

**32900301. Edward C. Griffith Quarrying, Inc.** (R. D. 1, Box 176, Rochester Mills, PA 15771), renewal of NPDES Permit No. PA 0598712, North and East Mahoning Townships, **Indiana County**, receiving streams unnamed tributary to Little Mahoning Creek. NPDES Renewal Application received August 23, 2000, issued October 10, 2000.

## **ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT**

### **ENCROACHMENTS**

#### **DAMS, ENCROACHMENTS AND ENVIRONMENTAL ASSESSMENTS**

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

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, 400 Market Street, Floor 2, 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 Health Board (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 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.

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

**E64-212.** Encroachment. **Pennsylvania Department of Transportation**, District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a pre-stressed adjacent box beam bridge having a normal span of 38.5 feet (11.74 meters) and an underclearance of 7.19 feet (2.19 meters) on a 65° skew across Middle Creek. The project also includes the placement of fill in a de minimus area of wetlands equal to 0.02 acre (0.008 hectare) to allow realignment of the bridge approaches to improve the horizontal geometry of the roadway. The project is located upstream of the existing structure along S. R. 0296, Segment 0050, Offset 0854, approximately 400 feet (121.9 meters) southeast of S. R. 0196 (Lake Ariel, PA Quadrangle N: 19.6 inches; W: 2.6 inches) in Lake and South Canaan Townships, **Wayne County**.

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

**E14-378.** Encroachment. **Carl Hanscom**, P. O. Box 279, Julian, PA 16844. To maintain a family picnic area on 450 cubic yards of clean soil fill with its associated 2B

stone wearing course in the left floodway of Whetstone Run located 500 feet north on Whetstone Road from S. R. 3032 (Bear Knob, PA Quadrangle N: 2.3 inches; W: 13.8 inches) in Huston Township, **Centre County**. This permit was issued under section 105.13(e) "Small Projects."

**E17-350.** Encroachment. **Harry W. Hand**, 530 Spruce Street, Clearfield, PA 16830. To construct and maintain a portion of two mobile homes on two separate lots that extend into the floodway of Montgomery Creek. The structures measure 5 feet by 76 feet and are located between Clarendon Avenue and Powell Avenue and between Clarendon Avenue and Lawrence Street. This permit also authorizes an attached 4 foot by 4 foot deck on the structure located on Clarendon Avenue and Lawrence Street. The subject lots are located 1/10 of a mile west of Washington Avenue in the town of Clearfield (Clearfield, PA Quadrangle N: .75 inch; W: 12.3 inches) in Lawrence Township, **Clearfield County**.

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

**E04-266.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. To remove the existing structures and to construct and maintain the following structures and activities for the purpose of building the Freedom Crider Transportation Safety Improvement Project (S. R. 2004, Section B05). Relocate and maintain 1,350 feet of Crows Run (WWF) and construct and maintain a twin cell, rigid frame bridge having two clear spans of 15.0 feet and a maximum underclearance of 4.6 feet in Crows Run, construct and maintain a precast concrete arch culvert having a single clear span of 16.0 feet and an underclearance of 7.0 feet in a tributary to Crows Run (WWF), to construct and maintain a 225 feet long, 84 inch diameter, reinforced concrete pipe with a 65 feet long rip rap energy dissipater, 106.0 feet of rock lined channel and 55 feet of natural lined channel in a tributary to Crows Run, and to place and maintain fill within 0.79 acre of palustrine emergent and 0.01 acre of palustrine forested wetlands that are associated with the stream relocation and road construction. The project is located along Freedom-Crider Road (S. R. 2004) approximately 4 miles west of its intersection with S. R. 0019 (Baden, PA Quadrangle, Project starts at N: 9.3 inches; W: 5.3 inches, Project ends at N: 9.6 inches; W: 9.5 inches) in New Sewickley Township, **Beaver County**. To compensate for the wetland impacts, the applicant proposes to construct 1.07 acres of palustrine scrub/shrub and forested wetlands along the relocated Crows Run.

**E04-267.** Encroachment. **New Sewickley Township**, 233 Miller Road, Rochester, PA 15074. To remove the existing bridge and to construct and maintain a precast concrete arch culvert having a single span of 32.0 feet and an underclearance of 8.9 feet with a low flow channel 13 feet wide and 0.5 foot deep in Crows Run (WWF). The work is an integral part of the Freedom-Crider Transportation Safety Improvement and is located along McElhaney Road (T-674) approximately 300 feet north of its intersection with S. R. 2004 (Baden, PA Quadrangle N: 9.4 inches; W: 7.8 inches) in New Sewickley Township, **Beaver County**.

**E63-491.** Encroachment. **Donna Lee Weber**, Flagler Center, Suite 502, 501 South Flagler Drive, West Palm Beach, FL 33401. To construct and maintain a retaining wall approximately 80 feet in length along the left bank of Maple Creek (WWF) and to remove gravel bars from the channel of said stream for the purpose of preventing further stream bank erosion. The property is located on

the south side of Lincoln Avenue, approximately 110 feet east from the intersection of Lincoln Avenue and Twilight Hollow Road (Monongahela, PA Quadrangle N: 1.2 inches; W: 2.8 inches) in Charleroi Borough, **Washington County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E65-761. Encroachment. Municipality of Murrysville**, 4100 Sardis Road, Murrysville, PA 15668. To remove two existing structures and to construct and maintain a 1.0-foot depressed 16.0-foot x 6.0-foot concrete box culvert in Turtle Creek (TSF) for the purpose of providing access to residents in Ball Park Court. This permit also authorizes the placement and maintenance of rock rip rap along the banks of approximately 40 feet of Turtle Creek (TSF) downstream from the proposed culvert. The project is located on Ball Park Road, approximately 200 feet from its intersection with Old William Penn Highway (Slickville, PA Quadrangle N: 7.5 inches; W: 14.2 inches) in the Municipality of Murrysville, **Westmoreland County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

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## SPECIAL NOTICES

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### Notice of Settlement Under the Hazardous Sites Cleanup Act

#### Adams Sanitation Company, Inc. Tyrone Township, Adams County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has entered into a proposed consent decree regarding the Department's costs incurred for conducting response activities at the Adams Sanitation Company, Inc. (ADSCO) site. The ADSCO Site is an inactive, privately owned landfill situated on an approximate 108-acre tract of land. The Site is located in Tyrone Township, Adams County. The surrounding area is rural. An onsite private water supply has been contaminated by hazardous substances migrating from the landfilled areas.

The landfill was operated by Adams Sanitation Company from 1970—1983, during which time approximately 78 acres were filled. In 1983, Keystone Sanitation Company acquired Adams Sanitation Company's assets, name and trade name, including their lease rights and obligations at the ADSCO Landfill. The rights and obligations were assigned to Adams Sanitation Company, Inc., a wholly owned subsidiary of Keystone Sanitation Company. Between 1984 and 1990, approximately 8.8 acres were landfilled. The Department alleges that Waste Management of Pennsylvania, Inc., is a successor to Keystone Sanitation Company, Inc., with respect to the ADSCO Landfill.

Because of the threat to human health and the environment, the Department conducted an initial site characterization. The Department currently estimates that its past and future response costs for the ADSCO Site will amount to approximately \$2.5 million.

The Department has entered into a proposed consent decree with Waste Management of Pennsylvania, Inc., and the Keystone Defendants. Under the terms of the consent decree, the settling parties will pay the Department a total of \$436,000, plus the forfeiture of the ADSCO Landfill bond as their share of liability in reimbursement of past and future response costs at the site.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). This section provides that the settlements will become final upon the filing of the Department's response to any significant written comments. The proposed consent decree that contains the specific terms of the settlement is available for public review and comment. The proposed consent decree can be examined from 8 a.m. to 4 p.m. at the Department's office at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting Barbara Faletti at (717) 705-4864. A public comment period on the proposed consent decree will extend for 60 days from today's date. Persons may submit written comments regarding the proposed consent decree to the Department by December 27, 2000, by submitting them to Barbara Faletti at the above address.

[Pa.B. Doc. No. 00-1863. Filed for public inspection October 27, 2000, 9:00 a.m.]

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### Availability of Technical Guidance

Technical guidance documents are on DEP's world wide web site ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the public participation center. The "July 2000 Inventory" heading is the governor's list of non-regulatory guidance 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 non-regulatory documents, as necessary, throughout 2000.

#### *Ordering paper copies of DEP Technical Guidance*

DEP encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling 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*

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

#### *Draft Guidance*

DEP ID: 012-0200-002 Title: Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Grants for Facilities and Infrastructure. Description: DEP will seek to promote sound land use planning and development by considering comprehensive planning and zoning ordinances in its decision making process on certain grants. This guidance will provide direction to DEP staff for the implementation of Acts 67 and 68 of 2000 in the administration of current DEP grant programs to avoid or minimize conflict with local land use decisions.

DEP will apply this policy where it has regulatory and decision-making discretion under legal authority and through the administration of DEP programs and regulations. This policy applies to DEP staff and applicants for DEP grant approvals. Anticipated Effective Date: January 1, 2001 Comment Period Ends: November 27, 2000 Contact: Policy Office, (717) 783-8727 or email: [growing smarter@dep.state.pa.us](mailto:growing smarter@dep.state.pa.us)

#### *Final Guidance*

DEP ID: 700-0200-001 Title: Technology Management Process Description: The Technology Management Process will help define and communicate technological needs, and by working in partnership with inventors, entrepreneurs, trade associations and the public, it will help reduce the barriers to, and increase the opportunities for new technology. This document details the technology review process and describes the DEP technology clearinghouse, technology evaluation criteria, technology verification, outreach, training and awareness, and roles and responsibilities. Effective Date: October 28, 2000 Contact: Calvin Kirby at (717) 772-5834.

DEP ID: 274-0300-002 Title: Source Testing Manual, (Revision 3.2) Description: This guidance is intended to clarify and expand upon the Department's regulations relating to source testing. The document was revised to incorporate testing procedures for "newly regulated" pollutants and/or sources, to correct errors or revise procedures as new information becomes available, and to provide additional clarification in problem areas. Effective Date: November 11, 2000 Contact: Rick Szekeres at (717) 772-3938.

DEP ID: 383-2100-208 Title: DEP Approval Guide for Noncommunity Water Systems Description: The purpose of this guidance is to establish a rational and reasonable basis for staff decisions which will promote quality, timely and consistent service to the public and regulated community. Department staff will follow the guidance and procedures presented in this guidance document to direct and support implementation of consecutive water systems activities under the safe drinking water management programs. Effective Date: October 28, 2000 Contact: Trudy Troutman at (717) 783-3795.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 00-1864. Filed for public inspection October 27, 2000, 9:00 a.m.]

#### **Water Resources Advisory Committee Meeting**

Because of a lack of agenda items, the Water Resources Advisory Committee's November 8, 2000, meeting has been cancelled. The Committee's next meeting will be held in January 2001 at a date and location to be announced.

For further information, contact Carol Young at (717) 787-9637.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 00-1865. Filed for public inspection October 27, 2000, 9:00 a.m.]

## **DEPARTMENT OF HEALTH**

### **Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings**

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health under sections 301 and 317 of the Public Health Service Act, ( 42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Wednesday, November 15, 2000.

The meeting will be held at the Sheraton Inn Harrisburg East, 800 East Park Avenue, Harrisburg, PA 17111, from 9 a.m. to 3 p.m.

For additional information contact Thomas M. DeMelfi, Department of Health, Bureau of HIV/AIDS, P. O. Box 90, Room 912, Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0572.

Persons with a disability who desire to attend the meeting and require an auxiliary aid service or other accommodation to do so, should also contact Thomas DeMelfi at the above number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT & T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 00-1866. Filed for public inspection October 27, 2000, 9:00 a.m.]

#### **Requests for Exceptions for Long-Term Care Nursing Facilities**

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Wood River Village Nursing Center  
3200 Bensalem Boulevard  
Bensalem, PA 19020

The St. Joseph Transitional Level of Care Center  
145 North 6th Street  
Reading, PA 19601

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Harmarvillage Care Center  
715 Freeport Road  
Cheswick, PA 15024

Sharon Regional Health System Skilled Care Center  
740 East State Street  
Sharon, PA 16146

ManorCare Health Services Yardley  
1480 Oxford Valley  
Yardley, PA 19067

St. Francis Nursing Center Cranberry  
5 St. Francis Way  
Cranberry Township, PA 16066

Masonic Homes  
One Masonic Drive  
Elizabethtown, PA 17022

Meadow View Senior Living Center  
RR4, Box 4000  
Montrose, PA 18801



The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.12 (b) (relating to elevators):

Clepper Manor  
959 East State Street  
Sharon, PA 16146

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.18 (e) (relating to management):

Wood River Village Nursing Center  
3200 Bensalem Boulevard  
Bensalem, PA 19020

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.25(a) (relating to kitchen):

Carleton Senior Care and Rehabilitation Center  
10 West Avenue  
Wellsboro, PA 16901

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.26(a) (relating to laundry):

Carleton Senior Care and Rehabilitation Center  
10 West Avenue  
Wellsboro, PA 16901

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.28 (b) (relating to nurses' station):

The Wesley Village  
209 Roberts Road  
Pittston, PA 18640

Margaret E. Moul Home  
2050 Barley Road  
York, PA 17404

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.31 (relating to storage):

Jewish Home of Greater Harrisburg  
4000 Linglestown Road  
Harrisburg, PA 17112

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a) (relating to utility room):

Margaret E. Moul Home  
2050 Barley Road  
York, PA 17404

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(f) (relating to bathing facilities):

Meadow View Senior Living Center  
RR4 Box 4000  
Montrose, PA 18801

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.71 (relating to bed and furnishings):

Kinkora Pythian Home  
25 Cove Road  
Duncannon, PA 17020

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(f)(1)(h) (relating to nursing services):

The Long Home  
200 North West End Avenue  
Lancaster, PA 17603

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.16(a) (relating to social services):

ManorCare Health Services- Harrisburg  
800 King Russ Road  
Harrisburg, PA 17109

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.2, which incorporates by reference 42 C.F.R. § 483.70(d)(1)(i)(ii) (relating to resident rooms):

Greenridge Nursing Home  
1530 Sanderson Avenue  
Scranton, PA 18509

The requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from:

Division of Nursing Care Facilities  
Room 526, Health and Welfare Building  
Harrisburg, PA 17120  
(717) 787-1816  
Fax: (717) 772-2163  
E-Mail Address: PAEXCEPT@STATE.PA.US

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

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

Persons with a disability who 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 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. 00-1867. Filed for public inspection October 27, 2000, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Public Notice of Intent to Change the Payment Amount and Payment Method for the HIV-1 Viral Load Test (CPT Code 87536)

The purpose of this announcement is to provide public notice of the Department's intent to change the payment amount and payment method for the HIV- 1 Viral Load Test (CPT Code 87536) to be consistent with the national limitation amount (NLA) established by the Health Care Financing Administration (HCFA) for the Medicare program.

In June 1997, when HIV-1 Viral Load Tests were relatively new, HCFA advised State Medicaid Agencies to establish an appropriate payment amount for the HIV-1 Viral Load Test, which would assure efficiency, economy and access to this laboratory service. HCFA also advised Medicare contractors to set an interim amount for the payment of these tests. During the past 2½ years, HCFA

collected and examined cost and payment data relating to the HIV-1 Viral Load Test. HCFA now has used this information to establish the Medicare NLA of \$117.59 for the HIV-1 Viral Load Test (CPT Code 87536) effective January 1, 2000.

Prior to the designation of CPT Code 87536 for the HIV-1 Viral Load Test, the Department paid for HIV-1 Viral Load Testing under CPT Code 87179. The Department's method of payment for HIV-1 Viral Load Testing mirrored that of the payment method already in place for chlamydia and gonorrhea testing. Specifically, the Department paid for this testing on a "per probe" basis. Utilizing this method of payment, the Medical Assistance (MA) Program has been paying a maximum of \$139.14 for HIV Viral Load Testing (\$23.19 per probe, up to a maximum of six probes.)

Since under Federal and State law, MA payment for laboratory services cannot exceed the Medicare NLA established by HCFA, the Department is required to change the maximum amount paid for CPT Code 87536 so as not to exceed the Medicare NLA of \$117.59. Concomitantly, since there now exists a CPT Code specific to HIV-1 Viral Load Testing, the Department will stop paying for this test on a "per probe" basis, and will instead adopt the Medicare NLA of \$117.59 for CPT Code 87536. This change will be effective November 30, 2000.

#### *Fiscal Impact*

For Fiscal Year 2000-2001, the fiscal impact as a result of changing the payment amount for the HIV-1 Viral Load Test will be \$0.107 million in total funds (\$0.051 million in State General Funds and \$0.056 million in Federal Funds). For Fiscal Year 2001-2002, the fiscal impact as a result of changing the payment amount for the HIV-1 Viral Load Test will be \$0.256 million in total funds (\$0.120 million in State General Funds and \$0.136 million in Federal Funds).

#### *Contact Person*

A copy of this notice is available for review at local County Assistance Offices. Interested persons are invited to submit written comments to the notice within 30 days of this publication. These comments should be sent to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Suzanne Love, Room 515 Health and Welfare Building, Harrisburg, PA 17105-2675.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voices users). Persons who require an alternate format should contact Thomas Vracarich at (717) 783-2209.

FEATHER O. HOUSTOUN  
*Secretary*

**Fiscal Note:** 14-NOT-262. (1) General Fund; (2) Implementing Year 2000-01 is \$51,000; (3) 1st Succeeding Year 2001-02 is \$120,000; 2nd Succeeding Year 2002-03 is \$120,000; 3rd Succeeding Year 2003-04 is \$120,000; 4th Succeeding Year 2004-05 is \$120,000; 5th Succeeding Year 2005-06 is \$120,000; (4) 1999-00 Program—\$622.669 Million; 1998-99 Program—\$695.935 Million; 1997-98 Program—\$662.740 Million; (7) Medical Assistance—Outpa-

tient; (8) recommends adoption. Funds are available in the Department's current budget to cover the costs created by this change.

[Pa.B. Doc. No. 00-1868. Filed for public inspection October 27, 2000, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Cash Cow Doubler Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Cash Cow Doubler.

2. *Price:* The price of a Pennsylvania Cash Cow Doubler instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Cash Cow Doubler instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: \$1<sup>.00</sup> (ONE DOL), \$2<sup>.00</sup> (TWO DOL), \$4<sup>.00</sup> (FOUR DOL), \$5<sup>.00</sup> (FIV DOL), \$8<sup>.00</sup> (EGT DOL), \$10<sup>.00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$80\$ (EIGHTY), \$500 (FIV HUN), \$5,000 (FIV THO) and a Bell Symbol (BELL).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$8, \$10, \$20, \$40, \$80, \$500 and \$5,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Cash Cow Doubler instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$5,000 (FIV THO) in the play area on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets with three matching play symbols of \$500 (FIV HUN) in the play area on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets with three matching play symbols of \$80\$ (EIGHTY) in the play area on a single ticket, shall be entitled to a prize of \$80.

(d) Holders of tickets with two matching play symbols of \$40\$ (FORTY) and a Bell Symbol (BELL) play symbol in the play area on a single ticket, shall be entitled to a prize of \$80.

(e) Holders of tickets with three matching play symbols of \$40\$ (FORTY) in the play area on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets with two matching play symbols of \$20\$ (TWENTY) and a Bell Symbol (BELL) play symbol in the play area on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the play area on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with two matching play symbols of \$10<sup>00</sup> (TEN DOL) and a Bell Symbol (BELL) play symbol in the play area on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with three matching play symbols of \$10<sup>00</sup> (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with two matching play symbols of \$5<sup>00</sup> (FIV DOL) and a Bell Symbol (BELL) play symbol in the play area on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with three matching play symbols of \$8<sup>00</sup> (EGT DOL) in the play area on a single ticket, shall be entitled to a prize of \$8.

(l) Holders of tickets with two matching play symbols of \$4<sup>00</sup> (FOR DOL) and a Bell Symbol (BELL) play symbol in the play area on a single ticket, shall be entitled to a prize of \$8.

(m) Holders of tickets with three matching play symbols of \$5<sup>00</sup> (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(n) Holders of tickets with three matching play symbols of \$4<sup>00</sup> (FOR DOL) in the play area on a single ticket, shall be entitled to a prize of \$4.

(o) Holders of tickets with two matching play symbols of \$2<sup>00</sup> (TWO DOL) and a Bell Symbol (BELL) play symbol in the play area on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets with three matching play symbols of \$2<sup>00</sup> (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets with two matching play symbols of \$1<sup>00</sup> (ONE DOL) and a Bell Symbol (BELL) play symbol in the play area on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets with three matching play symbols of \$1<sup>00</sup> (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 12,000,000 Tickets</i>
3-\$1	\$1	1:9.38	1,280,000
2-\$1 + Bell	\$2	1:21.43	560,000
3-\$2	\$2	1:37.50	320,000
2-\$2 + Bell	\$4	1:50	240,000
3-\$4	\$4	1:100	120,000
3-\$5	\$5	1:150	80,000
2-\$4 + Bell	\$8	1:200	60,000
3-\$8	\$8	1:600	20,000
2-\$5 + Bell	\$10	1:300	40,000
3-\$10	\$10	1:300	40,000
2-\$10 + Bell	\$20	1:1,000	12,000
3-\$20	\$20	1:1,500	8,000
2-\$20 + Bell	\$40	1:3,000	4,000
3-\$40	\$40	1:9,600	1,250
2-\$40 + Bell	\$80	1:8,000	1,500
3-\$80	\$80	1:26,667	450
3-\$500	\$500	1:120,000	100
3-\$5,000	\$5,000	1:1,000,000	12

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

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Cash Cow Doubler, prize money from winning Pennsylvania Cash Cow Doubler instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Cash Cow Doubler instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

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

LARRY P. WILLIAMS,  
*Acting Secretary*

[Pa.B. Doc. No. 00-1869. Filed for public inspection October 27, 2000, 9:00 a.m.]

## Pennsylvania Frosty the Doughman Doubler Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Frosty the Doughman Doubler.

2. *Price:* The price of a Pennsylvania Frosty the Doughman Doubler instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Frosty the Doughman Doubler instant lottery game ticket will contain one play area featuring a “Frosty’s Numbers” area and a “Your Numbers” area. The play symbols and their captions located in the “Frosty’s Numbers” are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENTY) and 21 (TWYONE). The play symbols and their captions located in the “Your Numbers” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENTY), 21 (TWYONE) and a Candy Cane Symbol (CANE).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the “Your Numbers” area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$200 (TWO HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$5, \$10, \$20, \$40, \$200, \$400, \$1,000 and \$20,000. A player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,960,000 tickets will be printed for the Pennsylvania Frosty the Doughman Doubler instant lottery game.

### 7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Frosty’s Numbers” play symbols and a prize play symbol of \$20,000 (TWY THO) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Frosty’s Numbers” play symbols and a prize play symbol of \$1,000 (ONE THO) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$200 (TWO HUN) appears under the Candy Cane Symbol (CANE) play symbol, on single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Frosty’s Numbers” play symbols and a prize play symbol of \$200

(TWO HUN) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Frosty’s Numbers” play symbols and a prize play symbol of \$40\$ (FORTY) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$20\$ (TWENTY) appears under the Candy Cane Symbol (CANE) play symbol, on single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Frosty’s Numbers” play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$10.<sup>00</sup> (TEN DOL) appears under the Candy Cane Symbol (CANE) play symbol, on single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Frosty’s Numbers” play symbols and a prize play symbol of \$10.<sup>00</sup> (TEN DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$5.<sup>00</sup> (FIV DOL) appears under the Candy Cane Symbol (CANE) play symbol, on single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Frosty’s Numbers” play symbols and a prize play symbol of \$5.<sup>00</sup> (FIV DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Frosty’s Numbers” play symbols and a prize play symbol of \$4.<sup>00</sup> (FOR DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Candy Cane Symbol (CANE) and a prize play symbol of \$2.<sup>00</sup> (TWO DOL) appears under the Candy Cane Symbol (CANE) play symbol, on single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Frosty’s Numbers” play symbols and a prize play symbol of \$2.<sup>00</sup> (TWO DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$2.

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

Match Any Of Your  
Numbers To Either  
Of Frosty's Numbers  
Or Get (Candy Cane)  
To Double With  
Prize(s) Of:

Prize(s) Of:	Win	Approximate Odds	Approximate No. of Winners Per 6,960,000 Tickets
\$2	\$2	1:5.58	1,248,160
\$4	\$4	1:62.50	111,360
\$2 x 2	\$4	1:34.09	204,160
\$2 (Candy Cane)	\$4	1:33.33	208,800
\$5	\$5	1:75	92,800
\$10	\$10	1:500	13,920
\$5 x 2	\$10	1:375	18,560
\$5 (Candy Cane)	\$10	1:187.50	37,120
\$2 x 5	\$10	1:300	23,200
\$20	\$20	1:750	9,280
\$5 x 4	\$20	1:750	9,280
\$4 x 5	\$20	1:187.50	37,120
\$10 (Candy Cane)	\$20	1:500	13,920
\$40	\$40	1:2,400	2,900
\$5 x 8	\$40	1:1,000	6,960
\$10 x 4	\$40	1:1,333	5,220
\$20 (Candy Cane)	\$40	1:1,622	4,292
\$200	\$200	1:24,000	290
\$40 x 5	\$200	1:12,000	580
\$40 x 4 + \$20 x 2	\$200	1:12,000	580
\$1,000	\$1,000	1:120,000	58
\$200 x 5	\$1,000	1:120,000	58
\$200 (Candy Cane + \$200 x 3	\$1,000	1:120,000	58
\$20,000 (Candy Cane) = Doubler	\$20,000	1:870,000	8

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Frosty the Doughman Doubler, prize money from winning Pennsylvania Frosty the Doughman Doubler instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Frosty the Doughman Doubler instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote

Pennsylvania Frosty the Doughman Doubler or through normal communications methods.

LARRY P. WILLIAMS,  
*Acting Secretary*

[Pa.B. Doc. No. 00-1870. Filed for public inspection October 27, 2000, 9:00 a.m.]

### Pennsylvania Holiday Gift Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Holiday Gift.

2. *Price:* The price of a Pennsylvania Holiday Gift instant lottery game ticket is \$5.00.

3. *Play Symbols:* Each Pennsylvania Holiday Gift instant lottery game ticket will contain one play area featuring a "Lucky Numbers" area and a "Your Numbers" area. The play symbols and their captions located in the "Lucky Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV),

13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENTY), 21(TWYONE), 22 (TWYTWO), 23 (TWYTHR) and 24 (TWYFOR). The play symbols and their captions located in the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENTY), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR) and a Gift Symbol (GIFT).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$75\$ (SVY FIV), \$100 (ONE HUN), \$500 (FIV HUN), \$5,000 (FIV THO) and YEAR (\$10K/WK/YR).

5. *Prizes:* The prizes that can be won in this game are \$5, \$10, \$15, \$20, \$25, \$50, \$75, \$100, \$500, \$5,000 and \$520,000 (\$10,000 a week for a year). A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 2,160,000 tickets will be printed for the Pennsylvania Holiday Gift instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Gift Symbol (GIFT) and a prize play symbol of YEAR (\$10K/WK/YR) appears under the Gift Symbol play symbol, on a single ticket, shall be entitled to a prize of \$520,000 (\$10,000 a week for a year).

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$5,000 (FIV THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$500 (FIV HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$75\$ (SVY FIV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$75.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$50\$ (FIFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$25\$ (TWY FIV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$15\$ (FIFTN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$5<sup>00</sup> (FIV DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

*Match Any Of Your Numbers To Either Of The Lucky Numbers Or Get A Gift Symbol With Prize(s) Of:*

<i>Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 2,160,000 Tickets</i>
\$5	\$5	1:5.00	432,000
\$5 x 2	\$10	1:28.57	75,600
\$10	\$10	1:150	14,400
\$5 x 3	\$15	1:150	14,400
\$5 + \$10	\$15	1:150	14,400
\$15	\$15	1:300	7,200
\$5 x 4	\$20	1:300	7,200
\$5 x 2 + \$10	\$20	1:300	7,200
\$10 x 2	\$20	1:300	7,200

*Match Any Of Your Numbers To Either Of The Lucky Numbers Or Get A Gift Symbol With Prize(s) Of:*

<i>Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 2,160,000 Tickets</i>
\$15 + \$5	\$20	1:300	7,200
\$20	\$20	1:300	7,200
\$5 x 5	\$25	1:300	7,200
\$5 x 2 + \$15	\$25	1:300	7,200
\$10 x 2 + \$5	\$25	1:300	7,200
\$15 + \$10	\$25	1:300	7,200
\$25	\$25	1:300	7,200
\$5 x 10	\$50	1:1,412	1,530
\$5 x 2 + \$20 x 2	\$50	1:857.14	2,520
\$5 x 8 + \$10	\$50	1:857.14	2,520
\$5 x 5 + \$10 + \$15	\$50	1:1,200	1,800
\$25 x 2	\$50	1:1,600	1,350
\$50	\$50	1:1,600	1,350
\$25 x 3	\$75	1:4,800	450
\$15 x 5	\$75	1:4,800	450
\$20 x 3 + \$15	\$75	1:4,800	450
\$5 x 5 + \$25 x 2	\$75	1:12,000	180
\$15 x 4 + \$5 x 3	\$75	1:12,000	180
\$75	\$75	1:24,000	90
\$5 x 8 + 10 + \$50	\$100	1:4,000	540
\$10 x 10	\$100	1:12,000	180
\$10 x 8 + \$20	\$100	1:12,000	180
\$50 x 2	\$100	1:12,000	180
\$25 x 4	\$100	1:12,000	180
\$20 x 5	\$100	1:12,000	180
\$100	\$100	1:30,000	72
\$50 x 10	\$500	1:86,400	25
\$100 x 5	\$500	1:108,000	20
\$500	\$500	1:432,000	5
\$5,000	\$5,000	1:432,000	5
GIFT	\$520,000	1:1,080,000	2

GIFT = \$10K/WEEK/YEAR

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Holiday Gift, prize money from winning Pennsylvania Holiday Gift instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Holiday Gift instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Holiday Gift or through normal communications methods.

LARRY P. WILLIAMS,  
*Acting Secretary*

[Pa.B. Doc. No. 00-1871. Filed for public inspection October 27, 2000, 9:00 a.m.]

### **Pennsylvania Holidays for Life Instant Lottery Game**

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Holidays for Life.

2. *Price:* The price of a Pennsylvania Holidays for Life instant lottery game ticket is \$10.00.

3. *Play Symbols:*

(a) Each Pennsylvania Holidays for Life instant lottery game ticket will contain ten play areas known as Game 1, Game 2, Game 3, Game 4, Game 5, Game 6, Game 7, Game 8, Game 9 and Game 10. Each game is played separately.

(b) The play symbols and their captions located in the play area for Game 1 are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$35\$ (TRY FIV), \$50\$ (FIFTY), \$75\$ (SVY FIV), \$100 (ONE HUN), \$120 (HUNTWY), \$1,000 (ONE THO) and LIFE (\$100K/YR/LIFE).

(c) The play symbols and their captions located in the "Fast Cash" area for Game 2 are: Snowflake Symbol (FLAKE), Bell Symbol (BELL), Stocking Symbol (STKNG), Gift Symbol (GIFT), Tree Symbol (TREE) and Wreath Symbol (WRATH).

(d) The play symbols and their captions located in the "Your Numbers" area for Game 3 and Game 7 and the "Your" and "Their" areas for Game 4 and Game 9 are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE) and 10 (TEN).

(e) The play symbols and their captions located in the play area for Game 5 are: Tree Symbol (TREE) and Wreath Symbol (WRATH).

(f) The play symbols and their captions located in the play area for Game 6 are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$35\$ (TRY FIV), \$50\$ (FIFTY), \$75\$ (SVY FIV), \$100 (ONE HUN) and LIFE (\$100K/YR/LIFE).

(g) The play symbols and their captions located in the play area for Game 8 are: Stocking Symbol (STKNG) and Wreath Symbol (WRATH).

(h) The play symbols and their captions located in the "Bonus" area for Game 10 are: Stocking Symbol (STKNG), Sled Symbol (SLED), Tree Symbol (TREE), Wreath Symbol (WRATH) and Gift Symbol (GIFT).

4. *Prize Play Symbols:*

(a) The prize play symbols and their captions located in the "Prize" areas for Game 3 are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20\$ (TWENTY), \$100 (ONE HUN) and LIFE (\$100K/YR/LIFE).

(b) The prize play symbols and their captions located in the "Prize" areas for Game 4 are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY) and \$100 (ONE HUN).

(c) The prize play symbols and their captions located in the "Prize" area for Game 5 are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15\$ (FIFTN), \$25\$ (TWY FIV), \$35\$ (TRY FIV), \$60\$ (SIXTY), \$100 (ONE HUN), \$10,000 (TEN THO) and LIFE (\$100K/YR/LIFE).

(d) The prize play symbols and their captions located in the "Prize" areas for Game 7 are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup>

(TEN DOL), \$20\$ (TWENTY), \$35\$ (TRY FIV), \$100 (ONE HUN), \$120 (HUNTWY) and LIFE (\$100K/YR/LIFE).

(e) The prize play symbols and their captions located in the "Prize" area for Game 8 are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$60\$ (SIXTY), \$100 (ONE HUN), \$1,000 (ONE THO) and \$10,000 (TEN THO).

(f) The prize play symbols and their captions located in the "Prize" areas for Game 9 are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20\$ (TWENTY) and LIFE (\$100K/YR/LIFE).

5. *Prizes:*

(a) The prizes that can be won in individual games on this ticket are \$5, \$10, \$15, \$20, \$25, \$35, \$50, \$60, \$75, \$100, \$120, \$1,000, \$10,000 and \$100,000 a year for life (\$2 million guaranteed).

(b) The \$100,000 a year for life (\$2 million guaranteed) prize will be paid by an initial cash payment of \$100,000 plus equal annual payments of \$100,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$2 million minimum has been paid to the estate of the deceased. If the winner of the Pennsylvania Holidays for Life prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

(c) The player can win up to 11 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 1,080,000 tickets will be printed for the Pennsylvania Holidays for Life instant lottery game.

7. *Description of Game Play Methods:*

(a) Game 1 and Game 6 play method: Get three like play symbols in the play area for that game and win that prize.

(b) Game 2 play method: Get a Snowflake Symbol or a Bell Symbol to win.

(c) Game 3 and Game 7 play method: When the total of "Your Numbers" equals 7 or 11 within a game, win prize shown for that game.

(d) Game 4 and Game 9 play method: When "Your" number is higher than "Their" number within a game, win prize shown for that game.

(e) Game 5 play method: Find three Tree Symbols in any one row, column or diagonal and win prize shown.

(f) Game 8 play method: Find three Stocking Symbols in any one row, column or diagonal and win prize shown.

(g) Game 10 play method: Get a Sled Symbol to win.

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

<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 1,080,000 Tickets</i>
G1\$10	\$10	1:30	36,000
G2\$10	\$10	1:30	36,000
G5\$10	\$10	1:150	7,200
G6\$10	\$10	1:150	7,200



<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 1,080,000 Tickets</i>
G8\$10	\$10	1:150	7,200
G3\$5 x 2	\$10	1:60	18,000
G4\$5 x 2	\$10	1:60	18,000
G7\$5 x 2	\$10	1:60	18,000
G9\$5 x 2	\$10	1:60	18,000
G1\$5 + G5\$5	\$10	1:60	18,000
G6\$5 + G8\$5	\$10	1:60	18,000
G1\$5 + G6\$5	\$10	1:50	21,600
G3\$5 + G9\$5	\$10	1:50	21,600
G4\$5 + G7\$5	\$10	1:50	21,600
G1\$15	\$15	1:300	3,600
G5\$15	\$15	1:300	3,600
G6\$15	\$15	1:300	3,600
G8\$15	\$15	1:300	3,600
G1\$5 + G3\$5 x 2	\$15	1:300	3,600
G2\$10 + G4\$5	\$15	1:300	3,600
G5\$5 + G7\$5 x 2	\$15	1:300	3,600
G6\$10 + G8\$5	\$15	1:300	3,600
G7\$5 + G9\$5 x 2	\$15	1:300	3,600
G1\$20	\$20	1:300	3,600
G2\$20	\$20	1:150	7,200
G3\$20	\$20	1:300	3,600
G4\$20	\$20	1:300	3,600
G1\$10 + G3\$5 x 2	\$20	1:300	3,600
G2\$10 + G4\$5 x 2	\$20	1:300	3,600
G5\$10 + G6\$5 + G7\$5	\$20	1:300	3,600
G6\$5 + G7\$5 x 2 + G9\$5	\$20	1:300	3,600
G7\$10 + G9\$5 x 2	\$20	1:300	3,600
G1\$25	\$25	1:300	3,600
G5\$25	\$25	1:300	3,600
G6\$25	\$25	1:300	3,600
G8\$25	\$25	1:300	3,600
G1\$20 + G5\$5	\$25	1:300	3,600
G2\$20 + G4\$5	\$25	1:150	7,200
G3\$5 x 2 + G5\$5 + G6\$5 + G8\$5	\$25	1:300	3,600
G5\$10 + G7\$5 x 2 + G9\$5	\$25	1:300	3,600
G7\$5 x 2 + G8\$5 + G9\$5 x 2	\$25	1:300	3,600
G1\$35	\$35	1:300	3,600
G6\$35	\$35	1:300	3,600
G1\$20 + G3\$5 x 2 + G5\$5	\$35	1:300	3,600
G2\$10 + G4\$10 + G6\$5 + G8\$5 + G9\$5	\$35	1:300	3,600
G2\$10 + G3\$5 + G5\$10 + G7\$5 x 2	\$35	1:300	3,600
G1\$50	\$50	1:1,200	900
G6\$50	\$50	1:1,200	900
G10\$50	\$50	1:1,200	900
G1\$25 + G2\$10 + G5\$10 + G6\$5	\$50	1:600	1,800
G2\$10 + G4\$5 x 2 + G6\$10 + G7\$5 x 2 + G9\$5 x 2	\$50	1:685.71	1,575
G3\$5 + \$10 + G4 \$15 + G6\$5 + G8\$10 + G9\$5	\$50	1:685.71	1,575
G5\$25 + G6\$10	\$50	1:480	2,250

<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 1,080,000 Tickets</i>
+ G7\$5 x 2 + G8\$5			
G6\$15 + G7\$10 + \$5 + G8\$5 + G9\$10 + \$5	\$50	1:400	2,700
G5\$60	\$60	1:12,000	90
G8\$60	\$60	1:12,000	90
G2\$20 + G6\$20 + G8\$20	\$60	1:6,000	180
G2\$10 + G10\$50	\$60	1:6,000	180
G1\$10 + G2\$20 + G4\$5 x 2 + G6\$10 + G8\$10	\$60	1:6,000	180
G3\$5 x 2 + G5\$10 + G7\$10 x 2 + G9\$20	\$60	1:4,000	270
G1\$5 + G2\$10 + G3\$5 x 2 + G4\$5 x 2 + G5\$5 + G6\$5 + G7\$5 x 2 + G8\$5	\$60	1:4,000	270
G1\$75	\$75	1:12,000	90
G6\$75	\$75	1:12,000	90
G2\$10 + G5\$35 + G7\$10 x 2 + G9\$5 x 2	\$75	1:12,000	90
G2\$10 + G6\$15 + G10\$50	\$75	1:6,000	180
G5\$100	\$100	1:6,000	180
G8\$100	\$100	1:6,000	180
G1\$50 + G10\$50	\$100	1:6,000	180
G2\$20 + G5\$10 + G7\$20 + G10\$50	\$100	1:6,000	180
G1\$120	\$120	1:24,000	45
G7\$120	\$120	1:24,000	45
G1\$50 + G2\$20 + G6\$10 + G7\$20 x 2	\$120	1:12,000	90
G2\$10 + G3\$20 x 2 + G5\$10 + G7\$35 + G8\$20 + G9\$5	\$120	1:12,000	90
G1\$1,000	\$1,000	1:120,000	9
G8\$1,000	\$1,000	1:120,000	9
G1\$100 + G3\$100 x 2 + G4\$100 x 2 + G5\$100 + G6\$100 + G7\$100 x 2 + G8\$50 + G10\$50	\$1,000	1:120,000	9
G5\$10,000	\$10,000	1:1,080,000	1
G8\$10,000	\$10,000	1:540,000	2
LIFE	\$100,000/ YR/LIFE	1:1,080,000	1

Life = \$100,000/YR/LIFE

9. *Claiming of Prizes:* For purposes of claiming the \$100,000 a year for life prize under the Pennsylvania Holidays for Life game, "lifetime" for legal entities shall be defined as 20 years beginning the date the prize is claimed. Only one claimant per ticket is allowed for the \$100,000 a year for life prize.

10. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who

sell Pennsylvania Holidays for Life instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Holidays for Life, prize money from winning Pennsylvania Holidays for Life instant lottery game tickets will be retained by the

Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Holidays for Life instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

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

LARRY P. WILLIAMS,  
*Acting Secretary*

[Pa.B. Doc. No. 00-1872. Filed for public inspection October 27, 2000, 9:00 a.m.]

**Pennsylvania Reindeer Games Instant Lottery Game**

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Reindeer Games.

2. *Prize:* The price of a Pennsylvania Reindeer Games instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Reindeer Games instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: \$1<sup>.00</sup> (ONE DOL), \$2<sup>.00</sup> (TWO DOL), \$3<sup>.00</sup> (THR DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$30\$ (THIRTY), \$40\$ (FORTY), \$100 (ONE HUN) and \$500 (FIV HUN).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$10, \$15, \$20, \$30, \$40, \$100 and \$500.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Reindeer Games instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$500 (FIV HUN) in the play area on a single ticket, shall be entitled to a prize of \$500.

(b) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the play area on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets with three matching play symbols of \$40\$ (FORTY) in the play area on a single ticket, shall be entitled to a prize of \$40.

(d) Holders of tickets with three matching play symbols of \$30\$ (THIRTY) in the play area on a single ticket, shall be entitled to a prize of \$30.

(e) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the play area on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets with three matching play symbols of \$15\$ (FIFTN) in the play area on a single ticket, shall be entitled to a prize of \$15.

(g) Holders of tickets with three matching play symbols of \$10<sup>.00</sup> (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets with three matching play symbols of \$5<sup>.00</sup> (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(i) Holders of tickets with three matching play symbols of \$3<sup>.00</sup> (THR DOL) in the play area on a single ticket, shall be entitled to a prize of \$3.

(j) Holders of tickets with three matching play symbols of \$2<sup>.00</sup> (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets with three matching play symbols of \$1<sup>.00</sup> (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 12,000,000 Tickets</i>
3-\$1	\$1	1:6.25	1,920,000
3-\$2	\$2	1:18.75	640,000
3-\$3	\$3	1:42.86	280,000
3-\$5	\$5	1:60	200,000
3-\$10	\$10	1:300	40,000
3-\$15	\$15	1:300	40,000
3-\$20	\$20	1:600	20,000
3-\$30	\$30	1:1,200	10,000
3-\$40	\$40	1:3,200	3,750
3-\$100	\$100	1:6,000	2,000
3-\$500	\$500	1:48,000	250

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

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Reindeer Games, prize money from winning Pennsylvania Reindeer Games instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Reindeer Games instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

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

LARRY P. WILLIAMS,  
*Acting Secretary*

[Pa.B. Doc. No. 00-1873. Filed for public inspection October 27, 2000, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

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

#### *Addendum*

The Department of Transportation, Bureau of Motor Vehicles, under the authority of 75 Pa.C.S. § 3368, at 29 Pa.B. 6534 (December 25, 1999), published a notice listing all Department-approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published. The Department added device approvals on January 29, 2000; February 26, 2000; June 17, 2000; and September 16, 2000, by publication at 29 Pa.B. 6534, 30 Pa.B. 591, 30 Pa.B. 3126, and 30 Pa.B. 4861, respectively.

#### *Cancellation*

As a further amendment to the December 1999 list of approved official electronic speed-timing devices (nonradar) which calculate average speed between any two points, the Department hereby gives notice of the cancellation of the following stations:

- Marella's Jewelry, 416 North Springfield Road, Clifton Heights, Delaware County, Pa. 19018 (Appointed: 08/10/79, Station W42).
- Zimmel Jewelers, 1521 Bethlehem Pike, Flourtown, Montgomery County, Pa. 19031 (Appointed: 04/17/80, Station W35).

Comments, suggestions or questions may be directed to Barb Tomassini, Manager, Inspection Processing Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Third Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or by (717) 787-2895.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 29 Pa.B. 6534 (December 25, 1999), 30 Pa.B. 591 (January 29, 2000), 30 Pa.B. 1211 (February 26, 2000), 30 Pa.B. 3126 (June 16, 2000) and 30 Pa.B. 4861 (September 16, 2000).

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 00-1874. Filed for public inspection October 27, 2000, 9:00 a.m.]

### Contemplated Sale of Land no Longer Needed for Transportation Purposes

The Department of Transportation, under 71 P. S. § 513 (e)(7), intends to sell certain land owned by the Department.

The parcel available is located in Cumberland Township, Adams County and consists of approximately 3.4979 acres. This property is land locked and fronts along Route 15 which is a limited access highway.

It has been determined that the land is no longer needed for present or future Transportation purposes.

Interested Public Entities are invited to express their interest in purchasing the site within thirty (30) calendar days from the date of publication of this notice to: Barry G. Hoffman, P. E. District Engineer, Department of Transportation Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17013.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 00-1875. Filed for public inspection October 27, 2000, 9:00 a.m.]

### Finding

#### Westmoreland County

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to replace the existing Hannas Run Bridge on S.R. 1017 in Ligonier Township, Westmoreland County. Beyond the thirty-three (33) foot right-of-way designated for the existing roadway and bridge, the project location lies completely within the Clifford Farm property, a National Register-eligible historic resource.

I have considered the environment, economic, social, and other effects of the proposed project as enumerated in Section 2002 of the Administrative Code, and have concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

No adverse environmental effect is likely to result from the replacement of this bridge.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 00-1876. Filed for public inspection October 27, 2000, 9:00 a.m.]

**Retention of Engineering Firms**

**Washington County**

**Project Reference No. 08430AG2626**

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately fourteen (14) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on the following projects:

1. S.R. 0070, Section 10R, Washington County Local Name: Interstate PM SPC2002 This project involves milling, overlay and guide rail.
2. S.R. 0070, Section A20, Washington County Local Name: Interstate PM SPC2001 This project involves concrete patching, overlay and guide rail.

Department policy requires firms providing construction inspection services to have a Federal Acquisition Regulation (FAR) field overhead rate established. The Department's current policy (SOL-430-91-34) requires a firm to submit their proposed field and office cost allocation approach, before the beginning of the fiscal year where the separate overhead rates would apply. This approach must comply with the provisions set forth in Part 31 of the Federal Acquisition Regulations (48 CFR Chapter 1) which governs the determination of the eligibility of costs making up the firm's Direct and Indirect Costs.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The final ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the final ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving, and drainage.
- b. Past Performance ratings.
- c. Understanding of District 12-0 Department requirements, policies, and specifications.
- d. Number of available inspectors in each payroll classification.
- e. Number of NICET certified inspectors in each payroll classification.
- f. Ability to provide CDS operator.
- g. Previous District 12-0 experience.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the

qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	3 (3)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	8 (5)
Technical Assistant - 1 (TA-1) (NICET Highway Construction Level 1 or equivalent)	2 (0)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	1 (0)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum hourly payroll rate for each Department Payroll Classification for calendar year 2000 shall be as shown:

<i>Payroll Classification</i>	<i>Maximum Straight Time Hourly Payroll Rate (Year 2000)</i>
(TCIS)	\$20.34
(TCI)	\$17.05
(TA-1)	\$13.80
(TA)	\$11.72

If applicable, the maximum straight time hourly payroll rate for subsequent calendar years will be established at the scope of work meeting.

The maximum hourly payroll rate is the maximum hourly rate paid to an employee in a specific Department Payroll classification. The Department reserves the right to negotiate hourly payroll rates of compensation of individuals based on knowledge, experience and education up to the payroll classification maximum hourly payroll rate.

The firm selected may be required to attend a pre-construction conference with the Department and the

construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required.

The Department will reimburse for actual miles driven on the project as directed by the Department, and a maximum of \$32.50/day for either mileage to and from the work site or lodging. An inspector will not be reimbursed for a combination of the two during the same day. Mileage will be reimbursed for the most direct route from the inspector's residence or the Consultant's office, whichever is less, to the project site and return at the lesser of the maximum mileage rate established by the Commonwealth or the firm's current policy. The first fifteen (15) miles each day of an inspector's commute from and to his/her residence or the consultant's office to the work location is considered normal commuting travel and will not be eligible for mileage reimbursement. Lodging will be reimbursed at a maximum rate of \$32.50/day, in lieu of mileage, but receipts for all costs must be provided to the Department with the Engineer's invoice. Lodging will only be reimbursed for employees whose home or headquarters is more than 65 miles from the project.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	4
TCI	10

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided (any pages beyond 3 will not be reviewed by the Department), plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer  
Engineering District 12-0  
P. O. Box 459, North Gallatin Avenue Extension  
Uniontown, PA 15401  
Attn: Chuck Thompson, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mr. John Knapik, phone number (724) 439-7253, fax number (724) 430-4402.

## Westmoreland County

### Project Reference No. 08430AG2627

The Department will retain an engineering firm to perform final design and services during construction (consultation during construction and shop drawing review) on S.R. 0022, Section B10, the reconstruction of Traffic Route 22, Westmoreland County.

This project involves the reconstruction of S.R. 0022 from Township Road #966 (segment 0450/offset 0000) in Derry Township, Westmoreland County to the Borough of Blairsville in Indiana County (Westmoreland County segment 0480/offset 2849, Indiana County segment 0010/offset 0000).

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience in roadway and bridge design. The specific experience of individuals employed by the firm shall be considered.
- Ability to expedite the project.
- Project team composition .
- Available staffing for this assignment and the ability to meet the Department's needs.

The firm selected may be required to perform, but not limited to, the following tasks: field surveys; roadway design; intersection geometry investigations; signing layout; prepare a quality development plan; prepare geotechnical reports; traffic control plans; hydraulic computations; utility coordination; right of way plans; preliminary and final structure plans; erosion and sedimentation control plans; signing and pavement marking plans; traffic signal plans; construction plans, forms, specifications and estimates; hazardous waste site investigations; noise feasibility and reasonableness worksheets; roadway and structure borings; project partnering and public involvement.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer  
Engineering District 12-0  
P. O. Box 459, North Gallatin Avenue Extension  
Uniontown, PA 15401  
Attention: Mr. P. Gregory Bednar, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mr. P. Gregory Bednar, P.E., at phone number (724) 439-7243, fax number (724) 430-4401.

**Westmoreland County****Project Reference No. 08430AG2628**

The Department will retain an engineering firm to perform final design and services during construction (consultation during construction and shop drawing review) on S.R. 0022, Section B09, the reconstruction of Traffic Route 22, Westmoreland County.

This project involves the reconstruction of S.R. 0022 from just west of S.R. 0982 (segment 0410/offset 0000) to Township Road #966 (segment 0450/offset 000) in Derry Township, Westmoreland County.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience in roadway and bridge design. The specific experience of individuals employed by the firm shall be considered.
- b) Ability to expedite the project.
- c) Project team composition .
- d) Available staffing for this assignment and the ability to meet the Department's needs.

The firm selected may be required to perform, but not limited to, the following tasks: field surveys; roadway design; intersection geometry investigations; signing layout; prepare a quality development plan; prepare geotechnical reports; traffic control plans; hydraulic computations; utility coordination; right of way plans; preliminary and final structure plans; erosion and sedimentation control plans; signing and pavement marking plans; traffic signal plans; construction plans, forms, specifications and estimates; hazardous waste site investigations; noise feasibility and reasonableness worksheets; roadway and structure borings; project partnering and public involvement.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Michael H. Dufalla, P.E., District Engineer  
Engineering District 12-0  
P. O. Box 459, North Gallatin Avenue Extension  
Uniontown, PA 15401  
Attention: Mr. P. Gregory Bednar, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mr. P. Gregory Bednar, P.E., at phone number (724) 439-7243, fax number (724) 430-4401.

**Schuylkill County****Project Reference No. 08430AG2629**

The Department will retain an engineering firm for a multi-phase, specific project agreement to provide preliminary engineering, environmental documentation, final design, and construction services on S.R. 0309, Section 02B, S.R. 0309 Tamaqua Stone Arch Replacement, Schuylkill County.

This project involves the replacement of the existing stone arch structure carrying S.R. 0309 over the Little Schuylkill River in the Borough of Tamaqua, Schuylkill County.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on similar work. The specific experience of individuals employed by the firm shall be considered.
- b) Available staffing for this assignment and the ability to meet the Department's needs.
- c) Specialized experience and technical competence of firm.
- d) Location of Consultant with respect to the District Office.
- e) Project team composition.

The firm selected may be required to perform the following services for this project:

1. All studies necessary for the preparation of a Categorical Exclusion Evaluation Level 1B and associated documents including, but not limited to: cultural resource surveys; wetlands delineation and evaluation; Section 106 documents; hazardous waste reports; archeological surveys.
2. Preliminary engineering including, but not limited to: Field surveying; hydraulic and hydrologic analysis; type, size, and location drawings; Step 9 Submission; roadway design (for roadway approach work); E & S plans; soils and geotechnical reconnaissance; maintenance and protection of traffic; right-of-way investigation; and coordination with utility companies (and railroad companies if warranted).
3. Preparation of final roadway and structure plans, including, but not limited to: roadway and structure borings; final design; and preparation of plans, specifications, and estimates.
4. Services during construction, including construction consultation and shop drawing review.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Walter E. Bortree, P.E., District Engineer  
Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
Attention: Brian H. Graver

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Brian H. Graver, Consultant Agreement Administrator, phone number (610) 798-4322, fax number (610) 798-4303.

#### **Monroe County**

##### **Project Reference No. 08430AG2630**

The Department will retain an engineering firm for a multi-phase, project specific agreement to provide preliminary engineering, environmental documentation, final design, and construction services on S.R. 4003, Section 01B, S.R. 4003 Thornhurst Bridge Replacement, Monroe County.

This project involves the replacement of the existing structure carrying S.R. 4003 over the Lehigh River in Coolbaugh Township, Monroe County.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on similar work. The specific experience of individuals employed by the firm shall be considered.
- b) Available staffing for this assignment and the ability to meet the Department's needs.
- c) Specialized experience and technical competence of firm.
- d) Location of Consultant with respect to the District Office.
- e) Project team composition.

The firm selected may be required to perform the following services for this project:

1. All studies necessary for the preparation of a Categorical Exclusion Evaluation Level 2 and associated documents including, but not limited to: cultural resource surveys; wetlands delineation and evaluation; Section 106 documents; hazardous waste reports; archeological surveys.

2. Preliminary engineering including, but not limited to: Field surveying; hydraulic and hydrologic analysis; type, size, and location drawings; Step 9 Submission; roadway design (for roadway approach work); E & S plans; soils and geotechnical reconnaissance; maintenance and protection of traffic; right-of-way investigation; and coordination with utility companies.

3. Preparation of final roadway and structure plans, including, but not limited to: roadway and structure borings; final design; and preparation of plans, specifications, and estimates.

4. Services during construction, including construction consultation and shop drawing review.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Walter E. Bortree, P.E., District Engineer  
Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
Attention: Brian H. Graver

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Brian H. Graver, Consultant Agreement Administrator, phone number (610) 798-4322, fax number (610) 798-4303.

#### **Lancaster County**

##### **Project Reference No. 08430AG2631**

The Department will retain an engineering firm to provide preliminary engineering, final design, environmental studies and construction consultation on four (4) separate projects to close three (3) crossings on the AMTRAK Keystone Corridor - Philadelphia to Harrisburg Line. Details of the projects follow:

1. Newcomer Road (T-360). Located in Rapho Township/Mt. Joy Borough south of S.R. 0230. The crossing will be removed and the road closed.

2. Eby Chiques Road (T-364). Located in Rapho Township south of S.R. 0230. The crossing will be removed, the road relocated and a bridge built to span the railroad 500-feet east of the present crossing. The relocation will pass through a proposed light industrial development on the north side of the railroad. This project will require a railroad electrification plan.

3. Irishtown Road (T-533). Located in Leacock Township between S.R. 0030 and S.R. 0340. The crossing will be removed and parallel roads on each side of the railroad constructed. To the south, Cherry Lane will extend north and then east along the railroad and connect to Irishtown Road. To the north, Harvest Road will extend west along the railroad and connect to Irishtown Road. Additionally, local road improvements, (i.e., resurfacing, shoulders, etc.) will be part of this project.

4. Longnecker Road (S.R. 4003). Located in Mt. Joy Borough, 2100-feet west of the Newcomer Road Crossing. Prior to the Newcomer Road crossing closure, Longnecker Road will be reconstructed to provide additional clearance at the AMTRAK overpass.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a) Experience working successfully with AMTRAK.
- b) Experience working successfully with local municipalities.



c) The project team is expected to visit the site and provide an overview of their understanding of possible issues for the project based on their field observations.

d) Specialized experience and technical competence with similar projects and their ability to provide innovative solutions to complex technical problems.

e) Project team management including sub consultants and how the project manager will manage several disciplines and interact successfully with the District.

f) Understanding of the Departments' requirements, Design Manuals, policies and specifications.

g) Resource availability to meet multiple assignments in a timely manner.

h) Past record with respect to cost control, work quality, and ability to meet schedules.

i) Ability of the project team to communicate effectively in various mediums and provide strong public involvement management skills.

The Department is seeking a multi-disciplined firm with highway and structure design experience. The project team should include experience in traffic signal design, geotechnical engineering, railroad electrification design, environmental studies and preparation.

The selected firm will be required to provide a variety of engineering services including, but not limited to, the following: environmental studies and documentation, interagency permits, roadway design, structure design, grading design, geometric design, signal and signing design, drainage design, utility coordination, right-of-way plans, surveying, construction cost estimating, construction scheduling, public meeting and agency coordination, public utility coordination, geotechnical engineering, plans preparation, proposal preparation, pavement design, traffic analysis, maintenance of traffic design and railroad electrification design.

With the exception of S.R. 4003, the projects involve township owned roads. The relocated roads and bridge once constructed will be owned by the townships and will be designed to meet local standards. The townships will be active and involved team members throughout the design process.

Consultant or sub-consultant must provide an authorization letter from AMTRAK as part of the Letter of Interest. The letter must state that the firm is authorized to perform electrification design for AMTRAK. Letters of Interest without this authorization will be rejected.

The design duration is expected to vary between six (6) to fifteen (15) months, depending on the complexity of the individual project. The estimated construction cost of the improvements is \$6 million.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size) specifying project team members and project manager, and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Barry G. Hoffman, P.E., District Engineer  
Engineering District 8-0  
2140 Herr Street  
Harrisburg, PA 17103-1699  
Attention: Doug Murphy

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:00 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Doug Murphy, District 8-0, at phone (717) 783-3773, Fax (717) 705-5493.

### **Allegheny County**

#### **Project Reference No. 08430AG2632**

The Department will retain an engineering firm to provide preliminary engineering, environmental studies, final design, and engineering services in construction on S.R. 0079, Section A23, Parkway Ramps, Allegheny County.

This project involves the preliminary engineering, environmental studies, final design and engineering services in construction necessary in the construction of two new ramps in order to complete the I79/I279 interchange. One ramp will connect I-79 South to S.R. 0022 West towards the Pittsburgh International Airport. The other ramp will connect S.R. 0022 East to I-79 North. This project is located in the Townships of Collier and Robinson in Allegheny County. The estimated construction cost for this project is \$40 million.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a) Specialized experience and technical competence of firm.

b) Experience and abilities of key personnel (project manager, bridge engineer, etc.) that will be assigned to the project.

c) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience.

d) Available staffing for this assignment and the ability to meet the Department's needs.

e) Special requirements of the project; firm's experience in highway design, structure design, maintenance and protection of traffic on similar interstate projects.

f) Subconsultants assigned to this project.

g) Location of Consultant with respect to the District Office.

The firm selected may be required to perform a variety of services including, but not limited to, the following: Preliminary Engineering; field surveys, utility coordination, geotechnical studies, preliminary right of way investigation, safety reviews, value engineering, environmental studies, alternative alignment studies, and waste investigation: Final Design; preparation of roadway, structure, traffic signing and pavement marking, traffic signal, right of way, erosion and sedimentation control, and highway lighting plans, construct ability reviews, intelligent transportation systems (ITS), maintenance and protection of traffic, and project administration: Construction; construction consultation and shop drawing reviews.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Raymond S. Hack, P.E., District Engineer  
Engineering District 11-0  
45 Thoms Run Road  
Bridgeville, PA 15017  
Attn: Robert M. Collins, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Robert M. Collins, P.E., District 11-0, at phone number (412) 429-4928, fax number (412) 429-4933.

#### Schuylkill County

#### Project Reference No. 08430AG2633

The Department will retain an engineering firm to provide preliminary engineering, environmental documentation, final design, and construction services on S.R. 0054, Section 05M, S.R. 054 Mahanoy City Culvert Replacement, Schuylkill County.

This project involves the replacement of the existing corrugated metal arch pipe culvert carrying a tributary of Mahanoy Creek under S.R. 0054 in the Borough of Mahanoy City, Schuylkill County.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on similar work. The specific experience of individuals employed by the firm shall be considered.
- b) Available staffing for this assignment and the ability to meet the Department's needs.
- c) Specialized experience and technical competence of firm.
- d) Location of Consultant with respect to the District Office.
- e) Project team composition.

The firm selected may be required to perform the following services for this project:

1. All studies necessary for the preparation of a Categorical Exclusion Evaluation Level 1b and associated documents including, but not limited to: cultural resource surveys; wetlands delineation and evaluation; Section 106 documents; hazardous waste reports; archeological surveys.

2. Preliminary engineering including, but not limited to: Field surveying; hydraulic and hydrologic analysis;

- type, size, and location drawings; Step 9 Submission; roadway design (for roadway approach work); E & S plans; soils and geotechnical reconnaissance; maintenance and protection of traffic; right-of-way investigation; and coordination with utility companies.

3. Preparation of final roadway and structure plans, including, but not limited to: roadway and structure borings; final design; and preparation of plans, specifications, and estimates.

4. Services during construction, including construction consultation and shop drawing review.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Walter E. Bortree, P.E., District Engineer  
Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
Attention: Brian H. Graver

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Brian H. Graver, phone number (610) 798-4322, fax number (610) 798-4303.

#### General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

For District projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

By submitting a letter of interest for the projects that request engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania. A firm not conforming to this requirement may submit a letter of interest as a part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

The letter of interest must include full disclosure of any potential conflict of interest by the prime or any subconsultant based on Engineering Involvement Restrictions Guidelines as established in Strike-off Letter No. 433-00-02 published March 27, 2000. If there are no potential conflicts you shall include the following statement: "I have reviewed Strike-off Letter No. 433-00-02 and determine that there are no potential conflicts of interest for anyone on this project team."

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit a Letter of Interest on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they are defined prior to the act, WBEs or combinations thereof).

Proposed DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

Letters of Interest for will be considered non-responsive and eliminated from further consideration for any of the following reasons:

1. Letters of Interest not received on time.
2. Project of interest is not identified.

3. An Annual Qualification Package for the prime consultant and all subconsultants is not on file with the organization receiving the Letter of Interest.

4. Conflict of Interest evaluation statement is not included.

5. A Disadvantaged Business Enterprise (DBE) participation goal is established for the Project Reference Number but no DBE/WBE is identified and no good faith effort is included.

6. Firm submitted a Letter of Interest on more than one (1) Joint Venture or a firm submitted a Letter of Interest as a prime and was also included as a subconsultant, to another firm. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm, or firms, involved.

In addition to the above reasons, a Letter of Interest for Construction Inspection Services will be considered non-responsive for any of the following reasons:

1. Prime consultant or any subconsultant does not have a Federal Acquisition Regulation (FAR) Audit Field Overhead Rate on file with the Department.
2. Using an individual's resume without including a letter granting the individual's approval for TCIS and higher positions.
3. Exceeding the maximum number of resumes in a payroll classification.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 00-1877. Filed for public inspection October 27, 2000, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meeting Dates

The following meetings of the Health Care Cost Containment Council have been scheduled: Wednesday, November 1, 2000, Data Systems Committee—10 a.m.; Education & Outreach Committee—1 p.m. Thursday, November 2, 2000, Council Meeting—10 a.m. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Individuals who need accommodation due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost

Containment Council, 225 Market Street, Harrisburg, PA 17101, or call (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 00-1878. Filed for public inspection October 27, 2000, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Sections 5(d) and 5(g) of the Regulatory Review Act (71 P. S. §§ 745.5(d) and 745.5(g)) provide that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in subsections 5.1(h) and 5.1(i) of the Regulatory Review Act (75 P. S. §§ 745.5a(h) and 745.5a(i)).

The Commission issued Comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
16A-674	State Board of Occupational Therapy Education and Licensure General Revisions	10/12/00	9/11/02
47-7	Milk Marketing Board Board Calculation of Bonding Obligation	10/12/00	9/11/02

### State Board of Occupational Therapy Education and Licensure Regulation No. 16A-674

#### General Revisions

**October 12, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The State Board of Occupational Therapy Education and Licensure must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by September 11, 2002, the regulation will be deemed withdrawn.

#### **1. Section 42.24 Code of Ethics.—Reasonableness.**

This section updates the regulation to reflect the 1994 American Occupational Therapy Association (AOTA) Code of Ethics. However, in April of this year, AOTA revised its

Code of Ethics. The Board should revise the final-form regulation to reflect the 2000 AOTA Code of Ethics.

### **Milk Marketing Board Regulation No. 47-7**

#### **Calculation of Bonding Obligation**

**October 12, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Pennsylvania Milk Marketing Board (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by September 11, 2002, the regulation will be deemed withdrawn.

#### **Section 151.9. Calculation of bonding obligation.—Clarity and Lack of ambiguity.**

##### *Subsection (a).*

Subsection (a) contains a citation to the Act, as well as a quote from the Act. We have three recommendations. First, the Board should include the citation to the Act in its preamble rather than in the text of the regulation. Second, statutory language may be explained, but there is no need to quote it. Finally, for greater clarity and readability, the final-form regulation should be written in the active voice.

##### *Subsections (b)(1) and (b)(2).*

Subsection (b)(1) includes the phrase "a purchase subject to minimum pricing fixed by the Board" and Subsection (b)(2) includes the phrase "a purchase not subject to minimum pricing fixed by the Board." How does a purchase subject to minimum pricing differ from a purchase not subject to minimum pricing? The Board should clarify in the final-form regulation the type of purchases included in each category.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 00-1879. Filed for public inspection October 27, 2000, 9:00 a.m.]

## INSURANCE DEPARTMENT

### **Appeal of Erie Insurance Exchange and Erie Insurance Group; Brenda L. Fultz; Doc. No. DO00-09-017**

On September 15, 2000, Erie Insurance Exchange and Erie Insurance Company (collectively "Erie" or "petitioner") filed a Petition for Declaratory Order seeking a determination by the Insurance Commissioner of Pennsylvania that Erie is not violating the Motor Vehicle Physical Damage Appraiser Act nor applicable regulations when its appraisers specify that repairs to damaged vehicles be made by using: (a) parts that were not made by the original equipment manufacturer (that is, non-OEM aftermarket parts); and/or (b) used parts that were made by the original equipment manufacturer (that is, used OEM parts).

On or before November 17, 2000, interested persons desiring to participate in this action must file a petition to intervene under 1 Pa. Code §§ 35.27—35.32 and agencies authorized to participate shall file a notice of intervention under 1 Pa. Code § 35.27(1). Petitions to inter-

vene and notices of intervention shall be filed with the Docket Clerk of the Administrative Hearings Office, Pennsylvania Insurance Department, Capitol Associates Building Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before December 8, 2000. Except as otherwise specifically provided herein, all protests, petitions and motions preliminary to hearing, and all answers to the petition for declaratory order, shall be filed on or before December 22, 2000.

Interested persons are reminded of the need to serve all parties with any document which is filed with the Administrative Hearings Office. Copies of pertinent docket material relating to this case may be obtained from Karen Bernhard, Docket Clerk, at the address listed previously, (717) 783-4819.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing, please contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-1880. Filed for public inspection October 27, 2000, 9:00 a.m.]

**Appeal of W. V. Hovis under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 99-304(F); Doc No. UT00-10-010**

A prehearing telephone conference shall be held on November 14, 2000 at 10 a.m. A date for a hearing shall be determined, if necessary, at the prehearing/settlement telephone conference.

Motions preliminary to those at hearing, protest, petitions to intervene or notices of intervention, if any, must be filed on or before October 31, 2000 with the Docket Clerk, Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any shall be filed on or before November 7, 2000.

Persons with a disability who wish to attend the above-referenced administrative hearing, 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. 00-1881. Filed for public inspection October 27, 2000, 9:00 a.m.]

**Application for Approval to Acquire Control of Pennsylvania Medical Society Liability Insurance Company**

NORCAL Mutual Insurance Company, a California domiciled insurer, has filed an application to acquire control of Pennsylvania Medical Society Liability Insurance Company, a Pennsylvania domiciled stock casualty insurance company. The initial filing was received on

October 16, 2000, and was made pursuant with requirements set forth under the Insurance Holding Companies Act (40 P. S. §§ 991.1401 —991.1413). Persons wishing to comment on the grounds of public or private interest in this acquisition are invited to submit a written statement to the Insurance Department within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; fax (717) 787-8557; e-mail cbybee@ins.state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-1882. Filed for public inspection October 27, 2000, 9:00 a.m.]

**Kim Marie Lee; Doc No. AG00-10-004**

A prehearing telephone conference initiated by the Administrative Hearings Office shall occur on November 8, 2000 at 9:30 a.m. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the General Rules of Administrative Practice and Procedure), 1 Pa. Code Part II and the Insurance Department's Special Rules of Administrative Practice and Procedure, 31 Pa. Code Chapter 56. A date for a hearing shall be determined, if necessary, at the prehearing telephone conference. At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter. No prehearing memoranda or other written submissions are required for the prehearing telephone conference; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference. Except as established at the prehearing conference, both parties shall appear at the scheduled hearing, if necessary, prepared to offer all relevant testimony or other 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. Motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed on or before October 30, 2000 with the Docket Clerk, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before November 6, 2000. The Presiding Officer will consider a written request for continuance for the scheduled prehearing telephone conference, for good cause only. Prior to requesting a continuance, a party must contact the opposing party. All continuance requests must indicate whether the opposing party objects to a continuance.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodations to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-1883. Filed for public inspection October 27, 2000, 9:00 a.m.]

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodations to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-1884. Filed for public inspection October 27, 2000, 9:00 a.m.]

### Paul E. Kuntz; License Denial; Doc No. AG00-10-001

A prehearing telephone conference initiated by the Administrative Hearings Office shall occur on November 1, 2000 at 10:30 a.m. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) and the Insurance Department's Special Rules of Administrative Practice and Procedure, 31 Pa. Code Chapter 56. A hearing shall occur on November 15, 2000 at 10 a.m. At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter. On or before October 20, 2000, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Except as established at the prehearing conference, both parties shall appear at the scheduled hearing, if necessary, prepared to offer all relevant testimony or other 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. Motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed on or before October 20, 2000 with the Docket Clerk, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before October 27, 2000. The Presiding Officer will consider a written request for continuance for the scheduled prehearing telephone conference, for good cause only. Prior to requesting a continuance, a party must contact the opposing party. All continuance requests must indicate whether the opposing party objects to a continuance.

### 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 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 Administrative Hearings Office, Room 2000, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Arun Mallik; file no. 00-188-06082; CNA Insurance Company; doc. no. P00-10-009; November 7, 2000, at 10 a.m.;

Appeal of Philip W. Jr. and Brenda Drayden; file no. 00-188-05619; State Farm Insurance Company; doc. no. P00-10-007; November 9, 2000, at 10 a.m.;

Appeal of Sudantha K. Vidanage; file no. 00-181-06455; American International Insurance Co.; doc. no. P00-10-012; November 15, 2000, at 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the 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 above-referenced administrative hearing 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. 00-1885. Filed for public inspection October 27, 2000, 9:00 a.m.]

### United Services Automobile Association Homeowners Program Rate Revision

On October 16, 2000, the Insurance Department received from United Services Automobile Association a filing for a rate level change for homeowners insurance.

The company requests an overall 0.2% increase amounting to +\$37,000 annually, to be effective February 1, 2001.

Unless formal administrative action is taken prior to December 15, 2000 the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at mburkett@ins.state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Secretary*

[Pa.B. Doc. No. 00-1886. Filed for public inspection October 27, 2000, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:  
Delaware County, Wine & Spirits Shoppe #2333, Barclay Square Shopping Center, 1500 Garrett Road, Upper Darby, PA 19082-4519.

*Lease Expiration Date:* June 30, 2001

Lease retail commercial space to the Commonwealth of

Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of 1500 Garrett Road.

*Proposals due:* November 17, 2000 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** James M. Bradley, (215) 482-9670

Luzerne County, Wine & Spirits Shoppe #4007, 1 Colonial Village, Nanticoke, PA 18634-1618.

*Lease Expiration Date:* May 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,800 to 3,400 net useable square feet of new or existing retail commercial space within the City of Nanticoke or in the adjacent portions of the surrounding municipalities.

*Proposals due:* November 17, 2000 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Ronald Hancher, Jr., (717) 657-4228

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 00-1887. Filed for public inspection October 27, 2000, 9:00 a.m.]

## PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

### Change of Location of Meeting

The scheduled meetings of Fiscal Year 2000-01 of the Pennsylvania Infrastructure Investment Authority (PENNVEST) Board of Directors will be held on Wednesday, November 15, 2000, and Wednesday March 21, 2001, at 10 a.m. in a reserved section of the Ballroom on the second floor of Crowne Plaza Harrisburg, 23 South Second Street, Harrisburg, Pennsylvania.

Persons requiring ADA accommodations should contact Elaine Keisling (717) 783-4494.

PAUL K. MARCHETTI,  
*Executive Director*

[Pa.B. Doc. No. 00-1888. Filed for public inspection October 27, 2000, 9:00 a.m.]

# PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

## Financial Statement

Under section 207 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (act of June 5, 1991 (P. L. 9, No. 6)) the Pennsylvania Intergovernmental Cooperation Authority (Authority) is required to publish a "concise financial statement" annually in the *Pennsylvania Bulletin*. The Authority has issued its annual report for its fiscal year ended June 30, 2000, which includes an audit for the period performed in accordance with generally accepted auditing standards by an independent firm of certified public accountants. The complete annual report of the Authority may be obtained from the Authority at 1429 Walnut Street, 14th floor, Philadelphia, PA 19102, (215) 561-9160.

JOSEPH C. VIGNOLA,  
*Executive Director*

### SUMMARY PUBLISHED UNDER SECTION 207 OF ACT 1991-6 OF THE COMMONWEALTH OF PENNSYLVANIA

#### PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

#### CONDENSED BALANCE SHEET JUNE 30, 2000

##### ASSETS

Current Assets:	
Cash and short-term investments	\$ 164,870,107
PICA taxes receivable	3,619,922
Accrued interest receivable	518,847
Interfund receivable	235,448
Total current assets	169,244,324
PROPERTY, PLANT AND EQUIPMENT—Office furniture and equipment	154,979
OTHER ASSETS—Prepaid rent and security deposit	11,545
AMOUNT AVAILABLE IN DEBT SERVICE FUNDS FOR RETIREMENT OF LONG-TERM DEBT	88,796,161
AMOUNT TO BE PROVIDED FOR RETIREMENT OF LONG-TERM DEBT	870,623,839
TOTAL ASSETS	\$1,128,830,848

##### LIABILITIES AND FUND EQUITY

CURRENT LIABILITIES:	
Accounts payable	\$ 71,969
Accrued payroll and taxes	332,986
Due to the City of Philadelphia	3,861,164
Bonds payable—current portion	57,570,000
Interfund payable	235,448
Total current liabilities	62,071,567
BONDS PAYABLE—Long-term portion	901,850,000
FUND EQUITY:	
Fund balances:	
Unreserved	352,331
Reserved for debt service	88,796,161
Reserved for the benefit of the City of Philadelphia	73,689,810
Reserved for subsequent PICA administration	1,916,000
Total fund balances	164,754,302
Investment in general fixed assets	154,979
TOTAL LIABILITIES AND FUND EQUITY	\$1,128,830,848



**CONDENSED STATEMENT OF REVENUES, EXPENDITURES AND  
CHANGES IN FUND BALANCES  
YEAR ENDED JUNE 30, 2000**

REVENUES:	
PICA taxes	\$ 259,059,205
Interest earned on investments	14,688,848
Total revenues	273,748,053
EXPENDITURES:	
Grants to the City of Philadelphia	175,696,385
Debt service:	
Principal	54,675,000
Interest	52,396,149
Administration:	
Operations	1,190,045
Capital outlay	28,700
Debt issuance costs	10,017
Total expenditures	283,996,296
EXCESS OF EXPENDITURES AND OTHER USES OVER REVENUES AND OTHER SOURCES	(10,248,243)
FUND BALANCES, JULY 1, 1999	175,002,545
FUND BALANCES, JUNE 30, 2000	\$ 164,754,302

[Pa.B. Doc. No. 00-1889. Filed for public inspection October 27, 2000, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Certificates of Public Convenience Without Hearing

**A-210910 F0002; A-210017 F0002; A-213180; A-212105; and A-211210. Fawn Lake Forest Water Company et al.** Joint Application for Certificates of Public Convenience approving the transfer of control of 1) Fawn Lake Forest Water Company, 2) Western Utilities, Inc., 3) Waymart Water Company, 4) Northeastern Utilities, Inc., and 5) Hawley Water Company, to Philadelphia Suburban Corporation.

This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before November 13, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* Fawn Lake Forest Water Company, Western Utilities, Inc., Waymart Water Company, Northeastern Utilities, Inc., Hawley Water Company, Philadelphia Suburban Corporation.

*Through and By Counsel:* D. Mark Thomas, Esquire, Patricia Armstrong, Esquire, Thomas T. Niesen, Esquire, Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, P. O. Box 9500, Harrisburg, PA 17108-9500.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-1890. Filed for public inspection October 27, 2000, 9:00 a.m.]

### Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Commu- nications Commission in its Order released July 20, 2000—Thousands-Block Number Pooling; M-00001427

Public Meeting held  
October 13, 2000

*Commissioners Present:* John M. Quain, Chairperson;  
Robert K. Bloom, Vice Chairperson; Nora Mead  
Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

#### Tentative Order

*By the Commission: Introduction*

Both Federal and state statutes have created the opportunity for new telephone companies to compete against existing companies for local telephone business.<sup>1</sup> These statutes were designed to foster competition in the telecommunications marketplace with the hope of ultimately lowering prices and improving choices for consumers. Unfortunately, however, the proliferation of fax machines, computer modems, cellular phones, and competitive carriers in the local service market have created an unprecedented demand for NXX codes.<sup>2</sup> Consequently, area codes are rapidly exhausting in Pennsylvania and Nationwide.

<sup>1</sup>See, The Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C. § 251(e)(1), and Chapter 30 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 3001-3009.

<sup>2</sup>NXX codes are the three digits following the area code in a 10-digit telephone number. Under the current infrastructure, telephone numbers are assigned to carriers by NXX code (which contains 10,000 numbers). Consequently, even if a carrier has only ten customers, 10,000 numbers are still assigned in that area code causing 9,990 numbers to remain unused and unavailable. The result of this is that the amount of NXX codes in an area code exhaust so that a new area code needs to be instituted to generate new NXX codes, and hence, new numbers available for assignment.

The Commission, in addition to other state and Federal regulators as well as the telecommunications industry, has been dedicated to finding a solution for this complex numbering problem for several years. Efforts have focused both on developing methods of allocating numbers more efficiently and on developing methods for increasing carriers' accountability for the numbering resources they obtain. Number pooling is a number conservation measure with the potential of significantly slowing the depletion numbering resources. "Pooling" refers to sharing spare resources and thousands-block pooling (1K pooling) is a method of assigning those resources. In number pooling, there is an inventory of telephone numbers that participating service providers<sup>3</sup> share and use in groups of 1,000 numbers. The entity responsible for monitoring the pool and allocating the resources in the pool is known as the Pooling Administrator (PA). Numbers are added to the pool through 1,000 block (or NXX-X) donations from service providers as well as through 10,000 block (or NXX) code assignments made by the Code Administrator to the PA.

The Commission has long advocated the benefits of 1K pooling for Pennsylvania and has been attempting to implement this number conservation measure for over three years. The Commission first ordered 1K pooling to be implemented in the 717, 215, and 610 numbering plan areas (NPAs) in its July 15, 1997 order at docket numbers P-00961027, P-00961061, and P-00961071. Unfortunately, however, the Federal Communications Commission (FCC) curtailed the Commission's efforts in the fall of 1998 by ruling that the Commission did not have the authority to implement such a measure without receiving approval from the FCC.<sup>4</sup> But, the FCC did determine that state commissions could file petitions with it requesting such authority. Consequently, the Commission filed its Petition for Delegated Authority to Implement Number Conservation Measures, CC Docket No. 96-98, on December 27, 1999 and requested, among other initiatives, the authority to implement 1K pooling.

On March 31, 2000, the FCC released its National number pooling order<sup>5</sup> which establishes, in addition to other number conservation measures, a National framework for 1K pooling and a National roll out for pooling to begin once the FCC names a National PA. Regarding the Commission's request to implement 1K pooling in Pennsylvania, the FCC's March 31, 2000 order asked the Commission to file a supplement to its pending petition for delegated authority demonstrating that: 1) an NPA is

in jeopardy, 2) the NPA in question has a remaining life span of at least a year, and 3) that the NPA is in one of the largest 100 Metropolitan Statistical Areas (MSAs)<sup>6</sup>, or alternatively, that the majority of wireline carriers in the NPA are LNP-capable.

The Commission filed its Supplement to its Petition for Delegated Authority to Implement Number Conservation Measures on April 25, 2000. The Commission asserted that both 412 and 610/484 fit within the above definition and would be appropriate for 1K pooling. Also, the Commission indicated that the 724, 717, 570, 215/267 NPAs, would benefit from 1K pooling based on the history of their life expectancy and the Commission's experience with them since 1996.

On July 20, 2000, the FCC issued an order (FCC Order) granting the Commission's request to implement 1K pooling on an interim trial basis.<sup>7</sup> The Commission is anxious to implement 1K pooling in Pennsylvania and remains committed to having adequate numbering resources available to all telecommunications providers while being mindful of the impact of proliferating new area codes on Pennsylvania's citizens. By implementing 1K pooling in combination with other number conservation measures,<sup>8</sup> the Commission will better ensure that telecommunications carriers have adequate numbering resources without needing to resort to adding new area codes. Before implementing 1K pooling, however, the Commission is requesting comments from consumers, the telecommunications industry, and other interested parties as discussed below.

### Discussion

#### I. Where Should Pennsylvania's First Interim Pooling Trial be Implemented?

Pursuant to paragraphs 45 and 46 of the FCC Order, the Commission can implement 1K pooling in the Philadelphia MSA and the Pittsburgh MSA. Further, the Commission can implement 1K pooling in any new NPA implemented in these two NPAs. However, the Commission must first implement 1K pooling in a single MSA and may not expand to another MSA until pooling has been fully implemented in the initial one.

Therefore, the Commission is seeking comments on whether its first 1K interim pooling trial should be implemented in the Pittsburgh MSA (which is the 412 NPA) or the Philadelphia MSA (which consists of the 610/484 NPA). Specifically, the Commission is interested in which MSA would be more favorable than the other for implementation of an interim 1K pooling trial. Also, the Commission would like to know what effect pooling would have in each MSA. Finally, the Commission invites comments regarding the technical aspects of 1K pooling, the ability of various carriers to participate in the pooling trial, and the experiences carriers have had while participating in pooling trials in other states.

<sup>6</sup>MSAs are geographic areas designated by the Bureau of Census for purposes of collecting and analyzing data. The boundaries of MSAs are defined using statistics that are widely recognized as indications of metropolitan character. See *Policy and Rules Concerning Rates for Dominant Carriers*, Memorandum Opinion and Order, 12 FCC Rcd 8115, 8122 (1997).

<sup>7</sup>In the *Matter of Numbering Resource Optimization*, CC Docket Nos. 99-200, 96-98, NSD File No. L-99-101. Beyond 1K pooling, this order also grants the Commission authority to do the following: 1) maintain rationing procedures for 6 months following implementation of NPA relief, 2) implement NXX code sharing (after investigating it, reporting results to FCC, and determining that it is feasible and economically viable), and 3) hear and address claims for an extraordinary need for numbering resources in an NPA subject to a rationing plan.

<sup>8</sup>See *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000—NXX Code Reclamation*, Docket No. M-00001373 (Order entered August 22, 2000), 30 Pa. B. 4701 (September 2, 2000) (Commission established process for reclaiming NXX codes from carriers who have failed to activate them within 6 months of their availability for assignment to customers.)

<sup>3</sup>To be able to participate in 1K pooling a carrier must be LNP-capable. See *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574, ¶ 116 (2000). Although the telephone network is designed to route traffic based on the assignment of an NXX code (10,000 numbers) to one specific carrier, the introduction of local number portability (LNP) has begun to make the network more flexible. Because LNP enables the switch-specific restriction of telephone number assignments to be removed, any telephone number can be assigned to any switch offering service in the telephone number's rate center. Consequently, all LNP-capable providers who service a particular rate area can share all telephone number resources. By making the entire spare number inventory available to many providers, telephone number utilization can be improved and NPA lives extended. Service providers who cannot participate in the pool would continue to receive NXX codes from the code administrator in 10,000 blocks.

<sup>4</sup>In the *Matter of Petition for Declaratory Ruling and Request for Expedited Action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Memorandum Opinion and Order and Order on Reconsideration, 13 FCC Rcd 190029 (1998) *recon. pending*.

<sup>5</sup>See *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574 (2000). In this Report and Order, the FCC established new policies and rules to reduce the need for new area codes and addressed two of the major factors that contribute to numbering resource exhaust—the absence of regulatory, industry, or economic control over requests for numbering resources and the allocation of numbers in blocks of 10,000 regardless of the carrier's actual need. In addition, the FCC mandated that carriers assign all available telephone numbers within an opened thousands-block before opening another thousands-block and this requirement applies to both a carrier's existing numbering resources and any future numbering resources. See *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574 ¶ 244 (2000).

The following information about each NPA is being offered to aid commenters in their response:

### A. The 412 NPA

The 412 NPA was one of Pennsylvania's original four area codes. On July 15, 1997, 412 was split by Commission order at Docket No. P-00961027 with the new 724 NPA activated on February 1, 1998. Relief planning again became necessary for the 412 NPA on November 29, 1999 when it was declared to be in jeopardy<sup>9</sup> by the North American Numbering Plan Administrator (NANPA).<sup>10</sup> On July 9, 1999 an industry consensus was reached to institute an all services multiple overlay. Therefore, on August 1, 2001, the 878 NPA will be activated and will overlay both the 412 and the 724 geographic areas.

The 412 NPA encompasses Allegheny county. There are approximately 23 rate centers in this area. Also, approximately 21 of the telecommunications carriers in this area are LNP-capable, they presently hold 433 NXX codes in the 412 NPA, and they are able to participate in the pool. According to the Commission's data<sup>11</sup>, the average utilization rate for the 412 NPA is 55%.<sup>12</sup>

As of September 19, 2000, 130 NXX codes were available for assignment in the 412 NPA. The projected exhaust date, as calculated by the NANPA in May 2000, for the 412 NPA is third quarter 2002. Currently, the telecommunications industry has agreed to ration NXX codes at the rate of six per month because of the 412 NPA's continuing jeopardy status.<sup>13</sup> According to the industry consensus plan, however, the jeopardy status will end upon activation of the new 878 NPA in August 2001 and NXX codes will no longer be rationed.

### B. The 610/484 NPA

The 610 NPA was activated on January 7, 1995 as a split of Pennsylvania's original 215 NPA. Then, on May 21, 1998, the 610 NPA was overlaid by 484 pursuant to Commission order at Docket No. P-00961061, and the 484 NPA was activated on June 5, 1999. Further relief planning became necessary for the 610/484 NPA on November 29, 1999 when it was declared to be in jeopardy by the NANPA. On December 2, 1999, an industry consensus was reached to institute an all services distributed overlay. Therefore, on May 1, 2001, the 835 NPA will be activated and will encompass the 610/484 geographic area.

The counties covered by the 610/484 NPAs are Berks, Chester, Delaware, Lehigh, Montgomery, and Northampton. There are approximately 88 rate centers in this area. Also, approximately 68 of the telecommunications

carriers in this area are LNP-capable, they presently hold 1071 NXX codes in the 610/484 NPAs, and they are able to participate in the pool. According to the Commission's data<sup>14</sup>, the average utilization rate for the 610/484 NPA is 46%.<sup>15</sup>

As of September 19, 2000, 207 NXX codes were available for assignment in the 610/484 NPA. The projected exhaust date, as calculated by NANPA in May 2000, for the 610/484 NPA is third quarter 2002. Currently, the industry has agreed to ration NXX codes at the rate of 10 per month because of the 610/484 NPA's continued jeopardy status. According to the industry consensus plan, however, the jeopardy status will end upon activation of the new 835 NPA in May 2001 and NXX codes will no longer be rationed. Additionally, there are 15 uncontaminated NXX codes that were reserved by the Commission in its May 21, 1998 order at Docket No. P-00961061 for future number conservation measures. Consequently, these NXX codes are available for donation to the pool in a 1K pooling trial.

## II. The Date Established for Pennsylvania's First Interim Pooling Trial

Because the Commission is dedicated to implementing Pennsylvania's first interim pooling trial as early as possible and because other states have been able to implement their pooling trials anywhere from 1 month to 6 months after the final pooling order, the Commission has determined that Pennsylvania's first interim 1K pooling trial should be fully implemented on March 1, 2001. This date reflects the 20 day comment period established by this tentative order, the Commission's review of those comments, and the issuance of a final 1K pooling order no later than the December 20, 2000 public meeting. If, however, March 1, 2001 is not feasible for valid reasons, commenters are invited to explain these reasons to the Commission and propose the earliest possible date that a 1K pooling trial can begin in Pennsylvania.

## III. Who Should Implement Pennsylvania's First Interim Pooling Trial?

Once the Commission has determined where to implement its first 1K interim pooling trial, a decision regarding who should assume the responsibility as the interim PA needs to be made. The Commission, in its final 1K pooling order, will name the interim PA. The Commission is currently aware that both NeuStar, Inc. and Telecordia Technologies, Inc. are interested in serving as the interim PA. The Commission is seeking comments from both of these companies, as well as any other interested company, regarding their qualifications, experience, and ability to implement a successful interim pooling trial in Pennsylvania. Also, the Commission is interested in the industry's opinion regarding who should be selected as the interim PA since the industry will be working closely with the chosen interim PA.

<sup>9</sup>Pursuant to the Central Office Code (NXX) Assignment Guidelines, "a jeopardy condition exists when the forecasted and/or actual demand for NXX resources will exceed the known supply during the planning/implementation interval for relief." Central Office Code (NXX) Assignment Guidelines at 48 (INC 95-0407-008, June 19, 2000). A copy of these guidelines can be obtained from www.atis.org.

<sup>10</sup>The NANPA is the entity that allocates numbering resources and monitors the viability of area codes to determine when all of the numbers available in the area code are nearing exhaust.

<sup>11</sup>By Opinion and Order entered October 23, 1998, Docket Numbers P-00961027, P-00961061, and P-00961071, the Commission exercised its plenary statutory powers, under 66 Pa.C.S.A. §§ 501 and 505, and directed all carriers to submit all data concerning fill of existing exchange codes, assignment of numbers and remaining number availability.

<sup>12</sup>Reporting from 85% of Pennsylvania's NXX code holders on October of 1999 showed that the utilization rate in the 412 NPA was 54%. Reporting from 60% of the Pennsylvania NXX code holders in June of 2000 showed that the utilization rate in the 412 NPA was 56%. Note that this data is based on reporting from the carriers prior to the FCC's March 31, 2000 national pooling order; therefore, reportedly "used" NXX codes presumably include those numbers now defined by the FCC as assigned, intermediate, reserved, aging, and administrative numbers. See *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574 ¶¶ 11-36 (2000).

<sup>13</sup>The Industry Numbering Committee Guidelines provide that when an area code is in a jeopardy situation the NANPA convenes a meeting of the industry to discuss and adopt a consensus plan for rationing the numbers in the area code. *Central Office Code (NXX) Assignment Guidelines*, INC 95-0407-008, June 19, 2000 at § 9.0.

<sup>14</sup>By Opinion and Order entered October 23, 1998, Docket Numbers P-00961027, P-00961061, and P-00961071, the Commission exercised its plenary statutory powers, under 66 Pa. C.S.A. §§ 501 and 505, and directed all carriers to submit data concerning fill of existing exchange codes, assignment of numbers and remaining number availability.

<sup>15</sup>Reporting from 85% of Pennsylvania's NXX code holders in October of 1999 showed that the utilization rate in the 610 NPA was 58% and in the 484 NPA it was 53%. Reporting from 60% of the Pennsylvania NXX code holders in June of 2000 showed that the utilization rate in the 610 NPA was 60% and in the 484 NPA it was 12%. Since the 610/484 NPAs cover the same area, all these utilization rates were added together and then averaged. Note that this data is based on reporting from the carriers prior to the FCC's March 31, 2000 national pooling order; therefore, reportedly "used" NXX codes presumably include those numbers now defined by the FCC as assigned, intermediate, reserved, aging, and administrative numbers. See *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574 ¶¶ 11-36 (2000).

Once the interim PA is chosen, the interim PA and the industry<sup>16</sup> will negotiate a contract regarding cost allocation and cost recovery. The Commission will be involved with those negotiations and will issue an order at a later date finalizing the cost recovery and cost allocation associated with its interim 1K pooling trial. The Commission, however, can continue forward with implementation of its the 1K pooling trial without the specific details of this issue being finalized.

#### Conclusion

Because the Commission is concerned about the current availability and usage of numbering resources and the impact of proliferating new area codes on consumers as well as telecommunications carriers, the Commission intends to implement its first interim 1K pooling trial on March 1, 2001. By taking this step to conserve and more efficiently use valuable numbering resources, the Commission will better ensure that telecommunications carriers have adequate numbering resources to operate in Pennsylvania; *Therefore,*

#### *It Is Ordered That:*

1. Comments regarding this tentative order be filed with the Commission no later than 20 days after this tentative order is published in the *Pennsylvania Bulletin*. No reply comments will be permitted.

2. A copy of this order be served on all jurisdictional telecommunications carriers, wireless carriers, the Office of Consumer Advocate, the Office of Small Business Advocate, the North American Number Plan Administrator and Telecordia Technologies, Inc. c/o Michael Knapp, Executive Director, 2020 K Street, NW Suite 400, Washington, DC 20006.

3. A copy of this tentative order shall be published both in the *Pennsylvania Bulletin* and on the Commission's website.

JAMES. J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-1891. Filed for public inspection October 27, 2000, 9:00 a.m.]

#### Telecommunications Without Hearing

**A-310923F0002AMD. Adelpia Business Solutions Operations, Inc.** Application of Adelpia Business Solutions Operations, Inc., for approval to offer, render, furnish or supply telecommunications services as a competitive local exchange carrier to the public in the Commonwealth of Pennsylvania in the areas served by Pymatuning Independent Telephone Company. This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before November 13, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* Adelpia Business Solutions Operations, Inc.

<sup>16</sup>The industry will be represented by the LLC which is an industry group established in each of the original Bell Operating Companies to manage the local number portability administrators and cost recovery mechanisms.

*Through and By Counsel:* Kathleen Misturak-Gingrich, Esquire, David L. Bricker, Esquire, Eckert Seamans Cherin and Mellott, LLC, 213 Market Street, 8th Floor, P. O. Box 1248, Harrisburg, PA 17101.

JAMES. J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-1892. Filed for public inspection October 27, 2000, 9:00 a.m.]

#### Telecommunications

**A-310513F0002. Denver and Ephrata Telephone and Telegraph Company d/b/a D&E Telephone Company and Sprint Spectrum L. P. d/b/a Sprint PCS.** Joint Petition of Denver and Ephrata Telephone and Telegraph Company d/b/a D&E Telephone Company and Sprint Spectrum L.P. d/b/a Sprint PCS for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Denver and Ephrata Telephone and Telegraph Company d/b/a D&E Telephone Company and Sprint Spectrum L.P. d/b/a Sprint PCS, by its counsel, filed on October 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 Denver and Ephrata Telephone and Telegraph Company d/b/a D&E Telephone Company and Sprint Spectrum L.P. d/b/a Sprint PCS 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. 00-1893. Filed for public inspection October 27, 2000, 9:00 a.m.]

#### Transfer by Sale Without Hearing

**A-212285 F0077; A-230073 F0003; A-211770 F2000; and A-230242 F2000. Pennsylvania-American Water Company and LP Water and Sewer Company.** Joint Application of Pennsylvania-American Water Company and LP Water and Sewer Company for Approval of 1) The Transfer, By Sale, of the Water Works Property and Rights of LP Water and Sewer Company to Pennsylvania-American Water Company; 2) the Commencement by Pennsylvania-American Water Company to Begin to Offer or Furnish Water Service and Wastewater Service in the Certificated Service Territory of LP Water and Sewer

Company; 3) the Commencement of Pennsylvania-American Water Company to Begin to Offer or Furnish Water Service and Wastewater Service to the Public in Additional Portions of Lehman Township, Pike County, and Middle Smithfield Township, Monroe County, Pennsylvania, and 4) the Abandonment by LP Water and Sewer Company of all Water Service and all Wastewater Service to the Public. This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before November 13, 2000, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company, LP Water and Sewer Company.

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan D. Simms, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033, and Thomas V. Casale, Esquire, Route 209 North, P. O. Box 447, Bushkill, PA 18324.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 00-1894. Filed for public inspection October 27, 2000, 9:00 a.m.]

## STATE ATHLETIC COMMISSION

### Change of Meeting

The Pennsylvania State Athletic Commission (Commission) has changed their meeting from October 30, 2000 to November 6, 2000 at 11 a.m. at the Commission Offices, 116 Pine Street, 3rd Floor.

If there are any questions concerning this change, call the Commission at (717) 787-5720.

GREGORY P. SERB,  
*Executive Director*

[Pa.B. Doc. No. 00-1895. Filed for public inspection October 27, 2000, 9:00 a.m.]

## STATE BOARD FOR VOCATIONAL EDUCATION

### Petition for Change in Area Vocational Technical School Attendance Areas

The State Board for Vocational Education (Board) has received a portion from the Upper Adams School District (School District), requesting a change in the area vocational technical school (AVTS) attendance areas so that the School district might become eligible to participate as a member district of the Cumberland Perry Area Vocational Technical School. This applicaiton has been made under section 1849 of the Public School Code of 1949 (24 P. S. § 18-1849) and 22 Pa. Code § 4.35(a).

Please note that the Board will take action on the application at its next public meeting, November 16, 2000, unless it should receive a written request for public hearing, along with a notice of intervention, a petition to intervene or protest, filed in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention). Interested persons are also invited to submit written comments on the request to the Board.

Public comment, requests for public hearing, petitions to intervene, and protest shall be filed with the Board within 14 days of publication of this notice in the *Pennsylvania Bulletin* and addressed to Dr. Peter H. Garland, Executive Director, State Board of Education, First Floor, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-3787. Copies of the application can be obtained from Dr. Garland.

Persons with a disability who wish to attend the Board meeting, or hearing if one is held, and require auxiliary aid, service or other accommodations to participate should contact Dr. Garland to discuss how the Board may best accommodate their needs.

PETER H. GARLAND,  
*Executive Director*

[Pa.B. Doc. No. 00-1896. Filed for public inspection October 27, 2000, 9:00 a.m.]