

# PENNSYLVANIA BULLETIN

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**Agencies in this issue:**

The General Assembly  
The Courts  
Department of Banking  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Transportation  
Environmental Hearing Board  
Independent Regulatory Review Commission  
Insurance Department  
Liquor Control Board  
Pennsylvania Emergency Management Agency  
Pennsylvania Public Utility Commission  
Public School Employees' Retirement Board  
State Athletic Commission

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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 312, November 2000**

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**PENNSYLVANIA**



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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## ***Pennsylvania Bulletin***

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

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

### **Citation to the *Pennsylvania Bulletin***

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

**SUBSCRIPTION INFORMATION: (717) 766-0211  
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### Printing Format

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2000.

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# THE GENERAL ASSEMBLY

## Recent Actions During the 2000 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2000 Regular Session.

### 2000 ACTS—ACTS 69 through 84

(numerical)

<i>Act No.</i>	<i>Enactment Date</i>	<i>Bill No.</i>	<i>Printer's No.</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2000-69	Oct. 11	HB1424	PN3957	60 days	Fourth to Eighth Class County Assessment Law, The—valuation changes, building permit issuance and improvement information
2000-70	Oct. 11	HB1863	PN3958	60 days	Second Class Township Code, The—letting contracts without advertising, bidding or price quotations
2000-71	Oct. 18	HB398	PN3148	60 days	Speech-Language and Hearing Licensure Act—powers and duties of board and impaired professionals
2000-72	Oct. 18	HB2037	PN2605	60 days	Military and Veterans Code (51 Pa.C.S.)—unemployment compensation benefits
2000-73	Oct. 18	HB1140	PN4085	60 days	County Code, The—third class county convention center authorities alternative authority and authority to sell or lease real property
2000-74	Oct. 18	HB1473	PN3704	60 days	Combustible and Flammable Liquids Act—omnibus amendments
2000-75	Oct. 18	HB2200	PN4003	60 days	Board of Vehicles Act—omnibus amendments
2000-76	Oct. 18	HB2209	PN3528	60 days	Volunteer Health Services Act—prescription of family member medication by doctors with volunteer licenses
2000-77	Oct. 18	HB2481	PN3385	60 days	Real Estate Appraisers Certification Act—application and qualifications
2000-78	Oct. 18	SB618	PN2204	60 days	Controlled Substance, Drug, Device and Cosmetic Act, The—controlled substance addition
2000-79	Oct. 18	SB648	PN2218	Immediately	Local Option Small Games of Chance Act—prize limits and weekly drawings
2000-80	Oct. 18	SB1109	PN2147	60 days	Crimes Code (18 Pa.C.S.)—cruelty to animals and discrimination on account of guide, signal or service dog or other aid animal
2000-81	Oct. 18	SB1219	PN1970	Immediately	Cosmetology Law—management of cosmetology shops and booth rentals
2000-82	Oct. 18	SB1223	PN2176	30 days	Real Estate Tax Sale Law—tax claim discharge, property purchase at tax sale prohibition and landlord licensing ordinances
2000-83	Oct. 18	SB1271	PN2134	60 days	Improvement of Deteriorating Real Property or Areas Tax Exemption Act—exemption schedules
2000-84	Oct. 18	SB1299	PN1677	Immediately	Judiciary Code (42 Pa.C.S.)—admissibility of certain statements

### Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

**Advance Copies of Statutes**

Section 1106 of Title 1 of the Pennsylvania Consolidated Statutes provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the Laws of Pennsylvania are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the Laws of Pennsylvania to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, State Records Center Building, 1825 Stanley Drive, Harrisburg, PA 17103, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

CARL L. MEASE,  
*Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 00-1900. Filed for public inspection November 3, 2000, 9:00 a.m.]

# THE COURTS

## Title 207—JUDICIAL CONDUCT

### PART IV. COURT OF JUDICIAL DISCIPLINE

[207 PA. CODE CHS. 1 AND 3]

#### Amendment to the Rules of Procedure of the Court of Judicial Discipline; Doc. No. 1 JD 94

*Per Curiam*

#### Order

And Now, this 24th day of October, 2000, the Court, pursuant to Article 5, Section 18(b)(4) of the Constitution of Pennsylvania, having adopted a proposed amendment to Rules of Procedure 102, 110, 301 and 302, as more specifically hereinafter set forth, *It Is Hereby Ordered That:*

Court Administrator Wanda W. Sweigart provide for the publication of the Amendment in the *Pennsylvania Bulletin*, and

Interested parties shall submit suggestions, comments, or objections no later than thirty days from the publication of this Order in that Bulletin.

#### Annex A

### TITLE 207. JUDICIAL CONDUCT

#### PART IV. COURT OF JUDICIAL DISCIPLINE

##### ARTICLE I. PRELIMINARY PROVISIONS

##### CHAPTER 1. GENERAL PROVISIONS

##### IN GENERAL

#### Rule 102. Definitions.

\* \* \* \* \*

*Petition for Relief* is a document filed pursuant to these Rules to initiate proceedings other than formal charges in the Court.

**Preliminary Conference Judge** is a member of the Court appointed by the President Judge when deemed appropriate to convene and preside at a preliminary conference.

\* \* \* \* \*

#### Rule 110. Entry of Appearance.

\* \* \* \* \*

(B) The entry of appearance shall include counsel's name, address, phone number, and Pennsylvania Supreme Court Identification Number. Admission Pro Hoc Vice shall be in accordance with the Pennsylvania Bar Admission Rules.

**Official Note:** Counsel should file an entry of appearance within 15 days of service of the Board Complaint or a Preliminary Conference Judge will be appointed in accordance with Rule 301(B).

### ARTICLE II. PROCEEDINGS BASED ON THE FILING OF FORMAL CHARGES

#### CHAPTER 3. INITIATION OF FORMAL CHARGES

Rule 301. Initiating Formal Charges; **Preliminary Conference Judge**; Conference Judge; Scheduling.

(A) *Board Complaint.* Proceedings in the Court shall be commenced by the filing of a Board Complaint with the Clerk and concurrent service of the Board Complaint on the Judicial Officer.

(B) *Appointment of Preliminary Conference Judge.* If the Clerk does not receive an entry of appearance for the Judicial Officer within 15 days of service of the Complaint as specified in Rule 302(B), the Clerk shall so notify the President Judge. Within five (5) days of receipt of such notification the President Judge shall appoint a member of the Court to serve as Preliminary Conference Judge.

(C) *Duties of Preliminary Conference Judge.* As soon as practicable after appointment, the Preliminary Conference Judge shall schedule and conduct a preliminary conference at which the Judicial Officer shall be advised of his right to be represented by counsel.

[ (B) ] (D) \* \* \*

[ (C) ] (E) \* \* \*

[ (D) ] (F) \* \* \*

#### Rule 302. Contents of Board Complaint.

(A) For each charge against the Judicial Officer, the Board Complaint shall:

(1) state in plain and specific language the nature of the charge;

(2) specify the allegations of fact upon which the charge is based.

(B) The Board Complaint shall contain a notice to the Judicial Officer advising the Judicial Officer to engage an attorney to represent him before the Court in connection with the charges set out in the Board Complaint and directing that the attorney shall file an entry of appearance within 15 days of the service of the Board Complaint. The notice shall be substantially in the following form:

You have an absolute right to be represented by a lawyer in all proceedings before the Court of Judicial Discipline. Your attorney should file an entry of appearance with the Court of Judicial Discipline within 15 days of the service of this Complaint in accordance with C.J.D.R.P. No. 302(B).

(C) If an entry of appearance is not filed within the time specified in paragraph (B), the Clerk shall immediately notify the President Judge.

(D) Within five (5) days of notification by the Clerk as in paragraph (C), the President Judge shall appoint a member of the Court to serve as Preliminary Conference Judge. The Preliminary Conference Judge shall then proceed in accordance with C.J.D.R.P. No. 301(C).

[ (B) ] (E) \* \* \*

[ (C) ] (F) \* \* \*

[Pa.B. Doc. No. 00-1901. Filed for public inspection November 3, 2000, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

#### Adoption of Local Rule L205.4 Electronic Filing of Papers; No. 00-2014

##### Administrative Order No. 7-2000

And Now, this 17th day of October, 2000, it is hereby *Ordered and Decreed* that, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas hereby *Adopts* Local Rule of Civil Procedure L205.4 governing the Electronic Filing of Papers.

The Carbon County District Court Administrator is *Ordered and Directed* to do the following:

1. File seven (7) certified copies of this Administrative Order with the Administrative Office of Pennsylvania Courts.
2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) certified copy with the Pennsylvania Civil Procedural Rules Committee.
4. Forward one (1) copy for publication in the Carbon County Law Journal.
5. Forward one (1) copy to the Carbon County Law Library.
6. Keep continuously available for public inspection copies of the Order in the Prothonotary's Office.

JOHN P. LAVELLE,  
*President Judge*

##### Local Rule L205.4. Electronic Filing of Papers.

(a) Except as otherwise provided by subsection (b) of this rule, parties may file legal papers, including original process, with the Prothonotary by means of electronic filing in any civil action or proceeding at law or in equity brought in or appealed to the court.

##### Note

A "legal paper" within the meaning of subsection (a) means a pleading or other paper filed in any civil action or proceeding at law or in equity.

(b) The following legal papers may not be filed with the Prothonotary by means of electronic filing:

(1) Legal papers relating to any action governed by Pa.R.C.P. Nos. 1910.1 through 1910.50, relating to Actions for Support.

(2) A notice of appeal from an award of a board of arbitrators or a notice of appeal or other legal paper, the filing of which is prescribed by the Rules of Civil Procedure Governing Actions and Proceedings before District Justices.

##### Note

The legal papers described in subsection (b)(2) cannot be filed through electronic filing. See Pa.R.C.P. No. 205.4(a)(2).

(c) The filing party shall maintain the original hard copy of any legal paper that is electronically filed.

(d) In the case of original process filed to commence an action and other papers required by law or rule to be served by the Sheriff, the filing party shall provide a sufficient number of copies of an electronically filed document in order to permit service by the Sheriff.

(e) The Prothonotary shall provide electronic access at all times. The time and date of the filing and receipt shall be that registered by the Prothonotary's computer system.

(f) The Prothonotary's webpage is at the following website address: [www.aopc.org/counties/carbon/prothy.htm](http://www.aopc.org/counties/carbon/prothy.htm).

(g) Access to the website shall be available to an attorney by use of a password and the attorney's Supreme Court identification number issued by the Court Administrator of Pennsylvania. Access is also available to any other user by the user selecting any numbers of letters that the user wishes to use as an identification number.

(h) The Prothonotary shall maintain an electronic and a hard copy file of all legal papers constituting original process filed to commence an action. The Prothonotary shall not be required to maintain a hard copy file for any other legal papers filed electronically pursuant to this rule.

(i) The procedure for payment of the fees and costs of the Prothonotary shall be set forth on the Prothonotary's webpage.

(j) The Prothonotary shall provide a filing status message to the filing party setting forth the date of and time of acceptance of the filing. If the filing party does not receive a filing status message, the legal paper is not considered filed and the filing party should contact the Prothonotary's office.

##### Note

A filing party accepts the risk that a document filed by means of electronic filing may not be properly or timely filed with the Prothonotary. See Pa.R.C.P. No. 205.4(e)(2). One of the risks is that the Prothonotary—either correctly or incorrectly—determines that the filing party has not met its obligation for payment of the necessary fees and costs.

(k) This rule shall be rescinded on December 31, 2001 unless Pa.R.C.P. No. 205.4(h) is modified or rescinded.

##### Note

Pa.R.C.P. No. 205.4(h) provides that this rule shall be rescinded on December 31, 2001.

[Pa.B. Doc. No. 00-1902. Filed for public inspection November 3, 2000, 9:00 a.m.]

**WESTMORELAND COUNTY**  
**Repealing of Rule W1910.27; No. 3 of 2000**

**Administrative Order**

*And Now* this 16th Day of October, 2000, *It Is Hereby Ordered* that Westmoreland County Rule of Civil Procedure 1910.27 is repealed.

*By the Court*

CHARLES H. LOUGHRAN,  
*President Judge*

[Pa.B. Doc. No. 00-1903. Filed for public inspection November 3, 2000, 9:00 a.m.]

**DISCIPLINARY BOARD OF  
 THE SUPREME COURT OF  
 PENNSYLVANIA**

**Notice of Suspension**

Notice is hereby given that Hardge Davis, Jr., having been suspended from the practice of law in the State of New Jersey for an additional period of three months, the Supreme Court of Pennsylvania issued an Order dated October 19, 2000 suspending Hardge Davis, Jr., from the practice of law in this Commonwealth, for period of three months consecutive to the suspension imposed by that

Court on March 23, 2000. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director & Secretary  
 The Disciplinary Board of the  
 Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 00-1904. Filed for public inspection November 3, 2000, 9:00 a.m.]

**Notice of Suspension**

Notice is hereby given that on October 19, 2000, pursuant to Rule 214(d)(1) of the Pa.R.D.E., Kevin M. Howard was placed on temporary suspension by the Supreme Court of Pennsylvania until further Order of the Court. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director & Secretary  
 The Disciplinary Board of the  
 Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 00-1905. Filed for public inspection November 3, 2000, 9:00 a.m.]

# PROPOSED RULEMAKING

## PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

### [4 PA. CODE CH. 118] Reductions of Major Water Use

The Pennsylvania Emergency Management Agency (PEMA) proposes to amend Chapters 118, 119, 119a and 120 (relating to reductions of major water use in the Delaware River Basin Drought Emergency Area; prohibition of nonessential water uses in a Commonwealth drought emergency area; Philadelphia Drought Water Emergency Plan; and local water rationing plans). The proposed amendments to Chapter 118 will make its provisions applicable Statewide, rather than just in the Delaware River Basin. The proposed amendments to Chapter 119 include proposed changes to the definition section and to the list of exceptions to the nonessential water use bans. The provisions of Chapter 119a are proposed to be eliminated and to be incorporated into Chapter 119. The proposed amendments to Chapter 120 are primarily procedural. Overall, the proposed amendments will move the Commonwealth toward full-time drought preparedness and management. Implementation of actual emergency provisions of the regulations, including the nonessential water use bans, will only be effective during a declared drought emergency and within the declared drought emergency area.

#### A. *Effective Date*

These amendments will go into effect upon publication in the *Pennsylvania Bulletin* as final rulemaking.

#### B. *Contact Persons*

For further information, contact Mark L. Goodwin, Chief Counsel, Pennsylvania Emergency Management Agency, 2605 Interstate Drive, Harrisburg, PA 17110-9364, (717) 651-2010. Information regarding submitting comments on these proposed amendments appear in Section I of this Preamble. This proposal is available electronically through the PEMA website at <http://www.pema.state.pa.us>. It is also available on the Department of Environmental Protection (DEP) website at <http://www.dep.state.pa.us> by choosing "Subjects" then "Drought Information" and then clicking on "Drought Regulations."

#### C. *Statutory Authority*

The rulemaking is proposed under Pennsylvania Emergency Management Services Code (code), 35 Pa.C.S. § 7313(3), which grants PEMA the authority to adopt rules and regulations as may be deemed necessary to carry out the provisions of the code.

#### D. *Background and Purpose*

The drought experience of 1998-99 offered insight into many ways in which the drought emergency regulations found at Chapters 118, 119, 119a and 120 have become outdated with the passage of nearly 20 years since they were initially written and nearly 10 years since they were last revised. Technology and social trends have advanced

in ways that earlier drafters of the regulations could not have envisioned. As an example, irrigation practices have advanced with new technologies, and it may now be more efficient to irrigate in many cases with automated irrigation systems than to water with a hand-held hose.

Overall, the Commonwealth's experience with droughts has also shown the potential for more efficient ways to manage water use during drought emergencies. Experience has shown, for example, that a permanent Commonwealth Drought Coordinator (CDC), with authority to approve drought plans prior to a drought, rather than during an emergency, would enable the Agency to focus more closely on drought emergency operations, and at the same time would provide for more meaningful reductions in and more efficient use of available water resources.

The proposed amendments will move the Commonwealth toward full-time drought preparedness and management. Implementation of actual emergency provisions of the regulations, including the nonessential water use bans, will only be effective during a declared drought emergency and within the declared drought emergency area, as is presently the case. However, the revised regulations will be effective at all times, rather than only during declared drought emergencies. They will also be effective Statewide, rather than only in the declared emergency area. This will enable the designation of a permanent CDC within the DEP. The proposed amendments will authorize the CDC to receive and approve drought management plans on an ongoing basis from water users across this Commonwealth, thus allowing more opportunity to provide education and technical assistance to water users to guide them in the development of their individual drought plans. It will also allow more time for the CDC and DEP staff to adequately review plans and to approve them prior to an actual emergency. This is in concert with new provisions in the regulations that require certain classes of water users, such as golf courses, to operate according to an approved plan during an emergency.

Drafts of the proposed amendments were made available at informational meetings held during April 2000 in Harrisburg, Bethlehem and Pittsburgh. Notices of the meetings and the availability of the draft amendments also were published in newspapers of general circulation across this Commonwealth and in the *Pennsylvania Bulletin* with a public comment period that ended April 30, 2000. The public comments received have been taken into consideration in the drafting of these proposed amendments to the drought regulations.

#### E. *Summary of Regulatory Requirements*

##### 1. *Discussion of Proposed Amendments to Chapter 118*

The Chapter 118 regulations were originally written to apply only to the Delaware River Basin portion of the Commonwealth. References to the Delaware River Basin are being removed from the regulations to make them applicable Statewide. Many of the activities involved in submittal and review of drought contingency plans, as required by the regulations, included duplications of effort by both PEMA and the CDC. To the extent practicable, references to PEMA with regard to those activities are being removed from the regulations, and authority and responsibility for those activities are being delegated to

the CDC, as agent for PEMA. In a similar manner, the current authorities and responsibilities of the Pennsylvania Emergency Management Council in the appeal process, are being assigned to PEMA and further delegated to the extent practicable to the Pennsylvania Public Utility Commission's administrative law judges or others.

In § 118.1 (relating to definitions), the terms "consumptive water," "designated drought emergency area" and "water user" have been added, and the definition of "Commonwealth Drought Coordinator" has been revised, consistent with Chapters 119 and 120.

In § 118.2 (relating to purpose), the requirement for drought contingency plans has been limited to only those public water suppliers serving more than 50 customer connections.

In § 118.3 (relating to scope), the scope has been revised to include the entire Commonwealth, rather than just the Delaware River Basin.

In § 118.4 (relating to contingency plans—public water supply agencies), revisions will allow the CDC as well as the Governor's Emergency Proclamation to order preparation of drought contingency plans by public water suppliers, including those whose sources or service areas may be located within the emergency area. Plans approved by the CDC within 3 prior years will meet the requirement. Provisions and criteria for variances from the plans are added to the requirements.

Revisions to § 118.5 (relating to contingency plans—self supplied commercial and industrial users) will allow the CDC as well as the Governor's Emergency Proclamation to order preparation of drought contingency plans by large self-supplied industrial and commercial water users.

Revisions to § 118.6 (relating to implementation of reductions) include criteria to guide the CDC's consideration of equitable reductions when ordering the implementation of industrial/commercial contingency plans.

Revisions to § 118.8 (relating to procedure for exemptions or variance from water use reductions) clarify and improve the due process protections provided to those parties who request variances due to extraordinary hardship.

Revisions to § 118.9 (relating to implementation period) establish requirements for establishment and operations of county drought management task forces.

## 2. Discussion of Proposed Amendments to Chapter 119

Chapter 119 contains the bans on nonessential water use, which are effective during a declared drought emergency. Many revisions are being proposed in Chapter 119. As in Chapter 118, to the extent practicable, responsibilities and authorities are being assigned from the Council to PEMA and delegated from PEMA to the CDC. These procedures again affect plan or variance submissions, reviews, approvals and appeals.

The effective emergency area is being expanded to include the complete service area of any public water supply agency whose source of water is located in the declared emergency area. This will eliminate problems experienced previously when public water supply service areas extended beyond an emergency county into a non-emergency county with the result that only a part of the service area was subject to emergency restrictions.

In § 119.1 (relating to definitions) the definitions have been added or revised to clarify the meanings of athletic field, effective conservation, irrigation contractor, newly

seeded and sodded grass, paved surface, and professional landscaper and for consistency with Chapters 118 and 120.

In § 119.4, revisions are added to specifically address athletic fields, which were previously considered part of the "lawn" section. Regulations are provided separately for normal athletic fields and sand-based fields, because the sand-based fields (similar to golf greens) require more frequent and greater quantities of watering. Irrigation of sand-based fields will require metering and reporting and must be done according to a plan approved by the CDC. Normal athletic fields will be limited to watering one time per week; while sand-based fields will be limited to 1 1/2 inches of water per week.

The golf course regulations in § 119.4 (relating to prohibition of nonessential water uses) have been rewritten. As with the sand-based athletic fields, irrigation of golf courses will require metering and reporting and must be done according to a plan approved by the CDC. The golf courses will be required to reduce their watering to 70% of the average daily quantity of water used, by month, in the previous 5 years, within lower and upper limits.

The grass and landscape/nursery regulation in § 119.4 is being modified primarily to recognize the efficiencies in using automated irrigation systems, compared to the "hand-held bucket and hose" techniques allowed in the current regulations.

Fountains or waterfalls necessary to sustain fish life will be allowed to operate under the § 119.4 revisions; water will be allowed to be used to replenish fish ponds and water gardens to sustain fish and aquatic life.

Revisions in the mobile equipment and paved surface regulations in § 119.4 recognize the need to wash equipment or areas related to food vending and hauling. The use of a hand-held hose with automatic shutoff nozzle will be allowed, up to 2 minutes, for washing personal cars. This process will generally require less water than the "bucket" method allowed in the current regulations.

The fire hydrant regulations previously contained in Chapter 119a are being incorporated into § 119.4; while Chapter 119a, which dealt specifically with the County/City of Philadelphia, is being eliminated.

In § 119.6 (relating to procedure for exemptions or variance from the prohibition of nonessential uses of water), the revisions provide that a public water supply agency whose sources are not in jeopardy, although located within a declared emergency county, may request a variance from the nonessential use bans, if the agency is following a drought contingency plan that was approved by the CDC within the previous 3 years.

Section 119.6 variance procedures are modified to improve due process.

Section 119.7 (relating to implementation period) is being rescinded to make the regulations effective full-time; although restrictions will only be effective during a declared drought emergency.

## 3. Discussion of Proposed Amendments to Chapter 119a

This chapter, which applies specifically to the County/City of Philadelphia, is being eliminated and the section on fire hydrants is being incorporated into § 119.4.

## 4. Discussion of Proposed Amendments to Chapter 120

This chapter applies solely to public and municipal water supply systems and allows either the municipality or the water supply agency to institute water rationing if the bans on nonessential water uses effected through



Chapter 119 are insufficient to protect local water supplies. The suggested revisions to this chapter are primarily procedural in nature, some of them reflecting the proposed assignments and delegations of authority from the Council or PEMA, or both, to PEMA or the CDC, or both. Revisions are included to improve due process and notification provisions.

Section 120.1 (relating to definitions) has been revised for consistency with Chapters 118 and 119 definitions.

Section 120.2 (relating to purpose) revisions authorize the CDC to approve water rationing plans, as an agent of PEMA.

In § 120.9 (relating to excess use charges), the appeal processes reflect the intended use of Pennsylvania Public Utility Commission administrative law judges as hearing officers.

Section 119.10 is being rescinded, as unnecessary. It is not envisioned that a rationing plan would be suspended. Water supply recovery would result in repeal rather than suspension of the rationing plan.

In § 120.14 (relating to notification of termination), the repeal process has been clarified and simplified.

#### F. *Benefits, Costs and Compliance*

##### *Benefits*

The proposed amendments to the regulations will benefit the public by protecting water resources during a declared drought emergency and will prevent water supply shortages by curtailing nonessential water use. The procedures will be streamlined for adoption of drought contingency plans and local water rationing plans.

The exact fiscal impact of the proposed amendments cannot be calculated. For most affected persons or businesses, the impact will be positive in terms of reducing possible economic hardship. Paperwork will be reduced by the proposed amendments to Chapter 119 by reducing the number of variance applications prepared by individuals, business and industry. Additionally, DEP and PEMA will not have to process as many applications.

The benefits of the proposed amendments in conserving a natural resource are impossible to quantify. Reductions in water use, although inconvenient to many users, will serve to extend available supplies, thus insuring that water is available for public health and safety needs and economic productivity. The availability of existing supplies will be extended by reducing the daily withdrawal of water from sources, providing an opportunity for replenishment over time should there be adequate precipitation. Extending water supplies also provides an opportunity for water suppliers to develop alternative sources of water.

Savings will generally accrue to all the regulated community, to the extent that property and employment is protected by the revisions. These savings will occur in the form of reduced damage to or loss of grass or landscape materials, for not only the athletic field and golf course owners, but other businesses and homeowners as well. All the revisions have been designed to better protect property, health and employment. Jobs in the golf, landscape/nursery, mobile washing, and food processing and vending industries will be better protected. Athlete safety will be enhanced on athletic fields. Actual or estimated values for these savings, which will only accrue during an actual declared drought emergency, are not available.

Savings may likewise accrue to local governments or school districts, to the extent that they own or maintain

athletic fields, golf courses and landscape/nursery materials. Health, safety and employment will be better protected for them also.

Savings will accrue to DEP through reduced time required for processing requests for variances from the nonessential water use bans. The revisions are designed to resolve most of the problems in the current regulations that lead to requests for variances. In the 1999 drought, nearly 250 variance requests were processed, requiring approximately 1 man-hour each.

##### *Compliance Costs*

In general, the revisions will not result in additional costs to the regulated community. Exceptions may include golf course and sand-based athletic field owners. In both of these cases, the revisions will require metering of irrigation water used during drought emergencies, and in the case of golf courses, metering of 5 prior years' irrigation water use will also be required. Meter installation costs for athletic fields should be less than \$250. For golf courses, meter installation should be in the \$700—\$1,500 range, depending upon the size and type of meters required. Meter reading costs for athletic fields should be minimal. For golf courses, meter reading on a daily basis by grounds keepers should not impose any significant additional costs. Automatic recorders may be installed, if desired, to avoid the need for manual daily reading.

Because the revisions are designed to make the regulations clearer, and more efficient, and many of the compliance problems experienced with the current regulations are being addressed in the revisions, costs to local enforcement agencies should be reduced. Local governments may experience additional costs associated with municipally-owned athletic fields or golf courses, as previously described.

The primary cost to DEP will be in staff time to review and approve irrigation plans submitted by approximately 800 golf courses and 50 sand-based athletic fields. Approximately 0.5 to 2.5 hours per plan may be required for review and approval. This represents a one-time resource commitment of up to 2000 man-hours. Semi-automation of the process may reduce this requirement significantly, perhaps to as little as 250-500 man-hours.

##### *Compliance Assistance Plan*

DEP provides guidance, sample plans and technical assistance to public water suppliers for developing drought contingency plans, water rationing plans and water conservation plans and programs. Similar materials will be developed for industrial/commercial water users to aid them in development of drought contingency plans, to the extent practicable.

Web-based, self-instructional application forms will be developed for submitting golf course and athletic field drought operations plans, and technical assistance will be provided as appropriate.

##### *Paperwork Requirements*

Owners of golf courses and sand-based athletic fields will be required to submit a drought operations plan for approval by the CDC, prior to irrigation of those facilities within a declared drought emergency area. The regulations will allow submittal and approval of the plans prior to the declaration of an emergency, at the option and advantage of the owner.

During declared drought emergencies only, owners of golf courses and sand-based athletic fields within the declared emergency area will be required to report irriga-

tion usage to the CDC, on a monthly basis. Owners of golf courses should also record usage for a 5-year period prior to a drought emergency. This information will be included in their application for approval of a drought operations plan.

Owners of public water supply systems and large self-supplied industrial or commercial water users whose sources or service areas are located within a declared emergency area may be required by the Governor or the CDC to submit drought contingency plans, during the declared emergency. The regulations provide for the submittal and approval of the plans prior to an emergency, again at the option and advantage of the owner.

#### G. *Sunset Review*

These regulations will be reviewed in accordance with the sunset review schedule published by PEMA to determine whether the regulations effectively fulfill the goals for which they were intended.

#### H. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 24, 2000, PEMA submitted a copy of these proposed amendments to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Veterans Affairs and Emergency Preparedness Committee and Senate State Government Committee. In addition to submitting the proposed amendments, PEMA has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by PEMA in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendments, it will notify PEMA within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria which have not been met by that portion of the proposed amendments to which an objection is made. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the amendments, by PEMA, the General Assembly and the Governor of objections raised.

#### I. *Public Comment*

*Written Comments*—Interested persons are invited to submit comments, suggestions or objection regarding the proposed amendments to Mark L. Goodwin, Pennsylvania Emergency Management Agency, 2605 Interstate Drive, Harrisburg, PA 17110-9364. Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by PEMA by December 4, 2000.

*Electronic Comments*—Comments may be submitted electronically to PEMA at mgoodwin@state.pa.us and must also be received by the Agency by December 4, 2000. A subject heading of the proposal and a return name and address must be included in each transmission. If an acknowledgement of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

DAVID L. SMITH,  
*Director*

**Fiscal Note:** 30-55. (1) General Fund; (2) Implementing Year 2000-01 is Unknown; (3) 1st Succeeding Year 2001-02 is Unknown; 2nd Succeeding Year is Unknown; 3rd Succeeding Year is Unknown; 4th Succeeding Year is Unknown; 5th Succeeding Year is Unknown; (4) 1999-00

Program—Not Applicable; 1998-99 Program—Not Applicable; 1997-98 Program—Not Applicable; (7) Various appropriations in the Department of Environmental Protection; (8) recommends adoption. Any additional cost that the Commonwealth incurs due to this rulemaking is expected to be minimal and would be absorbed in the Department of Environmental Protection budget.

### Annex A

#### TITLE 4. ADMINISTRATION

##### PART V. EMERGENCY MANAGEMENT AGENCY

#### CHAPTER 118. REDUCTIONS OF MAJOR WATER USE IN [ THE DELAWARE RIVER BASIN ] A COMMONWEALTH DROUGHT EMERGENCY AREA

##### § 118.1. Definitions.

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

[ *Any water*—Any type of water, including fresh water, brackish water, waste water or reclaimed waste water.

*Brackish water*—Water containing more than 1000 parts per million of dissolved salts.

*Commission*—The Delaware River Basin Commission, created by the Delaware Basin Compact (32 P. S. §§ 815.101—815.106). ]

*Commonwealth Drought Coordinator*—An officer of the Department appointed by the Secretary [ , in consultation with the Governor and PEMA, ] of the Department to carry out responsibilities established in the Pennsylvania Drought Contingency Plan to coordinate Commonwealth **planning, preparedness and response** action to a drought or water shortage emergency.

*Consumptive water*—Water that in the process of being used or is evaporated, transpired or incorporated into a product.

[ *Council*—The Pennsylvania Emergency Management Council, created by 35 Pa.C.S. §§ 7101—7707 (relating to emergency management services) and section 2 of the act of November 26, 1978 (P. L. 1332, No. 323).

*Delaware River Basin*—The area of drainage into the Delaware River and its tributaries, including the Delaware Bay. ]

*Department*—The Department of Environmental [ Resources ] Protection of the Commonwealth.

*Designated drought emergency area*—The area of this Commonwealth described in the Governor's proclamation or executive order declaring a state of drought and water shortage emergency.

[ *Fresh water*—Water withdrawn from a surface or groundwater source, or from a public water supply system, located within the Delaware River Basin, which has not been previously used, other than brackish water and water from a nonpotable source. The term does not include water collected directly from precipitation in rain barrels or cisterns. ]

*PEMA*—The Pennsylvania Emergency Management Agency [ , created by 35 Pa.C.S. §§ 7101—7707 (relating to emergency management services) and section 2 of the act of November 26, 1978 (P. L. 1332, No. 323). ]

*Public water supply agency*—A [ person, partnership, association, corporation, municipality or municipal authority, district or other entity supplying or authorized to supply water to the public ] “community water system” as that term is defined in section 3 of the Pennsylvania Safe Drinking Water Act (35 P. S. § 721.3).

[ *Reclaimed water*—Waste water which has been treated to allow reuse.

*Secretary*—The Secretary of the Department.

*Waste water*—Water which has been previously used for industrial, municipal, domestic or other purposes, and has not been returned to the surface or groundwater sources.

*Water from a nonpotable source*—Water from the surface or groundwater source which the Department determines is not used for public or private drinking water supply, and is not capable of being rendered suitable for drinking water supply by standard and economically feasible methods of treatment. ]

*Water user*—

(i) An individual, partnership, association, company, corporation, municipality, municipal authority, political subdivision or an agency of Federal, State, county or municipal government.

(ii) The term includes the officers, employees and agents of a partnership, association, company, corporation, municipality, municipal authority, political subdivision or an agency of Federal, state, county or municipal government.

**§ 118.2. Purpose.**

This chapter provides for the preparation and implementation of contingency plans by public water supply agencies providing service to 50 or more customer connections, and by major commercial and industrial water users, to reduce water use [ by public water supply agencies, and by major commercial and industrial water users, ] in response to [ the ] a state of drought and water shortage emergency within specified areas of this [ Commonwealth’s portion of the Delaware River Basin ] Commonwealth. The objective of this chapter is to conserve water, to balance demand with limited available supplies, and to assure that sufficient water is available to serve essential health, safety and economic needs. This chapter is intended to implement the Pennsylvania Drought Contingency Plan, and [ to assist in implementing the conservation orders promulgated by the Commission under Article 10 of the Delaware River Basin Compact (32 P. S. § 815.101) ] a Governor’s proclamation of drought emergency that directs by directing the preparation of contingency plans and implementation of water use reductions [ in a manner comparable to other Delaware River Basin States and consistent with the requirements of the Commission ].

**§ 118.3. Scope.**

This chapter applies to all water uses within this [ Commonwealth’s portion of the Delaware River Basin, which are included in the Governor’s Proclamation or Executive Order as being included in that area declared to be in a state of drought or water shortage emergency. The area may encompass all or part of the following counties: Berks, Bucks, Carbon, Chester, Delaware, Lackawanna, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Philadelphia, Pike, Schuylkill, and Wayne, or it may be limited to specific designated areas within the Delaware River Basin ] Commonwealth.

**§ 118.4. Contingency plans—public water supply agencies.**

(a) *Preparation and submission.*

(1) [ By May 27, 1985 ] Within the time frame specified in the Governor’s proclamation of drought emergency or order issued during an emergency by the Commonwealth Drought Coordinator each public water supply agency which provides service to 50 or more customer connections and which has either a source of water or a service area within the designated drought emergency area shall develop, adopt, and submit a drought contingency plan meeting the requirements set forth in this section.

(2) Each public water supply agency shall submit three copies of the drought contingency plan to the Commonwealth Drought Coordinator, for distribution to PEMA, the Department and other interested Commonwealth agencies, including the Pennsylvania Public Utility Commission if applicable. Each public water supply agency shall submit a copy of the drought contingency plan to the counties in which the public water supply agency serves water.

(3) If a public water supply agency has previously prepared and submitted to the [ Department ] Commonwealth Drought Coordinator a drought contingency plan containing the information required by this section and the plan was approved by the Commonwealth Drought Coordinator, or his designee, not more than 3 years prior to the Governor’s proclamation of drought emergency, the plan may be deemed to satisfy the requirements of this section; however, the public water supply agency may affirm, modify or amend the plan as it deems appropriate, through submittal of a modified or amended plan to the Commonwealth Drought Coordinator for approval.

(b) *Contents.* Drought contingency plans for public water supply agencies shall, at a minimum, contain the following:

\* \* \* \* \*

(6) A plan of actions which will be taken by the public water supply agency to respond to drought or water shortage conditions, including public notice, a water conservation program, development of emergency supplies, and rationing. The plan shall provide for actions to be taken to achieve a phased reduction of total system withdrawal and use [ by the amounts of 5.0%, 15%, 25%, 35% and 50% of the rates of water withdrawal and use existing during nondrought periods ].

(7) A procedure for the granting of variances or exemptions to the provisions of a plan to address extraordinary hardships which may exist as a re-

sult of a plan, including a provision for appeal as specified in § 120.9(d) (relating to excess use charges). For purposes of this section, "extraordinary hardship" means a permanent damage to property, including perishable raw or processed product, or other personal or economic loss which is substantially more severe than the sacrifices borne by other water users subject to public water supply agency's drought contingency plan. The procedure shall include, when appropriate, consideration of:

(i) **Relative impact of water use reductions upon:**

(A) **Public health and safety, including pharmaceuticals.**

(B) **Food and raw fiber production, including consideration for protection of perishable raw or processed products.**

(C) **Provision of essential public utility services; and the maintenance of employment.**

(ii) **The measures and efforts previously undertaken to conserve water or to provide for water storage and releases, and the ability of users to implement additional conservation measures.**

(c) **Implementation of contingency plans by public water supply agencies.** Each public water supply agency which has either a source of water or a service area within the designated drought emergency area shall implement its approved drought contingency plan during the effective period of the Governor's proclamation of drought emergency.

§ 118.5. **Contingency plans—self supplied commercial and industrial users.**

(a) *Preparation and submission.*

(1) **[ By May 27, 1985, each ] Within the time frame specified in the Governor's proclamation of drought emergency or order issued during an emergency by the Commonwealth Drought Coordinator, the owner or operator of a commercial or industrial facility which withdraws ground or surface water [ from the Delaware River Basin ] within the designated drought emergency area in excess of an average of 100,000 gallons per day in any 30 day period shall develop and adopt, and have available for inspection at the facility, a drought contingency plan under this section.**

(2) **[ By May 27, 1985, ] Within the time frame specified in the Governor's proclamation of drought emergency or order issued during an emergency by the Commonwealth Drought Coordinator the owner or operator of a commercial or industrial facility which withdraws ground or surface water [ from the Delaware River Basin ] within the designated drought emergency area in excess of an average of 500,000 gallons per day in a 30-day period shall develop, adopt and submit a drought contingency plan to the Commonwealth Drought Coordinator.**

(3) **[ The ] During the effective period of the Governor's proclamation of drought emergency, the Commonwealth Drought Coordinator, [ Council or PEMA, ] may direct the owner or operator of [ another ] any commercial or industrial facility [ subject to this section ] not included in paragraph (2) whose source of water is located within the designated drought emergency area, to [ file ] develop, adopt**

and submit a drought contingency plan **[ within a reasonable time with ]** to the Commonwealth Drought Coordinator **within a reasonable time.**

(b) *Contents.* Drought contingency plans for self-supplied commercial and industrial facilities shall, at a minimum, contain the following:

\* \* \* \* \*

(6) A description of **[ conservation ]** measures previously undertaken to **[ reduce ] conserve water [ use ]** at the facility **or to provide for water storage and releases,** and potential measures which could be implemented to reduce water use under emergency conditions. The descriptions should include information regarding the impacts of the measures on the production, employment[ , ] and economics of the facility, **including consideration for protection of perishable raw or processed products.**

(7) A plan of actions which **[ will ] can** be undertaken at the facility in response to drought and water shortage conditions to achieve a phased reduction of total withdrawal and use by amounts of **[ 5.0 ] 5%, 15%, 25%, 35% and 50%** of the rates of water withdrawal and use existing during **[ non-drought ] nondrought** periods.

§ 118.6. **Implementation of reductions by self-supplied industrial and commercial water users.**

(a) As necessary to respond to drought and water shortage conditions, **during the effective period of the Governor's proclamation of drought emergency, the [ Council ] Commonwealth Drought Coordinator** may order equitable reductions of water withdrawal and use by **[ public water supply agencies and ]** self-supplied industrial and commercial facilities **within the designated drought emergency area.** In determining the amount of equitable reductions, the **[ Council ] Commonwealth Drought Coordinator** will consider the following, in priority order:

(1) **[ The measures and efforts previously undertaken by public water supply agencies, and self-supplied industrial and commercial facilities, to conserve water, and the ability of users to implement additional conservation measures.**

(2) **[ The relative impact of water use reductions upon [ public ]:**

(i) **Public health and safety, including pharmaceuticals.**

(ii) **[ food ] Food and raw fiber production, including consideration for protection of perishable raw or processed products.**

(iii) **[ provision ] Provision of essential public utility services[ , and the maintenance ] .**

(iv) **Maintenance of employment.**

(2) **The measures and efforts previously undertaken by self-supplied industrial and commercial facilities to conserve water or to provide for water storage and releases, and the ability of users to implement additional conservation measures.**

(b) Each **[ public water supply agency and the ]** owner or operator of each self-supplied commercial or industrial facility shall implement, under the contingency plans required under § **[ § 118.4 and ]** 118.5 (relating to

contingency plans—[public water supply agencies and contingency plans ] self supplied commercial and industrial users) measures that are necessary to achieve the withdrawal and use reductions ordered by the [ Council ] Commonwealth Drought Coordinator.

(c) Notice of orders issued by the [ Council ] Commonwealth Drought Coordinator to implement reductions will be provided to affected users by notice published in the *Pennsylvania Bulletin* and in newspapers of general circulation in the affected area [ or ] and by service of the notice by mail or other means [ within 48 hours of issuance of the order ].

§ 118.7. Penalties and enforcement.

A person who violates this chapter, fails to carry out duties and responsibilities imposed by this chapter, or impedes or interferes with [ action ] actions undertaken or ordered under this chapter shall be subject to the penalties under 35 Pa.C.S. § 7707. Violation of any provision of this chapter is a summary offense enforceable by proper law enforcement authorities or private citizens in accordance with 234 Pa. Code Chapters 50 and 6000 (relating to summary cases; ) and 6000 (relating to ) Rules of Criminal Procedure for the Municipal Court of Philadelphia).

§ 118.8. Procedure for exemptions or variance from water use reductions by self-supplied industrial or commercial water users.

(a) If compliance with water use reductions ordered under this chapter would result in extraordinary hardship upon a self-supplied industrial or commercial water user, [ he ] the water user may apply for an exemption or variance.

(b) For purposes of this [ chapter ] section, extraordinary hardship means a permanent damage to property, including perishable raw or processed product or other personal or economic loss which is substantially more severe than the sacrifices borne by other water users subject to this chapter.

(c) A [ person or business entity believing ] self-supplied industrial or commercial water user who believes he suffers an extraordinary hardship and [ desiring ] desires to be wholly or partially exempt from the reductions ordered under this chapter may apply for an exemption or variance under the following procedures:

(1) The applicant shall submit a written request with full documentation supporting the need for the requested relief to:

Commonwealth Drought Coordinator  
c/o Department of Environmental [ Resources ]  
**Protection**  
P. O. Box [ 1467 ] 8555  
Harrisburg, Pennsylvania [ 17120 ] 17105-8555

\* \* \* \* \*

(3) The Commonwealth Drought Coordinator or a designee, will review the application in consultation with [ the staff of PEMA and ] other appropriate Commonwealth agencies, and may request the applicant to provide within a reasonable time additional information as necessary to review the application.

(4) The Commonwealth Drought Coordinator or a designee [ as agent for PEMA and Council ] is autho-

rized to render a decision regarding applications received for exemption or variance. The Commonwealth Drought Coordinator or a designee will provide the applicant [ and other interested parties ] notice in writing of the decision and the reasons for the decision. [ Where ] When possible, the Commonwealth Drought Coordinator or a designee will provide a written decision within 7 working days, or if perishable products are involved, within 1 working day of submission of an application or [ of ] will request additional information as necessary to review the application. When appropriate, the Commonwealth Drought Coordinator may issue a Statewide exemption or variance to similarly situated water users. A notice of the decision will be published in the *Pennsylvania Bulletin*. Unless appealed under this section, the decision of the Commonwealth Drought Coordinator or a designee, shall be considered a final action on the application.

(5) A person aggrieved by a decision of the Commonwealth Drought Coordinator, or a designee, may, within 30 days of written notice of the decision or publication of notice of the decision in the *Pennsylvania Bulletin*, appeal the decision to [ the Council ] PEMA.

(6) An appeal from an initial decision of the Commonwealth Drought Coordinator [ may ], or a designee will not act as [ a ] an automatic supersedeas, but, upon cause shown and [ where ] when the circumstances require it, [ the Drought Coordinator and the Council, or both, ] PEMA will have the power to grant a supersedeas.

(7) When an initial decision is appealed, [ the Commonwealth Drought Coordinator ] PEMA will provide the applicant with an opportunity for a hearing. [ The Commonwealth Drought Coordinator may act as the hearing examiner, or ] PEMA may appoint a hearing examiner who may be an administrative law judge of the Pennsylvania Public Utility Commission. Hearings may be held telephonically. [ A hearing will be conducted under 1 Pa. Code Part II (relating to general rules of administrative practice and procedure). ]

(8) The hearing examiner will provide the record of the hearing, if any, and a recommendation to PEMA [ and Council ] for review and adoption.

(9) [ The Council ] PEMA will notify the applicant in writing of its final decision and the reasons for the decision regarding the appeal.

\* \* \* \* \*

(e) An exemption or variance [ approved by the Council ] may be modified or rescinded by the Commonwealth Drought Coordinator if public health, safety and welfare require further reduction in water use.

(f) An exemption or variance granted to [ an applicant ] a water user for a specific property, purpose or person is not transferable to another property, purpose or person without prior written approval from [ PEMA and Council ] the Commonwealth Drought Coordinator.

§ 118.9. [ Implementation period ] County drought management task force.

[ This chapter shall be implemented upon declaration by the Governor of a drought or water shortage emergency, and shall remain in effect during the period of the emergency until terminated by action of the Governor, or by order of PEMA. Notice of the termination of the drought emergency and the reversion of this chapter to a standby status shall be submitted to the Legislative Reference Bureau for suggested publication in the Pennsylvania Bulletin.

(a) Within the time frame specified in the Governor's proclamation of drought emergency, the county commissioners of all counties located within the designated drought emergency area shall establish a drought management task force within their county.

(1) The county task force shall coordinate and monitor all drought reporting and water conservation measures undertaken within their county as necessary to ensure the provision of safe and reliable drinking water sources.

(2) The county task forces shall be comprised of county emergency management officials, public water supply agency representatives, elected officials, health officials, fire officials, law enforcement officials, affected business and industry representatives, and others as the county may determine.

(3) The county commissioners will coordinate, and report to the Commonwealth Drought Coordinator on county task force activities to include public information, planning, water system vulnerabilities, enforcement coordination, fire protection and other areas of public concern.

(b) For the duration of the drought emergency, each county drought management task force shall prepare and submit to the Commonwealth Drought Coordinator a monthly report describing the severity and impact of drought conditions. The report is due the first day of each month and shall describe the drought impact on the public, business and industry and the agriculture community. The report will identify steps taken to implement water conservation and public education.

(c) The county drought management task force meetings shall be open to the public and shall comply with state public meeting sunshine requirements.

§ 118.10. [ Effective date ] (Reserved).

[ This chapter shall take effect immediately upon adoption by the council. ]

[Pa.B. Doc. No. 00-1906. Filed for public inspection November 3, 2000, 9:00 a.m.]

[4 PA. CODE CH. 119]

Prohibition of Nonessential Water Uses in a Commonwealth Drought Emergency Area

Editor's Note: For the preamble relating to this document, see 30 Pa.B. 5735 (November 4, 2000).

Fiscal Note: 30-56. (1) General Fund; (2) Implementing Year 2000-01 is Unknown; (3) 1st Succeeding Year 2001-02 is Unknown; 2nd Succeeding Year 2002-03 is Unknown; 3rd Succeeding Year 2003-04 is Unknown; 4th Succeeding Year 2004-05 is Unknown; 5th Succeeding Year 2005-06 is Unknown; (4) 1999-00 Program—Not Applicable; 1998-99 Program—Not Applicable; 1997-98 Program—Not Applicable; (7) Various appropriations in the Department of Environmental Protection; (8) recommends adoption. Any additional cost that the Commonwealth incurs due to this rulemaking is expected to be minimal and would be absorbed in the Department of Environmental Protection budget.

Annex A

TITLE 4. ADMINISTRATION

PART V. EMERGENCY MANAGEMENT AGENCY

CHAPTER 119. PROHIBITION OF NONESSENTIAL WATER USES IN A COMMONWEALTH DROUGHT EMERGENCY AREA

§ 119.1. Definitions.

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

[ Aesthetic uses—The use of water for ornamental or decorative purposes, such as fountains, reflecting pools and waterfalls. ]

Any water—[ Any type of water, including fresh water, brackish water, waste water or reclaimed waste water. ] Water from any source including publicly or privately owned surface or groundwater sources such as springs, wells, streams, or ponds, including fresh water, brackish water, wastewater and water collected directly from precipitation in rain barrels, cisterns or similar containers.

\* \* \* \* \*

Athletic field—A surface used for organized professional or amateur sports, including racing, contained within marked boundary lines or barriers. The term does not include foul, out-of-bounds or out-of-play areas.

Beneficial use—Use of water that is necessary to serve essential health, safety and economic needs, including the maintenance of human, animal and plant life.

\* \* \* \* \*

[ Commission—The Delaware River Basin Commission, created by the Delaware River Basin Compact (32 P. S. §§ 815.101—815.106). ]

Commonwealth Drought Coordinator—An officer of the Department appointed by the secretary, to carry out responsibilities established in the Pennsylvania Drought Contingency Plan to coordinate Commonwealth planning, preparedness and response action to a drought or water shortage emergency.

[ Council—The Pennsylvania Emergency Management Council created by 35 Pa.C.S. §§ 7101—7707 (relating to emergency management services). ]

Department—The Department of Environmental [ Resources ] Protection of the Commonwealth.

**Effective conservation**—Use of water at the minimum rate necessary for the intended purpose, in a manner that does not result in the use of water for purposes that are prohibited by this chapter and in a manner that does not allow application or runoff of water onto areas that are prohibited by this chapter.

**Fresh water**—Water withdrawn from a surface water or groundwater source, or from a public water supply system, located within this Commonwealth [ , which has not been previously used, ] other than wastewater or brackish water [ and water from a nonpotable source ]. The term does not include water collected directly from precipitation in rain barrels [ or ], cisterns or similar containers.

**Irrigation contractor**—A person who is engaged in the business of design, installation or repair of irrigation equipment as a source of income.

**Mobile equipment**—A public, private or commercial automobile, truck, bus, trailer, cart, wagon, railroad car, camper, boat or [ another ] other type of similar equipment.

**Newly seeded or sodded grass area**—A grass area from which all growth was removed or tilled under and to which new seed or sod was applied within the previous 12 months.

**Nurseries**—Facilities which are used to grow or keep plants, trees, shrubs, vines, bulbs, cuttings, grafts, flowering annual plants, aquatic plants, seeds, turf, grass, sod or tubers for propagation, distribution or sale.

**PEMA**—The Pennsylvania Emergency Management Agency [ of the Commonwealth created by 35 Pa.C.S. §§ 7101—7707 ].

**Paved surfaces**—Any surface, such as streets, roads, sidewalks, driveways, garages, parking areas, tennis courts, decks and patios, which has been covered with concrete, asphalt, tile, wood or other similar materials, but not including walls or vertical surfaces of buildings.

**Professional landscaper**—A person who is engaged in the business of installing or maintaining landscape materials as a full-time job.

**Public water supply agency**—A [ person, partnership, association, corporation, municipality or municipal authority, district or other entity supplying or authorized to support water to the public ] “community water system” as that term is defined in section 3 of the Pennsylvania Safe Drinking Water Act (35 P. S. § 721.3).

[ **Reclaimed water**—Waste water which has been treated to allow reuse. ]

**Sand-based athletic field**—An athletic field with a man-made root zone that contains a minimum of 60% of sand, by weight, in the top 4 to 12 inches of the root zone.

**Secretary**—The Secretary of the Department.

**Waste water**—Water which has been previously used for industrial, municipal, domestic or other purpose, and has not been returned to [ the ] a surface water or groundwater source.

[ **Water from a nonpotable source**—Water from a surface water or groundwater source which the Department determines is not used for public or private drinking water supply, and is not capable of being rendered suitable for drinking water supply by standard and economically-feasible methods of treatment. ]

\* \* \* \* \*

§ 119.3. Scope.

[ (a) ] This chapter applies to all water uses within [ areas of ] this Commonwealth [ which are included in the Governor’s Proclamation or Executive Order that declares a state of drought or water shortage emergency ].

[ (b) Nonessential water uses within the County for Philadelphia shall be governed by regulations designed to achieve substantially equivalent conservation of water adopted by the City of Philadelphia Water Department and approved by the Council. ]

§ 119.4. Prohibition of nonessential water uses.

Whenever the Governor declares by [ Proclamation or Executive Order ] proclamation a state of drought or water shortage emergency in an area of this Commonwealth, the following water uses shall be deemed nonessential and are prohibited within areas that have been declared to be in a state of drought or water shortage emergency, including within any public water supply agency’s service area for which a source of water is located within the emergency area. Nothing in paragraphs (1)—(4) allows a prohibited use of water as either a direct or indirect effect of the exceptions contained therein.

(1) The use of water for watering of [ lawns ] grass, except:

(i) Water may be applied to grass areas approved prior to or during the emergency as part of a sewage or storm water treatment system utilizing spray irrigation which system was approved in a permit issued by the Department prior to the drought emergency proclamation.

(ii) [ Water may be applied at the minimum rate necessary to maintain grass tennis courts.

(iii) ] Water may be used [ at the minimum rate necessary ] to establish and maintain newly seeded and sodded grass areas when applied between the hours of 5 p.m. [ to ] and 9 a.m. [ by means of a bucket, can or hand held hose equipped with an automatic shut-off nozzle ] by any means designed and operated to assure effective conservation. [ Sprinklers may not be used for this purpose. ]

[ (iv) Water may be used at the minimum rate necessary to establish and maintain newly seeded or sodded nonresidential grass areas exceeding 10,000 square feet when applied between the hours of 5 p.m. and 9 a.m., by any means designed and operated to assure effective conservation of the water.

(v) ] (iii) Water may be [ used ] applied by a professional landscaper [ at the minimum rate necessary on ] to establish and maintain newly seeded and

sodded grass areas [ **greater than 10,000 square feet** ] during [ **regular** ] working hours by any means designed and operated to assure effective conservation [ **of the water** ].

(iv) Water may be used by professional landscapers or irrigation contractors for the purpose of testing newly installed or repaired irrigation equipment for a period not to exceed 15 minutes per irrigation zone.

(v) Water may be applied for the purpose of grub control one time during the effective period of the Governor's proclamation of drought emergency.

(vi) Water may be used, in a manner that ensures effective conservation.

(2) The use of water for watering athletic fields, except:

(i) Water may be applied to athletic field grass areas approved prior to or during the emergency as part of a sewage or stormwater treatment system utilizing spray irrigation, which system was approved in a permit issued by the Department prior to the drought emergency proclamation.

(ii) Water may be applied to maintain grass tennis courts, by means of a bucket, can or hand-held hose equipped with an automatic shutoff nozzle or by means of an irrigation system that is designed and operated to restrict the timing or total volume of water, when applied between the hours of 5 p.m. and 9 a.m. in a manner that ensures effective conservation.

(iii) Water may be applied to athletic field grass areas, other than sand-based athletic field grass areas, by a means and in a manner that ensures effective conservation, between 5 p.m. and 9 a.m. during 1 night per calendar week, beginning 2 weeks prior to use of the athletic field for practice, regular season play or other organized use and continuing through the end of the same practice or regular season or other organized use, in accordance with a schedule that has been submitted, at least 7 days prior to implementation, to the Commonwealth Drought Coordinator, the local law enforcement agency and, if applicable, to the public water supply agency from which the water is obtained.

(iv) Water may be applied to sand-based athletic field grass areas in accordance with a plan approved by the Commonwealth Drought Coordinator. Approval of the plan shall be in accordance with the following:

(A) The quantities of water applied shall be measured by means of a volumetric meter, and reports of weekly total water use shall be submitted electronically to the Commonwealth Drought Coordinator on a monthly basis during the emergency, in a form acceptable to the Commonwealth Drought Coordinator.

(B) Water may be applied at an average daily rate that does not exceed 54,300 gallons per acre per week.

(C) Water shall be applied by a means and in a manner that ensures effective conservation.

(D) All meters and meter records shall be available for inspection by representatives of the local

law enforcement agency or of the Commonwealth Drought Coordinator, at all times.

(E) A copy of the approved plan shall be submitted to the local law enforcement agency and, if applicable, to the public water supply agency from which the water is obtained, prior to implementation.

(F) Noncompliance by the water user with any term or condition of the approved plan shall cause the plan to be void, and any further use of water under this exception shall be prohibited.

(v) Water may be applied to establish and maintain newly seeded or sodded grass areas by means and in a manner that ensures effective conservation.

(vi) Water may be applied to athletic field nongrass areas to control dust during an athletic event, by means and in a manner that ensures effective conservation, if dust control is necessary to protect health or safety.

(vii) Water may be used by professional landscapers or irrigation contractors for the purpose of testing newly installed or repaired irrigation equipment for a period not to exceed 15 minutes per irrigation zone.

[ (2) ] (3) The use of fresh water for irrigation and watering of outdoor gardens, landscaped areas, trees, shrubs and other outdoor plants except that fresh water may be:

(i) Used for [ **agricultural** ] irrigation for the production of food and fiber, and the maintenance of livestock and poultry [ **or the production of nursery stock** ].

(ii) Applied by means of a **bucket, can, hand-held hose** equipped with an automatic shut-off nozzle, or an **irrigation system that is designed and operated to restrict the timing or total volume of water and to restrict the application to specific plantings and that ensures effective conservation**, when applied between the hours of 5 p.m. and 9 a.m. **Sources of water, other than fresh water, shall be used to the extent available.**

(iii) [ **Applied by means of a hand-held container or hand-held hose equipped with an automatic shut-off nozzle at the minimum rate necessary to establish and maintain newly planted gardens, trees, shrubs or other outdoor plants. Sources of water, other than fresh water, shall be used when available.**

(iv) ] Used by [ **commercial** ] nurseries [ **at the minimum rate necessary** ] to maintain stock, by a means that ensures effective conservation, only to the extent that sources of water other than fresh water adequate to supply needs are not available or feasible to use.

[ (v) ] (iv) Used by [ **arboretums and** ] public gardens of National, State or regional significance [ **at the minimum rate necessary** ], or **arboretums** to preserve specimens, by a means that ensures effective conservation, only to the extent that sources of water other than fresh water adequate to supply needs are not available or feasible to use.

(v) Used by a professional landscaper or irrigation contractor during working hours, by a means that ensures effective conservation.



[ (vi) Used at the minimum rate necessary to implement revegetation following earthmoving, where revegetation is required under an approved erosion and sedimentation control plan adopted under State law or regulation, to the extent that sources of water, other than fresh water, adequate to supply needs are not available or feasible to use. Revegetation use shall comply with applicable best conservation management practices for revegetation prescribed by the Department and county conservation districts.

(3) ] (4) The use of [ fresh ] water for watering [ a ] any portion of golf courses, except [ that fresh water may be used:

(i) To water tees and greens during the hours of 5 p.m. and 9 a.m.

(ii) To syringe heat sensitive grasses during daytime stress periods at the minimum rate necessary.

(iii) As part of a necessary overseeding or resodding operation during the months of August, September and October at the minimum rate necessary. ] Water may be applied to greens, tees and fairways in accordance with a plan approved by the Commonwealth Drought Coordinator no earlier than 3 years prior to the month of use during an emergency. Approval of the plan shall be in accordance with the following:

(i) The quantities of water applied shall be measured by means of a volumetric meter, and reports of daily total water use shall be submitted electronically to the Commonwealth Drought Coordinator on a monthly basis during the emergency, in a form acceptable to the Commonwealth Drought Coordinator.

(ii) Water may be applied at an average daily rate that does not exceed 70% of the calendar month basis quantity. The basis quantity shall be determined for each calendar month, as follows:

(A) Metered water use for the same calendar month, for each of the 5 years previous to submittal of the plan to the Commonwealth Drought Coordinator, shall be averaged, after deducting all water that was used for purposes other than irrigation of greens, tees and fairways.

(B) To the extent that metered data is not available for any year prior to \_\_\_\_\_ (*Editor's Note: The blank refers to a date 1 year after the effective date of this proposal.*) or the date of installation of the current irrigation system, whichever is later, an application rate of 41,000 gallons per week per acre of greens, tees and fairways currently irrigated may be used in lieu of metered data.

(C) The basis quantity may not be less than 30,000 gallons per week per acre nor more than 54,000 gallons per week per acre.

(iii) Except as provided in subparagraphs (vi) and (vii), water shall be applied between the hours of 5 p.m. and 10 a.m.

(iv) Meters and meter records shall be available for inspection by representatives of the local law enforcement agency or of the Commonwealth Drought Coordinator, at all times.

(v) A copy of the approved plan shall be submitted to the local law enforcement agency and, if applicable, to the public water supply agency from which the water is obtained, prior to implementation.

(vi) Water may be applied between the hours of 10 a.m. and 5 p.m. with a hand-held hose equipped with an automatic shutoff nozzle, to syringe heat-sensitive grasses on tees, greens and fairways, in a manner that ensures effective conservation and so that water is applied to no grass area for a period exceeding 15 minutes in any 1 day.

(vii) Water may be used by professional landscapers or irrigation contractors during regular work hours for the purpose of testing newly installed or repaired irrigation equipment for a period not to exceed 15 minutes per irrigation zone.

(viii) Noncompliance by the water user with any term or condition of the approved plan shall cause the plan to be void, and any further use of water under this exception shall be prohibited.

[ (4) ] (5) The use of water for washing paved surfaces, [ such as streets, roads, sidewalks, driveways, garages, parking areas, tennis courts and patios, ] except water may be used:

(i) For prewashing in preparation [ of asphalt street or driveway ] for recoating and sealing.

(ii) At the minimum rate necessary for the maintenance of tennis courts composed of clay or similar materials, by means of a bucket, can or hand-held hose equipped with an automatic shutoff nozzle.

(iii) At the minimum rate necessary for sanitation of the premises of [ eating and drinking places ] raw or processed food, pharmaceutical or vaccine processing, storage or vending establishments, including restaurants and grocery stores.

(iv) At the minimum rate necessary for the sanitation of the premises of waste handling, storage and disposal facilities.

[ (5) ] (6) The use of water for ornamental purposes, including fountains, artificial waterfalls and reflecting pools, except:

(i) Fountains or waterfalls may be operated to perform the primary and necessary aeration function for a pond that supports fish life.

(ii) Water may be used to top off ornamental water gardens or fish ponds to the minimum extent necessary to maintain fish and aquatic life.

[ (6) ] (7) The use of water for washing or cleaning of mobile equipment [ , including automobiles, trucks, trailers and boats, ] except that:

(i) An individual may wash personally owned or leased vehicles by buckets [ only. ] and may use a hand-held hose equipped with an automatic shutoff nozzle to prerinse and rinse (total spray period not to exceed 2 minutes), in accordance with the following schedule:

(A) Odd street addresses on first and third Saturdays of the month.

(B) Even or no street addresses on the second and fourth Saturdays of the month.

(ii) Water may be used by commercial car washes at the minimum rate necessary to ensure an effective wash.

(iii) Water may be used for cleaning of construction, emergency, public transportation or government vehicles if necessary to preserve the proper functioning and safe operation of the vehicle.

**(iv) Water may be used for cleaning and sanitizing equipment used for hauling or vending raw or processed food, pharmaceuticals or vaccines for human or livestock use, or for handling waste products.**

**[ (iv) ] (v)** Water may be used for the cleaning of new and used cars which are part of a dealer's sales inventory in accordance with the following restrictions:

**(A) A vehicle may be washed in preparation for sale at the time the vehicle is received from the manufacturer or prior owner.**

**(B) A vehicle shall be washed no more than once every 7 days, to be determined as follows:**

(I) Odd street addresses on Tuesdays.

(II) Even or no street addresses on Wednesdays.

**[ (III) No street address on Thursdays. ]**

(C) A vehicle may be washed following sale immediately prior to delivery to the purchaser.

(D) A vehicle may be washed only by a means designed and operated to assure effective conservation of water or **[ by bucket or hand-held hose equipped with an automatic shut-off nozzle ]** in accordance with the procedures, excluding schedule, described in clause **(B)(I)**.

**[ (v) ] (vi)** Water may be used by professional mobile wash businesses, at the minimum rate necessary, for the washing of commercial, government or other vehicles as part of normal business practices.

**(vii) A nonprofit service organization or club may wash vehicles in conjunction with a fundraising activity in accordance with the procedures described in subparagraph (i), without restriction as to schedule.**

**[ (7) ] (8)** The serving of water in restaurants, clubs or eating places, unless specifically requested by the individual.

**[ (8) ] (9)** The use of water to fill and top off swimming pools, except that water may be used to fill and top off:

(iii) Other pools only if approved by the public water supply **[ system ]** agency from which the water is withdrawn. If water is obtained from other sources, permission from the owner of the source is required.

**(10) The use of water from a fire hydrant—including sprinkler caps—for any purpose, except for the following permissible uses:**

**(i) Firefighting.**

**(ii) Testing of fire fighting apparatus or conducting water flow tests for fire insurance classification or reclassification, if approved by the public water supply agency from which the water is obtained.**

**(iii) Flushing sewers, water mains or hydrants when needed to protect public health and safety, if approved by the public water supply agency from which the water is obtained.**

**(iv) The watering of urban gardens in the city of Philadelphia after obtaining a water department and licenses and inspection permit.**

**(v) The filling of tank trucks at designated facilities with the approval of the public water supply agency from which the water is obtained, or if the city of Philadelphia, after obtaining a water department and licenses and inspection permit.**

**(vi) Recreational use of sprinkler caps in the city of Philadelphia, under the recreational fire hydrant program at authorized locations and at times supervised by the city police, fire, recreation and park facilities.**

**(11) The use of any water that is not for a beneficial use.**

#### **§ 119.5. Penalties and enforcement.**

A water user who violates this chapter, fails to implement the duties and responsibilities imposed by this chapter or impedes or interferes with **[ action ]** actions undertaken or ordered under this chapter, shall be subject to the penalties provided under 35 Pa.C.S. § 7707 (relating to penalties). Violation of a provision of this chapter is a summary offense enforceable by proper law enforcement authorities or private citizens under 234 Pa. Code Chapters 50 and 6000 (relating to summary cases; and Rules of Criminal Procedure for the Municipal Court of Philadelphia). **In the city of Philadelphia, this chapter shall be enforced by the departments of water, police, and licenses and inspection.**

#### **§ 119.6. Procedure for exemptions or variance from the prohibition of nonessential uses of water.**

\* \* \* \* \*

**(b) If a public water supply agency can demonstrate that compliance with the prohibition of non-essential use of water is unnecessary due to adequate water supply and it is following a drought contingency plan approved by the Commonwealth Drought Coordinator in accordance with § 118.4 (relating to contingency plans—public water supply agencies), the public water supply agency may apply for an exemption throughout all or portions of its service area. In reviewing the applications, the Commonwealth Drought Coordinator shall give primary consideration to any impacts that approval of the application may have on the overall resources of the watershed or river basin and on the ability of law enforcement agencies locally or throughout the drought emergency area to enforce these or other emergency regulations. The consideration may, alone, be cause for denial.**

**[ (b) ] (c)** For purposes of this section, extraordinary hardship means a permanent damage to property, **including perishable raw or processed product**, or other personal or economic loss which is substantially more severe than the sacrifices borne by other water users subject to the prohibition of nonessential use of water.

**[ (c) ] (d)** A water user **[ that believes it suffers an extraordinary hardship and desires to be wholly or partially exempt from the prohibitions or nonessential use of water ]** or public water supply agency may apply for an exemption or variance under the following procedures:

(1) The water user or public water supply agency shall submit a written application with full documentation supporting the need for the requested relief to:

Commonwealth Drought Coordinator  
 c/o Department of Environmental Protection  
 Post Office Box [ 8761 ] 8555  
 Harrisburg, Pennsylvania 17105-8555

(2) The application from a water user shall contain information specifying:

\* \* \* \* \*

(3) The application from a public water supply agency shall contain information specifying:

(i) The nature of the hardship claimed and the reason for the requested exemption or variance.

(ii) The adequacy of the supply.

(iii) Evidence of compliance with an approved drought contingency plan.

[ (3) ] (4) The Commonwealth Drought Coordinator or a designee will review the application in consultation with [ the staff of PEMA and ] other appropriate Commonwealth agencies, and may request the [ water use ] applicant to provide within a reasonable time additional information as necessary to review the application.

[ (4) ] (5) The Commonwealth Drought Coordinator, or a designee, as agent for PEMA [ and the Council ], is authorized to render a decision regarding applications received for exemption or variance. The Commonwealth Drought Coordinator, or a designee, will provide the [ water user and other interested parties ] applicant notice in writing of the decision and the reasons for the decision. When possible, the Commonwealth Drought Coordinator, or a designee, will provide a written decision within 7 working days, or if perishable products are involved, within 1 working day, of submission of an application or [ of ] will request additional information as necessary to review the application. When appropriate, the Commonwealth Drought Coordinator may issue a Statewide exemption or variance to similarly situated water users. A notice of the decision will be published in the *Pennsylvania Bulletin*. Unless appealed under this section, the decision of the Commonwealth Drought Coordinator, or a designee, shall be considered a final action on the application.

[ (5) A water user ] (6) A person aggrieved by a decision of the Commonwealth Drought Coordinator, or a designee may, within 30 days of written notice of the decision, or publication of notice of the decision in the *Pennsylvania Bulletin*, appeal the decision to [ the Council ] PEMA.

[ (6) ] (7) An appeal from an initial decision of the Commonwealth Drought Coordinator, or a designee, will not act as an automatic supersedeas, but, upon cause shown and [ where ] when the circumstances required it, [ the Commonwealth Drought Coordinator or the Council, or both ], PEMA will have the power to grant a supersedeas.

[ (7) ] (8) When an initial decision is appealed, [ the Council ] PEMA will provide the [ water user with ] applicant an opportunity for a hearing. [ The Council will ] PEMA may appoint a [ presiding officer to act as the hearing officer ] hearing examiner, who may be an administrative law judge of the Pennsylvania

**Public Utility Commission. [ Hearings will be conducted under 1 Pa. Code Part II (relating to general rules of administrative practice and procedure). ] Hearings may be held telephonically.**

[ (8) ] (9) The hearing examiner will provide the record of the hearing, if any, and a recommendation to PEMA [ and Council ] for review and adoption.

[ (9) The Council ] PEMA, will notify the [ water user ] applicant in writing of its final decision and the reasons for the decision regarding the appeal.

[ (d) ] (e) An exemption or variance will only be granted to [ a water user ] an applicant to the extent necessary to relieve extraordinary hardship and will be conditioned upon compliance with all reasonable conservation measures required by this chapter or the variance or exemption.

[ (e) ] (f) An exemption or variance [ approved by the Council ] may be modified or rescinded by the Commonwealth Drought Coordinator if public health, safety and welfare require further reduction in water use.

[ (f) ] (g) An exemption or variance granted to a water user for a specific property, purpose or person is not transferable to another property, purpose or water user without prior written approval from [ PEMA and the Council ] the Commonwealth Drought Coordinator.

§ 119.7. [ Implementation period ] (Reserved).

**[ This chapter shall be implemented upon declaration by the Governor of a drought or water shortage emergency, and shall remain in effect during the period of the emergency until terminated by action of the Governor or by concurrent resolution of the General Assembly. Notice of the termination of the drought emergency and the reversion of this chapter to a standby status will be submitted to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. ]**

[Pa.B. Doc. No. 00-1907. Filed for public inspection November 3, 2000, 9:00 a.m.]

[4 PA. CODE CH. 119a]

Philadelphia Drought Water Emergency Plan

*Editor's Note:* PEMA is proposing to delete the current version of 4 Pa. Code Chapter 119a as it appears in the *Pennsylvania Code* at §§ 119a.1—119a.5, pages 119a-1—19a-3, serial pages (229901)—(229903).

**Fiscal Note:** 30-57. (1) General Fund; (2) Implementing Year 2000-01 is Unknown; (3) 1st Succeeding Year 2001-02 is Unknown; 2nd Succeeding Year 2002-03 is Unknown; 3rd Succeeding Year 2003-04 is Unknown; 4th Succeeding Year 2004-05 is Unknown; 5th Succeeding Year 2005-06 is Unknown; (4) 1999-00 Program—Not Applicable; 1998-99 Program—Not Applicable; 1997-98 Program—Not Applicable; (7) Various appropriations in the Department of Environmental Protection; (8) recommends adoption. Any additional cost that the Commonwealth incurs due to this rulemaking is expected to be minimal and would be absorbed in the Department of Environmental Protection budget.

Annex A

TITLE 4. ADMINISTRATION

PART V. EMERGENCY MANAGEMENT AGENCY

CHAPTER 119a. (Reserved)

§§ 119a.1—119a.5. (Reserved).

[Pa.B. Doc. No. 00-1908. Filed for public inspection November 3, 2000, 9:00 a.m.]

[4 PA. CODE CH. 120]

Local Water Rationing Plans

Editor's Note: For the Preamble which applies to this document, see 30 Pa.B. 5735 (November 4, 2000).

Fiscal Note: 30-58. (1) General Fund; (2) Implementing Year 2000-01 is Unknown; (3) 1st Succeeding Year 2001-02 is Unknown; 2nd Succeeding Year 2002-03 is Unknown; 3rd Succeeding Year 2003-04 is Unknown; 4th Succeeding Year 2004-05 is Unknown; 5th Succeeding Year 2005-06 is Unknown; (4) 1999-00 Program—Not Applicable; 1998-99 Program—Not Applicable; 1997-98 Program—Not Applicable; (7) Various appropriations in the Department of Environmental Protection; (8) recommends adoption. Any additional cost that the Commonwealth incurs due to this rulemaking is expected to be minimal and would be absorbed in the Department of Environmental Protection budget.

Annex A

TITLE 4. ADMINISTRATION

PART V. EMERGENCY MANAGEMENT

CHAPTER 120. LOCAL WATER RATIONING PLANS

§ 120.1. Definitions.

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

Applicant—The governing body of a political subdivision[, a purveyor] or a public water supply agency which experiences a local water shortage in the service area covered by its plan.

Commonwealth Drought Coordinator—An officer of the Department appointed by the Secretary of the Department, to carry out, as agent of PEMA, responsibilities established in the Pennsylvania Drought Contingency Plan to coordinate Commonwealth planning, preparedness and response action to a drought or water shortage emergency.

[ Council—The Pennsylvania Emergency Management Council ].

\* \* \* \* \*

Designated drought emergency area—The area of this Commonwealth described in the Governor's proclamation or executive order declaring a state of drought and water shortage emergency.

\* \* \* \* \*

Plan—Local Water Rationing Plan—A drought response plan for the equitable allocation of limited water supplies, submitted by a public water supply agency [, purveyor]

or the governing body of a political subdivision and approved by the [ Council ] Commonwealth Drought Coordinator.

\* \* \* \* \*

Public water supply agency—A [ person, partnership, association, corporation, municipality or municipal authority, district or other entity supplying or authorized to supply water to the public ] “community water system” as that term is defined in section 3 of the Pennsylvania Safe Drinking Water Act (35 P. S. § 721.3).

[ Purveyor—The owner or operator of a public water supply agency, including, public utilities, municipalities, municipal authorities, associations and other organizations which supply water to the public including the officers, employees and agents of the owner or operator. ]

\* \* \* \* \*

Service area—The geographical area serviced by a [ purveyor ] public water supply agency.

\* \* \* \* \*

[ Special emergency area—The area described in the Governor's Proclamation declaring a state of drought and water shortage emergency. ]

\* \* \* \* \*

§ 120.2. Purpose.

This chapter establishes procedures for the [ Department, PEMA and the Council ] Commonwealth Drought Coordinator, as agent for PEMA, to review and approve plans [ for ] by public water supply agencies [, purveyors ] or [ municipalities ] political subdivisions in response to a [ declared local ] state of drought or water shortage [ or drought ] emergency that has been declared by the Governor within specified areas of this Commonwealth.

§ 120.3. Objective of a plan.

The objective of a plan is to balance the daily demands placed upon a [ local ] public water supply [ system ] agency with the requirement to maintain a sufficient water supply to meet the long term needs that may be placed upon the public water supply [ system ] agency during a period of water shortage or drought emergency. In particular, the water conservation measures of a plan are intended to:

\* \* \* \* \*

§ 120.4. Responsibility to monitor local water supply and implement water conservation measures.

(a) Each public water supply agency[, purveyor] or governing body of each political subdivision [ in ] which has a source of water or a service area within an area affected by drought conditions or a local water shortage shall monitor the level of its water supply and estimate the availability of future water supply sources, the rate of present and anticipated water usage and the effectiveness of water conservation measures being implemented by them.

(b) Each public water supply agency[, purveyor] or governing body of each political subdivision [ in ] which has a source of water or a service area within an

area affected by drought conditions or a local water shortage shall take prompt action to implement water conservation measures. These measures may include:

\* \* \* \* \*

(4) Implementing a plan as provided in §§ 120.5 and 120.6 (relating to implementation of plans; and implementation of further water usage reductions).

§ 120.5. Implementation of plans.

(a) Plan.

(1) Each public water supply agency [ , purveyor ] or governing body of a political subdivision is authorized to develop a plan. A plan [ may ] shall contain provisions to:

(i) Prohibit nonessential water use, if the restrictions do not conflict with [ similar regulations already promulgated by the Council for the same geographical area covered by the proposed plans ] Chapter 119 (relating to prohibition of nonessential water uses in a Commonwealth drought emergency area).

(ii) Establish equitable water rationing provisions for residential, nonresidential, [ health care facilities ] and other water users together with appropriate implementing procedures.

\* \* \* \* \*

(2) "Guidelines for the Development of a Local Water Rationing Plan" and a "Model Local Water Rationing Plan" may be obtained from the Department. Public water supply agencies are encouraged to contact the Department's Bureau of [ Water Resources Management ] Watershed Conservation, Post Office Box [ 8761 ] 8555, Harrisburg, Pennsylvania 17105-8761, (717) [ 541-7800 ] 772-4048, for specific assistance in developing a system-specific plan.

(b) Review and approval by [ Council ] Commonwealth Drought Coordinator. The [ Council ] Commonwealth Drought Coordinator will [ consider ] review local water rationing plans submitted [ to it ] for review and approval in accordance with the following procedures:

(1) The public water supply agency [ , purveyor ] or governing body of the affected political subdivision shall apply in writing to the [ Council ] Commonwealth Drought Coordinator for approval of its plan. The written request for approval shall include the following elements:

(i) A plan as approved by the public water supply agency [ , purveyor ] or governing body of the affected political subdivision.

\* \* \* \* \*

(iii) An express request for approval of the plan by the [ Council ] Commonwealth Drought Coordinator.

(iv) The signature of an authorized representative of the public water supply agency [ , purveyor ] or governing body of the affected political subdivision.

(2) [ The written request for approval of the plan shall be sent to the Commonwealth Drought Coordinator for initial review and approval. ] If the plan includes a service area which is not included in a

currently effective Governor's proclamation, the following procedures will be followed:

(i) The Commonwealth Drought Coordinator will determine whether or not the request, together with other available information, establishes the existence of a water shortage emergency that will require the Governor to issue a proclamation declaring a state of local drought and water shortage emergency for the affected area, and will make a recommendation to PEMA.

[ (3) Having determined ] If PEMA concurs in the existence of a local water shortage emergency, PEMA will submit to the Governor a proposed proclamation to declare a state of local drought and water shortage emergency for the affected area described in the proclamation.

[ (4) ] (iii) After the Governor signs the proclamation, PEMA will [ , within not more than 72 hours immediately following the determination, call the Council into emergency session to review the written request for approval of the plan ] notify the Commonwealth Drought Coordinator that the plan may be approved and put into effect.

(3) [ For plans ] Any plan that [ cover ] covers emergency service areas already included [ under ] in a [ previously signed ] currently effective Governor's proclamation [ , the council may meet in a regularly scheduled or emergency session as determined by PEMA ] will go into effect upon its approval by the Commonwealth Drought Coordinator.

[ (5) At a regular or emergency session, the Commonwealth Drought Coordinator, or a designee, will brief the Council on the water shortage conditions that warrant the adoption of the plan. The Council will consider and adopt plans subject to the conditions or modifications as approved by the Council. The plan will become effective on the date of its approval by the Council, unless otherwise stated. ]

(c) Mandatory implementation of plans.

(1) After the Governor has issued a proclamation declaring a state of local drought and water shortage emergency for an area of [ the ] this Commonwealth, [ the Governor or the Council ] the Commonwealth Drought Coordinator may direct a public water supply [ , purveyor ] agency or governing body of a political subdivision that is located within or has a source of water within the [ declared ] designated drought emergency area to prepare and submit a plan to the [ Council ] Commonwealth Drought Coordinator for review and approval.

(2) The public water supply agency [ , purveyor ] or governing body of a political subdivision shall submit its plan to the [ Council ] Commonwealth Drought Coordinator, in accordance with the procedures described in subsection (b), within 10 calendar days after receiving written notification from the [ Council ] Commonwealth Drought Coordinator that the adoption and implementation of a plan by that public water supply agency [ , purveyor ] or political subdivision is necessary to deal with the circumstances of the drought and water shortage emergency. [ The Governor's Proclamation that declares a state of local drought and water shortage emergency may also order public

water supply agencies, purveyors or governing bodies of political subdivisions located within the declared drought emergency area to prepare and submit their plans to the Council within 30 calendar days after the issuance of the proclamation. The plan that is submitted by the public water supply agency, purveyor or political subdivision shall contain all or portions of the "Model Local Water Rationing Plan" as directed by the Council.

(3) At regular or emergency session, the Commonwealth Drought Coordinator, or a designee, will brief the Council on the adoption of the submitted plan. The Council will consider and adopt the plan subject to conditions or modifications as approved by the Council. The plan will become effective on the date of its approval by the Council, unless otherwise stated. ]

(d) *Approval of a plan.* Upon approval by the [ Council ] Commonwealth Drought Coordinator of a plan submitted under subsection (b) or (c), the Commonwealth Drought Coordinator [ Department ] will:

(1) [ Issue ] Require the applicant to issue a notice to [ a ] at least one newspaper serving the area covered by the plan, which will advise residential and nonresidential water customers or other persons doing business in the emergency service area of the approval of the plan and its effective date.

(2) Transmit to the Legislative Reference Bureau for [ suggested ] publication in the *Pennsylvania Bulletin*, a written notice which states the approval of the plan by the [ Council ] Commonwealth Drought Coordinator and its effective date.

(3) [ Post or require the posting of ] Require the applicant to post a copy of the plan in at least one public building; for example, a library, or a city, town or municipal building within the emergency service area for the review of the water customers affected by the implementation of the plan.

(4) Require the applicant to make copies of the plan available to the water customers affected by the implementation of the plan, upon request, either electronically or in hard copy.

(e) *Constructive notice.* The actions described in subsection (d) constitute constructive notice under 45 Pa.C.S. § 904 (relating to constructive notice) to all residential and nonresidential water customers or other persons doing business within the emergency service area for the purpose of enforcing the plan adopted and approved by the [ Council ] Commonwealth Drought Coordinator.

#### § 120.6. Implementation of further water usage reductions.

(a) If a public water supply agency [ , purveyor ] or governing body of an affected political subdivision determines that it is necessary to further decrease the water usage of its residential [ or ], nonresidential or other water customers, [ or both, ] it may request the Commonwealth Drought Coordinator to consider and approve revisions or amendments, or both, to its plan in accordance with the procedure in § 120.5(b) (relating to implementation of plans).

(b) [ After consultation with PEMA the ] the Commonwealth Drought Coordinator may approve the requested revisions or amendments, or both, to the plan.

(c) [ An emergency session of the Council will only be called to review those requested revisions for amendments, or both, to a plan that are deemed to be extraordinary or significant in nature as determined by PEMA and the Commonwealth Drought Coordinator.

(d) ] Constructive notice of approved revisions or amendments, or both, to a plan will be provided in accordance with the notification procedures described in § 120.5(d) [ (relating to implementation of plans) ].

#### § 120.7. Enforcement of plans.

(a) The public water supply agency [ , purveyor ] or governing body of a political subdivision shall have primary responsibility for monitoring the compliance of residential [ and ], nonresidential and other water customers with its plan.

(b) The public water supply agency [ , purveyor ] or governing body of a political subdivision shall institute procedures to monitor closely water supplies and current water usage to determine if water reductions are being attained consistent with the water conservation figures established in its plan. A public water supply agency [ , purveyor ] or governing body of a political subdivision shall [ establish a mechanism to ] regularly advise the water customers of the effects of the water rationing program.

(c) Each public water supply agency [ , water purveyor ] or governing body of a political subdivision is authorized to alter meter reading schedules to assure compliance with its plan.

\* \* \* \* \*

#### § 120.8. Service interruptions.

(a) A plan shall include provisions for the implementation of temporary service interruptions. This action would be necessary to achieve water use reductions to prevent a public water supply [ system ] agency from depleting its water supply to the point that vital service demands, such as public health and safety, firefighting and health care facilities, cannot be met.

(b) The following governs the implementation of service interruptions:

(1) To effectuate compliance with a plan, the public water supply agency [ or purveyor ] is authorized and required to plan and implement service interruptions to all or part of its water supply system, as the public water supply agency [ or purveyor ] deems appropriate, when one or more of the following conditions are determined by the public water supply agency [ or purveyor ] to exist as to its water supply system:

\* \* \* \* \*

(2) If the public water supply agency [ or purveyor ] determines that service interruptions are necessary, the public water supply agency [ or purveyor ] shall notify its water customers through the public media, such as newspapers, radio, telephone and television, serving the water customers in its service area at least 1 day prior to the service interruptions, that a planned service interruption is to be imposed. In addition, the public water supply agency [ or purveyor ] shall notify the local coordinator of emergency management; PEMA; the Commonwealth Drought Coordinator; the regional office of the Depart-

ment of Environmental [Resources] Protection; and the Pennsylvania Public Utility Commission, Bureau of [Safety and Compliance] Fixed Utility Services, if the public water supply agency [or purveyor] is subject to the jurisdiction of the Pennsylvania Public Utility Commission. The notice shall:

\* \* \* \* \*

(3) If the public water supply agency [or purveyor] imposes planned service interruptions as authorized and required by a plan, it shall provide for the continued delivery of water to health care facilities within the service area affected by the interruptions, by means of adequate, alternative delivery measures that may be necessary.

(4) If the public water supply agency [or purveyor] implements temporary service interruptions, it shall [make provision] provide, by any means possible, for the continued delivery of the water, as may be necessary, for the proper operation of sewage collection, treatment and disposal systems and facilities.

§ 120.9. Excess use charges.

(a) Excess use charges.

(1) Excess use charges are a positive means of securing compliance with a plan. If a [purveyor] public water supply agency elects to include excess use charges in a plan, the maximum excess use charge authorized to be imposed is as follows:

\* \* \* \* \*

(b) Water allotments. A residential or nonresidential water customer who exceeds the water allotments established by the plan shall be subject to an excess use charge. [the following:

(1) Public water supply agencies [or purveyors] in the emergency service area are authorized to collect an excess-use charge based on the amount by which a water customer's use exceeds the water allotment established in the plan. The charges will be specified in the plan.

[(2)] (c) Disposition of excess use charges. [Monies] Moneys collected by public water supply agencies [or purveyors] through excess use charges may not be accounted for as income to the public water supply agency [or purveyor], but shall be placed in a reserve account. The disposition of funds placed in the reserve account shall be governed as follows:

[(i)] (1) Funds collected by a public utility or a municipal corporation rendering services beyond its corporate limits shall be used to offset drought related costs as directed by orders and procedures adopted by the Pennsylvania Public Utility Commission.

[(ii)] (2) Funds collected by [a municipal authority or a municipal corporation or other purveyor rendering services within its corporate limits] any public water supply agency not covered in paragraph (1), shall be used to offset drought-related costs [as directed by the Council].

[(c)] (d) Additional penalties. In addition to the excess use charge, noncompliance with the plan may result in the following:

(1) For the first excess use, the public water supply agency [or purveyor] will warn the water customer

that its water use may be discontinued if the water customer continues its noncompliance practices.

(2) For the second excess use, the public water supply agency [or purveyor] may interrupt or shut off service to the water customer for a period not to exceed 48 hours per incident. As an alternative, the public water supply agency [or purveyor] may install a flow restriction in the water customer's service line for the duration of the water shortage emergency. The cost incurred by the public water supply agency [or purveyor] to interrupt or shut off and reinstate service, or to install and remove a flow restriction, shall be assessed to the water customer by the public water supply agency [or purveyor].

[(d)] (e) Appeal of decision or action. A water customer aggrieved by a decision or action taken by a public water supply agency [or purveyor] under the authority of this section may proceed in accordance with the following:

(1) Each public water supply agency [or purveyor] shall adopt procedures which provide an opportunity for the water customer to rebut the finding of a violation or to present evidence of circumstances beyond the water customer's control which resulted in the violation. Each public water supply agency [or purveyor] shall keep a record of the evidence presented by the water customer concerning the disputed violations and shall provide the water customer with a written notice of its final decision and action in the case.

(2) A water customer aggrieved by the final decision or action of a water supply [purveyor] agency may file an appeal with the Pennsylvania Public Utility Commission, if the water supply agency is regulated by the Public Utility Commission, and in all other instances with the Court of Common Pleas in the county the water service is provided, in accordance with [the provisions and procedures of] 2 Pa.C.S. §§ 551-555 and 751-754 (relating to the Local Agency Law).

§ 120.10. [Temporary suspension of water rationing provisions] (Reserved).

[(a) Water rationing provisions may be suspended for the service area of a public water supply agency or purveyor if meteorologic and hydrologic conditions create a significant improvement in the water supply of the public water supply agency or purveyor.

(b) A significant improvement shall be defined as an improvement in the ability of the public water supply agency or purveyor to supply the water demands of its water customers which is not attributable to conservation or rationing efforts and which is evidenced in the case of public water supplies using:

(1) Surface water sources, by reservoirs filled to capacity or containing at least 60 days of storage.

(2) Groundwater sources, by a recovery of the water table sufficient to allow the public water supply agency or purveyor to reasonably predict supplies which will meet demand for at least 60 days.

(3) Both surface water and groundwater sources, by recovery sufficient to allow the public water supply agency or purveyor to reasonably predict

that the combined sources can provide water to meet demand for at least 60 days.

(c) If a public water supply agency or purveyor or an applicant determines that a significant improvement in water supply has occurred, the public water supply agency or purveyor or applicant may apply for a temporary suspension of water rationing provisions through the following process:

(1) The applicant shall send to the Commonwealth Drought Coordinator an application for temporary suspension, which describes the improvement in water supply conditions in sufficient detail to demonstrate that there has been a significant improvement in the water supply.

(2) The applicant shall send a copy of the application to each public water supply agency or purveyor and local government in the emergency service area of the affected plan. The applicant shall also notify the public water supply agency or purveyors and local governments in the affected emergency service area that they shall file objections to the temporary suspension with the Commonwealth Drought Coordinator within 7 days of the Commonwealth Drought Coordinator's receipt of the application.

(3) An application to temporarily suspend water rationing provisions shall become effective 7 days after it is received by the Commonwealth Drought Coordinator unless it is objected to by PEMA, the Commonwealth Drought Coordinator, a purveyor or a local government in the emergency service area of the affected plan. If objections are filed with the Commonwealth Drought Coordinator or PEMA, the Council will consider the objections and act upon the application in the interest of effective drought response.

(4) The applicant shall publicize the temporary suspension of water rationing provisions in the manner reasonably calculated to notify persons in the affected service area.

(d) The applicant has the responsibility to immediately notify the Commonwealth Drought Coordinator if the water supply situation changes so that the applicable conditions described in subsection (b) no longer exist. Upon the notification, the Commonwealth Drought Coordinator, after consulting with PEMA, may terminate the suspension and reinstate the water rationing provisions. The applicant shall publicize the reinstatement of water rationing provisions in a manner reasonably calculated to notify persons in the affected service area. ]

#### § 120.11. Enforcement by political subdivision ordinance.

(a) A political subdivision may adopt an ordinance to enforce the various provisions of [ its ] a plan within the jurisdictional boundaries of the political subdivision, if the following actions precede the adoption of the ordinance:

(1) The plan has been [ political subdivision has prepared and submitted its plan to the Council ] plan has been submitted to the Commonwealth Drought Coordinator in accordance with § 120.5 (relating to implementation plans).

\* \* \* \* \*

(3) The [ Council ] Commonwealth Drought Coordinator has approved the [ political subdivision's ] plan and [ has provided ] constructive notice of the plan as described in § 120.5(d) has been provided to residential and nonresidential water customers or other persons doing business within the emergency service area of the plan.

(b) After the actions in subsection (a) have occurred, a political subdivision may adopt and publish an ordinance in accordance with its applicable county, city, borough or township code. The purpose of the ordinance shall be to [ restrict nonessential water use by residential and nonresidential water customers or other persons or to impose water conservation measures ] implement the plan within the jurisdictional boundaries of the political subdivision. The ordinance may include, adopt, incorporate or otherwise enact one or more sections, provisions or portions of the [ political subdivision's ] approved plan.

(c) [ A ] Any person who violates a local water rationing/conservation ordinance adopted by a political subdivision, in accordance with the procedures specified in subsections (a) and (b), shall be subject to the fines and penalties that apply to violations of that ordinance as prescribed in the county, city, borough or township code under which the ordinance was adopted.

#### § 120.13. Additional water conservation and protection policies.

Nothing in a plan or this chapter limits or affects the power or authority of a political subdivision to adopt or enforce ordinances, rules, restrictions and orders for water conservation and protection of essential supplies, [ if ] provided that the ordinances, rules, restrictions and orders [ are not inconsistent ] do not conflict with [ the requirements of ] this chapter and Chapters 118 and 119 (relating to reductions of major water use in [ the Delaware River Basin ] a Commonwealth drought emergency area; and prohibition of nonessential water uses in a Commonwealth drought emergency area), and river basin commission orders or plans.

#### § 120.14. Repeal of a plan.

[ (a) ] A plan may be amended or repealed only by action of the [ Council ] Commonwealth Drought Coordinator upon the written request of [ a local government or a public water supply agency or a purveyor ] the public water supply agency or governing body of a political subdivision that developed and submitted the plan. A request for amendment or repeal of a plan shall document the conditions justifying the amendment or repeal, be signed by an authorized representative of the [ local government or a public supply agency or a purveyor ] applicant and be [ filed with ] submitted to the Commonwealth Drought Coordinator for approval.

[ (b) ] A plan covering the service area of a single public water supply agency or purveyor may be repealed if concurred in by both the purveyor and the local government affected and approved by the Council.

(c) A plan covering service areas of several purveyors may be:



(1) Amended to delete one or several service areas if concurred in by each purveyor and municipality affected and approved by the Council.

(2) Repealed in its entirety if requested by the water purveyors and all municipalities in the emergency service area of the plan and approved by the Council. ]

§ 120.15. Notification of termination.

[ Whenever conditions within a public water supply system permit the repeal of the plan, the Department will send a notice of the termination of the plan to the Legislative Reference Bureau for suggested publication in the *Pennsylvania Bulletin*. ] Upon approval of the repeal of a plan in accordance with § 120.14 (relating to repeal of a

plan), the Commonwealth Drought Coordinator will require the applicant to issue a notice to at least one newspaper serving the area covered by the plan, which will advise residential and nonresidential water customers or other persons doing business in the emergency service area of the repeal of the plan and its effective date. The Commonwealth Drought Coordinator will also transmit to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, a written notice which states that the plan has been repealed by the Commonwealth Drought Coordinator and its effective date.

[Pa.B. Doc. No. 00-1909. Filed for public inspection November 3, 2000, 9:00 a.m.]

# NOTICES

## 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 24, 2000.

### BANKING INSTITUTIONS

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-5-00	Bank of Hanover and Trust Company Hanover York County	223 E. Main St. Westminster Carroll County Maryland	Opened
10-19-00	Hollidaysburg Trust Company Hollidaysburg Blair County	1402 Logan Avenue Tyrone Blair County	Opened
10-23-00	Citizens & Northern Bank Wellsboro Tioga County	3461 Route 405 Hwy. Muncy Muncy Creek Twp. Lycoming County	Opened

#### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-20-00	Great Valley Savings Bank Reading Berks County	<i>To:</i> Shillington Square Shopping Center 2251 Lancaster Ave. Shillington Cumru Township Berks County  <i>From:</i> 6 Philadelphia Ave. Shillington Berks County	Approved

### 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>
10-23-00	Erie Postal Credit Union, Erie, and Erie General Electric Employees Federal Credit Union, Erie Surviving Institution— Erie General Electric Employees Federal Credit Union, Erie	Erie	Filed

**Branch Relocations**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-23-00	Incol Credit Union Old Forge Lackawanna County	<i>To:</i> 320 S. Pennsylvania Boulevard Suite 364 Wilkes-Barre Luzerne County  <i>From:</i> 775-1 Rutter Avenue Kingston Luzerne County	Filed

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

[Pa.B. Doc. No. 00-1910. Filed for public inspection November 3, 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 standard 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 Administrator has waived the right to review or object to this proposed permit action under the waiver provision to 40 CFR 123.6E.

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

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

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

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

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

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

**PA 0052256.** Industrial waste, **The Fredericks Company**, 2400 Philmont Avenue, Huntingdon Valley, PA 19006.

This application is for renewal of an NPDES permit to discharge noncontact cooling water from a specialty glass manufacturing facility in Lower Moreland Township, **Montgomery County**. This is an existing discharge to Huntingdon Valley Creek. There are no water supply intakes downstream of this facility on Huntingdon Valley Creek or Pennypack Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.0087 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for Outfall 002, based on an average flow of one storm event are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		monitor/report	
COD		monitor/report	
Oil and Grease		monitor/report	
pH		monitor/report	
Total Suspended Solids		monitor/report	
Total Kjeldahl Nitrogen		monitor/report	
Total Phosphorous		monitor/report	
Dissolved Iron		monitor/report	

The EPA waiver is in effect.

**PA 0036447.** Industrial waste, **Naval Surface Warfare Center—Carderock Division**, Philadelphia Naval Business Center.

This application is for renewal of an NPDES permit to discharge cooling water from the Philadelphia Naval Shipyard in the City of Philadelphia, **Philadelphia County**. This is an existing discharge to Delaware Estuary—Zone 4.

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

The proposed effluent limits for Outfall 001, based on an average flow of .066 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor/report		
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for Outfall 005, based on an average flow of 0.002 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor/report		
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for Outfall 008, based on an average flow of 29 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitor/report		
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		

*Other Conditions:*

The EPA Waiver is in effect.  
Thermal Requirements.

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

**PA-0060267.** Sewerage, **North Pocono School District**, Jefferson Elementary School, 701 Church Street, Moscow, PA 18444.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary to the West Branch to Wallenpaupack Creek in Jefferson Township, **Lackawanna County**.

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

Effluent limits were evaluated at point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .009 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	15.0	30.0
(11-1 to 4-30)	25.0	50.0
Total Suspended Solids	30.0	60.0
NH <sub>3</sub> -N (5-1 to 10-31)	1.50	3.0
(11-1 to 4-30)	4.50	9.0
Phosphorous as "P"	0.50	1.0
Dissolved Oxygen	a minimum of 6.0 mg/l at all times	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times	
Total Residual Chlorine	1.2	2.8

The EPA waiver is in effect.

**PA 0063461.** Sewerage, **Mehoopany Township**, c/o Philip O. Farr, Municipal Building, Schoolhouse Hill Road, Mehoopany, PA 18629.

This proposed action is for issuance of an NPDES permit to discharge treated sewage into Little Mehoopany Creek in Mehoopany Township, **Wyoming 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 downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Authority.

The proposed effluent limits for Outfall 001 based on a design flow of 0.055 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	1.0		2.0

The EPA waiver is in effect.

**PA-0034088.** Sewerage, **Oakwood Lake Associates**, 215 W. Church Road, Suite 106, King of Prussia, PA 19406.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Swale Brook in Tunkhannock Township, **Wyoming 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 Water Supply on N. Branch of Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of .01 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N (5-1 to 10-31)	6.5	13.0
Dissolved Oxygen	A minimum of 6 mg/l at all times	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0 to 9.0 standard units at all times	
Total Residual Chlorine (1st Month—36th Month)	monitor and report	monitor and report
(37th Month—Expiration)	.5	1.2

The EPA waiver is in effect.

**PA 0026107.** Sewerage, **Wyoming Valley Sanitary Authority**, c/o Fred DeSanto, 1000 Wilkes-Barre Street, Wilkes-Barre, PA 18703-1333.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into North Branch Susquehanna River in Hanover Township, **Luzerne County**.

The receiving stream is classified for the following uses: warm 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 downstream potable water supply (PWS) considered during the evaluation is the Danville Water Company located on the North Branch Susquehanna River.

The proposed effluent limits based on a design flow of 32.0 mgd\* are:

*Outfall 001 (Secondary Plant Effluent Prior to Chlorination)*

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
pH	6.0 to 9.0 standard units at all times		

*Outfall 001 (Chlorine Contact Tank Effluent)*

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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	0.50		1.20

Point Sources 002 through 058 (Except 047, 048 and 050) serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department's EPS approved CSO strategy, a special permit requirement is included in Part C of this permit.

*Other Conditions:* Sludge disposal, pretreatment operating and reporting requirements and combined sewer overflows.

The EPA waiver is not in effect.

\*Water quality based limits in mg/l are based on 32 mgd. Mass based limits in lbs/day are based on a 50 mgd hydraulic capacity.

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

**PA 0080314.** SIC Code 4952, Sewage, **Hampden Township (Roth Lane Treatment Plant)**, 230 South Sporting Hill Road, Hampden, PA 17055-3097.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Conodoguinet Creek in Watershed 7-B (Conodoguinet Creek), in Hampden Township, **Cumberland 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 Steelton Municipal Waterworks 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 4.65 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	XXX	67
Total Suspended Solids	30	45	XXX	81
NH <sub>3</sub> -N (5-1 to 10-31)	6.9	XXX	XXX	18
(11-1 to 4-30)	15	XXX	XXX	40
Total Phosphorus	2	XXX	XXX	5.4
Total Residual Chlorine	0.35	XXX	XXX	1.2
Total Nitrogen	XXX	XXX	monitor and report	XXX
Dissolved Oxygen		minimum of 5.0 at all times		
pH		from 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average			
(10-1 to 4-30)	10,000/100 ml as a geometric average			

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

The EPA waiver is not in effect.

**PA 0014648.** SIC Code 4941, Industrial Waste, **United Water Pennsylvania (Hummelstown Plant)**, 4211 East Park Drive, P. O. Box 4151, Harrisburg, PA 17111-0151.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Swatara Creek in Watershed 7-D (Swatara Creek), in Hummelstown Borough, **Dauphin County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Middletown Borough Water located in Middletown Borough, 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 0.055 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XXX	XXX	XXX
Total Suspended Solids	30	60	75
Total Iron	2.0	4.0	5.0
Total Manganese	1.0	2.0	2.5
Total Aluminum	4.0	8.0	10.0
Total Residual Chlorine	0.5	1.0	1.6

Individuals 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 0026875.** SIC Code 4952, Sewage, **Borough of Hanover (Borough of Hanover Regional WWTP)**, 44 Frederick Street, Hanover, PA 17331.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to South Branch Conewago Creek in Watershed 7-F (Conewago Creek), in Conewago Township, **Adams 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 New Oxford Municipal Authority intake in Oxford Township, Adams County. The discharge is not expected to impact any potable water supply.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>				
(5-1 to 10-31)	15	22	XXX	40
(11-1 to 4-30)	20	30	XXX	54
Total Suspended Solids	30	45	XXX	81
NH <sub>3</sub> -N				
(5-1 to 10-31)	1.5	XXX	XXX	4.0
(11-1 to 4-30)	3.0	XXX	XXX	8.1
Total Phosphorus	2.0	XXX	XXX	4.0
Total Residual Chlorine	0.17	XXX	XXX	0.57
Nitrate-Nitrogen	monitor and report	monitor and report	XXX	XXX
Total Copper	XXX	XXX	monitor and report	XXX
Total Lead	XXX	XXX	monitor and report	XXX
Dissolved Oxygen		minimum of 5.0 at all times		
pH		from 6.0 to 9.0 inclusive		
Fecal Coliform				
(5-1 to 9-30)		200/100 ml as a geometric average		
(10-1 to 4-30)		2,400/100 ml as a geometric average		

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

The EPA waiver is not in effect.

**PA 0035823.** SIC Code 7033, Sewage, **Saunders Park**, 5909 Little Cove Road, Mercersburg, PA 17236-9409.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Little Cove Creek in Watershed 13-B (Licking—Tonoloway Creeks), in Warren Township, **Franklin County**.

The receiving stream is classified for cold water fishery, 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 R. C. Wilson Water Treatment Plant located near Williamsport, Maryland. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.010 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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH <sub>3</sub> -N (5-1 to 10-31)	10.5	21
Total Residual Chlorine	1.5	2.5
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	17,000/100 ml as a geometric average	

Individuals 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 0021644.** SIC Code 4952, Sewage, **Dover Borough (Dover Borough WWTP)**, 46 Butter Road, Dover, PA 17315-1225.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Fox Run in Watershed 7-F (Conewago Creek), in Dover Borough, **York County**.

The receiving stream is classified for trout stocking fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, 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 Co. located on the Susquehanna River in Wrightsville, York County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.4 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-31)	15	22	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 10-31)	2.0	XXX	4.0
(11-1 to 4-30)	6.0	XXX	12.0
Total Phosphorus	2.0	XXX	4.0
Total Residual Chlorine	0.19	XXX	0.63
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,700/100 ml as a geometric average		

Individuals 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 0046302.** SIC Code 4941, Industrial Waste, **Pennsylvania-American Water Company (Hershey Plant)**, 200 East Canal Street, Hummelstown, PA 17036-9225.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial water to Swatara Creek and Manada Creek in Watershed 7-D (Swatara Creek), in South Hanover Township, **Dauphin County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, 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 Pennsylvania located in Hummelstown Borough, 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 0.399 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XXX	XXX	XXX
Total Suspended Solids	30	60	75
Total Iron	2.0	4.0	5.0
Total Aluminum	4.0	8.0	10.0
Total Manganese	1.0	2.0	2.5
Total Residual Chlorine	0.5	1.0	1.6



The proposed effluent limits for Outfall 002 for a design flow of 0.399 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XXX	XXX	XXX
Total Suspended Solids	30	60	75
Total Iron	2.0	4.0	5.0
Total Aluminum	4.0	8.0	10.0
Total Manganese	1.0	2.0	2.5
Total Residual Chlorine	0.37	0.74	1.22

The proposed effluent limits for Outfall 003 for a design flow of 0.399 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XXX	XXX	XXX
Total Suspended Solids	XXX	monitor and report	XXX

Individuals 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 0014621.** SIC Code 4941, Industrial waste, **United Water Pennsylvania**, 4211 East Park Drive, P. O. Box 4151, Harrisburg, PA 17111-0151.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Susquehanna River in Watershed 7-C (Clark—Paxton Creeks), in Susquehanna Township, **Dauphin County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Steelton Municipal Waterworks located in Steelton Borough, 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 0.554 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XXX	XXX	XXX
pH (S.U.)		from 6.0 to 9.0 inclusive	
Total Suspended Solids	30	60	75
Total Iron	2.0	4.0	5.0
Total Manganese	1.0	2.0	2.5
Total Aluminum	4.0	8.0	10.0
Total Residual Chlorine	0.5	1.0	1.6

Individuals 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 0033995.** SIC Code 4952, Sewage, **County of Berks (County STP)**, Sixth and Court Streets, 14th Floor, Reading, PA 19601.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Plum Creek in Watershed 3-C (Tulpehocken Creek), in Bern Township, **Berks 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 Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed interim effluent limits for Outfall 001 for a design flow of 0.30 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)	5.5	11
(11-1 to 4-30)	16.5	33
Total Residual Chlorine	0.36	1.2
Dissolved Oxygen		minimum of 5.0 at all times
pH		from 6.0 to 9.0 inclusive

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 18,000/100 ml as a geometric average	

The proposed final effluent limits for Outfall 001 for a design flow of 0.50 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)	5.5	11
(11-1 to 4-30)	16.5	33
Total Residual Chlorine	0.36	1.2
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 10,000/100 ml as a geometric average	

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

**PA 0000566.** Industrial waste, SIC: 3351, **Hussey Copper Ltd.**, 100 Washington Street, Leetsdale, PA 15056.

This application is for renewal of an NPDES permit to discharge treated process water, cooling water and untreated stormwater from copper manufacturing plant in Leetsdale Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River and Big Sewickley Creek, classified as warm water fisheries with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the ARCO Chemical Company Beaver Valley Plant, located at Monaca, 14.12 miles below the discharge point.

*Outfall 001:* existing discharge, design flow of 0.9 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Temperature (°F)					110
Oil and Grease			15		30
Copper			0.4	0.8	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 101:* existing discharge, design flow of 0.212 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
TSS	52	112	15	20	
Oil and Grease	34	67	10	10	
Chromium	0.15	0.38	0.15	0.37	
Copper	1.1	2.0	0.61	1.28	
Lead	0.35	0.63	0.13	0.28	
Nickel	0.8	1.2	0.37	0.55	
Zinc	0.8	1.9	0.42	1.02	
pH	not less than 7.5 nor greater than 10.0				

*Outfall 002: existing discharge*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Oil and Grease	monitor and report				
pH	monitor and report				

*Outfalls 003, 004 and 005: new discharges*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
These outfalls shall contain stormwater only.					

The EPA waiver is not in effect.

**PA 0001236.** Industrial waste, SIC, **Cutler-Hammer, Inc.**, One Tuscarawas Road, Beaver, PA 15009.

This application is for renewal of an NPDES permit to discharge treated process water and untreated cooling water stormwater from the Vanport Plant in Vanport Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters of Two Mile Run and the Ohio River, classified as a warm water fisheries 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 on the Ohio River, 8.0 miles below the discharge point.

*Outfall 102: existing discharge to the Wastewater Treatment Plant:*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Cyanide			0.65	1.20	

*Outfall 202: existing discharge, design flow of 0.029 mgd.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)				110	
pH	not less than 6.0 nor greater than 9.0				

*Outfall 302: existing discharge, design flow of 0.186 mgd.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Cadmium			0.26	0.69	
Chromium			1.71	2.77	
Copper			2.07	3.38	
Lead			0.43	0.69	
Nickel			2.38	3.98	
Silver			0.24	0.43	
Zinc			1.48	2.61	
Cyanide			0.65	1.20	
TTO				2.13	
Oil and Grease			3.0	60.0	
Total Suspended Solids			31.0	60.0	
Total Residual Chlorine			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

*Other Conditions:* Outfall 002 receives wastewater from Internal Monitoring Points 102, 202 and 302. Effluent limits are imposed and monitored at each internal monitoring point.

Outfall 006: existing discharge, design flow of 0.038 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)					
January 1-15			55		
February 1-29			56		
March 1-31			85		
April 1-15			96		
April 16-30			102		
May 1-15			93		
May 16-31			110		
June 1-15			110		
June 16-30			110		
July 1-31			106		
August 1-31			104		
September 1-15			97		
September 16-30			91		
October 1-15			86		
October 16-31			80		
November 1-15			73		
November 16-30			62		
December 1-31			53		
Cadmium	monitor and report				
Copper	monitor and report				
Lead	monitor and report				
Zinc	monitor and report				
pH	not less than 6.0 nor greater than 9.0				

Outfalls 001, 008, 009: existing stormwater discharge, design flow of varied mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
The discharge from these outfalls shall consist of uncontaminated stormwater runoff only.					

Outfalls 003—005, 007: stormwater discharge, design flow of varied mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Cadmium	monitor and report				
Copper	monitor and report				
Lead	monitor and report				
Zinc	monitor and report				

The EPA waiver is not in effect.

**PA 0205001.** Industrial waste, SIC: 4941, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701.

This application is for renewal of an NPDES permit to discharge treated process water from the West Lebanon Water Plant in Young Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, Wertz Pond, classified as a cold 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 the Buffalo Township Water Authority, located at Freeport, 37 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.001 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
TSS			30		
Aluminum			4		
			60		
			8		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Iron			2		4
Manganese			1		2
TRC			0.5		1.0
pH	not less than 6.0 nor greater than 9.0 s.u.				

*Other Conditions:*

The EPA waiver is in effect.

**PA 0090816.** Sewage, **51 Park Properties**, 3101 Homestead-Duquesne Boulevard, West Mifflin, PA 15122.

This application is for renewal of an NPDES permit to discharge treated sewage from 51 Park Properties STP in Forward Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Gillespie 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: McKeesport Municipal Water Authority.

*Outfall 001:* existing discharge, design flow of 0.06 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	2.3			4.6
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	.02			.05
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0098337.** Sewage, **Connellsville Area School District**, 125 North Seventh Street, Connellsville, PA 15425.

This application is for renewal of an NPDES permit to discharge treated sewage from the Springfield Township Elementary School in Springfield Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Indian Creek, which are classified as a cold 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: North Fayette County Municipal Authority on the Youghiogheny River.

*Outfall 001:* existing discharge, design flow of 0.003 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	10.5			21.0
(11-1 to 4-30)	25.0			50.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0217131.** Sewage, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701.

This application is for renewal of an NPDES permit to discharge treated sewage from the Rossiter STP in Canoe Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Canoe Creek, which are classified as a cold 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: Armstrong Power Station on the Allegheny River.

*Outfall 001:* existing discharge, design flow of 0.098 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0	7.5		10.0
(11-1 to 4-30)	15.0	22.5		30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 4.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

**PA 0000183.** Industrial waste, SIC: 3743 and 3621, **General Electric Company**, 2901 East Lake Road, Erie, PA 16531.

This application is for renewal of an NPDES permit to discharge treated industrial waste and storm sewer runoff from the plant located in Lawrence Park Township, **Erie County**. This is an existing discharge.

The receiving water, Lake Erie, is classified for 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, there are no potable water supplies (PWS) at or near the point of discharge.

*Outfall 001*

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	30	60	60
Oil and Grease	15	30	30
Dissolved Iron		7.0	7.0
Phosphorus	2.0		
Total Residual Chlorine	0.2		
pH	between 6.0 and 9.0 standard units at all times		

*Outfall 101*—This is an internal monitoring outfall.

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	30	60	60
Oil and Grease	26	52	52
Copper (T)	2.07	3.38	3.38
Chrome (T)	1.71	2.77	2.77
Zinc (T)	1.48	2.61	2.61
Cadmium (T)	0.26	0.69	0.69
Lead (T)	0.43	0.69	0.69
Nickel (T)	2.38	3.98	3.98
Silver (T)	0.24	0.43	0.43
TTO	N/A	2.13	2.13

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Cyanide (A)	0.32	0.86	0.86
Cyanide (T)	0.65	1.20	1.20
pH	between 6.0 and 10.0 standard units at all times		

Cyanide (A) shall be monitored at the discharge from the cyanide destruction tank.

*Outfall 201*—This is an internal monitoring outfall.

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	30	90	90
Oil and Grease	15	18	18
Dissolved Iron		7.0	7.0
Manganese (T)		4.0	4.0
pH	between 6.0 and 10.0 standard units at all times		

*Outfall 002*—This is a discharge to Four Mile Creek, which is classified for WWF, MF, water supply and recreation.

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Dissolved Iron		7.0	7.0
pH	between 6.0 and 9.0 standard units at all times		

In addition, this discharge shall consist of stormwater runoff only and shall be controlled in accordance with the latest preparedness, prevention and contingency plan.

#### *Outfalls 003 and 004*

These are discharges of stormwater runoff to Four Mile Creek, which is classified for WWF, MF, water supply and recreation.

These discharges shall consist of stormwater runoff only and shall be controlled in accordance with the latest preparedness, prevention and contingency plan.

#### *Outfall 006*

This is a discharge to McDannel Run, which is classified as CWF and is tributary to Lake Erie.

This is a discharge of stormwater runoff only and shall be controlled in accordance with the latest preparedness, prevention and contingency plan.

#### *Outfall 007*

This is a discharge to an unnamed drainage course tributary to Lake Erie of stormwater runoff only and shall be controlled in accordance with the latest preparedness, prevention and contingency plan.

#### *Special Conditions*

Sampling and analysis procedures for TTO specified.

Effluent limitations, monitoring requirements and other standard and special conditions relating to the discharge of pollutants which are contained in Water Quality Management permits # 2576204 and # 2576205 are superseded by the terms and conditions of this permit, unless specifically noted otherwise herein.

No potable water supply will be affected by this proposed discharge.

The EPA waiver is not in effect.

**PA 0104469.** Sewage. **Kasgro Rail Corporation**, 320 East Cherry Street, New Castle, PA 16102.

This application is for renewal of an NPDES Permit, to discharge treated sewage to unnamed tributaries of Beaver River and Shenango River in Taylor Township, **Lawrence County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Beaver Falls Municipal Authority on the Beaver River located at 3.8 and is located 18.5 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.00400 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 100,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0210013.** Sewage. **Paul R. Goda**, 72 Birchwood Drive, Transfer, PA 16154.

This application is for renewal of an NPDES Permit, to discharge treated sewage to unnamed tributary to Shenango River in Pymatuning Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Sharpsville Municipal Authority located approximately 7 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 350 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Fecal Coliform	200/100 ml as a geometric average	
Total Residual Chlorine	monitor and report	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0221007.** Sewage. **Volant Borough**, P. O. Box 96, Volant, PA 16156.

This application is for renewal of an NPDES Permit to discharge treated sewage to the Unnamed Tributaries of Shenango River and Neshannock Creek in Volant Borough, **Lawrence County**. This is an existing discharge.

The receiving water is classified for the following uses: trout stocked fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Municipal Authority of the Township of North Sewickley on the Beaver River located at river mile 7.6 and is located 27.0 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 based on a design flow of 0.03500 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 100,000/100 ml as a geometric average		
Total Residual Chlorine	0.5		1.2
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

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### Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management and total residual chlorine control (TRC). Major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

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

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



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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0083135	Mifflin County School Dist. E. Derry Elem. School 103 Green Ave. Lewistown, PA 17044	Mifflin County Derry Township	Jacks Creek	TRC
PA 0083852	Ferryboat Campsites Inc. R. D. 2, Box 324 Liverpool, PA 17045	Perry County Buffalo Township	Susquehanna River	TRC

## 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 protester, 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 protester 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. 4800402.** Sewerage. **Lower Saucon Authority**, 3706 Old Philadelphia Pike, Bethlehem, PA 18015. Appli-

cation for installation of a gravity sewer system and pump station to serve a proposed development and surrounding community in Lower Saucon Township, **Northampton County**. Application received in the Regional Office—October 16, 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. 6700411.** Sewerage. Submitted by **Northeastern York County Sewer Authority (NEYCSA)**, P. O. Box 516, Mt. Wolf, PA 17347 in East Manchester Township, **York County** to construct a pump station for a 305 lot residential subdivision was received in the Southcentral Region on October 6, 2000.

**A. 5090405 (amendment 00-1).** Sewerage. Submitted by **Duncannon Borough Municipal Authority**, 428 North High Street, Duncannon, PA 17020 in Duncannon Borough, **Perry County** to re-rate their existing sewage treatment plant was received in the Southcentral Region on October 12, 2000.

**A. 2800405.** Sewerage. Submitted by **Kent D. Garman**, 13532 Cumberland Highway, Orrstown, PA 17244 in Lurgan Township, **Cumberland County** to construct a small flow treatment system to serve his single family residence was received in the Southcentral Region on October 16, 2000.

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

**A. 462S25-A1.** Sewerage. **Youngwood Borough Authority**, 17 South Sixth Street, Youngwood, PA 15697. Application for the relocation of the sewage pump station and sanitary sewer line extension to serve the Depot Street PS located in Youngwood Borough, **Westmoreland County**. The Pennsylvania Infrastructure Investment Authority (Pennvest), which administers Pennsylvania's State Revolving Fund, has been identified as a possible funding source. The Department's review of the sewage

facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

**A. 0200415.** Sewerage, **Allegheny County Sanitary Authority**, 3300 Preble Ave., Pittsburgh, PA 15233. Application for the modification and operation of the relocation of a force main to serve The Cove at St. Charles located in Blawnox Boro, **Allegheny County**.

**A. 0288438-A1.** Sewerage, **Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15239. Application for the modification and operation of sewers and appurtenances to serve Bodies Run located in Plum Borough, **Allegheny County**.

**A. 5600406.** Sewerage, **Somerset Township Municipal Authority**, P. O. Box 247, Somerset, PA 15501. Application for the construction and operation of Sewers and Appurtenances to serve Blackburn Road located in Somerset Township, **Somerset 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 the Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. The proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

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

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

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

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

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

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

**NPDES Permit PAS10-G024-R.** Stormwater. **Charlestown Oaks, Inc.**, 2EF Raymond Drive, Havertown, PA 19083, has applied to discharge stormwater from a construction activity located in Charlestown Township, **Chester County**, to Little Valley Creek (EV).

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

**NPDES PAS10B012-1.** Stormwater. **Mark Ann Industries, Inc.**, P. O. Box 1022, Kittanning, PA 16201 has applied to discharge stormwater from a construction site located in West Franklin Township, **Armstrong County** to an unnamed tributary to Buffalo Creek, HQ-PSF.

**NPDES PAS10A114.** Stormwater. **PA Department of Transportation**, 45 Thoms Road, Bridgeville, PA 15017 has applied to discharge stormwater from a construction site located in Etna Borough, Sharpsburg Borough, Fox Chapel Borough, City of Pittsburgh, Shaler Township and O-Hara Township, **Allegheny County** to Squaw Run, HQ-WWF and Pine Creek, TSF.

**SAFE DRINKING WATER**

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

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

**4000503.** Public water supply. **Hazleton City Authority**, Randy Cahalan, Manager, 400 East Arthur Gardner Parkway, Hazleton, PA 18201. This proposal involves the elimination of an 18,000 gallon underground storage tank; and the construction of a new, finished water, 84,000 gallon welded steel standpipe, and an additional source of supply (Well No. 2) with a new valve box chamber and wellhouse with appurtenances. The existing public water system is known as the Village of Tomhicken service area located in Sugarloaf Township, **Luzerne County**. Eng. Schumacher Engineering Inc., William J. Schumacher, Jr., P.E.

**4000504.** Public water supply. **Hazleton City Authority**, Randy Cahalan, Manager, 400 East Arthur Gardner Parkway, Hazleton, PA 18201. This proposal involves the replacement of the existing 4" mains with 8" DIP; and the construction of an additional source of supply (Well No. 2) with wellhouse appurtenances. The existing public water system is known as the Village of Derringer/Fern Glen located in Black Creek Township, **Luzerne County**. Eng. Schumacher Engineering Inc., William J. Schumacher, Jr., P.E.

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

**A. Minor Amendment.** The Department has received a permit application from **Benton Municipal Water and Sewer Authority**, P. O. Box 516, Benton, PA 17814-0516, Benton Township, **Columbia County**. The application is for changing from soda ash to caustic soda for pH adjustment.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

### Preamble 1

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

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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 or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, 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, please 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:

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

**Voydik Residence**, North Manheim Township, **Schuylkill County**. Andrew W. Meadows, Operations Manager, The Cardinal Group, Inc., P. O. Box 543, 51 East Second Street, Boyertown, PA 19512 has submitted a Notice of Intent to Remediate (on behalf of his client, Francis Voydik, Shady Lane Road, Schuylkill Haven, PA 17972) concerning the remediation of site soils found or suspected to have been contaminated with no. 2 home heating fuel oil. The applicant proposes to remediate the site to meet the Statewide health standard. A Final Report was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

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

**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.

**Former Outten's Car Dealership Gasoline Storage Area**, Borough of Hamburg, **Berks County**. On-Site Environmental, Inc., 807 Ravine Road, Downingtown, PA 19335, and Jonestown Bank and Trust Co., 2 West Market Street, Jonestown, PA 17038 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 site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Hamburg Item* on July 19, 2000.

**Former Outten's Car Dealership**, Borough of Hamburg, **Berks County**. On-Site Environmental, Inc., 807 Ravine Road, Downingtown, PA 19335, and Jonestown Bank and Trust Co., 2 West Market Street, Jonestown, PA 17038 have submitted a revised Notice of Intent to Remediate site soils and groundwater contaminated with lead, BTEX and PAHs. The applicants propose to remediate the site to meet a combination of the Statewide health and site-specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Hamburg Item* on October 11, 2000.

**Lewistown Hospital**, Derry Township, **Mifflin County**. Bolger Brothers Inc., R. D. 2, Box 438, Altoona, PA 16601-9322 and Lewistown Hospital, 400 Highland Avenue, Lewistown, PA 17044 have submitted a Notice of Intent to Remediate site soils contaminated with BTEX, PHCs 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 *Lewistown Sentinel* on October 13, 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.

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

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

Persons wishing to 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. 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).

*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**.

**50-05002: Newport School District** (P. O. Box 9, Newport, PA 17074) for a Synthetic Minor Operating Permit for three coal-fired boilers and an oil-fired boiler in Newport Borough, **Perry County**.

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

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

**30-00059: Dunkard Mining Co. Inc.** (P. O. Box 8, Dilliner, PA 15327) for installation of Coal Preparation at Dunkard Mine in Dunkard Township, **Greene County**.

**63-00908: Ross Mould, Inc.** (259 South College Street, Washington, PA 15301) for operation of Glass Mould Manufacturing in Washington City, **Washington County**.

**04-00181: Interstate Chemical Co., Inc.** (2797 Freedland Road, Hermitage, PA 16148) for installation of an above ground storage tank at Vanport Terminal West in Beaver Borough, **Beaver County**.

**65-00659: Commercial Stone Co., Inc.** (P. O. Box 187, Berkely Springs, WV 25411) for operation of an asphalt plant at Adamsburg in North Huntingdon Township, **Westmoreland County**.

**04-00699: NGC Industries, Inc.** (2001 Rexford Road, Charlotte, NC 28211) for operation of wallboard manufacturing at Shippingport Plant in Shippingport Borough, **Beaver County**.

**32-00311: IA Construction Corp.** (158 Lindsay Road, Zelenople, PA 16063) for operation of a bituminous concrete plant at Homer City in Center Township, **Indiana County**.

**04-00702: United States Gypsum Co.** (125 South Franklin Street, Chicago, IL 60606) for installation of wallboard manufacturing at Aliquippa Plant in Aliquippa, **Beaver County**. This is a Title V Facility.

**04-00701: Allegheny Asphalt Manufacturing, Inc.** (Lindy Inc., R. D. 3, Box 2A, Northgate Industrial Park, New Castle, PA 16103) for operation of an asphalt production plant at Monaca Asphalt Plant in Monaca Boro, **Beaver County**.

**11-00408: Safety-Kleen Corp.** (21 Country Club Road, Grove City, PA 16127) for installation of three Mineral Spirits Tanks at Johnstown Service Center in Richland Township, **Cambria County**.

**04-00059: Koppel Steel Corp.** (P. O. Box 750, Beaver Falls, PA 15010) for installation of a Multi-Lance Manipulator at Koppel Plant in Koppel Boro, **Beaver County**.

**04-00513: Pittsburgh Tool Steel, Inc.** (1535 Beaver Avenue, Monaca, PA 15061) for operation of a steel pickling operation at Monaca Plant in Monaca Borough, **Beaver County**.

**32-00331: Nelson Adams** (13646 Route 403S, Clymer, PA 15728) for operation of furniture manufacturing at Clymer Plant in Cherryhill Township, **Indiana County**.

**04-000-489: Sun Refining & Marketing Co.** (1801 Market St., 15/10 PC, Philadelphia, PA 19103) for operation of Petro Distribution Terminal at Vanport Terminal in Vanport Township, **Beaver County**.

**63-00324: Ginger Hill Synfuel, L.L.C.** (13 Elm Street, Cohasset, MA 02025) for operation of coal mining at Mine Refuse Disposal Area #2 in Carroll Township, **Washington 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. 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 persons submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any objections to the permit issuance and the relevant facts upon which the objections are based. Persons with a disability who wish to comment and require 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.

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

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

**23-00021: Congoleum Corp.** (Ridge Road and Yates Road, Marcus Hook, PA 19061) in Trainer Borough, **Delaware County**. The facility's major emission points include three boilers, two rotogravure presses, two coating lines, ink mix building and an afterburner, which have the potential to emit major levels of Volatile Organic Compounds and Nitrogen Oxides.

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

**04-00446: AES Beaver Valley, Inc.** (394 Frankford Road, Monaca, PA 15061) for their cogeneration power plant in Potter Township, **Beaver County**.

**63-00016: Allegheny Energy Supply Co., LLC—Mitchell Power Station** (800 Cabin Hill Drive, Greensburg, PA 15601-1689) in Union Township, **Washington County**. The facility's major sources of emissions

include three oil-fired and one coal-fired electric power generating steam boilers, two auxiliary generating boilers, an emergency diesel generator, three lime storage silos, a lime roll crusher, a barge unloading (lime) area, a pneumatic lime conveying system, No. 2 fuel oil storage tanks, a wastewater treatment system, portable space heaters and fugitive dust emission sources from coal handling.

**56-00166: PBS Coal Inc.—Shade Creek Plant** (1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541) in Shade Township, **Somerset County**. The facility operates a thermal dryer that is controlled by a venturi scrubber. The plant also has emissions resulting from a crusher, screens, conveying equipment, coal storage piles, and road dust.

#### **Interstate Ozone Transport Reduction**

*Proposed Revisions to Title V/State Only Operating Permits to establish NO<sub>x</sub> Allowance Allocations and to include Conditions relating to NO<sub>x</sub> Budget Trading Program*

The Department of Environmental Protection (Department) intends to issue new or revise existing Title V/State Only Operating Permits to incorporate the provisions of 25 Pa. Code §§ 145.1—145.90. These regulations establish a NO<sub>x</sub> Budget and a NO<sub>x</sub> Budget Trading Program for NO<sub>x</sub> budget units for the purpose of achieving the health-based ozone ambient air quality standard. The Department is establishing the NO<sub>x</sub> Allowance Allocations for each NO<sub>x</sub> budget unit under the provisions of 25 Pa. Code § 145.42.

The new or revised Title V/State only operating permits will, beginning in 2003, require the owner or operator of each NO<sub>x</sub> budget unit to hold a quantity of NO<sub>x</sub> allowances by November 30 of each year not less than the total NO<sub>x</sub> emissions for the control period from the NO<sub>x</sub> budget unit. One NO<sub>x</sub> Allowance is the limited authorization to emit one ton of NO<sub>x</sub> during the NO<sub>x</sub> Allowance Control Period, which begins May 1 of each year and ends September 30 of the same year. The NO<sub>x</sub> allowances held in the source's current year NO<sub>x</sub> Allowance Tracking System (NATS) compliance and overdraft accounts must be equal to or greater than the total NO<sub>x</sub> emitted from the source during the year's NO<sub>x</sub> allowance control period. The initial NO<sub>x</sub> allowance control period begins on May 1, 2003.

The new or revised Title V/State only operating permits will also include emission monitoring, reporting and recordkeeping requirements for each NO<sub>x</sub> budget source. NO<sub>x</sub> emissions from each NO<sub>x</sub> budget source shall be monitored, reported and recorded in accordance with 25 Pa. Code §§ 145.30 and 145.70—145.76.

Persons wishing to file protests or comments on the proposed Title V/Operating Permits or allocations must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed permits or allocations. Any comments or protests filed at the following address must include a concise statement of the objections to the issuance of the permit and/or allocations and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation, where the facility is located, at least 30 days prior to the date of the hearing.

Copies of the proposed permits, allocations and other relevant information are available for review at the address given below.

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

## Electric Generating Units

## Non Electric Generation Units

State Trading Program Budget	47,224	3,619
Sum of NO <sub>x</sub> Budget Unit Allowance Allocations 2003—2007	44,863	3,438

There is also a combined 2,542 allocation set aside for 2003—2007 for all newly affected electric and non-electric generation units.

**0013: LTV Steel Company** (3100 East 45th St., Cleveland, OH 44127-1094) located in the City of Pittsburgh, **Allegheny County**.

NO<sub>x</sub> affected Source(s):

Point ID: 015	Allowance: 25
Point ID: 017	Allowance: 15
Point ID: 019	Allowance: 29
Point ID: 021	Allowance: 55

**0025: Shenango Iron & Coke Works** (200 Neville Road, Pittsburgh, PA 15225-1690) located in Neville Township, **Allegheny County**.

NO<sub>x</sub> affected Source(s):

Point ID: 006	Allowance: 18
Point ID: 009	Allowance: 15

**02-0054: Orion Power MidWest, L. P.** (7 East Redwood Street, Baltimore, MD 21202) located in Springdale Borough, **Allegheny County**.

NO<sub>x</sub> affected Source(s):

Boiler Point ID: 001 Allowance: 1119

**03-0023: Allegheny Energy Supply Company, L.L.C.** (800 Cabin Hill Dr., Greensburg, PA 15601) located in Washington Township, **Armstrong County**.

NO<sub>x</sub> affected Source(s):

Foster Wheeler	Point ID: 031	Allowance: 363
Foster Wheeler	Point ID: 032	Allowance: 383

**03-0027: Keystone Owners Group** (P. O. Box 68,682 Philadelphia Street, Indiana, PA 15701) located in Plumcreek Township, **Armstrong County**.

NO<sub>x</sub> affected Source(s):

Boiler No. 1	Point ID: 031	Allowance: 2154
Boiler No. 2	Point ID: 032	Allowance: 2133

**OP03-00013: IA Const Corp.** (P. O. Box 290, Homer City, PA 15748) located in East Franklin Township, **Armstrong County**.

NO<sub>x</sub> affected Source(s):

Asphalt Rotary Dryer Point ID: 101 Allowance: 0

**04-0044: Zinc Corporation of America** (300 Frankfort Road, Monaca, PA 15061) located in Potter Township, **Beaver County**.

NO<sub>x</sub> affected Source(s):

Coal Boiler 1	Point ID: 034	Allowance: 176
Coal Boiler 2	Point ID: 035	Allowance: 180

**04-0235: Penn Power Co.** (P. O. Box 128, Shippenport, PA 15077) located in Shippingport Borough, **Beaver County**.

NO<sub>x</sub> affected Source(s):

Boiler Unit 1	Point ID: 031	Allowance: 1657
Foster Wheeler Unit 2	Point ID: 032	Allowance: 1672
Foster Wheeler Unit 3	Point ID: 033	Allowance: 1636

**04-0446: AES Beaver Valley Partners Inc.** (394 Frankfort Road, Monaca, PA 15061) located in Potter Township, **Beaver County**.

NO<sub>x</sub> affected Source(s):

Babcock and Wilcox	Point ID: 032	Allowance: 144
Babcock and Wilcox	Point ID: 033	Allowance: 131
Babcock and Wilcox	Point ID: 034	Allowance: 133
Combustion Engineering	Point ID: 035	Allowance: 67

**06-05033: Texas Eastern Trans Corp.** (P. O. Box 1642, Houston, TX 77251) located in Washington Township, **Berks County**.

NO<sub>x</sub> affected Source(s):

Point ID: 031 Allowance: 98

**06-1024: Reliant Energy Mid Atlantic Power Holdings LLC** (1001 Broad Street, Johnstown, PA 15907) located in Cumru Township, **Berks County**.

NO<sub>x</sub> affected Source(s):

Unit 1	Point ID: 031	Allowance: 161
Unit 2	Point ID: 032	Allowance: 152
Unit 3	Point ID: 033	Allowance: 151

**OP-09-0066: PECO Energy** (2600 Monroe Blvd., Norristown, PA 19403) located in Falls Township, **Bucks County**.

NO<sub>x</sub> affected Source(s):

Power House Boiler No. 3	Point ID: 043	Allowance: 15
Power House Boiler No. 4	Point ID: 044	Allowance: 77
Power House Boiler No. 5	Point ID: 045	Allowance: 32

**TVOP-09-0016: PECO Energy** (2600 Monroe Blvd., Norristown, PA 19403) located in Bristol Township, **Bucks County**.

NO<sub>x</sub> affected Source(s):

Croyden-Turbine #11	Point ID: 031	Allowance: 11
Croyden-Turbine #12	Point ID: 032	Allowance: 9
Croyden-Turbine #21	Point ID: 033	Allowance: 5
Croyden-Turbine #22	Point ID: 034	Allowance: 11
Croyden-Turbine #31	Point ID: 035	Allowance: 13
Croyden-Turbine #32	Point ID: 036	Allowance: 6
Croyden-Turbine #41	Point ID: 037	Allowance: 11
Croyden-Turbine #42	Point ID: 038	Allowance: 9

**11-0318: Ebsenburg Power Company** (20 S. Van Buren Ave., Barborton, OH 44203-0351) located in Cambria Township, **Cambria County**.

NO<sub>x</sub> affected Source(s):

CFB Boiler Point ID: Allowance: 191

**11-0332: Cambria CoGen Company** (7201 Hamilton Blvd., Allentown, PA 18195) located in Cambria Township, **Cambria County**.

NO<sub>x</sub> affected Source(s):

A Boiler	Point ID: 031	Allowance: 155
B Boiler	Point ID: 032	Allowance: 161

**11-0378: Inter-Power/AhlCon Partners LP** (Colver Power Project) (2591 Wexford-Bayne Road, Ste. 204, Sewickley, PA 15143) located in Cambria Township, **Cambria County**.

NO<sub>x</sub> affected Source(s):

Small Power Producer Point ID: AAB01 Allowance: 291

**13-0003: Panther Creek Partners** (1001 Industrial Road, Nesquehoning, PA 18240) located in Nesquehoning Borough, **Carbon County**.

NO<sub>x</sub> affected Source(s):

Boiler 1	Point ID: 1	Allowance: 134
Boiler 2	Point ID: 2	Allowance: 130

**OP-15-0019: PECO Energy** (2600 Monroe Blvd., Norristown, PA 19403) located in East Pikeland Township, **Chester County**.

NO<sub>x</sub> affected Source(s):

Boiler No. 1	Point ID: 031	Allowance: 377
Boiler No. 2	Point ID: 032	Allowance: 201

**16-0127: Piney Creek LP** (R. R. 2, Box 56, Clarion, PA 16214) located in Piney Township, **Clarion County**.

NO<sub>x</sub> affected Source(s):

CFB Boiler Point ID: 031 Allowance: 102

**OP-17-0001: Reliant Energy Mid Atlantic Power Holdings LLC** (1001 Broad Street, Johnstown, PA 15907) located in Bradford Township, **Clearfield County**.

NO<sub>x</sub> affected Source(s):

Babcock Wilcox Boiler	Point ID: 031	Allowance: 295
Babcock Wilcox Boiler	Point ID: 032	Allowance: 294
Combustion Engineering	Point ID: 033	Allowance: 380
Combustion Engineering	Point ID: 034	Allowance: 392

**OP-18-0005: International Paper Co.** (South Highland Street, Lock Haven, PA 17745) located in Castanea Township, **Clinton County**.

NO<sub>x</sub> affected Source(s):

1 Riley Stoker Vo-Sp	Point ID: 033	Allowance: 101
2 Riley Stoker Vo-Sp	Point ID: 034	Allowance: 90

**64-0008: Reliant Energy Mid Atlantic Power Holdings LLC** (1001 Broad Street, Johnstown, PA 15907) located in Wayne Township, **Crawford County**.

NO<sub>x</sub> affected Source(s):

Combustion Turbine Point ID: 031 Allowance: 8

**21-2010: Reliant Energy Mid Atlantic Power Holdings LLC** (1001 Broad Street, Johnstown, PA 15907) located in South Middleton Township, **Cumberland County**.

NO<sub>x</sub> affected Source(s):

G. E. N Frame Turbine	Point ID: 031	Allowance: 5
G. E. N Frame Turbine #1	Point ID: 032	Allowance: 5

**OP-23-0001: Sunoco Inc.** (R&M) (P. O. Box 426, Marcus Hook, PA 19061-0426) located in Marcus Hook Borough, **Delaware County**.

NO<sub>x</sub> affected Source(s):

Boiler 7	Point ID: 089	Allowance: 102
COGEN.FACIL.GAS TURBINE	Point ID: 090	Allowance: 163

**OP-23-0003: Tosco Refining Company** (4101 Post Road, Trainer, PA 19061) located in Trainer Borough, **Delaware County**.

NO<sub>x</sub> affected Source(s):

7 Boiler	Point ID: 032	Allowance: 71
8 Boiler	Point ID: 033	Allowance: 80

**OP-23-0014A: Kimberly-Clark** (Front and Ave of the States, Chester, PA 19013) located in the City of Chester, **Delaware County**.

NO<sub>x</sub> affected Source(s):

Boiler No. 9	Point ID: 034	Allowance: 1
10 Culm Cogen. Fbc Plant	Point ID: 035	Allowance: 345
	Point ID: 10	Allowance: 211

**OP-23-0017: PECO Energy** (2600 Monroe Blvd., Norristown, PA 19403) located in Eddystone Borough, **Delaware County**.

NO<sub>x</sub> affected Source(s):

No. 1 Boiler	Point ID: 031	Allowance: 565
No. 2 Boiler	Point ID: 032	Allowance: 636
No. 3 Boiler	Point ID: 033	Allowance: 207
No. 4 Boiler	Point ID: 041	Allowance: 237

**24-0009: Willamette Industries Inc.** (100 Center Street, Johnsonburg, PA 15845) located in Johnsonburg Borough, **Elk County**.

NO<sub>x</sub> affected Source(s):

B&W #81 Boiler	Point ID: 040	Allowance: 90
B&W #82 Boiler	Point ID: 041	Allowance: 89

**25-0025: General Electric Co.** (2901 East Lake Road, Erie, PA 16531) located in the City of Erie, **Erie County**.

NO<sub>x</sub> affected Source(s):

B & W Boiler No. 2 Point ID: 032 Allowance: 16

**25-0923: NEPA Energy LP** (2 South Portage Street, Westfield, NY 14787) located in North East Township, **Erie County**.

NO<sub>x</sub> affected Source(s):

Turbine 1	Point ID: 001	Allowance: 103
Turbine 2	Point ID: 002	Allowance: 109

**30-0099: Allegheny Energy Supply Company, L.L.C.** (800 Cabin Hill Dr., Greensburg, PA 15601) located in Monongahela Township, **Greene County**.

NO<sub>x</sub> affected Source(s):

Babcock & Wilcox	Point ID: 031	Allowance: 1155
Babcock & Wilcox	Point ID: 032	Allowance: 1029
Babcock & Wilcox	Point ID: 033	Allowance: 1087

**32-0040: Reliant Energy Mid Atlantic Power Holdings LLC** (1001 Broad Street, Johnstown, PA 15907) located in West Wheatfield Township, **Indiana County**.

NO<sub>x</sub> affected Source(s):

Boiler No. 12 (B&W)	Point ID: 032	Allowance: 64
Boiler No. 14 (B&W)	Point ID: 033	Allowance: 72
Boiler No. 15 (Comb. Eng.)	Point ID: 931	Allowance: 355

**32-0055: EME Homer City Generation LP** (Power Plant Rd., Homer City, PA 15748) located in Center Township, **Indiana County**.

NO<sub>x</sub> affected Source(s):

Boiler No. 1-Foster Wheeler	Point ID: 031	Allowance: 1471
Boiler No. 2-Foster Wheeler	Point ID: 032	Allowance: 1553
Boiler No. 3-B.&W.	Point ID: 033	Allowance: 1437

**32-0059: Conemaugh Owners Group** (P. O. Box 68, 682 Philadelphia Street, Indiana, PA 15701) located in West Wheatfield Township, **Indiana County**.

NO<sub>x</sub> affected Source(s):

Boiler No. 1	Point ID: 031	Allowance: 2167
Boiler No. 2	Point ID: 032	Allowance: 1995

**36-05016: PP&L Inc.** (2 North Ninth Street, Allentown, PA 18101) located in Martic Township, **Lancaster County**.

NO<sub>x</sub> affected Source(s):

Unit 17 Foster Wheeler	Point ID: 934	Allowance: 246
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**37-0023: Orion Power MidWest, L. P.** (7 East Redwood Street, Baltimore, MD 21202) located in Taylor Township, **Lawrence County**.

NO<sub>x</sub> affected Source(s):

Babcock and Wilcox	Point ID: 033	Allowance: 190
Babcock and Wilcox	Point ID: 034	Allowance: 195
Babcock and Wilcox	Point ID: 035	Allowance: 245

**40-0005: UGI Corp.** (400 Steward Road, Wilkes-Barre, PA 18773) located in Hunlock Township, **Luzerne County**.

NO<sub>x</sub> affected Source(s):

Foster Wheeler	Point ID: 031	Allowance: 131
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**40-0031: Williams Generation Company—Hazleton** (P. O. Box 2848-WRO-A, Tulsa, OK 74101-9567) located in Hazle Township, **Luzerne County**.

NO<sub>x</sub> affected Source(s):

Point ID: HRSG	Allowance: 16
Point ID: Turbine	Allowance: 141

**OP-46-0005: Merck & Co.** (Sumneytown Pike, West Point, PA 19486-0004) located in Upper Gwynedd Township, **Montgomery County**.

NO<sub>x</sub> affected Source(s):

Cogen II Gas Turbine	Point ID: 039	Allowance: 126
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**OP-47-0001A: PPL MONTOUR LLC** (2 North Ninth Street, Allentown, PA 18101) located in Derry Township, **Montour County**.

NO<sub>x</sub> affected Source(s):

Montour No. 1	Point ID: 031	Allowance: 1560
Montour No. 2	Point ID: 032	Allowance: 1673

**48-0006: Reliant Energy Mid Atlantic Power Holdings LLC** (1001 Broad Street, Johnstown, PA 15907) located in Upper Mt. Bethel Township, **Northampton County**.

NO<sub>x</sub> affected Source(s):

Unit No. 1	Point ID: 1	Allowance: 266
Unit No. 2	Point ID: 2	Allowance: 412
Combustion Turbine No. 5	Point ID: 5	Allowance: 48

**48-0011: PPL Martins Creek LLC** (2 North Ninth Street, Allentown, PA 18101) located in Lower Mount Bethel Township, **Northampton County**.

NO<sub>x</sub> affected Source(s):

Foster-Wheeler Unit No. 1	Point ID: 031	Allowance: 314
Foster-Wheeler Unit No. 2	Point ID: 032	Allowance: 293
C-E Unit No. 3	Point ID: 033	Allowance: 543
C-E Unit No. 4	Point ID: 034	Allowance: 500

**48-0013: Bethlehem Steel Corp.** (1170 8th Avenue, Bethlehem, PA 18016) located in the City of Bethlehem, **Northampton County**.

NO<sub>x</sub> affected Source(s):

Boiler 1 Boiler House 2	Point ID: 041	Allowance: 100
Boiler 2 Boiler House 2	Point ID: 042	Allowance: 66
Boiler 3 Boiler House 2	Point ID: 067	Allowance: 165

**48-0021: Northampton Generating Company** (1 Horwith Drive, Northampton, PA 18067) located in Northampton Borough, **Northampton County**.

NO<sub>x</sub> affected Source(s):

Boiler	Point ID: 1	Allowance: 291
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**OP-49-0002: Foster Wheeler Mt. Carmel Inc.** (Marion Heights Road, Marion Heights, PA 17832) located in Mount Carmel Township, **Northumberland County**.

NO<sub>x</sub> affected Source(s):

Cogen	Point ID: 031	Allowance: 152
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**50-05001: Texas Eastern Trans Corp.** (P. O. Box 1642, Houston, TX 77251) located in Carroll Township, **Perry County**.

NO<sub>x</sub> affected Source(s):

Point ID: 031	Allowance: 0
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**95-001: Trigen—Philadelphia Energy Corp.** (2600 Christian Street, Philadelphia, PA 19146) located in the City of Philadelphia, **Philadelphia County**.

NO<sub>x</sub> affected Source(s):

Boiler 1	Point ID: 1	Allowance: 12
Boiler 2	Point ID: 2	Allowance: 10
Boiler 3	Point ID: 3	Allowance: 5
Boiler 4	Point ID: 4	Allowance: 6

**95-002: Trigen—Philadelphia Energy Corp.** (2600 Christian Street, Philadelphia, PA 19146) located in the City of Philadelphia, **Philadelphia County**.

NO<sub>x</sub> affected Source(s):

Boiler 23	Point ID: 23	Allowance: 233
Boiler 24	Point ID: 24	Allowance: 234
Boiler 26	Point ID: 26	Allowance: 234

**95-004: PECO Energy** (2600 Monroe Blvd., Norristown, PA 19403) located in the City of Philadelphia, **Philadelphia County**.

NO<sub>x</sub> affected Source(s):

Combustion Turbine	Point ID: 13	Allowance: 56
Combustion Turbine	Point ID: 14	Allowance: 61

**95-005: PECO Energy** (2600 Monroe Blvd., Norristown, PA 19403) located in the City of Philadelphia, **Philadelphia County**.

NO<sub>x</sub> affected Source(s):

Combustion Turbine	Point ID: 37	Allowance: 9
Combustion Turbine	Point ID: 38	Allowance: 10

**95-006: PECO Energy** (2600 Monroe Blvd., Norristown, PA 19403) located in the City of Philadelphia, **Philadelphia County**.



NO<sub>x</sub> affected Source(s):

Combustion Turbine Point ID: 3 Allowance: 84

**95-029: U S Naval Base** (NSWCCD-SSES, Philadelphia, PA 19112-5083) located in the City of Philadelphia, **Philadelphia County**.

NO<sub>x</sub> affected Source(s):

Point ID: 016 Allowance: 0

Point ID: 017 Allowance: 1

Combustion Source Point ID: 98 Allowance: 0

Combustion Source Point ID: 99 Allowance: 0

**95-038: Sunoco Inc.** (R&M) (3144 Passyunk Ave., Philadelphia, PA 19145-5208) located in the City of Philadelphia, **Philadelphia County**.

NO<sub>x</sub> affected Source(s):

GP Boiler 37 Point ID: 02-2,3 Allowance: 49

GP Boiler 38 Point ID: 02-4.5 Allowance: 83

GP Boiler 39 Point ID: 02-6,7 Allowance: 105

GP Boiler 40 Point ID: 02-8,9 Allowance: 127

**95-047: Sunoco Inc.** (Margaret and Burmuda Sts., Philadelphia, PA 19137-1193) located in the City of Philadelphia, **Philadelphia County**.

NO<sub>x</sub> affected Source(s):

Boiler #3 Point ID: 052 Allowance: 86

**54-00004: Gilberton Power Company** (50 Eleanor Avenue, Frackville, PA 17931) located in West Mahanoy Township, **Schuylkill County**.

NO<sub>x</sub> affected Source(s):

Boiler Point ID: 031 Allowance: 137

Boiler Point ID: 032 Allowance: 136

**54-0003: Schuylkill Energy Resources** (P. O. Box 112, Shenendoah, PA 17967) located in Mahanoy Township, **Schuylkill County**.

NO<sub>x</sub> affected Source(s):

Boiler Point ID: 031 Allowance: 289

**54-0005: Wheelabrator Frackville Energy Co.** (P. O. Box 392, Frackville, PA 17931) located in Mahanoy Township, **Schuylkill County**.

NO<sub>x</sub> affected Source(s):

Boiler Point ID: GEN1 Allowance: 161

**54-0006: Westwood Energy Properties** (US Route 209, Tremont, PA 17981) located in Porter Township, **Schuylkill County**.

NO<sub>x</sub> affected Source(s):

Boiler Point ID: 031 Allowance: 98

**54-0008: Northeastern Power Company** (P. O. Box 7, McAdoo, PA 18237) located in Kline Township, **Schuylkill County**.

NO<sub>x</sub> affected Source(s):

CFB Boiler Point ID: 031 Allowance: 188

**OP-55-0001B: WPS Resources Corp.** (677 Baeten Road, Green Bay, WI 54304) located in Monroe Township, **Snyder County**.

NO<sub>x</sub> affected Source(s):

Sunbury SES Unit 1a Point ID: 031 Allowance: 134

Sunbury SES Unit 1b Point ID: 032 Allowance: 122

Sunbury SES Unit 2a Point ID: 033 Allowance: 130

Sunbury SES Boiler 2b Point ID: 034 Allowance: 134

Sunbury SES Unit No. 3 Point ID: 035 Allowance: 263  
Sunbury SES Unit No. 4 Point ID: 036 Allowance: 302

**61-00181: Scrubgrass Generating Company LP** (R. R. 1, Box 238, Kennerdell, PA 16374) located in Scrubgrass Township, **Venango County**.

NO<sub>x</sub> affected Source(s):

Unit 1 Point ID: 031 Allowance: 124

Unit 2 Point ID: 032 Allowance: 123

**62-0012: Reliant Energy Mid Atlantic Power Holdings LLC** (1001 Broad Street, Johnstown, PA 15907) located in Conewango Township, **Warren County**.

NO<sub>x</sub> affected Source(s):

Combustion

Turbine Point ID: 005 Allowance: 14

Boiler No. 1 Point ID: 1 Allowance: 47

Boiler No. 2 Point ID: 2 Allowance: 32

Boiler No. 3 Point ID: 3 Allowance: 40

Boiler No. 4 Point ID: 4 Allowance: 42

**63-0014: Orion Power MidWest, L. P.** (7 East Redwood Street, Baltimore, MD 21202) located in Union Township, **Washington County**.

NO<sub>x</sub> affected Source(s):

No. 1 Boiler Point ID: 031 Allowance: 214

No. 2 Boiler Point ID: 032 Allowance: 209

No. 3 Boiler Point ID: 033 Allowance: 208

No. 4 Boiler Point ID: 034 Allowance: 428

**63-0016: Allegheny Energy Supply Company, L.L.C.** (800 Cabin Hill Dr., Greensburg, PA 15601) located in Union Township, **Washington County**.

NO<sub>x</sub> affected Source(s):

B & W OIL UNIT Point ID: 031 Allowance: 10

B & W OIL UNIT Point ID: 032 Allowance: 6

B & W OIL UNIT Point ID: 033 Allowance: 9

Combustion Eng Coal Unit Point ID: 034 Allowance: 556

**65-0853: Koppers Ind.** (436 Seventh Ave., Pittsburgh, PA 15219) located in the City of Monessen, **Westmoreland County**.

NO<sub>x</sub> affected Source(s):

Boiler House Point ID: 031 Allowance: 0

**66-0001: Procter & Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) located in Washington Township, **Wyoming County**.

NO<sub>x</sub> affected Source(s):

Westinghouse 251B10 Point ID: 035 Allowance: 187

**67-2005: PPL Brunner Island LLC** (2 North Ninth Street, Allentown, PA 18101) located in East Manchester Township, **York County**.

NO<sub>x</sub> affected Source(s):

Brunner Island 2 Point ID: 032 Allowance: 718

Brunner Island Unit 1 Point ID: 931 Allowance: 568

Brunner Island Unit 3 Point ID: 933 Allowance: 1539

**67-2028: Reliant Energy Mid Atlantic Power Holdings LLC** (1001 Broad Street, Johnstown, PA 15907) located in Hopewell Township, **York County**.

NO<sub>x</sub> affected Source(s):

Combustion Turbine Point ID: 031 Allowance: 3

Combustion Turbine Point ID: 032 Allowance: 4

**67-5004: Glatfelter P H Co.** (228 South Main Street, Spring Grove, PA 17362) located in Spring Grove Borough, **York County**.

NO<sub>x</sub> affected Source(s):

	Point ID: 031	Allowance: 0
Number 4 Power Boiler	Point ID: 034	Allowance: 112
Number 1 Power Boiler	Point ID: 035	Allowance: 137
Number 5 Power Boiler	Point ID: 036	Allowance: 211

#### 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).**

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

**66-315-042: Procter & Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) for construction of diaper production lines and associated air cleaning devices along Route 87 in Washington Township, **Wyoming County**.

**66-399-002: Procter & Gamble Paper Products Co.** (P. O. Box 32, Mehoopany, PA 18629) for construction of a central dust collection system in the diaper production area along Route 87 in Washington Township, **Wyoming County**.

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

**67-05024C: Lehigh Portland Cement Company** (200 Hokes Mill Road, York, PA 17404) for installation of two fabric filters at the York Cement Plant in West Manchester Township, **York County**. The filters will replace three aging filters which control emissions from truck loading of cement. The plan approval will include requirements to ensure compliance with applicable air quality requirements. The plan approval will be incorporated into the plant's Title V operating permit at a later date in accordance with 25 Pa. Code § 127.450 for administrative amendments.

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

**43-310E: Dufenco Farrell Corp.** (15 Roemer Boulevard, Farrell, PA 16121) for replacement of #21/22 Natural Gas Coil Annealing Furnaces in Farrell, **Mercer County**.

**37-013D: Southdown Inc.** (2001 Portland Park, Wampum, PA 16157-9109) for installation of a baghouse (4000 cfm) on three existing Clinker Silos in Wampum, **Lawrence County**.

#### Notice of Intent to Issue a Plan Approval and Amend a Title V Operating Permit

Under 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue two plan approvals to Indspec Chemical Corporation (133 Main Street, Petrolia, PA 16050), for their plant located in Petrolia Borough, Butler County. The facility has applied for a Title V permit No. TV-10-00021. These plan approvals will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

Plan approval No. PA-10-0021D is for the post modification of the Copeland Unit. The modification of this source resulted in reduced phenol emissions. The permit contains limitations pertaining to fugitive, particulate matter, odor and visible emissions. The source also has a permit limit of 7,500 hours per year (on a 12 month rolling basis). The Plan Approval and Operating Permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Plan approval No. PA-10-0021H is a minor modification of Plan approval PA-10-0021G. This plan approval was for the construction of a new resin Hold Tank and modification of the resin scrubber. The facility prepared a netting analysis associated with this source, the #10 boiler, the modification to the Resorcinol Flaker Scrubber, the No. 3 & 4 Kiln, No. 5 & 6 Dryers, No. 3 & 4 Spray Towers, No. 5 & 6 Venturi Scrubbers, Secondary Scrubber, Resorcinol Storage Tank and Vent Scrubber System, the Resin Plant and the Copeland Unit. The netting analysis indicated an increase of approximately 96 TPY of CO and decreases in NO<sub>x</sub>, PM-10, SO<sub>2</sub>, and VOC. The decreases are due to the shut down of boilers 3, 4, 5, 6, 7 and 8 prior to startup of the No. 10 boiler and conversion of the Copeland Unit. The permit contains limitations pertaining to fugitive, particulate matter, odor and visible emissions. The source also has a resin production limit of 19,124,000 pounds per year (on a 12 month rolling basis), and a permit limit of 6,400 hours per year (based on a 12 month rolling total) for the Hold Tank. The Plan Approval and Operating Permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District mining office indicated 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 Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

*Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15831-4119.*

*Coal Applications Received:*

**32980109. Permit Revision. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001), to add 16.0 acres to the north end of the existing permit on the John Stille property to conduct additional mining of the Upper Freeport coal seam on 3.8 acres. The remainder of this 16.0 acre added area will be utilized for support and spoil storage activities resulting in the reclamation of 12.4 acres of abandoned mine lands on the Upper Freeport seam. Total SMP acres go from 300.0 to 316.0 in Center Township, **Indiana County**, receiving stream unnamed tributaries to Two Lick Creek, application received October 17, 2000.

**56000106. Tomcat Coal** (309 Coalyard Road, Rockwood, PA 15557), commencement, operation and restoration of bituminous surface mine in Milford Township, **Somerset County**, affecting 10.8 acres, receiving stream unnamed tributaries to Coxes Creek, application received October 16, 2000.

**56870201. Permit Revision. J. R. Coal Sales, Inc.** (311 Allegheny Street, Boswell, PA 15531) to change the land use from woodland to light industrial and unmanaged natural habitat in Boswell Borough, **Somerset County**, affecting 19.9 acres, receiving stream Quemahoning Creek, application received October 20, 2000.

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

**65950111. M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717-7961). Renewal application received

for continued operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 84.7 acres. Receiving streams: unnamed tributary to Miller Run to Loyalhanna Creek. Renewal application received: October 16, 2000.

**65960101. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 11.5 acres. Receiving stream: Union Run. Renewal application received: October 18, 2000.

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

**17990101. Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849), transfer of an existing surface mine permit application from Al Hamilton Contracting Company. The permit is located in Girard Township, **Clearfield County** and affects 149 acres. Receiving streams: Surveyor Run and two unnamed tributaries to Surveyor Run. Application received October 5, 2000.

**17980121. Penn-Grampian Coal Company** (P. O. Box 249, Clearfield, PA 16830), transfer of an existing surface mine permit application from BBC Coal Company. The permit is located in Bloom Township, **Clearfield County** and affects 83.4 acres. Receiving streams: Bilgers Run and Hughey Run. Application received October 10, 2000.

**17920104. Cougar Contracting, Inc.** (P. O. Box 217, Houtzdale, PA 16651), revision to an existing bituminous surface mine permit for a Change in postmining land use from cropland (orchard) to pastureland. The permit is located in Bigler Township, **Clearfield County** and affects 70.5 acres. Receiving streams: Muddy Run and an unnamed stream to Muddy Run. Application received October 13, 2000.

**17000110. Thunder Coal Company** (P. O. Box 283, Grampian, PA 16838), commencement, operation and restoration of a bituminous surface mine-auger permit in Penn Township, **Clearfield County** affecting 51 acres. Receiving streams: unnamed tributary to Kratzer Run and unnamed tributary to West Branch Susquehanna River. Application received October 16, 2000.

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

*Small Industrial Mineral Applications Received:*

**56002801. Mostoller Landfill, Inc.** (7095 Glades Pike, Somerset, PA 15501), commencement, operation and restoration of small noncoal (industrial minerals) operation in Brothersvalley Township, **Somerset County**, affecting 5.0 acres, receiving stream unnamed tributary Kimberly Run, application received October 13, 2000.

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

*Noncoal Applications Received*

**36900302C3. Haines & Kibblehouse, Inc.** (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit PA0594784 in Fulton Township, **Lancaster County**, receiving stream—unnamed tributary to Octoraro Creek. Application received October 12, 2000.

**6277SM1A1C3. Compass Quarries, Inc., d/b/a Independence Construction Materials** (47 MecIlvaine Road, Box 130, Paradise, PA 17562), renewal of NPDES

Permit PA0595080 in Paradise Township, **Lancaster County**, receiving stream—Londonland Run. Application received October 13, 2000.

**44000302. Glenn O. Hawbaker, Inc.** (P. O. Box 135, 325 West Aaron Drive, State College, PA 16804), commencement, operation and restoration of a quarry operation in Armagh Township, **Mifflin County** affecting 82.8 acres, receiving stream—Honey Creek. Application received October 17, 2000.

**6477SM4A1C2. John F. Walter Excavating, Inc.** (P. O. Box 175, Newville, PA 17241), renewal of NPDES Permit PA0612677 in Middlesex Township, **Cumberland County**, receiving stream—Conodoquinet Creek. Application received October 19, 2000.

**5074SM1A2C5. Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201), renewal and correction of NPDES Permit PA022629 in Guilford Township, **Franklin County**, receiving stream—Conococheague Creek. Application received October 19, 2000.

#### Bureau of Deep Mine Safety

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

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

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

Section 228(a) requires that certified persons conduct certain examinations within 3 hours immediately preceding the beginning of a coal-producing shift, and before any workmen in such shift other than those who may be designated to make the examinations prescribed in the section enter the underground areas of such mine.

*Summary of the request:* Eighty Four Mining Company requests a variance to conduct pre-shift examinations within 3 hours preceding the beginning of any 8-hour interval during which any person is scheduled to work or travel underground and establish the 8-hour intervals of time subject to these examinations at the Mine 84.

### 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. 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.*

**E46-877.** Encroachment. **Borough of Trappe**, 525 West Main Street, Trappe, PA 19426. To replace and maintain an existing culvert with 40 linear feet of 12-foot by 4.5-foot reinforced concrete box culvert in and along Donny Brook Run (TSF). The work includes the installation of wingwalls and the placement and maintenance of R-7 riprap outlet protection. This culvert is located beneath Clayhor Avenue (Collegeville, PA Quadrangle N: 11.65 inches; W: 14.2 inches) in Trappe Borough, **Montgomery County**.

**E09-812.** Encroachment. **Bruce Fosselman**, Richland Township, P. O. Box 249, Richlandtown, PA 18955. To place and maintain fill along approximately 700 linear feet of 100-year floodplain and floodway of Tohickon Creek (TSF) as part of the Heller Road widening and improvement project. This work is located between Quakertown Borough and Walnut Bank Farm Road (Quakertown, PA Quadrangle N: 14.2 inches and W: 11.8 inches) in Richland 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.*

**E05-288.** Encroachment. **Mark Diehl**, Metro Storage Wilson Unit, 1627 Reynoldsdale Road, New Paris, PA 15554. To place fill in 1.72 acres of wetlands adjacent to Dunning Creek (WWF) at a point along Route 56 approximately 1 mile west of I-99 for the purpose of constructing storage buildings (Bedford, PA Quadrangle N: 19.2 inches; W: 7.3 inches) in East St. Clair Township, **Bedford County**.

**E06-537.** Encroachment. **Quaker Hill Dev Co.**, R. D. 1, Box 1325, Mohnnton, PA 19540. To construct a minor road crossing and an outfall channel in and along a tributary to Beaver Run and associated wetlands at a point at Overlook Road for the purpose of constructing a residential development (Morgantown, PA Quadrangle N: 15.9 inches; W: 0.4 inch) in Robeson Township, **Berks County**. The amount of wetland impact is considered de minimis and wetland mitigation is not required.

**E06-546.** Encroachment. **Union Township**, 177 Center Road, Douglassville, PA 19518. To remove the existing twin 48-inch diameter culvert and construct and maintain a 13-foot by 5-foot concrete box culvert at the channel of an unnamed tributary to Schuylkill River on T-357 (Hallman Road) located about 1 mile southwest of Unionville Village (Pottstown, PA Quadrangle N: 20.5 inches; W: 15.5 inches) in Union Township, **Berks County**.

**E07-338.** Encroachment. **Charlie Diehl**, Snyder Township, R. D. 3, Box 119, Tyrone, PA 16686. To replace the deck and improve the approaches on an existing structure having a span of 22.5 feet and an underclearance of 9 feet across the channel of Big Fill Run (HQ-CWF) at a point at T-606 for the purpose of improving a deteriorated bridge (Tyrone, PA Quadrangle N: 20.4 inches; W: 9.55 inches) in Snyder Township, **Blair County**.

**E22-419.** Encroachment. **Marc DeSouza**, Meadows of Hanover Dev., Inc., 225 N. Presidential Blvd., P. O. Box 1176, Bala Cynwyd, PA 19004. To construct and maintain (1) a road crossing, Wetland Crossing #1, on a proposed public street known as Meadow Lark Lane which will impact 0.1 acre of wetlands; and, (2) construct Stormwater Detention Area #9 in an unnamed tributary to Kellock Run (WWF) in conjunction with the development of Phases #1 and #5 of a residential subdivision known as the Meadows of Hanover Development located on the west side of Route 39, about 1.5 miles north of the Village of Union Deposit (Hershey, PA Quadrangle N: 11.0 inches; W: 10.2 inches) in South Hanover Township, **Dauphin County**.

**E22-420.** Encroachment. **The Honorable Todd Hoover**, 511 Stoney Creek Road, Dauphin, PA 17018. To construct and maintain an L-shaped in-ground swimming pool in the floodway of Clarks Creek (CWF) as part of the improvements to an existing residential property located on the north side of Stoney Creek (CWF) along Stoney Creek Road (T-535) about 1.5 miles northeast of Dauphin Borough (Halifax, PA Quadrangle N: 0.4 inch; W: 5.3 inches) in Middle Paxton Township, **Dauphin County**.

**E28-281.** Encroachment. **James Epply**, PA DCNR, P. O. Box 8451, Harrisburg, PA 17105. To relocate approximately 90 lineal feet of a tributary to Raccoon Creek (CWF/HQ) within a rock lined channel and place embankment fill along the southeast side of a district road at bridge 01-0017 for the purpose of stabilizing the roadway shoulder and installing guide-rail for the public safety. The Site is located in the Michaux State Forest (Caledonia Park, PA Quadrangle N: 1.4 inches; W: 15.25 inches) in Greene Township, **Franklin County**.

**E44-104.** Encroachment. **Mark Sunderland**, Armagh Township, P. O. Box 396, Milroy, PA 17063. To remove an existing structure and to construct and maintain a bridge having a clear normal span of 48 feet and an underclearance of 6.2 feet across the channel of Treaster Run (HQ-CWF) at a point at T-467 (Burnham, PA Quadrangle N: 21.6 inches; W: 1.4 inches) in Armagh Township, **Mifflin County**.

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

**E53-348.** Encroachment. **Harrison Township Supervisors**, P. O. Box 92, Harrison Valley, PA 16927. To operate and maintain a public road (T-489) crossing Marsh Creek—Cold Water Fishery. The public road crossing shall be operated and maintained with a corrugated metal culvert pipe that has a minimum diameter of

7-feet, length of 30-feet and depression of 0.5-feet. The operation and maintenance of the public road crossing will not impact wetlands while impacting a maximum waterway length of 140-feet. The project is located along the eastern right-of-way of SR 1010 approximately 200-feet north of T-489 and SR 1010 intersection (Harrison Valley, PA Quadrangle N: 17.6 inches; W: 13.2 inches) in Harrison Township, **Potter County**.

**E53-350.** Encroachment. **John P. Kio**, 1703 Promise Lane, Coudersport, PA 16915. To remove an existing structure and to construct, operate and maintain a minor road crossing Trout Run (High Quality—Cold Water Fishery) to provide access to a private, single dwelling. The road crossing Trout Run shall be constructed with a single arch culvert pipe that will have a minimum span of 85-inches, rise of 62-inches, length of 240-inches and a depression into the streambed of 12-inches. The culvert installation shall be completed in dry work conditions by dams and pumping or fluming flows around the work area. The project will not impact wetlands while impacting a maximum waterway length of 130-feet. The project is located along the southern right-of-way of SR 0006 approximately 2,000-feet east of T-394 and SR 0006 intersection (Sweden Valley, PA Quadrangle N: 1.25 inches; W: 5.0 inches) in Sweden Township, **Potter County**.

**E02-1319.** Encroachment. **Norfolk Southern Railway Company**, 600 West Peachtree Street, Suite 1840, Atlanta, GA 30308. To construct and maintain a fiber optics line consisting of 12 high density polyethylene (HPPC) conduits installed within the existing right of way of the Norfolk Southern Railway, utilizing various installation methods, including a track mounted rail plow, bridge attachment, horizontal directional drill, and conventional wet and dry trenching. The line shall cross the following streams: six tributaries to the Allegheny River (WWF), Bull Creek (WWF), Bailey Run (WWF), Crawford Run (WWF), Riddle Run (WWF), Tawney Run (WWF), Deer Creek (WWF), Guys Run (WWF), Power Run (WWF), Squaw Run (HQ-WWF), Pine Creek (TSF), Allegheny River (WWF), Jacks Run (WWF), Spruce Run (WWF), Lowries Run (TSF), Toms Run (WWF), Kilbuck Run (CWF), two tributaries to the Ohio River (WWF), Little Sewickley Creek (HQ-TSF) and Big Sewickley Creek (TSF). This project is part of the construction of a fiber optic network extending from Cleveland, Ohio to Fairfax, Virginia (project starts at Freeport, PA Quadrangle N: 8.1 inches; W: 9.7 inches and ends Ambridge, PA Quadrangle N: 14.1 inches; W: 13.7 inches) in Aspinwall Borough, Avalon Borough, Bellevue Borough, Ben Avon Borough, Brackenridge Borough, Cheswick Borough, East Deer Township, Edgeworth Borough, Emsworth Borough, Etna Borough, Glenfield Borough, Harmar Township, Haysville Borough, Harrison Township, Kilbuck Township, Leets Township, Millvale Borough, O'Hara Township, Osborne Borough, City of Pittsburgh, Sewickley Borough, Sharpsburg Borough, Springdale Borough, Springdale Township and Tarentum Borough in **Allegheny County**.

**E03-389.** Encroachment. **Norfolk Southern Railway Company**, 600 West Peachtree Street, Suite 1840, Atlanta, GA 30308. To construct and maintain several fiber optic utility line crossings in, along or across Long Run (WWF), Kiskiminetas River (WWF) and Buffalo Creek (TSF) and their associated wetlands. The utility line will be installed within existing right of ways of the Norfolk Southern Railway Company, utilizing a variety of installation methods, including a track mounted rail plow, bridge attachment, horizontal directional drill, and conventional wet and dry trenching. This project is part of

the construction of a fiber optic network extending from Washington, D.C. to Cleveland, Ohio. The project will cross Freepport Borough and South Buffalo Township in **Armstrong County**.

**E04-273.** Encroachment. **Norfolk Southern Railway Company**, 600 West Peachtree Street, Suite 1840, Atlanta, GA 30308. To construct and maintain a fiber optic line consisting of 12 high density polyethylene (HPPC) conduits installed within the existing right of way of the Norfolk Southern Railway, utilizing various installation methods, including a track mounted rail plow, bridge attachment, horizontal directional drill, and conventional wet and dry trenching. The line shall cross the following streams: two tributaries to the Ohio River (WWF), Legionville Run (WWF), Crows Run (WWF), Dutchman Run (WWF), Lacock Run (WWF), McKinley Run (WWF), six tributaries to the Beaver River (WWF), Blockhouse Run (WWF), Bennett Run (WWF), Thompson Run (WWF), and a wetland (PFO) in a tributary to the Beaver River. This project is part of the construction of a fiber optic network extending from Cleveland, Ohio to Fairfax, Virginia (project starts at Ambridge, PA Quadrangle N: 14.1 inches; W: 13.7 inches and ends at the Beaver Falls, PA Quadrangle N: 18.7 inches; W: 10.0 inches) in Ambridge Borough, Baden Borough, the City of Beaver Falls, Conway Borough, Daugherty Township, East Rochester Township, Eastvale Borough, Economy Borough, Freedom Borough, Harmony Township, New Brighton Borough, North Sewickley Township, Patterson Heights Borough, Rochester Borough and Rochester Township in **Beaver County**.

**E11-286.** Encroachment. **Norfolk Southern Railway Company**, 600 West Peachtree Street, Suite 1840, Atlanta, GA 30308. To construct and maintain several fiber optic utility line crossings in, along or across Little Conemaugh River, Conemaugh River, several of their tributaries (CWF, WWF), and associated wetlands. The utility line will be installed within existing right of ways of the Norfolk Southern Railway Company, utilizing a variety of installation methods, including a track mounted rail plow, bridge attachment, horizontal directional drill, and conventional wet and dry trenching. This project is part of the construction of a fiber optic network extending from Washington, D.C. and Cleveland, Ohio. The project will cross the Borough of Cassandra, Cresson, East Conemaugh, Gallitzin, Lilly, Portage, Sankertown, South Fork, Summerhill, Tunnelhill, Wilmore, Ehrenfeld and City of Johnstown and the Townships of Allegheny, Conemaugh, Cresson, Croyle, Gallitzin, East Taylor, Lower Yoder, Portage, Summerhill, Upper Yoder and Washington in **Cambria County**.

**E32-424.** Encroachment. **Norfolk Southern Railway Company**, 600 West Peachtree Street, Suite 1840, Atlanta, GA 30308. To construct and maintain several fiber optic utility line crossings, in, along or across the Conemaugh River (WWF), several of its tributaries (WWF & CWF), associated wetlands and tributaries of the Kiskiminetas River (CWF & WWF). The utility line will be installed within existing right of ways of the Norfolk Southern Railway Company utilizing a variety of installation methods, including a track mounted rail plow, bridge attachment, horizontal directional drill, and conventional wet and dry trenching. This project is part of the construction of a fiber optics network from Washington, D.C. to Cleveland, Ohio. The portion of the project to be constructed in **Indiana County** will be located within the Borough of Blairsville, and the Townships of Burrell, Conemaugh and West Wheatfield (Portions of the New

Florence, Rachelwood, Bolivar, Blairsville, Saltsburg and Avonmore, PA USGS Quadrangles).

**E65-764.** Encroachment. **Norfolk Southern Railway Company**, 600 West Peachtree Street, Suite 1840, Atlanta, GA 30308. To construct and maintain several fiber optic utility line crossings in, along or across the Conemaugh River (WWF), Kiskiminetas River (WWF), Allegheny River (WWF), several of their tributaries (HQ-CWF, CWF, TSF, WWF) and associated wetlands. The utility line will be installed within existing right of ways of the Norfolk Southern Railway Company, utilizing a variety of installation methods, including a track mounted rail plow, bridge attachment, horizontal directional drill, and conventional wet and dry trenching. This project is part of the construction of a fiber optic network extending from Washington, D.C. to Cleveland, Ohio. The project will cross the Borough of Bolivar, East Vandergrift, Hyde Park, New Florence, Oklahoma, Seward, Vandergrift, West Leechburg and Avonmore and the Townships of Allegheny, Bell, Derry, Fairfield, St. Clair, and Washington in **Westmoreland County**.

**E65-768.** Encroachment. **Mt. Pleasant Area School District**, Administration Office, R. D. 4, Box 2222, Mt. Pleasant, PA 15666. To place and maintain fill in 0.26 acre of wetland (PEM) to construct athletic fields behind the existing Mount Pleasant Area School District's High School, which is located approximately 1,100 feet from the intersection of S. R. 981 and S. R. 2007 (Mt. Pleasant, PA Quadrangle N: 9.25 inches; W: 3.4 inches) in Mount Pleasant Township, **Westmoreland County**.

## ENVIRONMENTAL ASSESSMENT

The following Environmental Assessment and request for Water Quality Certification is being processed under Sections 105.12(a)(16) and 105.15(b), restoration activities undertaken and conducted under a restoration plan approved by the Department.

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

**D21-032EA.** Environmental Assessment. **Commonwealth of Pennsylvania, Department of Environmental Protection, Bureau of Waterways Engineering** (P. O. Box 8460, Harrisburg, PA 17105). To breach and remove the Good Hope Mill Dam across Conodoguinet Creek (WWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 1,300 feet south of the intersection of Good Hope Road and Creek View Road (Harrisburg West, PA Quadrangle N: 2.35 inches; W: 14.55 inches). Hampden Township, **Cumberland County**.

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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.

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

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

**WQM Permit No. 0900413.** Sewage. **Delaware Valley College**, 700 East Butler Avenue, Doylestown, PA 18901-2697 the applicant is granted approval to construct from a facility located at Doylestown Township, **Bucks County**.

**WQM Permit No. 0900412.** Sewage. **Chalfont-New Britain Township Joint Sewage Authority**, 1645 Upper State Road, Doylestown, PA 18901-2666 the applicant is authorized to discharge from a facility in Doylestown Township, **Bucks County**.

**NPDES Permit No. PA0021181.** Sewage. **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976 the applicant is authorized to discharge from a facility in Doylestown Township, **Bucks County**.

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

**NPDES Permit No. PA-0008885.** Industrial, **Procter and Gamble Co.**, P. O. Box 32, Route 87, Mehoopany, PA 18629-0032 is authorized to discharge from a facility located in Washington Township, **Wyoming County** to the Susquehanna River.

**NPDES Permit No. PA-0034398.** Sewerage, **Woodloch Pines, Inc.**, R. R. 1, Box 80, Hawley, PA 18428 is authorized to discharge from a facility located in Lackawaxen Township, **Pike County** to Lake Teedyuskung.

**NPDES Permit No. PA-0060330.** Sewerage. **Hawley Area Authority**, P. O. Box 145, Hawley, PA 18428 is authorized to discharge from a facility located in Lackawaxen Township, **Pike County** to Lackawaxen River.

**NPDES Permit No. PA-0063346.** Sewerage. **Wayne Romanishan, Sr.**, 195 E. Moorestown Road, Wind Gap, PA 18091-0725 is authorized to discharge from a facility

located in Bushkill Township, **Northampton County** to unnamed tributary to Bushkill Creek.

**NPDES Permit No. PA-0031364.** Sewerage. **Wallenpaupack Area School District**, HC 6, Box 6075, Hawley, PA 18428 is authorized to discharge from a facility located in Palmyra Township, **Pike County** to Lake Wallenpaupack.

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

**Permit No. PA0086525.** Sewerage. **Centre Township Municipal Authority**, 449 Bucks Hill Road, Mohrsville, PA 19541 is authorized to discharge from a facility located in Centre Township, **Berks County** to the receiving waters named UNT to Irish Creek in Watershed 3-C.

**Permit No. PA0081361.** Sewerage. **Memphord Estates Sewerage Co., Inc.**, 148 South Baltimore Street, Dillsburg, PA 17019-1009 is authorized to discharge from a facility located in Monaghan Township, **York County** to the receiving waters named Stony Run.

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

**NPDES Permit No. PA0217905 Amendment No. 1.** Industrial waste. **Municipal Authority of the Borough of Oakmont**, P. O. Box 73, 721 Allegheny Avenue, Oakmont, PA 15139 is authorized to discharge from a facility located at the Hulton Treatment Plant, Oakmont Borough, **Allegheny County** to receiving waters named Allegheny River and Falling Springs Run.

**Permit No. 2690201-A1.** Industrial waste. **Pennsylvania-American Water Company**, P. O. Box 1290, 300 Galley Road, McMurray, PA 15317-4290. Construction of a water treatment plant located in Brownsville Borough, **Fayette County** to serve Brownsville WTP, Sodium Bisulfite Dechlorination System.

**Permit No. 6399406.** Sewerage. **Alan Axelson, M.D.**, 2575 Boyce Plaza Road, Pittsburgh, PA 15241. Construction of Sewage Treatment Plant located in Morris, **Washington County** to serve Mansion House at Old Concord Village.

**Permit No. 6572405-A3.** Sewerage. **New Kensington Municipal Sanitary Authority**, 120 Logans Ferry Road, New Kensington, PA 15086. Construction of modifications to the sewage treatment plant located in New Kensington, **Westmoreland County** to serve New Kensington, Arnold, Lower Burrell, and Plum Borough Areas.

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

**NPDES Permit No. PA0035521.** Sewage. **PA Department of Transportation—Rome Township Maintenance Facility**, P. O. Box 3060, Harrisburg, PA 17105-3060 is authorized to discharge from a facility located in Rome Township, **Crawford County** to an unnamed tributary to Oil Creek.

**NPDES Permit No. PA0221783.** Sewage. **Crystal Springs Mobile Home Park**, P. O. Box 145, Forestville, PA 16035 is authorized to discharge from a facility located in Mercer Township, **Butler County** to McDonald Run.

**NPDES Permit No. PA0039233.** Sewage. **Rhodes Country Court**, P. O. Box 398, Reno, PA 16343 is authorized to discharge from a facility located in Cranberry Township, **Venango County** to Sage Run.

**NPDES Permit No. PA0030686.** Sewage. **Cross Creek Resort, Inc.**, Cross Creek Resort Road, Titusville, PA 16354 is authorized to discharge from a facility located in Cherrytree Township, **Venango County** to an unnamed tributary to Cherrytree Run.

**NPDES Permit No. PA0032913.** Sewage. **Scenic Mobile Home Park**, 524 West Locust Street, Woodstock, VA 22664 is authorized to discharge from a facility located in Pymatuning Township, **Mercer County** to an unnamed tributary to Brush Run.

**NPDES Permit No. PA0104299.** Sewage. **Lutherlyn Camp & Retreat Center**, P. O. Box 355, Prospect, PA

16052-0355 is authorized to discharge from a facility located in Connoquenessing Township, **Butler County** to Semicolon Run.

**WQM Permit No. 4300411.** Sewerage, **Ronald B. Woods SRSTP**, 1401 Butler Pike, Mercer, PA 16137. Construction of Ronald B. Woods SRSTP located in Findley Township, **Mercer County**.

**WQM Permit No. 4300412.** Sewerage, **Lauri Bowen SRSTP**, 13 Wasser Bridge Rd., Greenville, PA 16125. Construction of Lauri Bowen SRSTP located in Hempfield Township, **Mercer County**.

**WQM Permit No. 4300413.** Sewerage, **Wayne Dick SRSTP**, 310 Sieg Hill Road, West Middlesex, PA 16159. Construction of Wayne Dick SRSTP located in Shenango Township, **Mercer County**.

### INDIVIDUAL PERMITS

(PAS)

**The following NPDES Individual Permits for Discharges of Stormwater from Construction Activities have been issued.**

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10Q178	Hope Community Church 2074 Hefner Rd. Fogelsville, PA 18051-2320	Lehigh County Weisenberg Township	Hassen and Jordan Creek HQ-CWF
PAS10U134	Nicholas J. Pugliese 1072 Grand St. Phillipsburg, NJ 08865	Northampton County Plainfield Township	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10A112	Walter Gregg, Jr. Camp Meeting Road Sewickley, PA 15143	Allegheny County Bells Acres Borough	UNT Little Sewickley Creek HQ-TSF

### INDIVIDUAL PERMITS

(PAR)

#### Notice of Intent (NO: I) for Coverage under NPDES and/or Other General Permits

The following parties have submitted (1) Notices of Intent (NOIs) for Coverage under (1) General NPDES Permits to discharge wastewater into the surface of this 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



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

PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-10	General Permit for Discharge 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>
West Goshen Township Chester County	PAR10-G401	Kisher Israel Congregation 1000 Pottstown Pike West Chester, PA	Taylor Run (TSF-MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
City of Coatesville Chester County	PAR10-G394	Coatesville Communities P. O. Box 805 Concordville, PA 19331	Rock Run (TSF-MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Chester Township Delaware County	PAR10-J194	Eagle Management Group, Inc. 2833 Ridge Pike Norristown, PA 19403	Chester Creek (WWF-MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Montgomery Township Montgomery County	PAR10-T663	Goodman Properties 201 Old York Road Suite 103 Jenkintown, PA 19046	Trewellyn Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Limerick Township Montgomery County	PAR10-T610	Elliott Building Group, LTD 406 Glen Eagles Drive New Hope, PA	Landis and Lodal Creeks (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

<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>
Upper Merion Township Montgomery County	PAR10-T672	Renaissance Land Associates, LP 1101 DeKalb Pike North Wales, PA 19454	Matsunk Creek (CWF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lackawanna County City of Scranton	PAR10N087	Executive Gold & Country Club Robert Osborne P. O. Box 442 Lake Winola, PA 18625	Stafford Meadow Creek	Lackawanna CD (570) 281-9495
Schuylkill County West Brunswick Township	PAR105810	H & H Development Ernest G. Fink Jr. 121 River St. Cressona, PA 17929	Pine Creek to Schuylkill River	Schuylkill CD (570) 622-3742
Caernarvon Township Berks County	PAR-10-C339	Thousand Oaks Corp. Center Raymond Carr Morgantown Properties 400 Gordon Drive Suite 502 Lionville, PA 19341	Conestoga River	Berks County CD P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
City of Altoona Blair County	PAR-10-0706	Business Dev. Center ABCD Corporation 4500 North 6th Avenue Altoona, PA 16602	Mill Run WWF	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Allegheny Township Blair County	PAR-10-0707	Foot of Ten Sanitary Sew. Replace Allegheny Twp. Sewer & Water 3131 Old Sixth Ave. Road Duncansville, PA 16635	Frankstown Branch of Juniata River WWF	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Logan Township Blair County	PAR-10-0708	New Greenwood Park C Blair Recreation Committee 2101 5th Avenue Altoona, PA 16602	Little Juniata Kettle Creek WWF, TSF	Blair County CD 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
West Pennsboro Township Cumberland County	PAR-10-H246	Big Spring School District Big Spring High School 45 Mount Rock Road Newville, PA 17241	UNT Mt. Rock Creek Big Spring Creek	Cumberland County CD 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
South Hanover Township Dauphin County	PAR-10-I232	Meadows of Hanover Dev. Inc. 225 N. Presidential Blvd. P. O. Box 1176 Bala Cynwyd, PA 19004	Swatara Creek WWF	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Londonderry Township Conewago Township Dauphin County	PAR-10-I242	PennDOT Eng. Dist. 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Conewago Creek TSF	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Gratz Borough Dauphin County	PAR-10-I245	Gratz Borough Mun. Auth. 125 N. Center Street Gratz, PA 17030	Wiconisco Creek CWF	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

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<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>
Lower Paxton Township Dauphin County	PAR-10-I249	MTF Associates, Inc. 4701 North Front Street Harrisburg, PA 17110	Paxton Creek	Dauphin County CD 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Antrim Township Franklin County	PAR-10-M221	Antrim Township Ben Thomas Jr. 10655 Antrim Church Road Greencastle, PA 17225	Paddy Run WWF	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Antrim Township Franklin County	PAR-10-M223	Greencastle Area Franklin County Water Auth. 60 North Washington Street Greencastle, PA 17225	Conococheague Creek WWF	Franklin County CD 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Monaghan Township York County	PAR-10-Y484	504 South York LP Harry Ramage 135 Tyler Run Road York, PA 17404	Fishers Run CWF	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
West Manchester Township York County	PAR-10-Y490	West Manchester Township 2501 Catherine Street York, PA 17404	UNT to Codorus Creek WWF	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Hanover Borough York County	PAR-10-Y448	C. W. Test Builders North Point Condominiums 1235 Abbottstown Pike Hanover, PA 17331	Slagle Run WWF	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Manchester Township York County	PAR-10-Y491	Datum Filing Systems, Inc. 419 Leasing 915 Borom Road York, PA 17404	Codorus Creek WWF	York County CD 118 Pleasant Acres Rd. York, PA 17402 (717) 840-7430
Upper Augusta Township Northumberland County	PAR104938	Shikellamy School District Island Park Adm. Center 200 Island Park Blvd. Sunbury, PA 17801	Sunbury Municipal Sewer and Susquehanna River	Northumberland County CD R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114 X4
Lawrence County Union Township	PAR103742	Union Square Plaza Mark Twelve Associates, L. P. c/o Joe Hogan 20 Soundview Market Place Port Washington, NY 11050	UNT to Shenango River (WWF)	Lawrence Conservation Dist. Lawrence Co. Government Center 430 Court Street New Castle, PA 16101-3593 (724) 652-4512

*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>
Schuylkill County Tamaqua Borough	PAR202240	Hart Metals, Inc. P. O. Box 428 Tamaqua, PA 18252	Panther Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511

<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>
Greene County Jefferson Township	PAR606166	Hoyle's Towing R. D. 1 Box 239-A1 Clarksville, PA 15322	South Fork Ten Mile Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Allegheny County Plum Borough	PAR806201	Federal Express Corp. Federal Express World HQ Environmental Mgmt. Dept. Bldg. B—2nd Fl. 3620 Hacks Cross Road Memphis, TN 38125-7113	Thompson Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
York County Red Lion Borough	PAR123524	ConAgra Flour Milling Company 321 Taylor Avenue Red Lion, PA 17356	Pine Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Highspire Borough	PAR123519	ConAgra Flour Milling Company 99 Second Street Highspire, PA 17034	Laurel Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lebanon County Union Township	PAR603535	PA Dept. of Military & Veterans Affairs PA Army National Guard Ft. Indiantown Gap Bldg. 11-19 Ft. Indiantown Gap Annville, PA 17003	UNT to Manada Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Middletown Borough	PAR803640	Federal Express Corporation MDTRT Station Environmental Management Dept. Bldg. B, 2nd Floor 3620 Hacks Cross Road Memphis, TN 38125-7113	Swatara Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Mifflin County Granville Township	PAR223515	Marlette Homes, Inc. 30 Industrial Park Road P. O. Box 947 Lewistown, PA 17044	Juniata River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Reading City	PAR803577	Consolidated Freightways, Inc. Reading Facility 16400 SE CF Way Vancouver, WA 98603	Burnshart Creek to Schuylkill River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Cumberland County Middlesex Township	PAR803599	Consolidated Freightways, Inc. Carlisle Facility 16400 SE CF Way Vancouver, WA 98603	Letort Spring Run to Conodoguinet Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

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<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>
Huntingdon County Carbon Township	PAR603573	John E. Bollman, Sr. Bollman's Auto Salvage R. D. 1, Box 246 Saxton, PA 16678	Shoup Run	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
<i>General Permit Type—PAG 4</i>				
<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Franklin County Lurgan Township	PAG043664	Kent D. Garman 13532 Cumberland Highway Orrstown, PA 17244	UNT Clipperingers Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Foster Township McKean County	PAG048316	Norman Avey 291 Garlock Hollow Road Bradford, PA 16701	Garlock Hollow Creek	DEP—Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Findley Township Mercer County	PAG048690	Ronald B. Woods 1401 Butler Pike Mercer, PA 16137	Strip Mine Pond	DEP—Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Hempfield Township Mercer County	PAG048692	Lauri Bowen 13 Wasser Bridge Road Greenville, PA 16125	Tributary Shenango River	DEP—Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Shenango Township Mercer County	PAG048696	Wayne Dick 310 Sieg Hill Road West Middlesex, PA 16159	Tributary Shenango River	DEP—Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Freehold Township Warren County	PAG048354	Norman L. Ecker, Sr. R. R. 4, Box 166 Sugar Grove, PA 16350	Tributary to Stillwater Creek	DEP—Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Freehold Township Warren County	PAG048313	Elsie I. Mitchell R. R. 1, Box 32 Columbus, PA 16405	Pine Valley Creek	DEP—Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-12**Facility Location**County and Municipality**Permit No.**Applicant Name and Address**Receiving Stream, Body of Water or Site Name and Address**Contact Office and Telephone No.*

Tim McMichael New Swine Barn  
791 Street Road  
Lower Oxford Township  
Chester County

PAG120001

Tim McMichael  
791 Street Road  
Oxford, PA 19363

Tweed Creek  
(7K-Octoraro Watershed)

Southeast Region  
Water Management  
Suite 6010, Lee Park  
555 North Lane  
Conshohocken, PA 19428  
(610) 832-6130

**SEWAGE FACILITIES ACT  
PLAN APPROVAL**

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

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

*Location: Boggs Township, Union Township, Unionville Borough and Milesburg Borough, Centre County.*

*Project Description:* This plan addresses the portions of these municipalities served by the Mid-Centre County Authority's sewerage facilities. A \$5.7 million project will be constructed to upgrade and expand the wastewater conveyance and treatment facilities and to expand the collection system to serve two small areas of existing development in Union Township. The treatment facility will be rebuilt utilizing sequencing batch reactor and ultraviolet disinfection technologies with an increase in treatment capacity from 0.78 to 1.0 mgd. The plan also commits the Authority to an annual expenditure for infiltration and inflow removal work in the collection system. The project will abate an existing overload at these facilities, provide for future growth in the service area and allow the Authority to consistently meet its permit conditions for the quantity and quality of its discharge.

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

Several unsewered areas, in Union and Boggs Townships, were included in this study. The plan's recommendations to address sewage related problems which exist in these areas were not adequate and this portion of the plan was disapproved.

**SAFE DRINKING WATER**

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

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

**Permit No. 3900501. Great Spring Waters of America Bottling Plant,** 405 Nestle Way, Breinigsville, PA 18031, David Thorpe. It is located in Upper Macungie Township, **Lehigh County.** Permit issued on September 28, 2000.

**Permit No. 3900504. Great Spring Waters of America Bottling Plant,** 405 Nestle Way, Breinigsville, PA 18031, David Thorpe, production lines 7 and 8. It is located in Upper Macungie Township, **Lehigh County.** Permit issued on October 17, 2000.

**Minor Permit Amendment. South Whitehall Township Authority,** Well No. 13 (cornerstone well), Gerald J. Gasda, Manager, 4444 Walbert Avenue, Allentown, PA 18104-1699. It is located in South Whitehall Township, **Lehigh County.** Permit issued on October 3, 2000.

**Minor Permit Amendment. Borough of Emmaus,** c/o Dan DeLong, Public Works Coordinator, 28 Fourth Street, Emmaus, PA 18049-3899, for Well No. 4: Air Stripping, Packed Tower Aeration. It is located in the Borough of Emmaus, **Lehigh County.** Permit issued on September 26, 2000.

**Minor Permit Amendment. PAWC,** c/o Steven J. Seidl, VP Engineering, 800 West Hershey Park Drive, Hershey, PA 17033 for the Industrial Park Well Station located in Coolbaugh Township, **Monroe County.** Permit issued on October 10, 2000.

**Operations permit no. 3480006** issued on October 5, 2000, to **Green Acres Mobile Home Park,** located in Williams Township, **Northampton County.**

**Operations permit no. 2580035** issued on October 5, 2000, to **Oakland Trailer Park,** located in Oakland Township, **Susquehanna County.**

**Operations permit no. 2520058** issued on October 4, 2000 to **Pocono Mountain Lake Estates,** located in Lehman Township, **Pike County.**

**Operations permit no. 248001** issued on October 12, 2000, to **Hazleton City Water Authority,** located in Hazleton City, **Luzerne County.**

*Northwest Regional Office: Regional Manager, 230 Chestnut Street, Meadville, telephone: (814) 332-6899.*

**Permit No. 4300504.** Public Water Supply. **Jamestown Municipal Authority,** 406 Jackson Street, Jamestown, PA 16148 has been issued a permit for installation of a new well, known as Well No. 1R, in Jamestown Borough, **Mercer County.** *Type of Facility:* Community Water Supply. *Consulting Engineer:* Joseph Pacchioni, P.E., Hickory Engineering, Inc., 3755 East State St., Hermitage, PA 16148.

*Permit to Construct Issued: October 17, 2000.*

## 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:

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

**Voydik Residence**, North Manheim Township, **Schuylkill County**. Andrew W. Meadows, Operations Manager, The Cardinal Group, Inc., P. O. Box 543, 51 East Second Street, Boyertown, PA 19512 has submitted a Final Report (on behalf of his client, Francis Voydik, Shady Lane Road, Schuylkill Haven, PA 17972) concerning the remediation of site soils found or suspected to have been contaminated with no. 2 home heating fuel oil. The report was submitted to document remediation of the site to meet the Statewide health standard. A Notice of Intent to Remediate was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

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

**Distribution Pole 40732S30345**. Borough of Lititz, **Lancaster County**. PPL Generation LLC, Two North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning remediation of site contaminated with PCBs. The report is intended to document remediation of the site to the Statewide health standard.

**Ray Byler Property**. Lewistown Borough, **Mifflin County**. RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, and Ray Byler, R. D. 1, Box 41, Belleville, PA 17004 have submitted a

combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with PHCs. The report is intended to document remediation of the site to a combination of the Statewide health and site specific standards.

## 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 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:

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

**3600 Reed Street Property**, City of Philadelphia, **Philadelphia County**. Michael A. Christie, P.G., Penn Environmental & Remediation, 2755 Bergey Road,

Hatfield, PA 19440, has submitted a Remedial Investigation/Cleanup Plan concerning remediation of site soil contaminated with lead, heavy metals, BTEX and polycyclic aromatic hydrocarbons and groundwater contaminated with solvents. The report was approved by the Department on September 20, 2000.

**Glasgow Bridgeport Facility**, Upper Merion Township, **Montgomery County**. Christopher Orzechowski, RT Environmental Services Inc., 214 W. Church Road, King of Prussia, PA 19406, has submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX and polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide health standards and was approved by the Department on September 21, 2000.

**Airport Business Center**, Tinicum Township, **Delaware County**. Susan L. Gordon, Farer Fersko, 600 South Avenue, P. O. Box 580, Westfield, NJ 07091-0580, has submitted a Final Report concerning remediation of site soil contaminated with heavy metals, pesticides and polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on September 26, 2000.

**Former Diamond Oil Property—Lot 2**, City of Coatesville, **Chester County**. James Taylor, Taylor Geo Services, 341 Dartmouth Avenue, Swarthmore, PA 19081, has submitted a Baseline Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The report was approved by the Department on September 27, 2000.

**2555 Street Road, LLC**, Bensalem Township, **Bucks County**. Darryl D. Borrelli, Manko, Gold & Kathcher, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, has submitted a Remedial Investigation/Final Report concerning remediation of site groundwater contaminated with solvents. The report demonstrated attainment of site-specific standards and was approved by the Department on October 4, 2000.

**Heating Oil Partners**, L. P./Gill Brothers Oil Co., Northampton Township, **Bucks County**. Sean M. Grexa, The Tyree Organization, Ltd., 1350 S. U. S. Highway 130, Burlington, NJ 08016, has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons and groundwater contaminated with BTEX. The report demonstrated attainment of site-specific standards and was approved by the Department on October 4, 2000.

**Spector Residence**, Bensalem Township, **Bucks County**. Louis F. Vittorio, Jr., P.G., EarthRes Group, Inc., P. O. Box 468, 7137 Old Easton Road, Pipersville, PA 18947, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on October 5, 2000.

**Romagano Residence**, Bensalem Township, **Bucks County**. Louis F. Vittorio, Jr., P.G., EarthRes Group, Inc., P. O. Box 468, 7137 Old Easton Road, Pipersville, PA 18947, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide health standard and was approved by the Department on October 5, 2000.

**ChiRex Technology Center, Inc.**, Charlestown Township, **Chester County**. Steven L. Tanen, HydroScience, Inc., Center City Executive Centre, 607 Washington Street, Reading, PA 19601, has submitted a Final Report concerning remediation of site soil contaminated with solvents. The report demonstrated attainment of the Statewide health standard and was approved by the Department on October 5, 2000.

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

**Goshiney Residence**, Ryan Township, **Schuylkill County**. Brian Holtzhafer, Geologist, Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 submitted a Final Report (on behalf of his clients, John and Niki Goshiney, Locust Lake Road, Barnesville, PA 18214) concerning the remediation of site soils found or suspected to have been contaminated with no. 2 home heating fuel oil. The report documented attainment of the Statewide health standard and was approved on October 19, 2000.

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

**Cole Office Environments**, Springettsbury Township, **York County**. Litton Systems, 185 Ridgedale Avenue, Cedar Knolls, NJ 07927 and ARCADIS Geraghty & Miller, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047 have submitted a combined Remedial Investigation and Final Report concerning the remediation of site soils contaminated with heavy metals. The report demonstrated attainment of the site-specific standard, and was approved by the Department on October 12, 2000.

## SOLID AND HAZARDOUS WASTE

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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**Solid waste permits issued. Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate solid waste processing or disposal area or site.**

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*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 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 Regional Office on October 23, 2000.

*Northcentral Regional Office: Regional Solid Waste Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653.*

**Permit No. 101568. Spring Creek Composting Facility, University Area Joint Authority** (1576 Spring Valley Road, State College, PA 16801). Renewal of permit for a sludge composting facility located in College Township, **Centre County**, received in the regional office 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.*

**65-0868A: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on October 18, 2000, for construction and operation of nonmetallic mineral processing at Henderson Quarry in Donegal Township, **Westmoreland County**.

**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).**

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

**46-0154: Eye Designs LLC** (245 West Fifth Avenue, Trappe, PA 19426) on October 19, 2000, for operation of two spray booths in Trappe Borough, **Montgomery County**.

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

**65-00659: Commercial Stone Co., Inc.** (P. O. Box 187, Berkeley Springs, WV 15411) for operation of an asphalt plant at Adamsburg in North Huntingdon Township, **Westmoreland County**.

**65-00927: Hoover's Stone Quarry** (R. D. 3, Box 47, Saltsburg, PA 15681) for operation of Mining and Quarrying at Saltsburg in Loyalhanna Township, **Westmoreland County**.

**Minor Operating Permit Minor Modifications issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.**

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

**13-313-031A: Ametek, Inc.** (Chemical Products Division, Green Acres Industrial Park, P. O. Box 9, Nesquehoning, PA 18240) for minor modification of ZSK 133 Production Lines 1 and 2, along Route 54 in Nesquehoning Borough, **Carbon County**.

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

**13-313-031A: Ametek, Inc.** (Chemical Products Division, Green Acres Industrial Park, P. O. Box 9, Nesquehoning, PA 18240) for minor modification of ZSK 133 Production Lines 1 and 2, along Route 54 in Nesquehoning Borough, **Carbon County**.

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

**43-00196: General Electric Transportation Systems—Grove City** (1503 West Main Street Extension, Grove City, PA 16127) for re-issuance of General Electric Transportation Systems—Grove City's Title V permit issued July 12, 1999, in Pine Township, **Mercer County**.

### 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).**

*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.

**06-03118: UGI Utilities, Inc.** (P. O. Box 13009, Reading, PA 19612) on October 18, 2000, for construction of an electric generator firing natural gas at their Reading Office in Reading City, **Berks County**.

**36-03038: Evans Eagle Burial Vaults, Inc.** (15 Graybill Road, Leola, PA 17540) on October 19, 2000, for construction of a cremation chamber controlled by an afterburner in Upper Leacock Township, **Lancaster County**.

**38-313-013C: Geon Engineered Films, Inc.** (1507 Willow Street, Lebanon, PA 17046) on October 23, 2000, for modification to the Banbury and PVC Preblending Processes in Lebanon City, **Lebanon County**.

**67-05026D: DONSCO, Inc.** (P. O. Box 2001, Wrightsville, PA 17368) on October 23, 2000, for modification to the Grinding Department in Wrightsville Borough, **York County**.

**67-310-004H: Southdown, Inc.** (P. O. Box 220, Thomasville, PA 17364) on October 19, 2000, for installation of a bucket elevator and three 100-ton storage silos controlled by existing collectors at Plant 2/2A in Jackson Township, **York County**. These sources are subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

**26-479A: Pioneer Mid-Atlantic, Inc.** (400 Industrial Boulevard, New Kensington, PA 15068) on October 17, 2000, for operation of limestone crushing and sizing plant at Connellsville II Quarry in Bullsken Township, **Fayette County**.

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

**25-648B: Welch Foods, Inc.** (South Lake Street, North East, PA 16428) on October 18, 2000, for modification of an existing boiler in North East, **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).**

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

**22-310-005D: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) on October 23, 2000, to authorize temporary operation of a stone crushing plant controlled by two fabric filters and a wet suppression system, covered under this Plan Approval until February 19, 2001, located at the Hummelstown Quarry in South Hanover Township, **Dauphin County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plant.

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

**49-00019A: Atlantic Refining and Marketing, owner, and Sunoco, Inc. (R&M), operator,** (1801 Market Street—15/10 PC, Philadelphia, PA 19103) for a Title V facility on September 16, 2000, to extend authorization to operate a gasoline truck loading rack and associated air cleaning devices [two refrigeration vapor recovery units] on a temporary basis until February 13, 2001, in Point Township, **Northumberland County**.

**18-322-001B: Jersey Shore Steel Co.** (P. O. Box 5055, Jersey Shore, PA 17740) on October 20, 2000, to extend authorization to operate a natural gas/# 2 fuel oil/land fill gas-fired reheat furnace on a temporary basis until February 17, 2001, in Pine Creek Township, **Clinton County**.

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

**56-305-043: Senate Coal Mines, Inc.** (One Energy Place, Suite 5100, Latrobe, PA 15650) on October 18, 2000, for installation of a coal refuse reclaiming/screen at Mine 36 in Winber Borough, **Somerset County**.

**04-700A: Mansell Industrial Services** (1755 Pennsylvania Avenue, Monaca, PA 15061) on October 23, 2000, for installation of a rotary kiln dryer at Industry Plant in Industry Borough, **Beaver County**.

**04-108A: Armstrong World Industries** (1018 Eleventh Street, P. O. Box 441, Beaver Falls, PA 15010) on August 9, 2000, for installation of TCD Exhaust at Beaver Falls Ceiling Plant in Beaver Falls, **Beaver County**.

**04-033A: Nova Chemicals, Inc.** (400 Frankfort Road, Monaca, PA 15061) on October 23, 2000, for operation of D2 Liquid Lube Dylite Process at Beaver Valley Plant in Potter Township, **Beaver County**.

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

**42-151A: Werzalit of America, Inc.** (40 Holley Avenue, P. O. Box 373, Bradford, PA 16701) on October 30, 2000, for a chipping drying process in Bradford, **McKean 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

**35813204R3. Dominick DeNaples** (400 Mill Street, Dunmore, PA 18512-2827), renewal of an existing coal refuse reprocessing operation in Dunmore Borough, **Lackawanna County** affecting 14.25 acres, receiving stream—Roaring Brook. Renewal issued October 18, 2000.

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

**10820139. Quality Aggregates, Inc.** (200 Neville Road, Pittsburgh, PA 15225). Renewal of an existing bituminous strip and coal ash placement operation in Venango Township, **Butler County** affecting 102.8 acres. Receiving streams: Three unnamed tributaries to Seaton Creek. Application received: August 21, 2000. Permit Issued: October 10, 2000.

**33940105. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Transfer of an existing bituminous surface strip operation from Leonard Yenzi in Pinecreek Township, **Jefferson County** affecting 118.1 acres. Receiving streams: Two unnamed tributaries to Five Mile Run to Mill Creek. Application received: April 10, 2000. Permit issued: October 17, 2000.

**33000101. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242). Commencement, operation and restoration of a bituminous surface strip, auger, and coal preparation plant/processing facility in Ringgold Township, **Jefferson County** affecting 86.0 acres. Receiving streams: Unnamed tributaries to Painter Run and Painter Run. Application received: April 14, 2000. Permit issued: October 18, 2000.

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

**03990110. Milestone Crushed, Inc.** (521 South Street, Clarion, PA 16214). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Redbank Township, **Armstrong County**, affecting 81.9 acres. Receiving streams: unnamed tributaries to Redbank Creek and to Redbank Creek. Application received: March 14, 2000. Permit issued: October 18, 2000.

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

**32950109. Permit Transfer from Dunamis Resources, Inc. to Britt Energies, Inc.** (2450 Philadelphia Street, Indiana, PA 15701), for continued operation of a bituminous surface mine in White Township, **Indiana County**, affecting 83.3 acres, receiving stream Yellow Creek and unnamed tributary to Yellow Creek to Two

Lick Creek to Black Lick Creek to Conemaugh River, application received July 27, 2000, issued October 16, 2000.

**11813039. Permit Renewal, Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), for continued operation of a bituminous surface and auger mine in Adams Township, **Cambria County**, affecting 1353.0 acres, receiving stream unnamed tributary to Paint Creek; to Paint Creek; to unnamed tributary to Sulphur Creek; and to Sulphur Creek application received February 24, 2000, issued October 11, 2000.

**11813040. Permit Renewal, Cooney Brothers Coal Company** (Box 246, Cresson, PA 16630), for continued operation of a bituminous surface and auger mine in Adams Township, **Cambria County**, affecting 750.0 acres, receiving stream unnamed tributaries to South Fork Little Conemaugh River; to South Fork Little Conemaugh River; to unnamed tributaries to Sulphur Creek; and to Sulphur Creek, application received February 24, 2000, issued October 11, 2000.

**11980103. Permit Revision, Laurel Land Development, Inc.** (P. O. Box 629, Carrolltown, PA 15722), to add auger mining in Blacklick Township, **Cambria County**, affecting 148.6 acres, receiving stream South Branch Blacklick Creek, unnamed tributary to South Branch Blacklick Creek, application received May 8, 2000, issued October 17, 2000.

**11950102. Permit Renewal, Laurel Land Development, Inc.** (P. O. Box 629, Carrolltown, PA 15722), for continued operation of a bituminous surface mine in Jackson Township, **Cambria County**, affecting 83.5 acres, receiving stream Hinckston Run; unnamed tributaries to Hinckston Run; and unnamed tributary to Laurel Run, application received August 4, 2000, permit issued October 17, 2000.

**56000102. Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552), commencement, operation and restoration of a bituminous surface-auger mine in Brothersvalley Township, **Somerset County**, affecting 197.6 acres, receiving stream Piney Run; tribs to Piney Run; tribs to Buffalo Creek, application received February 14, 2000, permit issued October 17, 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, issued October 19, 2000.

**56910101. Permit Revision, Paul F. Becker Coal Company** (1593 Old Route 22, Duncansville, PA 16635), to change the post-mining land use on a portion of the site from "forestland" to "unmanaged natural habitat" in Somerset and Stonycreek Townships, **Somerset County**, affecting 120.0 acres, receiving stream unnamed tributaries to Kimberly Run, application received August 25, 2000, issued October 19, 2000.

**32980112. Permit Revision, Alverda Enterprises, Inc.** (P. O. Box 87, Alverda, PA 15710), to include auger mining on the Lower Freeport coal seam in Pine and Green Townships, **Indiana County**, affecting 46.6 acres, receiving stream unnamed tributaries to Yellow Creek, application received August 24, 2000, issued October 19, 2000.

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

*Small Noncoal (Industrial Minerals) Permits Issued*

**25992805. Raymond D. Showman & Sons, Inc.** (12851 Sharp Road, Edinboro, PA 16412) Commencement, operation and restoration of a small noncoal sand and gravel operation in Washington Township, **Erie County** affecting 5.0 acres. Receiving streams: None. Application received: April 29, 1999. Permit Issued: October 10, 2000.

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

**64000801. Joe's Rock Garden** (R. R. 1 Box 1010, Honesdale, PA 18431-9743), commencement, operation and restoration of a small quarry operation in Lebanon Township, **Wayne County**, affecting 5.0 acres, receiving stream—none. Permit issued October 17, 2000.

**40000804. Ray Hildebrand Excavating** (R. R. 1 Box 167A, Wapwallopen, PA 18660), commencement, operation and restoration of a small quarry operation in Slocum Township, **Luzerne County**, affecting 5.0 acres, receiving stream—none. Permit issued October 17, 2000.

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

**ENCROACHMENTS**

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (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—504 and 701—708 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).** (*Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.*)

*Permits Issued and Actions on 401 Certifications.*

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

**E39-360.** Encroachment. **City of Allentown**, 435 Hamilton Street, Allentown, PA 18101. To excavate accumulated silts and sediments in the Lehigh Canal, within an area having overall dimensions of approximately 230 feet by 80 feet, to depths ranging from 2.1 feet to 4.1 feet, for the purpose of restoring the canal to its historical dimensions. The project is located on the east side of Adams Island, approximately 0.5 mile downstream of the Tilghman Street Bridge (Allentown East, PA Quadrangle N: 12.0 inches; W: 11.0 inches), in the City of Allentown, **Lehigh County**.

**E39-386.** Encroachment. **Whitehall Township**, 3219 MacArthur Road, Whitehall, PA 18052. To remove the existing structure and to construct and maintain a single-span prefabricated steel truss pedestrian bridge, having a span of approximately 30 feet with an underclearance of approximately 5 feet, across Coplay Creek. The project is located within Hockendauqua Park, approximately 0.2 mile upstream of the Lehigh Street Bridge over Coplay Creek (Catasauqua, PA Quadrangle N: 6.1 inches; W: 16.4 inches), in Whitehall Township, **Lehigh County**.

**E40-545.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain an 18-span prestressed concrete bridge, having a total span of 2,375 feet with a maximum underclearance of 61 feet, across the Susquehanna River. The project will temporarily impact 0.03 acre of wetlands during construction. This impact will be restored at the completion of the project. The project is known as the Carey Avenue Bridge Replacement Project and is located along S. R. 2005, Section 371 (Wilkes-Barre West, PA Quadrangle N: 20.9 inches; W: 7.9 inches), in Plymouth Borough and Hanover Township, **Luzerne County**.

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

**E17-348.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 2-0, 1924—30 Daisy Street, Clearfield, PA 16830. To remove an existing structure and to construct, operate and maintain a single cell box culvert to carry SR 0729, Segment-Offset 0060/0474 across an unnamed tributary to Muddy Run. The public road crossing shall be constructed with a pre-cast reinforced concrete box culvert that will have a span of 10-feet, rise of 4.25-feet, depression of 0.50-feet, and skew of 75-degrees. The project is located along SR 0729 approximately 2,229-feet north of T-537 and SR 0729 intersection (Ramey, PA Quadrangle N: 3.6 inches; W: 10.1 inches) in Beccaria Township, **Clearfield County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-299.** Encroachment. **Forrest F. Gundlach**, 103 Hogan Blvd., Mill Hall, PA 17751. To construct and maintain 1) a 2-story 40-foot by 64-foot cement block and wood frame building, with the appropriate rodent-proof flood vents, built at grade with two depressed loading docks, 2) removing 316 cubic yards of earthen fill to compensate for the building's encroachment into the floodway, both of which are located at 103 Hogan Boulevard in the right floodway of Bald Eagle Creek 600 feet south of the SR 150 bridge over Bald Eagle Creek (Mill Hall, PA Quadrangle N: 13.5 inches, W: 21.79 inches) in Bald Eagle Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects."

**E18-300.** Encroachment. **Forrest F. Gundlach**, 103 Hogan Boulevard, Mill Hall, PA 17751. To construct and maintain 1) a 1-story 50-foot by 60-foot Pre-Engineered Building, with the associated rodent proof flood vents, built at grade on a 6-inch concrete pad with 4-foot footers, 2) removing 316 cubic yards of earthen fill to compensate for the building's encroachment into the floodway, both of which are located at 119 Hogan Boulevard in the right floodway of Bald Eagle Creek 650 feet south of the SR 150 bridge over Bald Eagle Creek (Mill Hall, PA Quadrangle N: 13.5 inches, W: 21.79 inches) in Bald Eagle Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects."

**E41-468.** Encroachment. **Gary Stahl**, 690 Palmer Hill Road, Williamsport, PA 17701. To construct and maintain an open pavilion 13 feet by 29 feet by 10 feet high supported by twelve 4 inch by 4 inch posts on a concrete pad in the floodway of the West Branch Susquehanna River on lot 26 at the Montgomery Boat Club (Muncy, PA Quadrangle N: 9.2 inches; W: 12.55 inches) in Clinton Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects."

**E59-396.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 3-0, 715 Jordan Avenue, Montoursville, PA 17754. To change the channel of Slate Creek; modify, operate and maintain an existing stream enclosure of Slate Creek; modify, operate and maintain existing stream enclosures of nine unnamed tributaries to the Tioga River; modify, operate and maintain an existing stream enclosure of Ellen Run; realign, operate and maintain the channel of Ellen Run; construct, operate and maintain a four span bridge across the Tioga River; modify, operate and maintain an existing stream enclosure of Kelly Creek for the construction of a limited access highway. The channel change and modification of the stream enclosure of Slate Creek shall be limited to a maximum waterway impact of 509-feet. The maintenance of the Ellen Run channel shall be in perpetuity with design cross-sections being maintained for a minimum of 400-feet downstream of the stream enclosure outlet. The bridge across the Tioga River shall be constructed with a minimum total span of 535-feet, underclearance of 49.8-feet, and skew of 56-degrees. The modifications at the stream enclosure of Ellen Run shall be limited to a maximum waterway impact of 400-feet. The modifications at the stream enclosure of Kelly Creek shall be limited to a maximum waterway impact of 190-feet. The modifications at the stream enclosures of the nine unnamed tributaries to the Tioga River shall be limited to a total waterway impact of 722-feet. Construction of SR 6015, Section E61 and Section F12 will result in the permanent impact to 0.60-acre of wetland and 1464-feet of waterway. Construction of SR 6015, Section E61 and Section F12 will result in the temporary impact to 2.33-acres of wetland and 20-feet of waterway. All permanent wetland impacts authorized by this permit shall be mitigated by the permittee through replacement wetlands at the Hilfiger site (0.60-acre). The 1434-feet of permanent impact to waterways authorized by this permit shall be mitigated by the permittee through the stream stabilization and riparian corridor restoration at Canoe Camp Creek. All waterway and wetland mitigation shall be constructed prior or concurrent with the activities authorized by this permit. This permit also authorizes the construction, operation and maintenance of temporary construction accesses across Waters of the Commonwealth; upon completion of the project, all construction accesses shall be removed and the areas restored to original contours, elevations, geometry and

hydrology. The project is located along the eastern right-of-way of SR 0015 approximately 500-feet east of SR 0015 and SR 0006 intersection (Mansfield, PA Quadrangle N: 9.8 inches; W: 5.7 inches) in Mansfield Borough and Richmond Township, **Tioga County**. This permit authorizes the multiple encroachments for the stabilization and riparian corridor restoration of a 1.2-mile reach of Canoe Camp Creek for the mitigation of the permanent impact associated with section E61, section F12 and section D52.

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

**E24-211.** Encroachment. **National Fuel Gas Supply**, 1100 State Street, Erie, PA 16501. To install and maintain a 20-inch diameter natural gas pipeline (AM-60) beginning at the existing Lamont Compressor Station (41°, 36', 44" north latitude, 78°, 48' 46" west longitude) and extending generally northwest to the Elk and McKean County Line (41°, 37', 11" north latitude, 78°, 50', 18" west longitude) crossing the following stream and wetland area in Highland Township, **Elk County**:

1. Tributary to Wolf Run (HQ-CWF-Wild Trout) at Section 2, Station 301+60 (James City, PA Quadrangle 41°, 37', 3" north latitude, 78°, 49', 15" west longitude).
2. Wetland no. AM60D10 (PEM) at Section 2, Station 279+33 (James City, PA Quadrangle 41°, 37', 14" north latitude, 78°, 49', 41" west longitude) traversing a distance of 108 feet.

**E42-269.** Encroachment. **Allegheny Partners, L. P. c/o Forest Investment Associates**, P. O. Box 1474, 312 West Main Street, Smethport, PA 16749. To remove the existing bridge and to install and maintain a pre-fabricated steel bridge having a structure length of 26 feet and a maximum underclearance of about 5.5 feet across Jet Brook on a private access road to property for timber harvesting approximately 250 feet east of S. R. 6 north of S. R. 146 at Marvindale (Hazel Hurst, PA Quadrangle N: 19.3 inches; W: 5.25 inches) in Hamlin Township, **McKean County**.

**E42-270.** Encroachment. **National Fuel Gas Supply**, 1100 State Street, Erie, PA 16501. To install and maintain a 20-inch diameter natural gas pipeline (AM-60) beginning at the McKean and Elk County Line (41°, 36', 44" north latitude, 78°, 50', 18" west longitude) and extending generally northwest to the Warren and McKean County Line (41°, 43', 1" north latitude, 78°, 57', 11" west longitude) crossing the following streams and wetland areas in Hamilton and Wetmore Townships, **McKean County**:

1. East Branch Tionesta Creek (HQ-CWF-Wild Trout-Stocked Trout) at Section 2, Station 244+37 (Kane, PA Quadrangle 41°, 37', 32" north latitude, 78°, 50', 14" west longitude).
2. Tributary to East Branch Tionesta Creek (HQ-CWF-Wild Trout) at Section 2, Station 243+53 (Kane, PA Quadrangle 41°, 37', 35" north latitude, 78°, 50', 14" west longitude).
3. Tributary to East Branch Tionesta Creek (HQ-CWF-Wild Trout) at Section 2, Station 220+36 (Kane, PA Quadrangle 41°, 38', 58" north latitude, 78°, 50', 11" west longitude).
4. Wetland no. AM60W09 (POW) at Section 2, Station 183+19 (Kane, PA Quadrangle 41°, 38', 35" north latitude, 78°, 50', 10" west longitude) traversing a distance of 96 feet.

5. Tributary to East Branch Tionesta Creek (HQ-CWF-Wild Trout) at Section 2, Station 182+15 (Kane, PA Quadrangle 41°, 38', 37" north latitude, 78°, 50', 10" west longitude).
6. Wetland no. AM60W08 (PEM) at Section 2, Station 147+89 (Kane, PA Quadrangle 41°, 39', 8" north latitude, 78°, 50', 22" west longitude) traversing a distance of 89 feet.
7. West Run (HQ-CWF-Wild Trout) at Section 2, Station 146+90 (Kane, PA Quadrangle 41°, 39', 8" north latitude, 78°, 50', 21" west longitude).
8. Tributary to West Run (HQ-CWF-Wild Trout) as Section 2, Station 114+00 (Kane, PA Quadrangle 41°, 39', 38" north latitude, 78°, 50', 39" west longitude).
9. Wetland no. AM60W07 (PEM-EV) at Section 2, Station 113+06 (Kane, PA Quadrangle 41°, 39', 39" north latitude, 78°, 50', 39" west longitude) traversing a distance of 245 feet.
10. Wetland no. AM60W06 (PEM-EV) at Section 2, Station 51+88 (Kane, PA Quadrangle 41°, 40', 38" north latitude, 78°, 51', 1" west longitude) traversing a distance of 161 feet.
11. Tributary to Rock Run (HQ-CWF-Wild Trout) at Section 2, Station 49+11 (Kane, PA Quadrangle 41°, 40', 40" north latitude, 78°, 51', 1" west longitude).
12. Wetland no. AM60W05 (PEM-EV) at Section 2, Station 48+31 (Kane, PA Quadrangle 41°, 40', 39" north latitude, 78°, 51', 2" west longitude) traversing a distance of 75 feet.
13. Wetland no. AM60W04 (PEM/PFO-EV) at Section 2, Station 23+29 (Kane, PA Quadrangle 41°, 41', 6" north latitude, 78°, 51', 22" west longitude) traversing a distance of 668 feet.
14. Wetland no. AM60W03 (PEM-EV) at Section 2, Station 18+48 (Kane, PA Quadrangle 41°, 41', 9" north latitude, 78°, 51', 26" west longitude) traversing a distance of 178 feet.
15. Wetland no. AM60W02 (PEM-EV) at Section 2, Station 13+13 (Kane, PA Quadrangle 41°, 41', 10" north latitude, 78°, 51', 26" west longitude) traversing a distance of 73 feet.
16. Tributary to Twomile Run (HQ-CWF-Wild Trout) at Section 2, Station 9+76 (Kane, PA Quadrangle 41°, 41', 12" north latitude, 78°, 51', 27" west longitude).
17. Twomile Run (HQ-CWF-Wild Trout-Stocked Trout) at Section 2, Station 2+12 (Kane, PA Quadrangle 41°, 41', 19" north latitude, 78°, 51', 31" west longitude).
18. Wetland no. AM60W01 (PEM/PFO-EV) at Section 2, Station 1+90 (Kane, PA Quadrangle 41°, 41', 19" north latitude, 78°, 51', 34" west longitude) traversing a distance of 106 feet.
19. Wetland no. S1W01 (PEM/PSS-EV) at Section 1, Station 5+14 (Kane, PA Quadrangle 41°, 44', 19" north latitude, 78°, 52', 2" west longitude) traversing a distance of 250 feet.
20. Wetland no. S1W02 (PEM/PSS-EV) at Section 1, Station 14+75 (Kane, PA Quadrangle 41°, 41', 15" north latitude, 78°, 52', 2" west longitude) traversing a distance of 22 feet.

21. Wetland no. S1W03 (PEM/PSS-EV) at Section 1, Station 17+38 (Kane, PA Quadrangle 41°, 41', 15" north latitude, 78°, 51', 59" west longitude) traversing a distance of 200 feet.
  22. Twomile Run (HQ-CWF-Wild Trout-Stocked Trout) at Section 1, Station 19+18 (Kane, PA Quadrangle 41°, 41', 15" north latitude, 78°, 52', 3" west longitude).
  23. Wetland no. S1W04 (PEM-EV) at Section 1, Station 41+34 (Kane, PA Quadrangle 41°, 41', 17" north latitude, 78°, 51', 41" west longitude) traversing a distance of 78 feet.
  24. Tributary to Twomile Run (HQ-CWF-Wild Trout) at Section 1, Station 42+00 (Kane, PA Quadrangle 41°, 41', 18" north latitude, 78°, 52', 30" west longitude).
  25. Wetland no. S1W05 (PEM-EV) at Section 1, Station 45+36 (Ludlow, PA Quadrangle 41°, 41', 19" north latitude, 78°, 52', 35" west longitude) traversing a distance of 43 feet.
  26. Tributary to East Branch Tionesta Creek (HQ-CWF-Wild Trout) at Section 1, Station 99+85 (Ludlow, PA Quadrangle 41°, 41', 31" north latitude, 78°, 53', 43" west longitude).
  27. Wetland no. S1W06 (PEM-EV) at Section 1, Station 102+22 (Ludlow, PA Quadrangle 41°, 41', 31" north latitude, 78°, 53', 45" west longitude) traversing a distance of 19 feet.
  28. Wetland no. S1W07 (PEM) at Section 1, Station 103+17 (Ludlow, PA Quadrangle 41°, 41', 32" north latitude, 78°, 53', 48" west longitude) traversing a distance of 63 feet.
  29. Wetland no. S1W08 (PEM, EV) at Section 1, Station 114+53 (Ludlow, PA Quadrangle 41°, 41', 37" north latitude, 78°, 54', 3" west longitude) traversing a distance of 120 feet.
  30. Wetland no. S1W09 (PEM) at Section 1, Station 138+56 (Ludlow, PA Quadrangle 41°, 41', 49" north latitude, 78°, 54', 30" west longitude) traversing a distance of 104 feet.
  31. Wetland no. S1W10 (PEM, EV) at Section 1, Station 143+90 (Ludlow, PA Quadrangle 41°, 41', 51" north latitude, 78°, 54', 37" west longitude) traversing a distance of 172 feet.
  32. Bloody Run (HQ-CWF, Wild Trout) at Section 1, Station 145+30 (Ludlow, PA Quadrangle 41°, 41', 51" north latitude, 78°, 54', 38" west longitude).
  33. Tributary to Bloody Run (HQ-CWF, Wild Trout) at Section 1, Station 152+71 (Ludlow, PA Quadrangle 41°, 41', 55" north latitude, 78°, 54', 46" west longitude).
  34. Wetland no. S1W11 (PEM) at Section 1, Station 186+42 (Ludlow, PA Quadrangle 41°, 42', 15" north latitude, 78°, 55', 23" west longitude) traversing a distance of 124 feet.
  35. Wetland no. S1W12 (PEM/PFO, EV) at Section 1, Station 189+85 (Ludlow, PA Quadrangle 41°, 42', 17" north latitude, 78°, 55', 26" west longitude) traversing a distance of 76 feet.
  36. Wetland no. S1W13 (PEM-PFO, EV) at Section 1, Station 223+65 (Ludlow, PA Quadrangle 41°, 42', 34" north latitude, 78°, 56', 3" west longitude) traversing a distance of 140 feet.
  37. Tributary to East Branch Tionesta Creek (HQ-CWF, Wild Trout) at Section 1, Station 225+25 (Ludlow, PA Quadrangle 41°, 42', 36" north latitude, 78°, 56', 4" west longitude).
  38. Wetland no. S1W14 (PEM) at Section 1, Station 233+04 (Ludlow, PA Quadrangle 41°, 42', 40" north latitude, 78°, 56', 13" west longitude) traversing a distance of 72 feet.
  39. Tributary to East Branch Tionesta Creek (HQ-CWF, Wild Trout) at Section 1, Station 233+64 (Ludlow, PA Quadrangle 41°, 42', 40" north latitude, 78°, 56', 13" west longitude).
- E62-371. Encroachment. National Fuel Gas Supply,** 1100 State Street, Erie, PA 16501. To install and maintain a 20-inch diameter natural gas pipeline (AM-60) beginning at the Warren and McKean County Line (41°, 37', 11" north latitude, 78°, 50', 18" west longitude) and extending generally northwest to the existing Roystone Compressor Station (41°, 36', 44" north latitude, 78°, 48', 46" west longitude) crossing the following stream and wetland area in Sheffield Township, **Warren County:**
1. Wetland no. S1W15B (PEM) at Section 1, Station 314+76 (Ludlow, PA Quadrangle 41°, 43', 10" north latitude, 78°, 57', 48" west longitude) traversing a distance of 205 feet.
  2. Wetland no. S1W16 (PEM/PSS, EV) at Section 1, Station 332+43 (Ludlow, PA Quadrangle 41°, 43', 12" north latitude, 78°, 5', 12" west longitude) traversing a distance of 330 feet.
  3. Tributary to Twomile Run (HQ-CWF, Wild Trout) at Section 1, Station 332+70 (Ludlow, PA Quadrangle 41°, 43', 12" north latitude, 78°, 58', 12" west longitude).
  4. Twomile Run (HQ-CWF, Wild Trout, Stocked Trout) as Section 1, Station 334+29 (Ludlow, PA Quadrangle 41°, 43', 13" north latitude, 78°, 58', 14" west longitude).

#### ENVIRONMENTAL ASSESSMENT

The following Environmental Assessment and request for Water Quality Certification is being processed under section 105.12(a)(16) and 105.15(b), restoration activities undertaken and conducted under a restoration plan approved by the Department.

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

**EA59-012CO.** Environmental Assessment. **Darryl C. Harvey** (R. R 1 Box 73, Covington, PA 16917). To construct a non-jurisdictional dam in the watershed of Canoe Camp Creek (CWF) impacting 0.97 acre of wetland (PEM) for a farm pond. The proposed dam is located approximately 2,800 feet south-southeast of intersections of T475 and T818 (Mansfield, PA, Quadrangle N: 0.50 inch; W: 2.45 inches). Sullivan Township, **Tioga County.**

#### STORAGE TANKS

##### SITE SPECIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Tank Type and Capacity</i>
00-02-013	Robert P. Spargal USX Corporation 600 Grant Street Pittsburgh, PA 15230	Allegheny County Clairton City	1 AST storing Asphalt Emulsion 88,200 gallons
00-02-014	Jason H. Johns Sunoco, Inc. (R & M) 1801 Market St. Philadelphia, PA 19103-1699	Allegheny County Pittsburgh City	1 AST storing Ethanol 126,830 gallons
00-65-001	Jason H. Johns Sunoco, Inc. (R & M) 1801 Market St. Philadelphia, PA 19103-1699	Westmoreland County Delmont Boro	1 AST Storing Ethanol 100,000 gallons

## SPECIAL NOTICES

*Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494.*

### Public Hearing Notice

The Department of Environmental Protection (DEP) will conduct a public hearing on Tuesday, December 12, 2000, beginning at 7 p.m. in the auditorium of Seneca Valley High School, 128 Seneca School Road, Harmony, PA, in response to an application from AK Steel Corp., Butler Works for discharge of treated industrial wastewater. This application is for renewal of a National Pollutant Discharge Elimination System (NPDES) permit to discharge the treated wastewater to Connoquenessing Creek in the City of Butler, Butler County. The NPDES application number is PA0006343. DEP personnel will be at Seneca Valley High School at 6 p.m. for a public availability session prior to the hearing.

Any person who wishes to present testimony at the hearing should submit a written notice of such intent to Pat Williams, Water Quality Program, DEP, 230 Chestnut Street, Meadville, PA 16335-3494, on or before December 5, 2000. The written notice should include the person's name, address, telephone number and a brief statement as to the nature of the testimony to be offered at the hearing. Testimony may be presented in either written or oral form. All testimony should be concise, to the point and relevant to the permit issue. Oral testimony will be limited to a maximum of 5 minutes per speaker. Those presenting written testimony can submit a written copy of their comments and any relevant documents at the hearing. Written testimony can also be sent to Pat Williams in the Meadville Water Quality Program either prior to the hearing or until December 22, 2000.

After the hearing DEP will prepare a document including a summary of the written and oral comments submitted at the hearing, the DEP's responses to the comments, and the reasons for such responses. DEP will make its decision on the application following completion of this summary.

Interested persons may obtain further information or inspect and copy public forms and related documents at the DEP Regional Office at 320 Chestnut Street in Meadville between the hours of 8 a.m. and 4 p.m. Monday through Friday. Appointments for file reviews can be made by calling (814) 332-6340.

### Submission Date Extension Calendar Year 1999 Applications For Municipal Recycling Program Performance Grant Applications

The Department of Environmental Protection (Department) announces an extension to the deadline for calendar year 1999 Recycling Program Performance Grant applications from municipalities for grant assistance under section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P. S. § 4000.904).

The deadline for submission of calendar year 1999 applications has been extended to 3 p.m., November 17, 2000. Applications must be on forms provided by the Department. Applications received by the Department after that date will not be considered. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

Grant applications and inquiries concerning this notice should be directed to Todd Pejack, Recycling and Markets Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, telephone (717) 787-7382.

[Pa.B. Doc. No. 00-1911. Filed for public inspection November 3, 2000, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on DEP's world wide web site ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the public participation center. The "July 2000 Inventory" heading is the Governor's list of nonregulatory 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 nonregulatory 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.

#### *Final Guidance*

DEP ID: 400-5900-117 Title: Standard Operating Procedure for the Acceptance, Collection, Transport, Storage and Disposition of Elemental Mercury by DEP Staff Description: Due to potential health risks posed by exposure to elemental mercury, DEP staff shall follow the standard operating procedures in this policy during the acceptance, collection, transport, storage and disposition of elemental mercury. Effective Date: November 4, 2000 Contact: Charles High at (717) 787-5715

#### *Draft Guidance*

DEP ID: 013-0830-003 Title: Locational Data Policy Description: This policy highlights DEP's commitment to establishing a shared Geographic Information Systems (GIS) database. The policy establishes the standards and requirements for collecting and documenting GIS data under DEP's jurisdiction. The policy will ensure uniformity, reliability and compatibility of DEP's locational data. Comment Period Ends: December 4, 2000 Anticipated Effective Date: January, 2001 Contact: Gail Jackson at (717) 772-4786 or e-mail at: Jackson.Gail@dep.state.pa.us.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 00-1912. Filed for public inspection November 3, 2000, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Construction Manager; Request for Proposal

The Department of General Services is seeking interested firms to submit sealed proposals for consideration for the following project:

**DGS 700-41.OA**—Construction Management, Phase 1, Construction and Rehabilitation of the Pennsylvania Farm Show Complex, Harrisburg, Dauphin County, PA. A brief description of the project is as follows: Construction Management for Pre-Construction and Construction Services for design and construction of a new Exposition Center, Parking Facilities, Heating/Air Conditioning Plant and essential repairs/rehabilitation to existing facilities and Flood Protection. Construction Manager is not acting as contractor. Construction allocation is \$55.2 million for the entire project.

**RFP PRICE**—\$50 (Includes 6% Pa. Sales Tax) per RFP. Checks must be made payable to the Commonwealth of Pennsylvania. This price is **nonrefundable**. Requests for the RFP should be mailed to the Department of General Services, Bureau of Professional Selections and

Administrative Services, Room 107, Headquarters Building, 18th & Herr Streets, Harrisburg, PA 17125. Contact Bidders Services at (717) 787-3923 or [www.dgs.state.pa.us](http://www.dgs.state.pa.us) for the names of those who have secured the RFP.

### A PREPROPOSAL CONFERENCE IS NOT SCHEDULED FOR THIS CONTRACT.

All questions regarding the RFP or to clarify matters concerning the Construction Manager's responsibilities must be submitted in writing to the issuing office by no later than 5 p.m., Thursday, November 9, 2000. Only firms requesting the RFP will receive a copy of all submitted questions and answers. All proposals are due Tuesday, November 21, 2000 no later than 2 p.m., in Room 107, Headquarters Building, 18th & Herr Streets, Harrisburg, PA 17125. Responses received after this due date and time will be returned unopened.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 00-1913. Filed for public inspection November 3, 2000, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Advisory Health Board Meeting

The Department of Health (Department) gives notice that the Advisory Health Board will meet on Tuesday, November 21, 2000 at 9:30 a.m. in Room 812 of the Health and Welfare Building to vote on draft Newborn Screening Regulations which the Department intends to publish as proposed within the next 6 months.

Further information regarding the meeting or a copy of the draft proposed regulations may be obtained by contacting Jack Means, Department of Health, Division of Maternal and Child Health, P. O. Box 90, Harrisburg, PA 17108, (717) 783-8143.

Persons with a disability who desire to attend the meeting, and require an auxiliary aid service or other accommodation to do so, or who require a copy of the draft proposed regulations in an alternative format (that is, large print, audio tape, Braille) should also contact Jack Means at (717) 783-8143, 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. 00-1914. Filed for public inspection November 3, 2000, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right of Way

The Department of Transportation, pursuant to the authority contained in Section 2002(c) of the Administrative Code (71 P. S. § 512(c)) and in 67 Pa. Code § 495.4, gives notice that an application to lease highway right of way has been submitted to the Department by Brooks



Provisions, Inc., of 3445 S. Front St., Philadelphia, PA 19148, seeking to lease highway right of way located at State Route 0095 Section A-2, under I-95 between Packer Ave. and Lawrence Street. This land will be used for parking.

Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Andrew Warren, District Engineer, Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406.

Questions regarding this application or the proposed use may be directed to Ray DeMasi, Real Estate Specialist, Pennsylvania Department of Transportation, District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406; (610) 205-6507

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 00-1915. Filed for public inspection November 3, 2000, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Retention of Engineering Firms

#### **Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties Project Reference No. 08430AG2634**

The Department will retain an engineering firm for an Open-End Contract for various traffic engineering services on various projects located in Engineering District 5-0, that is Berks, Carbon, Lehigh, Monroe, Northampton, and Schuylkill Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$1.0 million.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the 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) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-end Contracts. 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, with emphasis on traffic engineering experience.
- d) Location of Consultant in respect to the District.
- e) Project team composition.

The work and services required under this Contract may encompass a wide range of environmental studies

and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc. The majority of the work assigned under this Contract will be in the area of traffic engineering.

The engineering work and services which may be required under this Contract include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates. However, the majority of the work assigned will be in the following areas:

- Extension of staff for review of large consultant designs including, but not limited to: traffic signal designs, work zone traffic control plans, signing and pavement marking plans, delineation and RPM
- Extension of staff for Step 9 Safety reviews
- Support for the District's new "Road Safety Audit" process and the District's ITS initiative
- Design of various small traffic projects District-wide
- Design of municipal traffic signals
- Extension of staff for Highway Occupancy Permit reviews in cases where the review would cause a conflict of interest with the consultant currently under contract to perform these reviews

The areas of environmental study required under the Contract may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations; The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies identified above are the general work activities that can

be expected under this Open-End Contract. A specific project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

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, 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 Bortree, P.E., District Engineer  
Engineering District 5-0  
1713 Lehigh Street  
Allentown, PA 18103  
Attn: 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.

**Berks, Carbon, Lehigh, Monroe,  
Northampton and Schuylkill Counties  
Project Reference No. 08430AG2635**

The Department will retain an engineering firm for an Open-End Contract for various engineering and/or environmental services on various projects located in Engineering District 5-0, that is Berks, Carbon, Lehigh, Monroe, Northampton, and Schuylkill Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$2.0 million.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the 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) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-end Contracts. 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 in respect to the District.

e) Project team composition.

The work and services required under this Contract may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, envi-

ronmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under this Contract include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates. The selected consultant may be required to provide NBIS bridge inspection services, including structure inspection and completion of inspection reports.

The areas of environmental study required under the Contract may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations; The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines. The engineering services and environmental studies identified above are the general work activities that can be expected under this Open-End Contract. A specific project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

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, 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  
Attn: 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 B. H. Graver, phone number (610) 798-4232, fax number (610) 798-4303.

**Schuylkill County**  
**Project Reference No. 08430AG2636**

The Department will retain an engineering firm to provide preliminary engineering, environmental studies, final design, and construction consultation services on the following projects:

1. S. R. 0061, Section 14B, Schuylkill County Local Name: Mady's Bridge (over RBM&N Railroad) This project involves the replacement of the 314-foot long structure carrying S. R. 0061 over the track of the Reading, Blue Mountain, and Northern Railroad in the City of Pottsville, Schuylkill County. (S. R. 0061, Seg. 340, Offset 43).

2. S. R. 0061, Section 15B, Schuylkill County Local Name: Mady's Bridge (over RBM&N Railroad) This project involves the replacement of the 79-foot long structure carrying S. R. 0061 over the Schuylkill River, located in the City of Pottsville, Schuylkill County (S. R. 0061, Seg. 340, Offset 898).

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. 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) Proposed project team composition.

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

1. All studies necessary for the preparation, but not limited to, a Categorical Exclusion Evaluation Level 1B and associated documents including: 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; E & S plans; soils and geotechnical reconnaissance; maintenance and protection of traffic; right-of-way investigation; and coordination with utility and railroad 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 projects.

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  
Attn: 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) 798-4116.

**Lehigh County**  
**Project Reference No. 08430AG2637**

The Department will retain an engineering firm to provide preliminary engineering, environmental studies, final design, and construction consultation services on S. R. 1014, Section 01B, Lehigh Street Bridge Replacement, Lehigh County. This project involves the replacement of the Lehigh Street Bridge over Coplay Creek, located on S. R. 1014 in Whitehall Township, Lehigh 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. 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) Proposed project team composition.

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

1. All studies necessary, but not limited to, the preparation of an Categorical Exclusion Evaluation Level 1B and associated documents including: 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; 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 projects.

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  
Attn: 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) 798-4116.

**Adams, Cumberland, Dauphin, Franklin,  
Lancaster, Lebanon, Perry and York Counties  
Project Reference No. 08430AG2638**

The Department will retain an engineering firm for an Open-End Contract for various engineering and/or environmental services on various projects located in Engineering District 8-0, that is Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$500 thousand.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the 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) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-end Contracts. The specific experience of individuals employed by the firm shall be considered.

b) Specialized experience and technical competence of firm.

c) Available staffing for this assignment and the ability to meet the Department's needs. The selected firm could be assigned up to twenty concurrent work orders of a similar or diverse nature. Prompt turn-around time is expected.

d) Use of Microstation CADD

e) Ability to use technology for effectively transferring information and communicating between the Department and consultant team members.

The work and services required under this Contract may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, resurfacing maintenance contracts, roadway betterments (3R type) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under this Contract include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocations engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; provide H & H reviews; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under the Contract may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and; scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations; The format and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

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, 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:

District Consultant Selection Committee  
Engineering District 8-0  
2140 Herr Street  
Harrisburg, PA 17103-1699  
Attn: Mr. Greg Vaughn  
(Letter of Interest Enclosed)

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 Gregory J. Vaughn, phone number 717-783-5149, fax number 717-705-5493.

**Fayette, Greene, Washington and  
Westmoreland Counties  
Project Reference No. 08430AG2639**

The Department will retain an engineering firm to perform periodic National Bridge Inspection Standard (NBIS) bridge safety inspections for designated bridges and structures on the local roadway system located in Engineering District 12-0, that is Fayette, Greene, Washington and Westmoreland Counties. The Contract will be for a sixty (60) month period with projects assigned according to the NBIS inspection schedule and the needs of the local bridge owners.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating a Contract based on the Department's evaluation of the 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) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on NBIS Bridge Inspection Contracts. 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 in respect to the District.

The selected firm will be required to provide all necessary professional and non-professional services, work, material and equipment necessary to inspect/re-inspect and evaluate the condition of locally owned bridges and structures at various locations. The schedule includes 237 bridges on a two-year inspection cycle. Due to variability of inspection schedules and emergencies, this work is not anticipated to be evenly distributed throughout a year or duration of contract. The firm will provide updated inspection reports including a bridge load capacity rating/re-rating and/or posting recommendation as warranted. Structure inventory and appraisal data, and completed Bridge Management System coding sheets are also to be furnished. Inventory and operating ratings based on existing conditions for AASHTO and PDT loadings using the Department's computer programs and/or other programs with prior approval when the Department's program is not applicable, may be required.

Firms responding to this solicitation shall provide the following additional information in their letter of interest:

1. Identify the lead person (prime or subconsultant) for each of the required services identified above. Include the qualifications and experience that relates to each required service areas for each lead person. List NBIS certification credentials and PA Bridge Safety Inspection courses taken by staff.
2. Indicate internal procedures for timeliness of report submission, cost containment and quality assurances.
3. Indicate computer capabilities including PDT programs and other software.

The engineering services identified above are the general work activities that can be expected under this Contract. A specific project-related Scope of Work will be outlined at the Scope of Work meeting with the selected firm.

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), 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  
825 North Gallatin Avenue Ext.  
Uniontown, PA 15401  
Attention: Mr. Jim Majeed, 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. Jim Majeed, P.E., phone number (724) 439-7162, fax number (724) 430-4401.

**Berks, Carbon, Lehigh, Monroe,  
Northampton and Schuylkill Counties  
Project Reference No. 08430AG2640**

The Department will retain an engineering firm for an Open-End Contract for engineering services to designate and locate utilities on various projects located in Engineering District 5-0, that is Berks, Carbon, Lehigh, Monroe, Northampton, and Schuylkill Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$500 thousand.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the 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) Past record of performance with respect to cost control, work quality, ability to meet schedules, and

previous experience on Open-end Contracts. 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, availability of appropriate equipment, and technical competence of firm in performing subsurface utility engineering for highway projects.

d) Location of Consultant in respect to the District.

e) Project team composition.

The selected firm will be required to provide all professional designating and locating services to designate, with electronic equipment, existing subsurface utility facilities, including detection and mapping of underground storage tanks, drums, and similar type facilities in progressive phases; to locate, either by test holes or by nondestructive methods, existing subsurface utility facilities which may be affected by our highway projects; to provide valuation problem identification and solutions in the field; to provide utility facility identification by survey; to provide other related services as required.

For the purpose of this advertisement, "designate" means to indicate, by marking, the presence and approximate horizontal location of a subsurface utility using geophysical prospecting techniques, and "locate" means to obtain the accurate horizontal and vertical location of a subsurface utility by digging a test hole.

The engineering services identified above are the general work activities that can be expected under this Open-End Contract. A specific project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

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, 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  
Attn: 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 B. H. Graver, phone number (610) 798-4232, 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. 00-1916. Filed for public inspection November 3, 2000, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Cancellation of Meeting

The November 21, 2000, Environmental Quality Board meeting has been canceled. The next meeting of the Board is scheduled for December 19, 2000, at 10 a.m. in

Room 105 of the Rachel Carson State Office Building (RCSOB), Harrisburg.

JAMES M. SEIF,  
*Chairperson*

[Pa.B. Doc. No. 00-1917. Filed for public inspection November 3, 2000, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission (Commission) met publicly at 10:30 a.m., Thursday, October 19, 2000, and took the following action:

*Regulations Deemed Approved under Section 5(g) of the Regulatory Review Act—Effective October 17, 2000, October 11, 2000 and October 6, 2000, respectively.*

State Board of Nursing #16A-5113: Biennial Renewal Fees (increases the biennial renewal of license fee for Registered Nurses and Practical Nurses, and the biennial renewal of certification fee for Certified Registered Nurse Practitioners)

State Board of Veterinary Medicine #16A-579: Biennial Renewal Fees (adjusts biennial renewal fees for veterinarians and animal health technicians)

Department of Agriculture #2-117: Noxious Weeds (adds two plants to the noxious weed control list and increases the number of loosestrife species on the list)

*Regulations Approved:*

Environmental Quality Board #7-340: Municipal Waste (amends 25 Pa. Code Chapters 271, 272, 273, 277, 279, 281, 283, 284 and 285)

Environmental Quality Board #7-336: Residual Waste (amends 25 Pa. Code Chapters 250, 287, 288, 289, 291, 293, 295, 297 and 299)

Department of Agriculture #2-128: Importation and Intrastate Transportation of Animals; Brucellosis (amends 7 Pa. Code Chapters 3 and 7)

State Architects Licensure Board #16A-414: Fees (amends fees in 49 Pa. Code Chapter 39, Section 9.3)

State Board of Medicine and State Board of Nursing #16A-499: Certified Registered Nurse Practitioners Prescriptive Authority (adds 49 Pa. Code §§ 18.53 to 18.57 and 21.283 to 21.287)

Bureau of Professional and Occupational Affairs #16-20: Schedule of Civil Penalties (amends 49 Pa. Code Chapter 43b)

State Real Estate Commission #16A-560: General Revisions (amends 49 Pa. Code Chapter 35)

State Board of Accountancy #16A-556: Peer Review (amends 49 Pa. Code §§ 11.81—11.86)

Department of Health #10-161: WIC Program (amends 28 Pa. Code Chapters 1101—1113)

Pennsylvania Public Utility Commission #57-204: Cramming and Slamming (amends 52 Pa. Code Chapter 64)

Pennsylvania Public Utility Commission #57-209: Updating and Revising Existing Filing Requirements (amends 52 Pa. Code §§ 53.57—53.60)

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*Environmental Quality Board—Municipal Waste; Regulation No. 7-340*

On August 11, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board. This rulemaking amends 25 Pa. Code Chapters 271—273, 277, 279, 281 and 283—285. The proposed regulation was published in the August 29, 1998 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on September 22, 2000.

This regulation amends requirements for the handling, transportation and disposal of municipal waste. Municipal waste is any garbage, refuse, or other discarded material resulting from operation of residential, municipal, commercial, or institutional establishments.

We have determined this regulation is consistent with the statutory authority of the Environmental Quality Board (35 P.S. § 6018.101) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*Environmental Quality Board—Residual Waste; Regulation No. 7-336*

On July 29, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board. This rulemaking amends 25 Pa. Code Chapters 250, 287—289, 291, 293, 295, 297 and 299. The proposed regulation was published in the August 15, 1998 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on September 20, 2000.

This regulation amends requirements for handling, transportation and disposal of residual waste. Residual waste is any garbage, refuse or other discarded material resulting from industrial, mining, and agricultural operations.

We have determined this regulation is consistent with the statutory authority of the Environmental Quality Board (35 P.S. § 6018.101) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*Department of Agriculture—Importation and Intrastate Transportation of Animals; Brucellosis; Regulation No. 2-128*

On January 31, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking amends 7 Pa. Code Chapters 3 and 7. The proposed regulation was published in the February 12, 2000 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 14, 2000. On September 27, 2000, the Commission received a request from the Department to toll consideration of this final-form regulation to correct minor technical problems. On October 4, 2000, the Department of Agriculture submitted its revisions to the final-form regulation to the Commission.

This regulation updates the Department's vaccination requirements for Brucellosis in cattle and bison and acceptable testing requirements for Equine Infectious Anemia in horses. The revisions also raise the age allowable for an official vaccination for Brucellosis from 8 months to 12 months and clarifies identification of calves by a change in tattoo requirements.

We have determined this regulation is consistent with the statutory authority of the Department of Agriculture (3 Pa.C.S. §§ 2301-2389) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*State Architects Licensure Board—Fees; Regulation No. 16A-414*

On July 22, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Architects Licensure Board (Board). This rulemaking amends fees in 49 Pa. Code Chapter 39, Section 9.3. The proposed regulation was published in the August 7, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 18, 2000.

The existing fees were established in 1987 and no longer reflect the cost to the Board of providing these services. The Board estimates that 1,125 persons who use these services over the next two-year period will pay a total of \$18,250 in additional fees.

We have determined this regulation is consistent with the statutory authority of the State Architects Licensure



Board (63 P. S. § 34.11) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*State Board of Medicine and State Board of Nursing—Certified Registered Nurse Practitioners Prescriptive Authority; Regulation No. 16A-499*

On September 17, 1999, the Independent Regulatory Review Commission (Commission) received this joint proposed regulation from the State Board of Medicine and the State Board of Nursing (Boards). This rulemaking adds 49 Pa. Code §§ 18.53 to 18.57 and 21.283 to 21.287. The proposed regulation was published in the October 2, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 6, 2000. At our July 13, 2000 public meeting, the Commission voted to disapprove the final-form regulation. On September 11, 2000, the Boards notified the Commission of their intent to revise and resubmit the regulation. On October 2, 2000, the revised final-form regulation was submitted to the Commission.

This rulemaking sets forth the rules and procedures for Certified Registered Nurse Practitioners (CRNPs) to prescribe and dispense certain drugs. The regulation establishes education requirements, specifies categories of drugs CRNPs may and may not prescribe, requires collaborative agreements with physicians, specifies CRNP identification requirements and specifies physician supervision requirements.

We have determined this regulation is consistent with the statutory authority of the State Board of Medicine (63 P. S. § 422.15(b)) and the State Board of Nursing (63 P. S. § 212) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is now in the public interest.

*By Order of the Commission:*

This regulation, as revised, is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*Bureau of Professional and Occupational Affairs—Schedule of Civil Penalties; Regulation No. 16-20*

On August 10, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Bureau of Professional and Occupational Affairs (BPOA). This rulemaking amends 49 Pa. Code Chapter 43b. The proposed regulation was published in the August 21, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 18, 2000.

The regulation establishes schedules of civil penalties for the licensees of six professional licensure boards. These penalties apply to such actions as practicing without a license or with an expired license and other violations of the licensing laws for the six boards.

We have determined this regulation is consistent with the statutory authority of the BPOA (63 P. S. § 2205(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*State Real Estate Commission—General Revisions; Regulation No. 16A-560*

On January 20, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Real Estate Commission. This rulemaking amends 49 Pa. Code Chapter 35. The proposed regulation was published in the January 30, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 25, 2000.

The final-form regulation requires candidates for the broker's examination to demonstrate completion of courses in real estate office management and real estate law, as well as 12 credits in other real estate courses. Additionally, real estate companies that have an ownership interest in a real estate school, college, university or institute of higher learning must disclose that interest in all advertisements, promotions and endorsements.

We have determined this regulation is consistent with the statutory authority of the State Real Estate Commission (63 P. S. §§ 455.404 and 455.602) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*State Board of Accountancy—Peer Review; Regulation No. 16A-556*

On August 11, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Accountancy (Board). This rulemaking amends 49 Pa. Code §§ 11.81—11.86. The proposed regulation was published in the August 21, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 25, 2000. The regulation was tolled and simultaneously resubmitted on October 6, 2000, to correct the peer review compliance date for firms

that conduct review engagements, but not audit engagements, after May 1, 1998. The revised regulation requires these firms to complete an offsite peer review before the license biennium that begins May 1, 2006.

The regulation implements Section 8.9 of Act 140 of 1996 (Act) (63 P.S. § 9.8i). The regulation establishes standards for performing and reporting peer reviews. Additionally, the regulation prohibits the use or public disclosure of information obtained during a peer review.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. § 9.8i(c)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*Department of Health—WIC Program; Regulation No. 10-161*

On February 9, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Health (Department). This rulemaking amends 28 Pa. Code Chapters 1101—1113. The proposed regulation was published in the February 19, 2000 *Pennsylvania Bulletin*, with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 18, 2000.

This rulemaking amends the Supplemental Nutrition Program for Women, Infants and Children (WIC Program). The amendments affect the authorization of stores, management of stores participating in the WIC Program and appeal procedures. The amendments implement changes mandated by Federal regulations and changes suggested in comments the Department solicited in response to the Governor's Executive Order 1996-1.

We have determined this regulation is consistent with the statutory authority of the Department (42 U.S.C.A. § 1786; 7 C.F.R. 246.4) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*Pennsylvania Public Utility Commission—Cramming and Slamming; Regulation No. 57-204*

On May 19, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 64. The proposed regulation was published in the May 29,

1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 21, 2000.

This regulation standardizes local exchange company responses to customer complaints on cramming and slamming. Cramming is adding an unauthorized charge for products or services to a customer's bill. Slamming is changing a customer's telecommunications service provider without authorization.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 1501) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

*Commissioners Voting:* John R. McGinley, Jr., Chairperson, by proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Public Meeting held  
October 19, 2000

*Pennsylvania Public Utility Commission—Updating and Revising Existing Filing Requirement; Regulation No. 57-209*

On November 29, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code §§ 53.57—53.60. The proposed regulation was published in the December 11, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 26, 2000.

This rulemaking streamlines requirements for changing rates for all telecommunications providers and simplifies filing requirements for intraLATA toll rates, bundled service packages and promotional offerings. All telecommunications providers under the PUC's jurisdiction, including hundreds of interexchange carriers and competitive and incumbent local exchange carriers, must comply with the regulation.

We have determined this regulation is consistent with the statutory authority of the Pennsylvania Public Utility Commission (66 Pa.C.S. §§ 501 and 1308) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 00-1918. Filed for public inspection November 3, 2000, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the dates indicated. To obtain the date and time of the meeting at which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its

website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
7-347	Environmental Quality Board Universal Waste Rule—Addition of Mercury—Containing Devices	10/24/00

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 00-1919. Filed for public inspection November 3, 2000, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of CGU Insurance Company, General Accident In- surance Company and Potomac Insurance Com- pany

White Mountains Insurance Group, Ltd. has filed an application to acquire 100% of the issued and outstanding voting securities of CGU Corporation which is the direct or indirect parent of and holds directly or indirectly all of the issued and outstanding voting securities of the following Pennsylvania domestic insurers: CGU Insurance Company, General Accident Insurance Company and Potomac Insurance Company. The initial filing was received on October 23, 2000, and was made under 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 Pennsylvania 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](mailto:cbybee@ins.state.pa.us).

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 00-1920. Filed for public inspection November 3, 2000, 9:00 a.m.]

### Review Procedure Hearings under the Unfair In- surance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the termination of the insured's residential or personal coverage. This administrative hearing will be held in the Insurance Department 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 at the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North 7th Street, Harrisburg, PA 17102.

Appeal of Donald E. Grantz; file no. 00-181-05497; Penn National Mutual Casualty Insurance Company; doc. no. P00-10-015; November 21, 2000, at 10 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant 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.

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. 00-1921. Filed for public inspection November 3, 2000, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Bucks County, Wine & Spirits Shoppe #0902, 19 West Court Street, Doylestown, PA 18901-4210.

*Lease Expiration Date:* 90-Day Status

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space in the Borough of Doylestown.

*Proposals due:* December 1, 2000 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert J. Jolly, (215) 482-9670

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 00-1922. Filed for public inspection November 3, 2000, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Telecommunications

**A-310738F0002. D&E Systems, Inc. d/b/a D&E Communications and The United Telephone Company of Pennsylvania d/b/a Sprint.** Joint Petition of D&E Systems, Inc. d/b/a D&E Communications and The United Telephone Company of Pennsylvania d/b/a Sprint for approval of an Interconnection Agreement under section 252(e) of the Telecommunications Act of 1996.

D&E Systems, Inc. d/b/a D&E Communications and The United Telephone Company of Pennsylvania d/b/a Sprint, 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 D&E Systems, Inc. d/b/a D&E Communications and The United Telephone Company of Pennsylvania d/b/a Sprint 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. 00-1923. Filed for public inspection November 3, 2000, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

December 6, 2000	Peggy Balla (Membership Eligibility) Jeffrey P. Deutsch (Membership Eligibility)	10:30 a.m.  1 p.m.
December 20, 2000	Rosemary Muller William D. McClure (Purchase of Service)	10:30 a.m.

Persons with a disability who wish to attend the above-listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant Executive Director, at (717) 720-4700 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II unless specific exemption is granted.

DALE H. EVERHART,  
*Secretary*

[Pa.B. Doc. No. 00-1924. Filed for public inspection November 3, 2000, 9:00 a.m.]

## STATE ATHLETIC COMMISSION

### Meeting Cancelled

The Pennsylvania State Athletic Commission meeting scheduled for November 6, 2000 has been cancelled.

If there are any questions, contact the Commission at (717) 787-5720.

GREGORY P. SIRB,  
*Executive Director*

[Pa.B. Doc. No. 00-1925. Filed for public inspection November 3, 2000, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:  
 The payment date specified in the contract.  
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.  
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

Reader's Guide	REQUIRED DATA DESCRIPTIONS
<h3 style="text-align: center;">Legal Services &amp; Consultation—26</h3> <p style="text-align: center;">① Service Code Identification Number</p> <p style="text-align: center;">② Commodity/Supply or Contract Identification No.</p> <p><b>B-54137.</b> Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.</p> <p>Department: General Services                  Location: Harrisburg, Pa.                  Duration: 12/1/93-12/30/93                  Contact: Procurement Division                  787-0000</p> <p style="text-align: center;">③ Contract Information</p> <p style="text-align: center;">④ Department</p> <p style="text-align: center;">⑤ Location</p> <p style="text-align: center;">⑥ Duration</p> <p>⑦                  (For Commodities: Contact:)                  Vendor Services Section                  717-787-2199 or 717-787-4705</p>	<p>① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.</p> <p>② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.</p> <p>③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.</p> <p>④ Department: State Department or Agency initiating request for advertisement.</p> <p>⑤ Location: Area where contract performance will be executed.</p> <p>⑥ Duration: Time estimate for performance and/or execution of contract.</p> <p>⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.                  (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705</p>

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*

### Commodities

**SU-51002-15** Shippensburg University is seeking vendors interested in furnishing and installing an Epson Stylus Pro 9500 Micropiezo Wide-Format Inkjet Printer with RIP as specified in the invitation-to-bid. Bid opening is scheduled for November 17, 2000 at 2:00 PM. Vendors interested in receiving a bid package should telephone Janet Neidigh, Purchasing Agent at (717) 477-1123, ext. 3139 or email jneidship.edu. The University encourages responses from small and disadvantaged, minority, and women-owned firms.

**Department:** State System of Higher Education  
**Location:** Shippensburg University, Shippensburg Township, Shippensburg, Cumberland County  
**Duration:** Indeterminate  
**Contact:** Janet Neidigh, (717) 477-1386

**State Bid 216** JV Pro Scoring Tables

**Department:** General Services  
**Location:** Pennsylvania State University, Behrend College, Erie, PA 16536  
**Duration:** Due Date: 11/1/00  
**Contact:** Gail Miller, (814) 865-5418

**8127520** Double Wall Storage Tanks, 5000 gallon minimum capacity. For a copy of bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Allentown, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**PGC-2663** Two (2) Bundle Tying Machines, equal to or better than, Saxmayer. Model BMN 10. At least a ten (10) inch high bundle using one string tie. Sisal or Polypropylene twine. One-third (1/3) HP or larger, 110/115 V motor. Mechanical foot control. Eight inch or larger pneumatic or semi-pneumatic tires with solid foot pads or blocks in front of machine. Operation and complete parts manual. Minimum of 45 ties per minute. Successful bidder must deliver machines to Howard Nursery, adjacent to Pa. Route 150, approximately four miles north of Interstate 80, Exit 23, and set up and train on operation and maintenance of Tyer. Delivery must be made on or before April 2, 2000.

**Department:** Game Commission  
**Location:** Pennsylvania Game Commission, James Bowers, Superintendent Howard Nursery, 197 Nursery Road, Howard, PA 16841  
**Duration:** Delivery must be made on or before April 2, 2000  
**Contact:** Diane Shultz or Linda Beaver, (717) 787-6594

N/A Daily Number/Big 4 Ping Pong Ball Sets (10 Balls per Set). Total of 54 Sets. Cash 5/Super 6 Lotto Ping Pong Ball Sets (69 Balls per Set). Total of 15 Sets. Specifications, delivery instructions and any other pertinent information will be included in the Invitation to Bid package.

**Department:** Revenue  
**Location:** Pennsylvania Lottery, 2850 Turnpike Industrial Drive, Middletown, PA 17057 Door #5  
**Duration:** December 31, 2000  
**Contact:** (Supply) Carol Kirkpatrick, (717) 772-0506

**2500 STEEL** Steel products: rectangle and square tubing - 11 gauge; expanded metal, flattened - 4' x 10' and 4' x 12'. To include any other related item during this period. NOTE: Items supplied to be in compliance with the Steel Products Procurement Act.

**Department:** Corrections  
**Location:** State Correctional Institution, 1000 Follies Road, Dallas, PA 18612  
**Duration:** November, 2000 thru June 30, 2001  
**Contact:** Robert G. Berkey, Purchasing Agent, (570) 675-1101, Ext. 325

**1223150** Fitness Equipment. For a copy of bid package fax request to (717) 787-0725.

**Department:** Education  
**Location:** Penn State University, University Park, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1198220** Latest Model Conventional Truck Tractor with Day Cab. For a copy of bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**1239130** Full Electric 80" Alzheimers (Low) Bed. Manufactured by Simmons Item #9102-5009 or approved equal. For a copy of bid package fax request to (717) 787-0725.

**Department:** Military Affairs  
**Location:** Hollidaysburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

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# SERVICES

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**01**

**RFP 00-001** The successful contractor will design and implement a public relations campaign for the College that includes radio and TV advertisements, as well as the creation, design and printing of flyers, brochures, viewbooks, and catalogs, etc.

**Department:** Education  
**Location:** Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602  
**Duration:** Original contract year beginning December 1, 2000 and ending June 30, 2001. The contract will include the option to renew four additional years if offered by the college under the terms stated in the RFP.  
**Contact:** Betty Tompos, (717) 299-7749

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**05**

**10973409** CONTRACTOR, LICENSED BY THE PENNSYLVANIA BOARD OF COSMETOLOGY, TO PROVIDE PROFESSIONAL BEAUTICIAN SERVICES.

**Department:** Public Welfare  
**Location:** TORRANCE STATE HOSPITAL, STATE ROUTE 1014, TORRANCE, PA 15779-0111  
**Duration:** 07/01/01 - 06/30/05  
**Contact:** LINDA J. ZOSKEY, (724) 459-4547

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**08**

**RFP - 00-002** The College will be seeking bids to purchase a digital image card system for the campus. The system will include implementation of a digital-image ID card that can be applied to the foodservice area, library fines, student services, bookstore, etc.

**Department:** Education  
**Location:** Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602  
**Duration:** December 1, 2000 to June 30, 2001  
**Contact:** Betty Tompos, (717) 299-7749

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**09**

**DGSA251-536** PROJECT TITLE: Electrical Upgrade. BRIEF DESCRIPTION: Replace incoming electric service, distribution and branch panelboards and standby generator system. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. Electrical Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below: Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: 717/787-3923. Bid Date: WEDNESDAY, November 22, 2000 at 11:00 A.M.

**Department:** General Services  
**Location:** PennDOT County Maintenance Building, Mercer, Mercer County, PA  
**Duration:** 150 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

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**DGSA578-23** PROJECT TITLE: Replace Refrigeration Unit - Warehouse. BRIEF DESCRIPTION: Replace the existing meat freezer air units, piping and compressors with new split system air cooled condensing units and ceiling suspended unit coolers. Renovate the electrical system to supply the new mechanical equipment. ESTIMATED RANGE: Under \$100,000.00. HVAC and Electrical Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Buildings, 18th and Herr Streets, Harrisburg, PA 17125. Tel: 717/787-3923. Bid Date: WEDNESDAY, November 22, 2000 at 1:00 P.M.

**Department:** General Services  
**Location:** State Correctional Institution, Dallas, Luzerne County, PA  
**Duration:** 90 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-3923

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**FDC-317-984** All site work associated with improving ADA access to two comfort stations at Little Buffalo State Park in Perry County. Work includes bituminous paving; concrete walkways; E & S measures; excavation and backfill; and seeding. NOTE: REQUESTS for Bid Documents will be taken ON or AFTER November 6, 2000

**Department:** Conservation and Natural Resources  
**Location:** Centre Township  
**Duration:** 150 days  
**Contact:** Construction Management Section, (717) 787-5055

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**FDC-201-936** Seal coat main park road, Clear Creek State Park in Jefferson County. Work includes E & S measures; maintenance and protection of traffic; 120 tons of 2A subbase; crack filling and sealing; pothole and rut repair; bituminous prime coat (9,700 S.Y.); double application bituminous seal coat (39,400 S.Y.) HDPE pipe 12 inch (110 L.F.) and 18 inch (190 L.F.). NOTE: REQUESTS for bid documents will be taken ON or AFTER November 6, 2000.

**Department:** Conservation and Natural Resources  
**Location:** Barnett Township  
**Duration:** Complete all work by May 21, 2001  
**Contact:** Construction Management Section, (717) 787-5055

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**DGS570-27SW6** PROJECT TITLE: Western PA State Correctional Institution. BRIEF DESCRIPTION: All work necessary to construct all asphalt paved roads, including subgrade and base, complete all line striping and other pavement markings and furnish and install all roadway and parking lot signage. ESTIMATED RANGE: \$1,000,000.00 to \$2,000,000.00. Asphalt Paving and Line Striping Construction. PLANS DEPOSIT: \$100.00 per set payable to: P. J. DICK INCORPORATED. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$50.00 per set or provide your express mail account number to the office listed below. Mail requests to: P. J. Dick Inc., 421 LaBelle RD., East Millsboro, PA 15433, Attn: Cindy Nichols. Tel: 724/785-2066. Bid Date: WEDNESDAY, November 29, 2000 at 11:00 A.M. A Pre-Bid Conference has been scheduled for Tuesday, November 7, 2000 at 10:00 A.M. at the field Office of P. J. Dick Inc., 421 LaBelle RD., East Millsboro, PA. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference. All bidders and other interested parties, that wish to visit the Project Work Site shall schedule appointments to do so with the Construction Manager. Only those with such an appointment shall be permitted access to the site.

**Department:** General Services  
**Location:** Western PA SCI, 421 LaBelle Rd. (State Route 4020), Luzerne Township, Fayette County, PA  
**Duration:** JUNE 1, 2002  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**DGS700-410A** PROJECT TITLE: Phase 1, Construction and Rehabilitation of the Pennsylvania Farm Show Complex. BRIEF DESCRIPTION: Construction Management for Pre-Construction and Construction Services for design and construction of a new Exposition Center, Parking Facility, Central Heating/Air Conditioning Plant and essential repairs/rehabilitation to existing facilities and Flood Protection. Construction Manager is not acting as contractor. Construction allocation is \$55.2 million for the entire project. RFP Price: \$50.00 per set. (Includes PA Sales Tax) per RFP. Checks made payable to: COMMONWEALTH OF PA. This price is non-refundable. Contact the office listed below to arrange for delivery of documents. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: 717/787-3923. DATE FOR RECEIVING RFP: TUESDAY, NOVEMBER 21, 2000 AT 2:00 P.M. All questions regarding the RFP or to clarify matters concerning the Construction Manager's responsibilities must be submitted in writing to the issuing office by no later than 5:00 P.M., Thursday, November 9, 2000. Only firms requesting the RFP will receive a copy of all submitted questions and answers.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, Pennsylvania  
**Duration:** Proposals must remain firm for 120 calendar days following receipt of proposals and must so state.  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**DGSA948-343** PROJECT TITLE: State Street Bridge Electrical Upgrade. BRIEF DESCRIPTION: Replace panels and lighting under the State Street Bridge. ESTIMATED RANGE: Under \$100,000.00. Electrical Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: 717/787-3923. Bid Date: WEDNESDAY, November 15, 2000 at 2:00 P.M.

**Department:** General Services  
**Location:** State Street Bridge, Harrisburg, Dauphin County, PA  
**Duration:** 90 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**FDC-406-985** All work necessary to make facilities ADA accessible at French Creek State Park in Berks County. Work includes clearing, grading, excavation and backfill; pipe culverts; bituminous paving; fencing; seeding; railings; concrete work; and boat docks. NOTE: REQUESTS for bid documents will be taken ON or AFTER November 6, 2000.

**Department:** Conservation and Natural Resources  
**Location:** Union Township  
**Duration:** 240 days  
**Contact:** Construction Management Section, (717) 787-5055

## 11

**4034-A90** The Pennsylvania Department of Transportation will be accepting sealed bids for the sale and removal of both commercial and residential dwellings located along State Route 4034-A90 (also known as the East Side Access Connector, Station Road in the Township of Harborcreek and a short section along East 38th Street in the City of Erie) Erie County. Contractor will be required to demolish or remove all structures, outbuildings and site improvements. Driveways and other paved surfaces may remain. Asbestos removal is anticipated. He/she will also be required to comply with FHWA and State regulations. Bids over \$25,000 require that you be pre-qualified with the PennDOT Prequalification Office. Their phone number is (717) 787-7032. Do not submit a bid requiring pre-qualification if you are not prequalified with the PennDOT Prequalification Office. This project is Federally funded, therefore you must pay Davis-Bacon Act wage rates. For bid information, specifications and other information please contact Jeffrey E. Hahne, District 1-0 Property Manager at (814) 678-7069.

**Department:** Transportation  
**Location:** Harborcreek Township, along Station Road, from near Interstate 90 to Jordan Road  
**Duration:** 30 days from issuance of notice to proceed. Total duration estimated to be 60-90 days.  
**Contact:** Jeffrey E. Hahne, District 1-0 Chief Property Manager, (814) 678-7069

## 13

**10973402** LABOR, MATERIAL, EQUIPMENT, PARTS, ETC. REQUIRED TO SERVICE VARIOUS TYPES OF ELEVATOR EQUIPMENT.

**Department:** Public Welfare  
**Location:** TORRANCE STATE HOSPITAL, STATE ROUTE 1014, TORRANCE, PA 15779-0111  
**Duration:** 07/01/01 - 06/30/05  
**Contact:** LINDA J. ZOSKEY, (724) 459-4547

**TST00-0013** Skyjack lift - Aerial Work platform with all standard equipment and including 3' deck extension 110 v/ac wiring to the platform, proportional controls, non-marking tires and pot hole protection.

**Department:** Education  
**Location:** Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602  
**Duration:** October 16 to December 31, 2000  
**Contact:** Earla Ament, (717) 396-7163



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**08430AG2629** A multi-phase project specific agreement to provide preliminary engineering, environmental documentation, final design and services during construction for S.R. 0309, Section 02B in Schuylkill County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

**08430AG2626** To provide construction inspection for S.R. 0070, Section 10R and S.R. 0070, Section A20 in Washington County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 12-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

**08430AG2627** To provide final design and services during construction on S.R. 0022, Section B10 in Westmoreland County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 12-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

**08430AG2634** Open-End Contract to provide various traffic engineering services on several projects in Engineering District 5-0, that is, Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Sixty (60) Months  
**Contact:** N/A

**08430AG2635** Open-End Contract to provide various engineering and/or environmental services on various projects in Engineering District 5-0, that is, Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Sixty (60) Months  
**Contact:** N/A

**08430AG2628** To provide final design and services during construction on S.R. 0022, Section B09 in Westmoreland County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 12-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

**08430AG2636** To provide preliminary engineering, environmental studies, final design and services during construction on S.R. 0061, Sections 14B and 15B, in Schuylkill County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

**08430AG2638** Open-End Contract for various engineering and/or environmental services on various projects in Engineering District 8-0, that is, Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry and York Counties. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 8-0  
**Duration:** Sixty (60) Months  
**Contact:** N/A

**08430AG2631** To provide preliminary engineering, environmental studies, final design and services during construction on four (4) projects to close three (3) crossings on the AMTRAK Keystone Corridor - Philadelphia to Harrisburg line in Lancaster County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 8-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

**08430AG2639** To perform periodic National Bridge Inspection Standard (NBIS) bridge safety inspections for designated bridges and structures on the local roadway system located in Engineering District 12-0, that is, Fayette, Greene, Washington and Westmoreland Counties. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 12-0  
**Duration:** Sixty (60) Months  
**Contact:** N/A

**08430AG2640** Open-End Contract to provide engineering services to designate and locate utilities on various projects in Engineering District 5-0, that is, Berks, Carbon, Lehigh, Monroe, Northampton and Schuylkill Counties. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Sixty (60) Months  
**Contact:** N/A

**08430AG2630** A multi-phase project specific agreement to provide preliminary engineering, environmental documentation, final design and services during construction for S.R. 4003, Section 01B in Monroe County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

**MI-798 Amended** Project Name: Open-ended, Professional Design Services. This is an amendment to the advertisement, which was publicized in the October 21st edition of the PA Bulletin. The E-mail address stated in Paragraph D. of the original advertisement is revised to read John.Cox@millersville.edu. Also, the date for the receipt of letters expressing interest in receiving the electronic RFP is extended to 12:00 midnight, November 11th, 2000. All other terms and conditions of the original advertisement remain unchanged.

**Department:** State System of Higher Education  
**Location:** Palmer Building, Millersville University, Millersville, Lancaster County, PA 17551-0302  
**Duration:** One-two year period, with optional two year periods.  
**Contact:** John Cox, (717) 871-2083

**08430AG2633** To provide preliminary engineering, environmental documentation, final design and services during construction for S.R. 0054, Section 05M in Schuylkill County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

**08430AG2632** To provide preliminary engineering, environmental services, final design and services during construction for S.R. 0079, Section A23, in Allegheny County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 11-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

**08430AG2637** To provide preliminary engineering, environmental studies, final design and services during construction on S.R. 1014, Section 01B, in Lehigh County. Details concerning this project may be found under Department of Transportation - Retention of Engineering Firms in the Pennsylvania Bulletin, or www.statecontracts.com under via Retention of Engineering Firm Data.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Thirty (30) days after construction completion  
**Contact:** N/A

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**ITQ-SSHE-FDSS-01-2000** Response date for this ITQ has been extended to November 17, 2000. The State System of Higher Education is seeking to qualify separate prime firms (fire sprinkler) to design and install fire sprinkler systems in dormitories throughout the Commonwealth's 14 state owned universities located at Bloomsburg, California, Cheyney, Clarion, East Stroudsburg, Edinboro, Indiana, Kutztown, Lock Haven, Mansfield, Millersville, Shippensburg, Slippery Rock and West Chester. Interested and qualified firms can obtain an Invitation to Qualify (ITQ) from Rebecca Novak at the Dixon University Center, 2986 N. Second Street, Harrisburg, PA 17110-1201. Facsimile requests can be sent to (fax) 717-720-4013 or (fax) 717-720-7117. Responses are due by November 17, 2000, by 4:00PM. The System encourages responses from small firms, minority firms, women-owned firms that have not previously worked for the System, and will consider joint ventures that enable these firms to participate in System Contracts. Non-discrimination and Equal Opportunity are the policies of the Commonwealth and the State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Throughout PA at State-Owned Universities  
**Duration:** Qualified for 5 Year Term  
**Contact:** Howard Wells, Director of Construction Management, (717) 720-4118

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**DTY. 4238** BREAD, ROLL, PASTRIES, CAKES & RELATED PRODUCTS, FRESH.  
**Department:** Public Welfare  
**Location:** AGENCY DIETARY DEPARTMENT, MAYVIEW STATE HOSPITAL, 1601 MAYVIEW ROAD, BRIDGEVILLE, PA 15017-1599  
**Duration:** JANUARY 1, 2001 THRU JUNE 30, 2001  
**Contact:** F. MOLISEE, P. A. II, (412) 257-6215

**405559** Misc. Frozen Foods  
**Department:** Public Welfare  
**Location:** Warren State Hospital, 33 Main Dr., N. Warren, PA 16365-5099  
**Duration:** Jan., Feb., March 2001  
**Contact:** John Sample, PA I, (814) 726-4448

**DIETARY #4240** MISCELLANEOUS PERISHABLE FOODS  
**Department:** Public Welfare  
**Location:** AGENCY DIETARY DEPARTMENT, MAYVIEW STATE HOSPITAL, 1601 MAYVIEW ROAD, BRIDGEVILLE, PA 15017-1599  
**Duration:** JANUARY 1, 2001 THRU MARCH 31, 2001  
**Contact:** F. MOLISEE, P. A. II, (412) 576215

**F-200** VENDOR WILL PROVIDE FOOD STUFFS INCLUDING; BUT NOT LIMITED TO MEAT, POULTRY, SEAFOOD, BAKERY, DAIRY, MILK, FROZEN VEGETABLES AND FRUIT PRODUCTS TO THE STATE CORRECTIONAL INSTITUTION AT MAHANAY, 301 MOREA ROAD, SCHUYLKILL COUNTY, MAHANAY TOWNSHIP, FRACKVILLE, PA. BIDS AND AWARDS TO BE DONE WEEKLY, BI-WEEKLY, MONTHLY OR QUARTERLY AT THE DISCRETION OF THE AGENCY. BID PACKAGE TO BE REQUESTED IN WRITING TO THE PURCHASING AGENT OF THE INSTITUTION.

**Department:** Corrections  
**Location:** STATE CORRECTIONAL INSTITUTION AT MAHANAY, 301 MOREA ROAD, FRACKVILLE, PA 17932  
**Duration:** JANUARY 1, 2001 TO DECEMBER 31, 2001  
**Contact:** ANN M GAVALA, PURCHASING, (570) 773-2158

**F-100** CONTRACTOR WILL PROVIDE FRESH FRUIT AND VEGETABLES TO THE STATE CORRECTIONAL INSTITUTION AT MAHANAY, 301 MOREA ROAD, SCHUYLKILL COUNTY, MAHANAY TOWNSHIP, FRACKVILLE, PA. BIDS AND AWARDS WILL BE DONE WEEKLY, BI-WEEKLY, MONTHLY, OR QUARTERLY AT THE DISCRETION OF THE AGENCY. REQUESTS FOR BID PACKAGE TO BE MADE IN WRITING TO THE PURCHASING AGENT OF THE INSTITUTION.

**Department:** Corrections  
**Location:** STATE CORRECTIONAL INSTITUTION AT MAHANAY, 301 MOREA ROAD, FRACKVILLE, PA 17932  
**Duration:** JANUARY 1, 2001 TO DECEMBER 31, 2001  
**Contact:** ANN M GAVALA, PURCHASING, (570) 773-2158

**9786** Food service for Ada S. Georges Dining Hall and Marcus Foster Snack Bar area to be opened for breakfast, lunch, dinner and late-night operation, seven days a week. RFP mailing-11/10/2000. Pre-bid meeting December 4, 2000 at 9:00 a.m. To request bid packets, mail request to: Antonia Williams, Box 393, Cheyney University, Cheyney, PA 19319.

**Department:** State System of Higher Education  
**Location:** Cheyney University, Cheyney and Creek Roads, Cheyney, PA 19319-0200  
**Duration:** One year with annual renewals, not to exceed five years.  
**Contact:** Antonia Williams, (610) 399-2360

**DIETARY 4239** ICE CREAM, SHERBERT AND RELATED PRODUCTS.

**Department:** Public Welfare  
**Location:** AGENCY DIETARY DEPARTMENT, MAYVIEW STATE HOSPITAL, 1601 MAYVIEW ROAD, BRIDGEVILLE, PA 15017-1599  
**Duration:** JANUARY 1, 2001 THRU JUNE 30, 2001  
**Contact:** F. MOLISEE, P. A. II, (412) 257-6215

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**00717-000-00-MT/PW—Re-bid** The asbestos work includes demolition and removal of asbestos containing material, procedures and equipment required to protect workers, the environment and occupants of the building, and the disposal of any asbestos containing material resulting from the work. For directions to the site contact the project manager, Mark Heeb at (717) 787-7788 or the site at 570-875-4708. All interested bidders should submit a \$25.00 (non-refundable) check and a request for a bid package in writing to: PA. Historical & Museum Commission, Division of Architecture, 400 North Streets, Plaza level, Room N118, Harrisburg, PA 17120-0053. Attention: Judi Yingling 717-772-2401-- FAX 717-783-1073. All proposals are due on Tuesday, November 7, 2000 at 11:45 am. Bid opening will be held in the Commonwealth Keystone Building, Plaza level, Division of Architecture, 400 North Street, Room N118, Harrisburg, PA 17120-0053

**Department:** Historical and Museum Commission  
**Location:** Museum of Anthracite Mining, 17th & Pine Street, Ashland, PA 17921  
**Duration:** December 1, 2000 to October 31, 2001  
**Contact:** Judi Yingling, (717) 772-2401

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**10973400** LABOR, MATERIALS, EQUIPMENT, PARTS, ETC. TO SERVICE VARIOUS TYPES OF AIR CONDITIONING EQUIPMENT.

**Department:** Public Welfare  
**Location:** TORRANCE STATE HOSPITAL, STATE ROUTE 1014, TORRANCE, PA 15779-0111  
**Duration:** 07/01/01 - 06/30/05  
**Contact:** LINDA J. ZOSKEY, (724) 459-4547

**1010-029** Type of Service: To provide maintenance and materials for a gas fired boiler in garage area of Maintenance building at the corner of Water & Willow Sts., Kittanning, PA.

**Department:** Transportation  
**Location:** Armstrong County - Corner of Water & Willow St., Kittanning, PA 16201  
**Duration:** 01/01/01 - 12/31/01  
**Contact:** Susan Carson, (724) 543-1811

**10973407** LABOR, MATERIALS, EQUIPMENT, PARTS, ETC., TO SERVICE/REPAIR VARIOUS REFRIGERATION EQUIPMENT.

**Department:** Public Welfare  
**Location:** TORRANCE STATE HOSPITAL, STATE ROUTE 1014, TORRANCE, PA 15779-0111  
**Duration:** 07/01/01 - 06/30/05  
**Contact:** LINDA J. ZOSKEY, (724) 459-4547

**1010-030** Type of Service: To provide maintenance and material for Electrical work done at various stockpiles in Armstrong County.

**Department:** Transportation  
**Location:** Various locations in Armstrong County  
**Duration:** 01/01/01 - 12/31/01  
**Contact:** Susan Carson, (724) 543-1811

**10973405** LABOR AND PARTS NECESSARY TO REPAIR, ADJUST AND CALIBRATE VARIOUS ELECTRIC MOTORS.

**Department:** Public Welfare  
**Location:** TORRANCE STATE HOSPITAL, STATE ROUTE 1014, TORRANCE, PA 15779-0111  
**Duration:** 07/01/01 - 06/30/05  
**Contact:** LINDA J. ZOSKEY, (724) 459-4547

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**SP 3864060004** Provide Janitorial Services for ten (10) modern family cabins located within French Creek State Park, Berks County, PA. Documents containing all pertinent information may be obtained by contacting the Park Office.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of State Parks, French Creek State Park, 843 Park Road, Elverson, PA 19520-9523  
**Duration:** January 1, 2001 through December 31, 2001 (with Renewal Option)  
**Contact:** Lewis H. Williams, Asst. Park Manager, (610) 582-9680

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**10973406** WATER TESTING ON SEWAGE TREATMENT WATER, DRINKING WATER AND SWIMMING POOL WATER IN ACCORDANCE WITH STANDARDS/REGULATIONS OF THE FEDERAL SAFE DRINKING WATER ACT, DEP AND PA DEPARTMENT OF HEALTH.

**Department:** Public Welfare  
**Location:** TORRANCE STATE HOSPITAL, STATE ROUTE 1014, TORRANCE, PA 15779-0111  
**Duration:** 07/01/01 - 06/30/05  
**Contact:** LINDA J. ZOSKEY, (724) 459-4547

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**461903** A facility in Pennsylvania within 10 miles of Gettysburg, PA, May 6 - 10, 2001. With "Classroom Style" room for 100 attendees and three (3) breakout rooms for 30 attendees each. All rooms to be equipped with required A/V equipment; break-out rooms to have one telephone each room; two breakout rooms to have 30 Personal Computers with Windows 95, 98 or NT4.0 loaded; and Internet Access. Lunches and Breaks (a.m. & p.m.) for 100 attendees. Picnic pavilion available for 100 attendees (Committee sponsored cookout). "Hospitality Style" room for 50 attendees is to be available. Twenty (20) single lodging rooms (early arrivals) May 6, 2001. Ninety (90) single lodging rooms for May 7, 8 & 9, 2001, with 1:00 p.m. check-out. Adequate "No cost" parking must be available. Fax request for Bid Package to Wendy Heberlig (717) 783-4438, include Proper Business Name and Mailing Address with Contact Person and Telephone Number.

**Department:** Transportation  
**Location:** In Pennsylvania, Gettysburg, PA  
**Duration:** May 06 through 10, 2001  
**Contact:** Wendy Heberlig, (717) 787-4299

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**RFP#24-00** The Department of Public Welfare has established this Request for Proposal (RFP) to enable facilities operated by or through contract with the Office of Mental Health, and Substance Abuse Services, Office of Mental Retardation and Office of Children, Youth and Families with the means to purchase health care and related service in a timely and efficient manner. To be eligible for consideration, vendors must: \*Agree to accept the Medical Assistance Payment Rate for all services provided. \*Bill at the prevailing MA rate in effect at the time the services are provided. \*Be licensed to practice medicine in the Commonwealth of Pennsylvania under the Medical Assistance Guidelines. Make no exceptions to this RFP.

**Department:** Public Welfare  
**Location:** Various Locations.  
**Duration:** January 1, 2001 to June 30, 2003.  
**Contact:** Michael T. Matsko, (717) 787-7070

**SP1300380007** Clinical Psychologist - Must have experience in evaluating, consulting, testing, individual and group counseling, crisis intervention, in-services for grades 3-12 for approximately 350 students. An understanding of all current laws and regulations pertaining to clinical psychological services is required. Contractor shall provide a Clinical Psychologist two, half days a week (3.25 hours = 1/2 day) Requirements: A. Counseling and therapy of individual student and groups of students. B. Diagnosis of individual students. C. Consult with parent/physician and make recommendation. D. Make medication recommendation to physician. E. Clinical psychologist may be used for court cases requiring expert witness. F. Respond to referrals made by counseling, staff and parent, superintendent and/ or school psychologist. G. Make referral to appropriate treatment facility when needed. H. Prevention strategies of students at risk. This will be a multi-year contract beginning March 1, 2001 and extending through June 30, 2004. The contract will only be used during the school year - August through June, but initially starting in March of 2001.

**Department:** Military Affairs  
**Location:** Scotland School for Veterans' Children, 3583 Scotland Rd., Scotland, PA 17254-0900  
**Duration:** March 1, 2001 through June 30, 2004  
**Contact:** Marion E. Jones, (717) 264-7187, x661

**SPC701700** This is a reissuance of SPC701700. To store and distribute vaccine to health care providers for the Pennsylvania Vaccines for Children Program.

**Department:** Health  
**Location:** Statewide  
**Duration:** 36 months July 1, 2001 - June 30, 2004  
**Contact:** Vickie Petrina, (717) 787-5681

## 33

**00722-000-00-AS-1 / Re-bid** Replacement of the picket fence located at the David Bradford House. A pre-bid meeting will be held on November 21, 2000 at 11:00 am at the David Bradford House Washington, PA for all firms interested in submitting bids for the project. For directions contact the Project Manager Joe Lauver at (717) 787-6242 or the site at (412) 222-3604. All interested bidders should submit a request for a bid package in writing to: PA. Historical & Museum Commission, Division of Architecture, Commonwealth Keystone Building, 400 North Streets, Plaza Level, Room N118, Harrisburg, PA 17120-0053—ATTENTION: Judi Yingling (717) 772-2401. All proposals are due on Tuesday, December 5, 2000 at 11:45 am. Bid opening will be held in Room N-118, Plaza level of the Commonwealth Keystone Building, 400 North Streets, Harrisburg, PA 17120-0053.

**Department:** Historical and Museum Commission  
**Location:** 175 South Main Street, Washington, PA 15301  
**Duration:** December 10, 2000 to October 31, 2001  
**Contact:** Judi Yingling, (717) 772-2401

**00671043** Supply all labor, scaffolding, tools, materials, equipment and appurtenances to install a full foam and acrylic elastomeric roofing system on building #11 at Norristown State Hospital.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** 120 days from effective date of contract.  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

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**93117** Proposals are invited to provide the Pennsylvania State police with 13,761 useable square feet of office/barracks space in Pike County, PA with a minimum parking for 77 vehicles, within a two (2) mile radius of either Exit 8 or Exit 9 of I-84. For more information on SFP #93117 which is due on January 3, 2001 visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call 717-787-4394.

**Department:** State Police  
**Location:** Room 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate  
**Contact:** John Hocker, (717) 787-4396

**93045** LEASE OFFICE SPACE TO THE COMMONWEALTH OF PA 7,069 sq. ft. of office space with 25 parking spaces, in Coudersport, Potter County, within the Borough of Coudersport or within 2 miles of the County Court House with properties facing on Routes 6, 44 or 49. In areas where street or public parking is not available, an additional 5 parking spaces are required. Downtown locations will be considered. The Department of Public Welfare, Potter County Assistance Office will occupy the space. For more information on Solicitation #93045 which is due on November 13, 2000 visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call 717-787-4394.

**Department:** Public Welfare  
**Location:** 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate  
**Contact:** Cynthia T. Lentz, (717) 787-0952

**93116** LEASE SPACE TO THE COMMONWEALTH OF PA Proposals are invited to provide the Pennsylvania Board of Probation & Parole with 3298 useable square feet of office space in Lancaster County, PA with a minimum parking for 5 vehicles, in the Lancaster City Limits. Downtown locations will be considered. For more information on SFP #93116 which is due on December 21, 2000 visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call 717-787-4394.

**Department:** Probation and Parole Board  
**Location:** Room 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate  
**Contact:** John Hocker, (717) 787-4396

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**SP386109001** Provide disposal of solid waste for Hills Creek State Park. Bids will be received at Hills Creek State Park, RR #2, Box 328, Wellsboro, PA 16901-9676. Bid opening will be at 2:00 PM on November 17, 2000.

**Department:** Conservation and Natural Resources  
**Location:** Hills Creek State Park, RR #2, Box 328, Wellsboro, PA 16901-9676  
**Duration:** 3 Years - January 1, 2001 - December 31, 2003  
**Contact:** Robert L. Cross, (570) 724-4246

**SP386113001** Provide disposal of solid waste for Leonard Harrison/Colton Point State Parks. Bids will be received at Leonard Harrison State Park, RR #6, Box 199, Wellsboro, PA 16901-8970. Bid opening will be at 2:00 PM on November 17, 2000.

**Department:** Conservation and Natural Resources  
**Location:** Leonard Harrison/Colton Point State Parks, RR #6, Box 199, Wellsboro, PA 16901-8970  
**Duration:** 3 Years - January 1, 2001 - December 31, 2003  
**Contact:** Robert L. Cross, (570) 724-3061

**046003** Three year contract ending December 31, 2003 for the refuse and trash removal at Penn. DOT District 4-6 maintenance facility located in Wayne County 3 miles east of Honesdale on SR 006 (Indian Orchard) Honesdale PA. 18431. Pick up weekly, two six yard dumpsters, with additional pickup during April, May and June for Keep PA Beautiful.

**Department:** Transportation  
**Location:** SR 006, 3 miles east of Honesdale, PA.  
**Duration:** Three years. Expiration Dec. 31, 2003.  
**Contact:** Joan Lotz, (570) 253-3130

**SP386112001** Bids being accepted for the removal and disposal of solid waste at Kettle Creek State Park. Bid information available by contacting the park office. Bid opening is 2:00 pm on Friday, November 17 at the park office.

**Department:** Conservation and Natural Resources  
**Location:** Kettle Creek State Park, HCR62, Box 96, Renovo, PA 17764  
**Duration:** 1/1/01 through 12/31/03  
**Contact:** Mary B. Hirst, Park Manager, (570)923-6004

**SP386115001** Provide disposal of solid waste for Lyman Run State Park Complex. Bids will be received at Lyman Run State Park, 454 Lyman Run Road, Galeton, PA 16922. Bid opening will be at 2:00 PM on November 17, 2000

**Department:** Conservation and Natural Resources  
**Location:** Lyman Run State Park Complex, 454 Lyman Run Road, Galeton, PA 16922  
**Duration:** 3 Years - January 1, 2001 - December 31, 2003  
**Contact:** Harry (Chip) Harrison, (814) 435-5010

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**10048001** This service is for one (1) security guard at the Northampton County Assistance Office, 201 Larry Holmes Drive, Easton, PA 18042 from 8:30 a.m. to 5:00 p.m., Monday through Friday, (holidays excluded). Complete details and specifications may be obtained by either contracting the procurement office or faxing your request to (717) 787-3560.

**Department:** Public Welfare  
**Location:** Northampton County Assistance Office, 201 Larry Holmes Drive, Easton, PA 18042  
**Duration:** 07/01/2001 - 06/30/2006  
**Contact:** Rose Wadlinger, (717) 783-3767

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**BOA00-2** Effective November 4, 2000 the Office of the Budget intends to implement Open Enrollment for Comptroller Operations Training Services Invitation to Qualify (ITQ) Contract ME#981300. The contract provides training services including classroom training, course development and other training services relating to auditing, accounting, management and supervisory, administrative and organizational areas. The contract term is July 1, 1999 through June 30, 2002 with two optional one-year extensions. Interested vendors are encouraged to submit proposals on or before 1:00 p.m. on the last Commonwealth business day of each month. Existing vendors may submit proposals to qualify for additional categories. Proposals will be evaluated beginning the first day of each month immediately following the submission deadline. The evaluation and contracting cycle will take an estimated 20 Commonwealth business days (subject to workload and holidays). Proposals received after the 1:00 p.m. deadline will be held for processing during the following month. The ITQ details proposal information is available by contacting Comptroller Operations at 717-783-0114.

**Department:** Office of the Budget/Executive Offices  
**Location:** Comptroller Operations, Harrisburg, PA  
**Duration:** Three-year period beginning July 1, 1999 with two optional one-year extensions  
**Contact:** Harvey C. Eckert, Deputy Secretary for Comptroller, (717) 787-6496

**20034** Contractor will provide trained/certified technicians to provide a full preventive maintenance/inspection on the Cerberus Pyrotronics Fire Alarm/Life System at SCI-Chester. More detailed information can be obtained from the Institution.

**Department:** Corrections  
**Location:** SCI-Chester, 500 E. 4th Street, Chester, PA 19013  
**Duration:** January 1, 2001 and ending December 31, 2001  
**Contact:** Jacqueline Newson, P.A., (610) 490-4370

**RFP-2000-EO-01** Independent and comprehensive review of the Commission's trout propagation and stocking program.

**Department:** Fish and Boat Commission  
**Location:** Statewide Locations.  
**Duration:** Six (6) month program, 1/1/01 to 6/30/01  
**Contact:** Tom Ford, (717) 705-7807

**CAL 00-09** California University of Pennsylvania of the State System of Higher Education is seeking a firm to develop a comprehensive enrollment management (student recruitment and retention) program. Interested bidders should contact Joyce Sheppick, Purchasing Agent, at (724) 938-4512 (FAX) to request a copy of the RFP for Project No. CAL 00-09. Bids will be due at 2:00 p.m. on November 28, 2000 in the Purchasing Department, California University of PA, Room 117, Azorsky Administration Building. The System encourages responses from small firms, minority firms, women-owned firms, and firms which have not previously performed work for the System and will consider joint ventures that will enable these firms to participate in the System's contract.

**Department:** State System of Higher Education  
**Location:** Purchasing Department, 250 University Avenue, California, PA 15419  
**Duration:** Five years  
**Contact:** Joyce L. Sheppick, (724) 938-4430

**000780136** Certified Welder to weld high pressure steam lines, etc. Contractor will provide a certified welder and equipment for 24 hour service. White Haven Center will furnish a helper & an area for welding items that would otherwise have to be relocated to the contractor's place of business.

**Department:** Public Welfare  
**Location:** White Haven Center, RR #2 Box 2195, White Haven, PA 18661, Luzerne County  
**Duration:** January 1, 2001 - December 21, 2005.  
**Contact:** Sandra A. Repak, Purchasing Agent, (570) 443-4232

**SP3881040003** Services required for the installation of a woven wire fence in Elk Lick Township, Somerset County.

**Department:** Conservation and Natural Resources  
**Location:** Forbes Forest District #4, P.O. Box 519, Laughlintown, PA 15655-0519  
**Duration:** Upon execution of the contract and terminate 6/30/01. Work must be completed by 5/1/01.  
**Contact:** Cory Wentzel, (724) 238-5039

[Pa.B. Doc. No. 00-1926. Filed for public inspection November 3, 2000, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,  
*Secretary*

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
0020-07	11/01/00	The Graphics Art Shop	58,439.72	2310-01	10/16/00	Rothrock Mo- tor Sales Inc.	2,300,000.00
2310-01	10/16/00	Apple Chevrolet	1,500,000.00	2310-01	10/16/00	Warnock Au- tomotive d/b/a Warnock Ford	1,200,000.00
2310-01	10/16/00	Baierl Chevrolet Inc.	100,000.00	2310-01	10/16/00	Warnock Dodge Inc.	500,000.00
2310-01	10/16/00	Brandow Chrysler Plymouth Co.	300,000.00	2310-01	10/16/00	Warnock Mo- tor Sales d/b/a Warnock Chevrolet	300,000.00
2310-01	10/16/00	Hondru Chevrolet d/b/a E-Town Chevrolet- Oldsmobile- Pontiac	2,600,000.00	5820-01 sup # 1	10/25/00	B & H Photo	30,000.00
2310-01	10/16/00	Hertrich Fleet Ser- vices	2,300,000.00	5820-01 sup # 1	10/25/00	E-Plus Tech- nology of PA	10,000.00
2310-01	10/16/00	Hoffman Ford Sales Inc.	5,800,000.00	5820-01 sup #1	10/25/00	Peirce Phelps Inc.	10,000.00
2310-01	10/16/00	Hondru Dodge d/b/a E-Town Dodge	1,100,000.00	5820-01 sup # 1	10/25/00	Polafix Inc.	20,000.00
2310-01	10/16/00	Hondru Ford d/b/a Phil- lips Ford Sales	1,500,000.00	5820-01 sup # 1	10/25/00	The Tape Co.	20,000.00
2310-01	10/16/00	L B Smith Lincoln Mercury Inc.	700,000.00	5820-01 sup # 1	10/25/00	Visual Sound Inc.	10,000.00
2310-01	10/16/00	Hondru Chrysler- Plymouth d/b/a Manheim Chrysler- Plymouth/ GMC	5,400,000.00	1066340-01	10/23/00	Pinnacle Sys- tems Inc.	46,750.00
2310-01	10/16/00	Meissner Chevrolet	600,000.00	1074220-01	10/23/00	Peake Print- ers Inc.	44,737.40
2310-01	10/16/00	Northeast Auto Outlet	300,000.00	1127120-01	10/23/00	Crest Av Electronics Inc.	15,505.50
2310-01	10/16/00	Regester Chevrolet Inc.	6,000,000.00	1139210-01	10/23/00	American Builders & Contractors Supply	28,919.18
				1149210-01	10/23/00	Life Home Care LP	24,205.50
				1183180-01	10/23/00	Dupli Enve- lopes & Graphics Corp.	47,400.00
				1187180-01	10/23/00	Laser Imag- ing Sys- tems Inc.	43,747.00
				1191180-01	10/23/00	Laser Imag- ing Sys- tems Inc.	684,000.00
				8176740-01	10/23/00	American Bank Note Co.	390,020.00

STATE CONTRACTS INFORMATION

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>	<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
8252480-01	10/23/00	Maguire's Ford of Hershey	80,143.40	8505390-01	10/23/00	Dodge- Graphic Inc.	269,892.00
8505370-01	10/23/00	Monroe Truck Equipment	19,400.00			GARY E. CROWELL, <i>Secretary</i>	

[Pa.B. Doc. No. 00-1927. Filed for public inspection November 3, 2000, 9:00 a.m.]