

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 November 7, 2000.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
11-7-00	National Penn Bancshares, Inc., Boyertown, to acquire 100% of the voting shares of Community Independent Bank, Inc., Bernville	Boyertown	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-25-00	Farmers First Bank Lititz Lancaster County Purchase of Assets/Assumption of Liabilities of One Branch Office of Main Street Bank, Reading, Located at: 1950 Old Philadelphia Pike East Lampeter Township Lancaster County (Note: Listed incorrectly on previous Weekly Summary #44.)	Lititz	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-31-00	The Glen Rock State Bank Glen Rock York County	3094 Cape Horn Road Red Lion York Township York County	Opened
11-1-00	Somerset Trust Company Somerset Somerset County	807 Goucher St. Johnstown Cambria County	Filed
11-2-00	Iron and Glass Bank Pittsburgh Allegheny County	3400 S. Park Road Bethel Park Allegheny County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-23-00	Peoples State Bank of Wyalusing Wyalusing Bradford County	<i>To:</i> 110 Main Street (Route 220) Ulster Bradford County <i>From:</i> 111 Main Street Ulster Bradford County	Effective
10-31-00	Summit Bank Bethlehem Northampton County	<i>To:</i> 1975 Street Road Bensalem Bucks County <i>From:</i> 2084 Street Road Bensalem Bucks County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-31-00	Main Street Bank Reading Berks County	1950 Old Philadelphia Pike Greenfield East Lampeter Twp. Lancaster County	Filed
11-7-00	Fulton Bank Lancaster Lancaster County	2900 Oregon Pike Lititz Lancaster County	Approved

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
11-7-00	Laurel Bank Johnstown Cambria County	Amendment to Article 1, providing for a change in name of the institution to "Promistar Bank."	Approved Effective 11-15-00
11-7-00	Laurel Trust Company Johnstown Cambria County	Amendment to Article 1, providing for a change in name of the institution to "Promistar Trust Company."	Approved Effective 11-15-00

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Acting Secretary

[Pa.B. Doc. No. 00-1985. Filed for public inspection November 17, 2000, 9:00 a.m.]

Election by First Star Savings Bank to Exercise Conditional Powers

Effective on the date of this publication in the *Pennsylvania Bulletin*, under an election by First Star Savings Bank, authorized by section 513(b) of the Banking Code of 1965, as amended by act of April 16, 1981 (P. L. 9, No. 4) (7 P. S. § 513(b)), First Star Savings Bank is hereby granted the following conditional powers as described by sections 504(b)(xiii) and 506(a)(iv)(B) and (vi) of the Banking Code of 1965, to be exercised only with the prior written approval of the Department of Banking.

JAMES B. KAUFFMAN, Jr.,
Acting Secretary

[Pa.B. Doc. No. 00-1986. Filed for public inspection November 17, 2000, 9:00 a.m.]

ment of Conservation and Natural Resources on Wednesday, November 29, 2000. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Claire Guisewite directly at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate your needs.

PAULETTE JOHNSON,
Chairperson

[Pa.B. Doc. No. 00-1987. Filed for public inspection November 17, 2000, 9:00 a.m.]

**DEPARTMENT OF
CONSERVATION AND
NATURAL RESOURCES**

Conservation and Natural Resources Advisory Council Meeting

Notice is hereby given of a meeting of the Conservation and Natural Resources Advisory Council to the Depart-

Land Exchange

The Department of Conservation and Natural Resources, acting through the Bureau of Forestry, and Debra Eichenlaub and Louis Taber are proposing to negotiate an exchange of lands in Pike and Cambria Counties, Pennsylvania.

The Bureau of Forestry is proposing to acquire from Debra Eichenlaub and Louis Taber 7.278 acres of land in Greene Township, Pike County, adjoining the Pine Lake Natural Area of the Delaware State Forest.

In return, the Bureau of Forestry proposes to convey to Debra Eichenlaub and Louis Taber the 14 acre Elstie Fire Tower site in Gallitzin Township, Cambria County.

As is the policy of the Department of Conservation and Natural Resources, the public is hereby notified of this exchange. A 30-day period for public inquiry and/or comment will be in effect commencing November 20, 2000, and ending December 19, 2000. Oral or written comments or questions concerning this proposed exchange may be addressed to: Dr. James R. Grace, State Forester, Pennsylvania Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552; (717) 787-2703. These oral and/or

written comments will become part of the official document used in the final decision process.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department of Conservation and Natural Resources may schedule a public informational meeting.

SAMUEL A. MCCULLOUGH,
Secretary

[Pa.B. Doc. No. 00-1988. Filed for public inspection November 17, 2000, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the 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 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 accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

PA 0026085. Sewage, **Upper Merion Municipal Utility Authority**, 175 West Valley Forge Road, King of Prussia, PA 19406.

This application is for renewal of an NPDES permit to discharge treated sewage from treated sewage in Upper Merion Township, **Montgomery County**. This is existing discharge to Frog Run.

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

The proposed effluent limits for Outfall 002 based on an average flow of 6.88 mgd follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	18	27	36
(11-1 to 4-30)	25	38	50
Suspended Solids	30	45	60
Ammonia (as N) (5-1 to 10-31)	6.0		12.0
(11-1 to 4-30)	18.0		36.0
Total Residual Chlorine	0.5		1.2
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 2.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA 0052949. Industrial Waste, SIC: 4941, **Philadelphia Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

This application is for renewal of an NPDES permit to discharge treated backwash water from a water pumping station in Upper Uwchlan Township, **Chester County**. This is an existing discharge to unnamed tributary of Marsh Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 3,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	60	75
Total Aluminum	4	8	10
Total Iron	2	4	5
Total Manganese	1	2	2.5
Chloroform	monitor/report		
Chlorodibromo Methane	monitor/report		
Dichlorobromo Methane	monitor/report		
Total Residual Chlorine	0.5		1.3
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for 002, based on an average flow of 3,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.5		1.3
pH	within limits of 6.0—9.0 standard units at all times		

Other Conditions:

The EPA waiver is in effect.

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

PA 0060801. Sewerage, **Montrose Municipal Authority**, P. O. Box 306, Montrose, PA 18801.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Pettis Creek in Bridgewater Township, **Susquehanna 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Danville Water Supply on North Branch of Susquehanna River.

The proposed effluent limits for Outfall 001 based on a design flow of .82 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N			

NOTICES

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
(5-1 to 10-31)	2		4
(11-1 to 4-30)	6		12
Dissolved Oxygen	a minimum of 5 mg/l at all times		
Fecal Coliform	200/100 ml as a geometric mean		
(5-1 to 9-30)	2,000/100 ml as a geometric mean		
(10-1 to 4-30)	6.0 to 9.0 standard units at all times		
pH	.02		
Total Residual Chlorine	.05		

The EPA waiver is in effect.

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

PA 0036269. SIC Code 4952, Sewage, **Stewartstown Borough Authority**, (Stewartstown Borough WWTP), c/o Borough Office, Six North Main Street, Stewartstown, PA 17363.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Ebaughs Creek in Watershed 7-I (Kreutz—Muddy Creeks), in Hopewell Township, **York County**.

The receiving stream is classified for cold water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Aberdeen Proving Ground—Chapel Hill located in Maryland. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.4 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 ₅				
(5-1 to 10-31)	15	22	XXX	30
(11-1 to 4-30)	25	40	XXX	50
Total Suspended Solids	30	45	XXX	60
NH ₃ -N				
(5-1 to 10-31)	3.5	XXX	XXX	7.0
(11-1 to 4-30)	10.5	XXX	XXX	21.0
Total Phosphorus	2.0	XXX	XXX	4.0
Total Residual Chlorine	0.33	XXX	XXX	1.09
Osmotic Pressure	XXX	XXX	140	210
Total Antimony	XXX	XXX	monitor and report	XXX
Total Cadmium	XXX	XXX	monitor and report	XXX
Total Mercury	XXX	XXX	monitor and report	XXX
Total Selenium	XXX	XXX	monitor and report	XXX
Total Silver	XXX	XXX	monitor and report	XXX
Total Zinc	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	200/100 ml as a geometric average			
(5-1 to 9-30)	7,000/100 ml as a geometric average			
(10-1 to 4-30)				

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 0083747. SIC Code 2421, Industrial Waste, **Weaber, Inc.**, 1231 Mount Wilson Road, Lebanon, PA 17042-4785.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Gingrich Run in Watershed 7-D (Swatara Creek), in South Annville Township, **Lebanon County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.015 mdg are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S.U.)		6.0 to 9.0	
D.O.		5.0 instantaneous minimum	
Total Residual Chlorine	<0.1	—	<0.2
Total Suspended Solids	30.0	—	60.0
CBOD ₅	25.0	—	50.0
NH ₃ -N			
(5-1 to 10-31)	1.5	—	3.0
(11-1 to 4-30)	4.5	—	9.0
Fecal Coliform			
(5-1 to 9-30)	200.0	—	—
(10-1 to 4-30)	2,000.0	—	—

Outfalls 002 through 008 are identified as stormwater outfalls. Monitoring for conventional pollutants and several metals is required for Outfalls 002, 003, 004, 006, and 007.

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.

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

PA 0228249, SIC 4952, **Eagle Creek Partnership (Eagle Creek Mobile Home Park)**, 1901 East College Avenue, State College, PA 16801.

The proposed action is for a new NPDES permit for the discharge of treated sewage to Bald Eagle Creek in Union Township, **Centre County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, flouride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Pennsylvania-American Water Company at Milton, located 92 river miles downstream.

The proposed effluent limits for Outfall 001 based on a design flow of 0.03 mgd are:

<i>Discharge Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Total Chlorine Residual	1.0	2.3
Fecal Coliform		
(5-1 to 9-30)		200/100 mL as geom. avg.
(10-1 to 4-30)		2000/100 mL as geom. avg.
pH		6.0—9.0 at all times
<i>Other Considerations:</i>		none

The EPA waiver is in effect.

PA 0228273, Sewerage, SIC: 4952, **Locust Township Municipal Authority**, R. R. 3, Box 119A, Catawissa, PA 17820.

The proposed action is for issuance of an NPDES permit for a new discharge of treated sewage wastewater to an unnamed tributary to Roaring Creek in Locust Township, **Columbia County**.

The receiving stream is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Danville Borough Water Company located approximately 20 river miles downstream.

The proposed effluent limits for Outfall 001 based on a design flow of 0.05 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Ammonia			
(6-1 to 10-31)	3	4.5	6
(11-1 to 5-31)	9	13.5	18
Dissolved Oxygen	5 (minimum)		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Cl ₂ Residual	0.24		0.77
Fecal Coliforms	200 col/100 ml as a geometric mean		
pH	6.0 to 9.0 at all times		

The EPA waiver is in effect.

PA 0112747. Sewerage, SIC: 4952, **Mahaffey Borough Municipal Authority**, P. O. Box 202, Mahaffey, PA 15757.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to West Branch Susquehanna River in Mahaffey Borough, **Clearfield County**.

The receiving stream is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂, -NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Reliant Energy located at Shawville.

The proposed effluent limits for Outfall 001 based on a design flow of 0.07 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	45	65	90
Total Cl ₂ Residual	1.0		2.3
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0 to 9.0 at all times		

The EPA waiver is in effect.

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

PA 0218511. Industrial Waste, SIC: 4941, **Municipal Water Authority of Aliquippa**, 160 Hopewell Avenue, Aliquippa, PA 15001.

This application is for a new NPDES permit to discharge treated backwash water from the Aliquippa WTP facility located in Aliquippa Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Logstown Run, classified as a WWF fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Midland Borough W. A., located approximately 17.5 miles downstream of the discharge point.

Outfall 001: new discharge, design flow of 0.114 mgd.

<i>Parameters</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		monitor and report	30		60
Total Iron			2		4
Aluminum (T)			4		8
Manganese (T)			1		2
TRC			0.5		1.0
pH	between 6.0 and 9.0 at all times				

The EPA waiver is in effect.

PA 0217140. 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 Shelocta Sewage Treatment Plant in Armstrong Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Crooked Creek, 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: Buffalo Township Municipal Authority Freeport Plant.

Outfall 001: existing discharge, design flow of 0.07 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform	200/100 ml as a geometric mean			
(5-1 to 9-30)	30,000/100 ml as a geometric mean			
(10-1 to 4-30)	not less than 6.0 nor greater than 9.0			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0223034. Industrial Waste, SIC: 3312. Duferco Farrell Corporation.

This application is for a new NPDES Permit, to discharge treated industrial waste, non-contact cooling water and stormwater to the Shenango River in the City of Farrell, Mercer County. These are existing discharges.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is PA American Water Company on the Shenango River located at New Castle, approximately 16 miles below point of discharge.

The proposed discharge limits for Outfall No. 104 based on a design flow of 0.072 mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	monitor and report		
Total Suspended Solids	XX	XX	1002
Oil and Grease	15		30
Lead	XX	XX	6.0
Zinc	XX	XX	8.0
Copper	0.4	0.8	1.0
(T) Iron	1.5	3.0	3.75
pH	6.0 to 9.0 at all times		

The proposed discharge limits for Outfall No. 504 based on a design flow of 1.3 mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
Total Suspended Solids	XX	XX	330
Oil and Grease	XX	30	
(T) Iron	XX		
pH	6.0 to 9.0 at all times		

The proposed discharge limits for Outfall No. 604 based on a design flow of 0.072 mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
Total Suspended Solids	XX	XX	104
Oil and Grease	XX	XX	35
(T) Iron	XX		
Lead	XX	XX	0.63
Zinc	XX	XX	0.42
Naphthalene	XX	XX	
Tetrachloroethylene	XX	0.21	
Nickel	XX	XX	1.3
pH	6.0 to 9.0 at all times		

The proposed discharge limits for Outfall Nos. 104, 504 and 604 based on a design flow of 23.444 mgd are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
Oil and Grease	15		30

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
(T) Iron		4.0	
Temperature		XX	
pH		6.0 to 9.0 at all times	

The EPA waiver is not in effect.

PA 0036617. Sewage. **Remark Estates Mobile Home Park**, 169 Pullman Drive, West Middlesex, PA 16158.

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

The receiving water is classified for the following uses: trout stocked fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Municipal Authority of the Township of North Sewickley on the Beaver River located at river mile 7.6 and is located 35.0 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.01350 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	4	8
(11-1 to 4-30)	12	24
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1.4	3.3
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0238414. Sewage. **Josephine Schotsch**, P. O. Box 915A, New Castle, PA 16107.

This application is for a new NPDES Permit, to discharge treated sewage to Unnamed Tributary to Big Run in Scott 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Beaver Falls Municipal Authority located at 32.17 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 800 gpd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
TSS	20	40
Fecal Coliform		
(5-1 to 9-30)	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 0091341. Sewage. **Moniteau School District**, Moniteau Junior/Senior High School, 1810 West Sunbury Road, West Sunbury, PA 16061.

This application is for renewal of an NPDES Permit, to discharge treated sewage to Unnamed Tributaries of Slippery Rock Creek and Glade Run Dam Lake (South Branch Slippery Rock Creek) in Cherry Township, **Butler County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fish, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Salvation Army Camp Allegheny on Slippery Rock Creek located at river mile 3.2 and is located 30.0 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.01300 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	15	30
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
pH	6.0—9.0 at all times.	

The EPA waiver is in effect.

PA 0032905. Sewage, **Sunnyview Mobile Home Park**, 90 Shenango Park Road, Transfer, PA 16154.

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

The receiving water is classified for the following uses: warm water fish, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Sharpsville Municipal Water Authority on the Shenango River located at river mile 32.6 and is located 4.6 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.02500 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Ammonia-Nitrogen (5-1 to 10-31)	2	2
(11-1 to 4-30)	6.0	12
Phosphorus	1	2
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	1	2.3
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0032026. Sewage, **Family Affair Campground**, 9640 Findley Lake Road, North East, PA 16428.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage from a campground to an unnamed tributary to Sixteen Mile Creek in North East Township, **Erie County**. This is an existing discharge.

The receiving water is classified for cold water and migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Borough of North East Grahamville Reservoir intake pipe, located on Sixteen Mile Creek in North East Township, Erie County, approximately 1.15 miles downstream from the point of discharge.

The proposed effluent limits for Outfall 001 based on average design flow of 0.025 mgd are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	50
Total Suspended Solids	30	60
NH ₃ -N (5-1 to 10-31)	6.5	13
(11-1 to 4-30)	19.5	39
Phosphorus as "P"	1.0	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	0.5	1.2
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0104086. Industrial waste, SIC: 3462. **Mercer Forge Corporation**, 200 Brown Street, P. O. Box 272, Mercer, PA 16137.

This application is for renewal of an NPDES Permit, to discharge noncontact cooling water and stormwater to Otter Creek in Mercer Borough, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: trout stocking, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Beaver Falls Municipal Authority on the Beaver River located at Beaver Falls, approximately 45.5 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.015 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
Oil and Grease	15		30
pH		6.0 to 9.0 at all times	

The proposed discharge limits for Outfall No. 002 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
C-Biochemical Oxygen Demand (5-day)	XX		
Chemical Oxygen Demand	XX		
Oil and Grease	XX		
pH	XX		
SARA Title III, Section 313	XX		
Water Priority Chemicals*	XX		
Total Suspended Solids	XX		
Total Phosphorus	XX		
Total Kjeldahl Nitrogen	XX		
Iron (Dissolved)	XX		
pH		6.0 to 9.0 at all times	

XX—Monitor and report on monthly DMRs.

*—Any Section 313 water priority chemical discharged in stormwater outfalls for which the permittee is subject to reporting requirements under SARA Title III, Section 313.

The EPA waiver is in effect.

PA 0100935. Sewage. **Maple Winds Mobile Home Park**, 89 Gill Road, Grove City, PA 16127.

This application is for renewal of an NPDES Permit, to discharge treated sewage to unnamed tributary to Wolf Creek in Pine Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fish, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Salvation Army Camp Allegheny on Slippery Rock Creek located at river mile 3.2 and is located approximately 27.0 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.00600 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
TSS	30	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 2,000/100 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 0209929. Sewage. **Dennis Stefanak**, R. R. 2, Pulaski, PA 16143.

This application is for renewal of an NPDES Permit, to discharge treated sewage to unnamed tributary to Shenango River in Shenango 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed

downstream potable water supply considered during the evaluation is Pennsylvania-American Water Company located in New Castle, which is approximately 12 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 400 gpd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	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.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

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

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

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

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

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

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

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA-0060640	Lehman Pike Water & Sewer Co. P. O. Box 447 Bushkill, PA 18324-0447	Pike County Lehman Township	Saw Creek	

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>
PA0080501	Tuscarora School District Montgomery Elem. 118 E. Seminary Street Mercersburg, PA 17236	Franklin County Montgomery Township	UNT W. Branch Conococheauque Creek	TRC
PA0084131	Gettysburg Area School District Franklin Township Elem. School 900 Biglerville Road Gettysburg, PA 17325	Adams County Franklin Town- ship	UNT to Marsh Creek	TRC

**DISCHARGE OF CONTROLLED INDUSTRIAL
WASTE AND SEWERAGE WASTEWATER**

**Applications under the Pennsylvania Clean
Streams Law**

(Part II Permits)

**Industrial waste and sewerage applications under
The Clean Streams Law (35 P. S. §§ 691.1—
691.100).**

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

WQM Permit No. 1500429. Sewerage. **City of Coatesville Authority**, 114 E. Lincoln Highway, P. O. Box 791, Coatesville, PA 19320. Applicant is requesting approval for the construction of a new sewage system to serve 247 single family residential units located in East Fallowfield Township, **Chester County**.

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

A. 3500405. Sewerage. **Geisinger Health System**, 100 North Academy Drive, Danville, PA 17822-1540. Application for construction of a 15,000 gpd wastewater treatment facility to replace existing wastewater treatment facility servicing the Marworth Drug and Alcohol Rehabilitation Center located in North Abington Township, **Lackawanna County**. Application received in the Regional Office September 28, 2000.

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

A. 0500409. Sewage, submitted by **Broad Top Township**, P. O. Box 57, Defiance, PA 16633-0057 in Broad Top Township, **Bedford County** to construct a wastewater treatment plant to replace existing individual on-lot sewage systems has been received in the Southcentral Region on October 24, 2000.

A. 0685203 amendment (00-1). Industrial waste submitted by **Joe Jurgielewicz & Son, Ltd.**, P. O. Box 257, Shartlesville, PA 19554 in Tilden Township, **Berks County** to upgrade the existing residual waste impoundment and spray field serving the existing duck processing plant was received in the Southcentral Region on October 26, 2000.

A. 6700413. Sewage submitted by **Red Lion Municipal Authority**, Center Square, Red Lion, PA 17356 in Red Lion Borough, **York County** to replace the 2000 Highland Road Pump Station was received in the Southcentral Region on October 31, 2000.

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

A. 9939-S-A2. Sewerage, **McCandless Township Sanitary Authority**, 9600 Perry Highway, Pittsburgh, PA 15237. Application for the replacement and operation of an interceptor to serve Rochester Road located in the town of McCandless, **Allegheny County**.

A. 5600405. Sewerage, **Raymond Spangler**, 106 Humberson Drive, Somerset, PA 15501. Application for the construction and operation of a small flow sewage

treatment plant located in Stonycreek Township, **Somerset County** to serve the Spangler Residence.

INDIVIDUAL PERMITS

(PAS)

NPDES INDIVIDUAL

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments reviewed within this 30-day permit will be considered in the formulation of the final 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-G445. Stormwater. **Wilmer L. Hostetter**, 481 Limestone Road, Oxford, PA 19363, has applied to discharge stormwater from a construction activity located in East Nottingham Township, **Chester County**, to East and West Branch of Big Elk Creek (HQ-TSF-MF).

NPDES Permit PAS10-G446. Stormwater. **Keystone Custom Homes**, 214A Willow Valley Lake Drive, Willow Street, PA 17584, has applied to discharge stormwater from a construction activity located in Penn Township, **Chester County**, to unnamed Tributary to East Branch Big Elk Creek (HQ-TSF-MF).

SAFE DRINKING WATER

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

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

A. 5100502. Public Water Supply. **Philadelphia Water Department**, 1101 Market Street, Philadelphia, PA 19107. This proposal involves the installation of a chemical storage and feed facilities at the Belmont Water Treatment Plant in City of Philadelphia, **Philadelphia County**.

A. 0900510. Public Water Supply. **Warminster Municipal Authority**, 415 Gibson Avenue, Warminster, PA 18974. This proposal involves the construction of a 750,000-gallon storage tank to replace the existing 200,000-gallon storage tank and the installation of chlorination facilities in Warminster Township, **Bucks County**.

Southcentral Regional Office: Sanitarian Regional Manager; 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.

Permit No. 0600509. Public water supply. **Citizens Utilities Water Company of Pennsylvania**, Lower Heidelberg and Spring Township. *Responsible Official:* Darryl A. Jenkins, Manager, Engineering & Construction, Citizens Utilities Water Company of Pennsylvania, 4 Wellington Blvd., Wyomissing Hills, PA 19610. *Type of Facility:* New community water system serving Rosewood Hills subdivision. *Consulting Engineer:* Darryl A. Jenkins, Manager, Engineering & Construction, Citizens Water Company of Pennsylvania, 4 Wellington Blvd., Wyomissing Hills, PA 19610. *Application received:* September 18, 2000.

Permit No. 0600510. Public water supply. **Berkleigh Heights Mobile Home Park, Berks County**. *Responsible Official:* William J. Keller, Berkleigh Heights MHP, 1329 Richmond Rd., Fleetwood, PA 19522. *Type of Facility:* Existing backup well. *Consulting Engineer:* Bruce W. Haigh P. E., Technicon Enterprises, Inc., 2675 Morgantown Rd., Suite 4100, Reading, PA 19607. *Application received:* September 29, 2000.

Permit No. 2800506. Public water supply. **Mockingbirdhill Inc.**, Antrim Township, **Franklin County**. *Responsible Official:* Charles Eckstine, P. O. Box 246, Greencastle, PA 17225. *Type of Facility:* Applicant seeks a Construction Permit for Well No. 2 to be added to the existing Shangri La MHP community water system. Treatment to be added to Well No. 2 will include softening, granular activated carbon, reverse osmosis and sodium hypochlorite disinfection. *Consulting Engineer:* Harry E. Bingaman, P. E., Glace Associates, Inc., 3705 Trindle Road, Camp Hill, PA 17011. *Application received:* October 11, 2000.

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

5687504-A1. Garrett Borough, P. O. Box 218, Garrett, PA 15542-0218. Application of phosphates to reduce the rate of corrosion to the water pipes serving Summit Township, **Somerset County**.

2600505. NWL, Inc., 1001 LaFayette Drive, Farmington, PA 15628. Construction of Well #6 and transmission line serving Wharton Township, **Fayette County**.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

1100 East Mermaid Lane Property, Springfield Township, **Montgomery County**. Darryl Borrelli, Manko, Gold & Katcher, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, has submitted a Notice of Intent to Remediate site soil contaminated with asbestos and groundwater contaminated with solvents. The applicant proposes to remediate the site to meet site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *Philadelphia Daily News* on October 4, 2000.

1200 East Mermaid Lane Property, Springfield Township, **Montgomery County**. Darryl Borrelli, Manko, Gold & Katcher, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals, solvents and BTEX and groundwater contaminated with solvents and BTEX. The applicant proposes to remediate the site to meet Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *Philadelphia Daily News* on October 4, 2000.

J & T Building Co., Inc., Media Borough, **Delaware County**. Richard S. Werner, P.G., Environmental Consulting, Inc., 500 East Washington St., Suite 375, Norristown, PA 19401, has submitted a Notice of Intent to Remediate site soil contaminated with lead and site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide health standard for soil and background standards for groundwater. A summary of the Notice of Intent to Remediate was reported to have been published in *The Delaware County Daily Times* on October 6, 2000.

Congresso De Latino Unidos, Inc., City of Philadelphia, **Philadelphia County**. Gloria G. Hunsberger, P.G., Powell-Harpstead, Inc., 800 East Washington Street, West Chester, PA 19380, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on October 13, 2000.

U. S. Steel Fairless Works, S.W.E.C., LLC (Formerly ABB Parcel), Falls Township, **Bucks County**. Kathleen M. Mayher, U. S. Steel, 600 Grant Street (Room 2068), Pittsburgh, PA 15219, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, vanadium, metals, BTEX, polycyclic aromatic hydrocarbons and solvents. The applicant proposes to remediate the site to meet Statewide health and site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Bucks County Courier Times* on October 16, 2000.

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

Tokarczyk Property (540 Altamont Boulevard), West Mahanoy Township, **Schuylkill County**. Eric P. Roberts, Principal Engineer, Excalibur Group LLC, 19709 Frederick Road, Suite 440, Germantown, MD 21770 has submitted a Notice of Intent to Remediate (on behalf of

Leonard Tokarczyk and George Tokarczyk, North Railroad Avenue, Frackville, PA 17931) concerning the remediation of site soils and groundwater found or suspected to have been contaminated with gasoline. The applicant proposes to remediate the site to meet the Background 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.

All American Truck Plaza Carlisle, Middlesex Township, **Cumberland County**. Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 and All American Truck Plazas, Inc., Box 302, Bethel, PA 19507 have submitted a Notice of Intent to Remediate site soils contaminated with BTEX and PAHs. The applicants propose to remediate the site to meet the Statewide health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Carlisle Sentinel* on July 1, 2000.

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

Goldschmidt Industrial Chemical Corporation, Borough of McDonald, **Washington County**. Goldschmidt Industrial Chemical Corporation, 941 Robinson Highway, McDonald, PA 15057 and Scott Rasmussen, Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 has submitted a Notice of Intent to Remediate soil contaminated with zinc. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Observer Reporter* (Washington County edition) on October 21, 2000.

SOLID AND HAZARDOUS WASTE

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 100346. FR&S, Inc. (Pioneer Crossing Landfill, Exeter Township, **Berks County**) submitted an application for expansion subject to the Governor's Executive Order and policies. FR&S, Inc. proposes an expansion comprising approximately 75 acres. It also proposes an increase in the average and maximum daily volumes from 1,000 tons/day to 1,550 and 1,600 tons/day to 1,975 respectively. Under the provisions of the Governor's Executive Order and Money Back Guarantee Program, the host municipality, applicant, and the Department of Environmental Protection (Department) have negotiated an application review timeline. The negotiated number of days, which the Department had to review the application

and to render a decision, is 380 days from September 14, 2000 (date of Governor's Executive Order Meeting). The 380 days does not include time that the applicant uses to respond to review comments from the Department.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications Nonmajor Sources and Modifications

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

The Department has received applications for plan approvals 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 Department Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts, which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

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

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

OPERATING PERMITS

Applications received and intent to issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001-4015) and 25 Pa. Code Chapter 127, Subchapter F (relating to operating permit requirements).

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

39-313-043: GEO Specialty Chemicals, Inc. (401 South Earl Avenue, PO Box 4747, Lafayette, IN 47903-4747) for operation of a DMPA process and associated air cleaning device in South Whitehall Township, **Lehigh County**.

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

21-03042: Dairy Farmers of America (4825 Old Gettysburg Road, Mechanicsburg, PA 17055) for a Natural Minor Operating Permit for two boilers in Lower Allen Township, **Cumberland County**.

21-03049: Pyrotech Inc. (1285 Claremont Road, Carlisle, PA 17013) for a Natural Minor Operating Permit for a refractory fabrication plant in Middlesex Township, **Cumberland County**.

21-05030: Ahlstrom Filtration, Inc. (122 West Butler Street, Mt. Holly Springs, PA 17065) for a Synthetic Minor Operating Permit for a paper manufacturing plant in Mt. Holly Springs Borough, **Cumberland County**.

21-05037: Union Quarries, Inc. (P. O. Box 686, Carlisle, PA 17013) for a Synthetic Minor Operating Permit for an asphalt plant in South Middleton Township, **Cumberland County**.

22-03014: Stewart-Amos Steel Inc. (4400 Paxton Street, Harrisburg, PA 17111) for a Natural Minor Operating Permit for a surface coating operation in Swatara Township, **Dauphin County**.

22-03025: John M. Shultz Funeral Home (406 Market Street, Lykens, PA 17048) for a Natural Minor Operating Permit for a crematorium in Lykens Borough, **Dauphin County**.

22-05003: Stroehmann Bakeries, LC (3996 Paxton Street, Harrisburg, PA 17111) for a Synthetic Minor Operating Permit for a bakery in Swatara Township, **Dauphin County**.

28-05019: Valley Quarries, Inc. (169 Quarry Road, Chambersburg, PA 17201) for a Synthetic Minor Operating Permit for an asphalt plant in Guilford Township, **Franklin County**.

36-03033: Bulova Technologies L.L.C. (101 North Queen Street, Lancaster, PA 17604) for a Natural Minor Operating Permit for metal finishing and coating operations in the City of Lancaster, **Lancaster County**.

36-05086: DONSCO, Inc. (P. O. Box 2001, Wrightsville, PA 17368) for a Synthetic Minor Operating Permit for an iron foundry in Mt. Joy Borough, **Lancaster County**.

36-05067: C&D Technologies, Inc. (82 East Main Street, Leola, PA 17540) for a Synthetic Minor Operating Permit for a lead-acid battery manufacturing plant in Upper Leacock Township, **Lancaster County**.

38-03014: Pennsylvania Lime, Inc. (P. O. Box 160, Annville, PA 17003) for a Natural Minor Operating

Permit for the Millard Quarry in North Londonderry Township, **Lebanon County**.

38-05008: Rich Maid Cabinetry (633 West Lincoln Avenue, Myerstown, PA 17067) for a Synthetic Minor Operating Permit for a cabinet manufacturing plant in Jackson Township, **Lebanon County**.

44-05012: DONSCO, Inc. (P. O. Box 2001, Wrightsville, PA 17368) for a Synthetic Minor Operating Permit for an iron foundry in Union Township, **Mifflin County**.

67-03023: J. E. Baker Co. (320 North Baker Road, York, PA 17404) for a Natural Minor Operating Permit for a limestone quarry in West Manchester Township, **York County**.

67-05049: Trenwyth Industries, Inc. (One Connelly Road, Emigsville, PA 17318) for a Synthetic Minor Operating Permit for an architectural block manufacturing plant in Manchester Township, **York County**.

67-05057: Fypon, Ltd. (22 West Pennsylvania Avenue, Stewartstown, PA 17363) for a Synthetic Minor Operating Permit for a molded millwork manufacturing plant in Stewartstown Borough, **York County**.

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

63-00069: Western Center (333 Curry Hill Road, Canonsburg, PA 15317) for installation of a boiler in Cecil Township, **Washington County**.

56-00253: Senate Coal Mines, Inc. (One Energy Place, Suite 5100, Latrobe, PA 15650) for operation of coal crushing and refuse reclaim at Acosta in Jenner Township, **Somerset County**.

56-00251: Genesis, Inc. (P. O. Box 552, Somerset, PA 15501) for operation of coal screening/stockpiling at Solar No. 7 Mine in Quemahoning Boro, **Somerset County**.

26-00473: Bullskin Tipple Co. (200 College Drive, Suite 300, Lemont Furnace, PA 15456) for operation of a railroad freight terminal at Bullskin Yard in Connellsville Township, **Fayette 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 an auxiliary aid, service or other accommodation to participate should contact the Regional Office identified below. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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.

46-00087: Gasboy International, Inc. (707 North Valley Forge Road, Lansdale, PA 19446) in Lansdale Borough, **Montgomery County**. The facility's major emission points include spraying and drying booths, which emit major levels of volatile organic compounds (VOCs).

46-00027: Ortho-McNeil Pharmaceutical (Welsh and McKean Roads, Spring House, PA 19477) in Lower Gwynedd Township, **Montgomery County**. The facility's major volatile organic compound (VOC) emission point is a coating process during the manufacturing of the finished dosage form of a pharmaceutical drug. Additional VOC and NO_x (Oxides of Nitrogen) sources include boilers, generators, solvent and fuel storage tanks, numerous laboratory hoods, a small printing shop and a waste consolidation area.

15-00015: Sartomer Co., Inc. (610 South Bolmar Street, West Chester, PA 19382) in West Chester Borough, **Chester County**. The facility's major emission points include: various acrylic ester monomer manufacturing processes, which have the potential to emit major levels of volatile organic compounds (VOCs) and nitrogen oxide compounds (NO_x).

46-00037: Cabot Performance Materials (P. O. Box 1608, Boyertown, PA 19512) in Douglass Township, **Montgomery County**. This company manufactures Tantalum and Niobium by processing mineral ores. This company is a major source volatile organic compounds from the ore digestion, tantalum process, niobium process, metal finishing and wastewater system at the facility.

15-00014: Norwood Industries, Inc. (57 Morehall Road, Frazer, PA 19355) in East Whiteland Township, **Chester County**. The facility's major emission points include: combustion units, four surface coating lines and a medical device manufacturing process, which emit major levels of volatile organic compounds (VOCs).

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

95-044: GATX Terminals Corp. (Allegheny Avenue and the Delaware River, Philadelphia, PA 19134) for operation of a petroleum product terminal. The facility's air emissions sources include a 6.7 MMBTU/hr boiler, a 13.4 MMBTU/hr boiler, storage tanks, tank car/truck/marine vessel loading, and fugitive emissions. Storage tanks with vapor recovery and six tank truck loading racks vent to a vapor incinerator. The facility has a carbon adsorption unit as a back-up to the vapor incinerator.

95-037: Rohm and Haas Co. (5000 Richmond Street, Philadelphia, PA 19137) for operation of a chemical manufacturing facility. The facility's air emissions sources include two 48.4 MMBTU/hr boilers, one emergency river pump, ion exchange resin processes, a UB process, a GOAL process, an ambersorb process, wastewater treatment, and groundwater remediation, and storage tanks. Control devices include scrubbers, cyclone collectors, and dust collectors.

95-047: Sunoco Chemicals — Frankford Plant (4700 Bermuda Street, Philadelphia, PA 19137-1193) for operation of a chemical manufacturing facility. The facility's air emissions sources include two 250 MMBTU/hr boilers, one 360 MMBTU/hr boiler, one MMBTU/hr boiler, five emergency generators, distillation columns, condensers, oxidation processes, reactors, phenol and alpha-methyl styrene loading, and storage tanks. Control devices include scrubbers, charcoal adsorbers, a thermal oxidizer, and a catalytic oxidizer.

95-038: Sunoco, Inc. (R&M)—Refinery (3144 Passyunk Avenue, Philadelphia, PA 19145) for the operation of a petroleum refinery. The facility's air emissions sources include eight boilers larger than 100 MMBTU/hr, heaters, cumene tank truck loading, benzene railcar unloading, propane loading, two Claus sulfur recovery plants, eight cooling towers, storage tanks, marine barge loading, inter-refinery pipeline equipment, two alkylation units, hydrogen purification, degreasing vats, a butane isomerization unit, wastewater sources, a benzene production unit, a cumene production unit and fugitives.

PLAN APPROVALS

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

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

09-310-062: Haines & Kibblehouse, Inc. (300 Skunk Hollow Road, Chalfont, PA 18914) for construction of a portable crushing plant in Hilltown Township, **Bucks County**.

46-0112: Palmer International, Inc. (2036 Lucon Road, Skippack, PA 19474) for installation of a thermal oxidizer in Skippack Township, **Montgomery County**.

09-310-064: Haines & Kibblehouse, Inc. (300 Skunk Hollow Road, Chalfont, PA 18914) for construction of a portable crushing plant in Hilltown Township, **Bucks County**.

09-310-063: Haines & Kibblehouse, Inc. (300 Skunk Hollow Road, Chalfont, PA 18914) for construction of a portable crushing plant in Hilltown Township, **Bucks County**.

15-0027C: Johnson Matthey (434 Devon Park Drive, Wayne, PA 19087) for installation of two coating lines and wet scrubber in Tredyffrin Township, **Chester County**.

46-0047: Mueller Streamline Co. (287 Wissahickon Avenue, North Wales, PA 19454) for modification of two vapor degreasers in Upper Gwynedd Township, **Montgomery County**.

46-0209: PPL Hatfield (Elroy Road, Hatfield, PA 19440) for installation of two (2) electric LM600 Turbines in Hatfield Township, **Montgomery County**.

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

66-399-003: Procter & Gamble Paper Products Co. (P. O. Box 32, Mehoopany, PA 18629) for construction of a central vacuum system for the diaper production area along Route 87 in Washington Township, **Wyoming County**.

54-322-003A: Commonwealth Environmental Systems L. P. (P. O. Box 249, Dunmore, PA 18512) for modification of the landfill (daily capacity limits) in Foster Township, **Schuylkill County**.

35-399-035: Corning, Inc. (Franklin Valley Road, Fleetville, PA 18420-0188) for construction of assembly and soldering benches in Benton Township, **Lackawanna County**.

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

06-05002A: Allentown Cement Co., Inc. (P. O. Box 619, Blandon, PA 19510-0619) for installation of two cyclones, two spray towers and two fabric collectors on two cement kilns in Maiden Creek Township, **Berks County**.

21-05064A: Atlas Roofing Corp. (802 Highway 19 North, Suite 190, Meridian, MS 39307) for a conversion over to a different blowing agent (that is, pentane) to be used in the production of foam insulating materials at their plant located at 817 Spangler Road, in Camp Hill Borough, **Cumberland County**. The majority of VOC emissions emanating from the process will be controlled by a thermal oxidizer.

06-05100A: Calpine Construction Finance Co., LP (The Pilot House, 2nd Floor, Lewis Warf, Boston, MA 02110) for transfer of Emission Reduction Credits to the proposed combined cycle electric generating plant in Ontelaunee Township, **Berks County**.

21-05021C: Arnold Fuel Oil, Inc. (P. O. Box 2621, Harrisburg, PA 17105) for installation of a back up Vapor Recovery Unit at Mechanicsburg North Terminal in Silver Spring Township, **Cumberland County**.

36-05019D: Anvil International, Inc. (1411 Lancaster Avenue, Columbia, PA 17512) for installation of a gray iron casting line at the Columbia Facility in Columbia Borough, **Lancaster County**. The installation will allow the facility to produce cast iron plumbing fixtures. The installation of equipment will result in a net decrease of particulate and an increase in volatile organic compounds (VOC). The particulate will be controlled by new and existing fabric collectors and the VOCs will be vented to the atmosphere. The plan approval will contain operational, recordkeeping and reporting requirements to ensure the facility is complying with all applicable air quality requirements. Upon completion of the construction and compliance of all conditions, the plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an Administrative Amendment.

36-05114: PPL Global LLC (Suite 400, 11350 Random Hills Road, Fairfax, VA 22030) for construction of four gas-fired simple cycle combustion turbines nominally rated at 45 MW each for electrical generation for a new facility in West Hempfield Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines.

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

59-00005B: Dominion Transmission Corp. (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15222-3199) for installation of a replacement air cleaning device (a "screw-in prechamber) on a 2,000 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine #6) at the Sabinsville Compressor Station in Clymer Township, **Tioga County**. The air cleaning device installation will not result in any change in the amount of nitrogen oxides or any other air contaminant allowed to be emitted from the engine but may result in a reduction in the emission rate of one or more air contaminants from the levels now actually occurring. This is a Title V facility.

41-0010A: Andritz, Inc. (35 Sherman Street, Muncy, PA 17756-1202) for construction of a 650 pound electric induction furnace and a thermal sand reclaimer and associated air cleaning device (a fabric collector) in Muncy Borough, **Lycoming County**.

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

63-911A: Twilight Industries (212 State Street, Belle Vernon, PA 15012) for installation of a coal crusher at the Lustik Surface Mine in Somerset Township, **Washington County**.

03-224A: McVile Mining Co. (R. D. 9, Box 379A, Kittanning, PA 16201) for operation of coal processing at Clementine #1 Mine in South Buffalo Township, **Armstrong County**.

26-521A: Thomas M. Dolfi Funeral Home (136 North Gallatin Avenue, Uniontown, PA 15401) for operation of Cremator #1 in Uniontown, **Fayette County**.

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

37-314A: Natural Sand & Gravel Co., Inc. (Plain Grove Road, Slippery Rock, PA 16075-0774) for construction of a non-metallic mineral processing facility (100 tons/hour) with baghouse control in Plain Grove and Scott Townships, **Lawrence County**.

Notice of Intent to Issue a Plan Approval and Amend a Title V Operating Permit

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue two plan approvals to Southdown, Inc. (2001 Portland Park, Wampum, PA 16157), for their plant located in Wampum Borough, **Lawrence County**. The facility currently has a Title V permit No. 37-00013. The 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. PA37013A is for the installation of slag feed equipment and the incorporation of slag as a raw material. This construction will result in no emission increases at the facility. The construction of material handling equipment at a Portland Cement production facility is subject to Federal NESHAP requirements defined in 40 CFR Part 63, Subpart LLL.

Plan approval No. PA37013A is for the installation of four baghouses on the existing clinker transfer system.

The installation of the baghouses on the transfer system will result in a particulate matter reduction of 5.40 tons/year.

The Plan Approvals and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)

Proposed Revision to the State Implementation Plan for Plain'n Fancy Kitchens, Inc. Heidelberg Township, Lebanon County

The Department of Environmental Protection (Department) is proposing to amend its State Implementation Plan (SIP) by withdrawing the existing facility specific SIP revision and to issue a new Plan Approval for Plain'n Fancy Kitchens, Inc. at Oak Street and Route 501, Schaefferstown, PA 17088.

The Department issued an operating permit (38-318-019C) to Plain'n Fancy Kitchens, Inc. on December 23, 1994 limiting the facility's Volatile Organic Compounds (VOC) emissions to less than 50 tons per year. Subsequently, U. S. EPA approved this Operating Permit on August 8, 1995, as a part of Pennsylvania's SIP. Plain'n Fancy Kitchens, Inc. submitted an application on May 10, 2000, to increase the facility's VOC emissions to 70 tons per year.

This proposal includes two actions: 1) Revocation of the existing facility specific SIP revision which limited the facility's VOC emissions to less than 50 tons per year of VOC. 2) Issuance of a new Plan Approval (38-02011). These actions do not adopt any new regulations.

The proposed Plan approval limits the facility's potential VOC emissions to 70 tons per year. Additional conditions require monitoring, testing, reporting, and recordkeeping requirements for the VOC sources at the facility. Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121-143, the Federal Clean Air Act and regulations adopted under the act.

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held on December 19, 2000, at the Schaefferstown Fire Company, Oak Street, Schaefferstown, PA 17087 from 1 p.m. until such a time as all scheduled comments on the proposal are received. The public is invited to comment on the proposed action and SIP revision revocation. Persons interested in commenting are invited to appear at the public hearing. Persons interested in submitting written comments should send their comments to Ranjan Roy, Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200 on or before December 29, 2000.

An appointment may be scheduled to review Plan Approval 38-02011A, and other pertinent documents at the Southcentral Regional Office by contacting Mary DiSanto at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1-1396.19a); the

Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District mining office indicated above each application. Where a 401 water quality certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for such certification.

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 86.31—86.34 and 77.121—77.123 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the mining activities listed below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. These NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

Coal Mining Applications Received:

56001301. Genesis, Inc. (P. O. Box 552, Somerset, PA 15501), to operate the Genesis No. 17 Mine in Lincoln,

Quemahoning and Somerset Townships, **Somerset County**, new deep mine permit application, 001—Higgins Run, 002 — 003 004 — Tribs to Beaver Dam Creek. Application received August 29, 2000.

0380302. Keystone Coal Mining Corp. (P. O. Box 219, Shelocta, PA 15774), to revise the permit for the Margaret No. 7 Mine in Cowanshannock and Plumcreek Townships, **Armstrong County** to re-designate an existing permit at the Margaret No. 7 Mine's upper and lower pool mine drainage sites as an Industrial Waste Permit, no additional discharges. Application received August 30, 2000.

63733708. Mon View Mining Corp. (5311 Progress Blvd., Bethel Park, PA 15102), to revise the permit for the Mathies Mine CRDA in Union Township, **Washington County**, slurry injection into abandoned deep mine, no additional discharges. Application received September 20, 2000.

30733707. Consolidation Coal Co. (P. O. Box 100, Osage, WV 26543), to renew the permit for the Robena CRDA in Monongahela and Green Townships, **Greene County** to renew the permit, no additional discharges. Application received August 28, 2000.

63851702. Consolidation Coal Co. (4000 Brownsville Rd., South Park, PA 15129), to renew the permit for the Westland Mine, Arden AMD Treatment Plant in Chartiers Township, **Washington County** to renew the permit, no additional discharges. Application received September 27, 2000.

03841305. Keystone Coal Mining Corp. (P. O. Box 219, Shelocta, PA 15774), to revise the permit for the Emilie No. 1 and 2 in South Bend Township, **Armstrong County**, revision to change the post mining land use of approximately 20.5 acres at the Emilie No. 9 drift portal area, no additional discharges. Application received October 11, 2000.

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

33930107. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Transfer of an existing bituminous strip operation from Leonard Yenzi in Pinecreek and Warsaw Townships, **Jefferson County** affecting 383.3 acres. Receiving streams: Unnamed tributary of Laurel Run to Little Mill Creek and unnamed tributaries to Little Mill Creek. Application received: April 10, 2000. Permit issued: October 30, 2000.

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

03960109. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Application received to change the postmining land use from forestland to land occasionally cut for hay at a bituminous surface mining site located in Valley Township, **Armstrong County**, affecting 113 acres. Receiving streams: unnamed tributary to Laurel Run and Laurel Run. Application received: October 25, 2000.

63890103. Pangersis Coal Company (165 Old McKee Road, Oakdale, PA 15071). Application received to renew permit for reclamation only at a bituminous surface mine located in Robinson Township, **Washington County**, affecting 28.5 acres. Receiving streams: unnamed tributary to Robinson Run. Application received: November 1, 2000.

03950110. Rosebud Mining Company (R. D. 9, Box 279A, Kittanning, PA 16201). Application received to renew permit for reclamation only at a bituminous

surface/auger mine located in Mahoning Township, **Armstrong County**, affecting 82.9 acres. Receiving streams: unnamed tributaries to Mahoning Creek. Application received: November 1, 2000.

03950106. TDK Coal Sales, Inc. (P. O. Box 259, Brockway, PA 15824). Application received for renewal of permit for reclamation only for a bituminous surface mining site located in Bradys Bend Township, **Armstrong County**, affecting 95.3 acres. Receiving streams: unnamed tributaries to Sugar Creek and to Sugar Creek. Application received: November 2, 2000.

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

17814000. T D K Coal Sales, Inc. (P. O. Box 259, Brockway, PA 15824), transfer of an existing bituminous surface mine permit from Al Hamilton Contracting Company, located in Penn Township, **Clearfield County** affecting 204.2 acres. Receiving streams: Irish Run and unnamed tributaries to Irish Run. Application received October 5, 2000.

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

49850701R3. Reading Anthracite Company (200 Mahantongo St., PO Box 1200, Pottsville, PA 17901), renewal of an existing coal refuse disposal operation in Coal Township, **Northumberland County** affecting 29.8 acres, receiving stream—none. Application received October 27, 2000.

Knox District Office, P. O. Box 669, Knox, PA 16232.
Noncoal Applications Received

1307-16950306-E-2. Ancient Sun, Inc. (P. O. Box 129, Shippenville, PA 16254). Application for a stream encroachment to upgrade an existing stream crossing over an unnamed tributary to Black Fox Run in Toby and Perry Townships, **Clarion County**. Receiving streams: Unnamed tributary to Black Fox Run. Application received: October 31, 2000.

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

Coal Applications Withdrawn

54820203T2. International Anthracite Corporation (213 South 16th Street, Pottsville, PA 17901), withdrawal of a permit transfer application in Hegins and Porter Townships, **Schuylkill County** affecting 200.0 acres, receiving stream—Each Branch Rausch Creek. Application received September 27, 2000. Application withdrawn October 30, 2000.

Bureau of Deep Mine Safety

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

The Department of Environmental Protection (Department) is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep

Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

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

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

Summary of the request: DLR Mining, Inc. requests a variance to use point carbon monoxide early warning fire detection system and entries in common with the belt conveyor entry in short term panels at the Nolo Mine.

APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS

The following permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317 as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Safety or Encroachment Permit, or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

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

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

E15-651. Encroachment. **Peter D. Melchiorre**, 1020 North Valley Road, Paoli, PA 19301. To maintain an existing fill which impacted approximately 0.32 acre of wetland in and along the 100-year floodplain of French Creek (TSF-MF). The site is located approximately 2,000 feet southeast of the intersection of Township Road and Mawere Road (Phoenixville, PA Quadrangle N: 2.25 inches; W: 4.25 inches) in Phoenixville Borough, **Chester County**.

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

E39-367. Encroachment. **County of Lehigh**, 17 South Seventh Street, Allentown, PA 18101-2400. To maintain the existing Basin Street Bridge across the Little Lehigh Creek (HQ-CWF) with work consisting of scour repairs to bridge piers and the construction of deflectors in Little Lehigh Creek. The project is located east of Klines Island at the Basin Street Bridge over Little Lehigh Creek, (Allentown East, PA Quadrangle N: 18.6 inches; W: 11.6 inches), City of Allentown, **Lehigh County** (Philadelphia District, U. S. Army Corps of Engineers).

E40-559. Encroachment. **Michael Forte**, 37 North Washington Street, Wilkes-Barre, PA 18701. To place fill in 0.13 acre of PSS wetlands for the purpose of constructing a residential dwelling on Lot No. 4 in Clifton Court. The project is located approximately 0.6 mile north of the intersection of Ashley Street and Middle Road, (Wilkes-Barre West, PA Quadrangle N: 16.3 inches; W: 9.7 inches), Hanover Township, **Luzerne County** (Baltimore District, U. S. Army Corps of Engineers). The applicant proposes wetland replacement by making a contribution to the Pennsylvania Wetland Replacement Project.

E45-401. Encroachment. **East Stroudsburg University**, 200 Prospect Street, East Stroudsburg, PA 18301-2999. To place fill in approximately 0.55 acre of PFO wetlands for the purpose of constructing an athletic field at East Stroudsburg University. The project is located on the eastern side of the campus along Mary Street, approximately 300 feet east of its intersection with Gwendolyn Street, (East Stroudsburg, PA Quadrangle N: 0.25 inch; W: 5.75 inches), East Stroudsburg Borough, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

E45-402. Encroachment. **Harry B. Kneezal**, R. R. 1, Box 198, Tannersville, PA 18372-9602. To remove the existing structure and to construct and maintain a private footbridge having a single span of approximately 62 feet an underclearance of approximately 8 feet across Pocono Creek (HQ-CWF). The project is located on the north side of S. R. 4006 (Camelback Road), approximately 200 feet east of the intersection of S. R. 4006 and Township Road T539, (Mount Pocono, PA Quadrangle N: 10.8 inches; W: 14.1 inches), Pocono Township, **Monroe County** (Philadelphia District, U. S. Army Corps of Engineers).

E52-167. Encroachment. **Wild Acres Lakes Property and Homeowners Association**, R. R. 1, Box 500, Dingmans Ferry, PA 18328. To remove the existing structure and to construct and maintain a road crossing of Hornbeck's Creek (HQ-CWF), consisting of an open-bottomed aluminum boxed culvert having a waterway opening of approximately 14.4 feet x 3.3 feet. The project is located on Doe Drive, approximately 1,500 feet south-east of Richard's Lake (Lake Maskenozha, PA-NJ Quadrangle N: 17.9 inches; W: 7.2), Delaware Township, **Pike County** (Philadelphia District, U. S. Army Corps of Engineers).

E64-213. 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 a prestressed concrete spread box beam bridge having a single span of 62.3 feet (19.00 meters) and underclearance of approximately 13.2 feet (4.03 meters) across Wallenpaupack Creek (HQ-CWF); to temporarily place fill in 0.4 acre (1,936 square meters) of PSS Wetlands for the purpose of maintaining a temporary roadway during construction of the new bridge; and to permanently place fill in a de minimis area of PSS wetlands equal to 0.03 acre (140 square meters).

The project is located along S. R. 0507, Segment 0230, Offset 1187 (Newfoundland, PA Quadrangle N: 12.0 inches; W: 9.1 inches), Dreher Township, **Wayne County**, and Greene Township, **Pike County** (Philadelphia District, U. S. Army Corps of Engineers).

E64-214. Encroachment. **Paul E. Saylor, Jr.**, R. R. 2, Box 2127, Equinunk, PA 18417. To dredge approximately 6 to 7 feet of material from an on-stream pond having a surface area of approximately 0.03 acre. The pond is situated on a tributary to south branch Equinunk Creek (HQ-CWF) on the east side of S. R. 1023, just north of S.G.L. 159, Long Eddy NY-PA Quadrangle N: 3.4 inches; W: 16.9 inches), Lebanon Township, **Wayne County** (Philadelphia District, U. S. Army Corps of Engineers).

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

E07-339. Encroachment. **Terry Wagner, Blair County Commissioners**, 423 Allegheny Street, Hollidaysburg, PA 16648. To remove an existing bridge and to construct and maintain a concrete culvert having a normal span of 12 feet and an underclearance of 3.6 feet in the channel of a tributary to the Frankstown Branch of the Juniata River (WWF) at a point at East Second Street (Williamsburg, PA Quadrangle N: 15.6 inches; W: 10.5 inches) in Williamsburg Borough, **Blair County**.

E28-282. Encroachment. **John Hart, Franklin County Commissioners**, 157 Lincoln Way East, Chambersburg, PA 17201. To remove the existing County Bridge #76, construct and maintain twin pre-cast concrete box culverts each having spans of 16.0 feet and a rise of 4.9 feet in the West Branch Antietam Creek (CFW). Channel realignment and widening of approximately 100 feet of upstream and 130 feet of downstream channel section is proposed. The project is located on Hess-Benedict Road (T-391) (Waynesboro, PA Quadrangle N: 11.0 inches; W: 10.7 inches) in Quincy Township, **Franklin County**.

E28-283. Encroachment. **John Hart, Franklin County Commissioners**, 157 Lincoln Way East, Chambersburg, PA 17201. To remove the existing County Bridge #74 and to construct and maintain twin pre-cast concrete box culverts each having spans of 11 feet with a rise of 4.75 feet in the West Branch Antietam Creek (CWF). Channel realignment and widening of approximately 60 feet of upstream and 105 feet of downstream channel section is proposed. Project is located on Stamey Hill Road (T-399) (Waynesboro, PA Quadrangle N: 15.9 inches; W: 9.7 inches) in Quincy Township, **Franklin County**.

E28-284. Encroachment. **John Hart, Franklin Cnty Comm**, 157 Lincoln Way East, Chambersburg, PA 17201. To remove the existing County Bridge #75 and to construct and maintain twin pre-cast concrete box culverts each having spans of 13.0 feet and a rise of 4.5 feet in the West Branch Antietam Creek (CWF). Channel realignment and widening of approximately 30 feet of upstream and 125 lineal feet of downstream channel section is proposed. The project is located on Mt. Zion Road (T-397) (Waynesboro, PA Quadrangle N: 13.9 inches; W: 10.2 inches) in Quincy Township, **Franklin County**.

E31-166. Encroachment. **Charles Querry**, R. D. 4, Box 433, Tyrone, PA 16686. To construct and maintain a stream crossing consisting of three 42-inch by 29-inch corrugated metal pipe arch culverts in the channel of

Logan Spring Run (WWF) at a point approximately 1,500 feet upstream of the Route 550 crossing (Tyrone, PA Quadrangle N: 10.7 inches; W: 8.8 inches) in Warriors Mark Township, **Huntingdon County**.

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

E02-1324. Encroachment. **J. West Corporation**, 222 Oxford Boulevard, Allison Park, PA 15101. To place and maintain fill on the right bank of the Allegheny River (WWF), to place and maintain fill in approximately 0.17 acre of wetlands and to construct and maintain two outfall structures on the right bank of said stream for the purpose of constructing the Cove at St. Charles residential development located on the south side of St. Charles Court, approximately 300 feet west from the intersection of Boyd Avenue, River Road and St. Charles Court (Braddock, PA Quadrangle N: 21.8 inches; W: 14.4 inches) in O'Hara Township and Baldwin Borough, **Allegheny County**.

E03-390. Encroachment. **Boggs Township Supervisors**, R. D. 1, Box 49A, Templeton, PA 16259. To remove the existing structure (Township Bridge No. 33) and to construct and maintain a bridge having a normal clear span of 20 feet and an underclearance of 6.9 feet across Scrubgrass Creek (CWF) located on T-822 at a point approximately 200 feet from its intersection with T-632. Also to construct and maintain temporary diversion devices in the channel during construction (Distant, PA Quadrangle N: 5.69 inches; W: 16.99 inches) in Boggs Township, **Armstrong County**.

E26-275. Encroachment. **Kenneth Nicholson, Jr.**, P. O. Box 201, Normalville, PA 15469. To construct and maintain a 125-foot long, 8-foot diameter pipe stream enclosure in Irish Run (WWF) for the purpose of providing additional parking for Fat Boys Lounge located along S. R. 119 South approximately 0.5 mile north of its intersection with S. R. 982 (Connellsville, PA Quadrangle N: 11.25 inches; W: 8.95 inches) in Bullskin Township, **Fayette County**.

E32-427. Encroachment. **Pine Township**, P. O. Box 89, Heilwood, PA 15745-0089. To remove the existing structure and to construct and maintain a 40-foot long culvert consisting of four 5-foot diameter pipes (invert depressed 4 inches) in Dutch Run (CWF) located on T-585 (Kinter Station Road) at a point approximately 0.5 mile east of its intersection with S. R. 1013. Also to place and maintain rock rip rap at the structure's inlet and outlet (Colver, PA Quadrangle N: 19.38 inches; W: 15.77 inches) in Pine Township, **Indiana County**.

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

E25-622. Encroachment. **PA Department of Transportation, District 1-0**, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. To install concrete paving 1-foot below the existing streambed and maintain the 480-foot long concrete arch stream enclosure having a span of 21 feet and a rise of 12 feet in Twelvemile Creek (HQ-CWF; MF) on S. R. 0090, Segment 0384, Offset 1789 approximately 2.4 miles east of exit 10A (North East, PA-NY Quadrangle N: 7.9 inches; W: 13.8 inches) in North East Township, **Erie County**.

DAM SAFETY

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

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

D02-098A. Dam. **Adam and Becky Slade** (2510 Wexford Bayne Road, Sewickley, PA 15143). To modify, operate and maintain Adam and Becky Slade Dam across Rippling Run (TSF), for the purpose of making repairs and meeting current design standards for dams. Work includes replacing the primary spillway, constructing a new emergency spillway, constructing a forebay in the upstream section of the lake to reduce sedimentation in the remaining portion of the lake. (Emsworth, PA Quadrangle N: 18.4 inches; W: 15.7 inches) in Franklin Park Borough, **Allegheny County**.

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.

EA46-032CO. Environmental Assessment. **Robert Levy, Jr., President** (Talamore at Oak Terrace, 723 Talamore Drive, Ambler, PA 19002). To remove a partially breached dam across a tributary to Park Creek (WWF, MF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 1,100 feet northeast of the intersection of Talamore Drive and State Route 63 (Ambler, PA Quadrangle N: 12.75 inches; W: 10.75 inches). Horsham Township, **Montgomery County**.

WATER ALLOCATIONS

Applications filed under the act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.

Southcentral Regional Office: Water Supply Management Program, Sanitarian Regional Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.

Permit No. WA06-1015. Water Allocation. **Citizens Utilities Water Company of Pennsylvania, Berks County.** *Responsible Official:* Brian Hassinger, P. O. Box 6342, 4 Wellington Blvd., Wyomissing, PA 19610. Request: Right to purchase 330,000 gallons per day (mgd) on a monthly basis from the Western Berks Water Authority to serve Rosewood Hills area of the Penn District service area. *Consulting Engineer:* Darryl Jenkins, P. E., Citizens Utilities, P. O. Box 6342, 4 Wellington Blvd., Wyomissing, PA 19610. *Application received:* September 18, 2000.

STORAGE TANKS

SITE SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site Specific Installation Permit application has been received by the Department and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Watershed Conservation, Division of Storage Tanks, P. O. Box 8762, Harrisburg, PA

17105-8762, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based.

<i>SSIP Application Number</i>	<i>Applicant Name and Address</i>
00027	Steven W. Crain Panda Perkiomen Power, L. P. Suite 1001 4100 Spring Valley Dallas, TX 75422

<i>County and Municipality</i>	<i>Tank Type and Capacity</i>
Montgomery County Upper Hanover Township	1 AST storing Aqueous Ammonia 20% Solution 60,000 gallons 1 AST storing Acid (Sulfuric) 95% Solution 6,000 gallons 1 AST storing Caustic (Sodium Hydroxide) 25% or 50% Solution 6,000 gallons 2 ASTs storing Biocide Storage Tanks—15% Sodium Hypochlorite 2,000 gallons each 1 AST storing Diesel Generator Fuel Oil Tank 1,600 gallons 2 ASTs storing Steam Turbine Lubricating Oil Tanks 5,000 gallons each 4 ASTs storing Combustion Turbine Lubricating Oil Tanks 6,000 gallons each

ACTIONS

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

[National Pollution Discharge Elimination System Program (NPDES)]

DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed

with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

Industrial waste and sewerage actions under The Clean Streams Law (35 P. S. §§ 691.1—691.100).

Permits Issued

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

NPDES Permit No. PA0026867 Amendment No. 2. Sewage. **Abington Township**, 1176 Old York Road, Abington, PA 19001. The applicant is authorized to discharge from a facility in Upper Dublin Township, **Montgomery County**.

NPDES Permit No. PA0055972 Permit Transfer. Sewage. **Joseph M. Davis Owner**, 411 Tudor Road, Collegeville, PA 19426. The applicant is authorized to discharge from a facility in Perkiomen Township, **Montgomery County**.

NPDES Permit No. PA0058106. Sewage. **Doug Jones, Owner**, 229 Goshen Road, Apartment B, Schwenksville, PA 19473. The applicant is authorized to discharge from a facility in Douglass Township, **Montgomery County**.

NPDES Permit No. PA0056642. Sewage. **Meenan Oil Company**, 8301 Lansdowne Avenue, Upper Darby, PA 19082. The applicant is authorized to discharge from a facility in Upper Darby Township, **Delaware County**.

NPDES Permit No. PA0056006. Sewage. **Nicholas M. Caban, Owner**, 136 Haldeman Road, Schwenksville, PA 19473. The applicant is authorized to discharge from a facility in Perkiomen Township, **Montgomery County**.

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

WQM Permit No. 5400403. Sewerage Industrial Waste. **Schuylkill County Municipal Authority**, 221 South Centre Street, P. O. Box 960, Pottsville, PA 17901, is authorized to construct a pump station and force main to serve the Foster Township, Schuylkill Highridge Business Park, CES Landfill, and Butler Township, **Schuylkill County**.

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

Permit No. PA0054852 Amendment No. 1. Sewerage. **Western Berks Refuse Authority**, 455 Poplar Neck Road, Birdsboro, PA 19508 is authorized to discharge from a facility located in Cumru Township, **Berks County** to the receiving waters named Schuylkill River.

Permit No. PA0041220. Sewerage. **Hershey Conewago Recreaground, LLC.**, P. O. Box 449, Hershey, PA 17033 is authorized to discharge from a facility located in Conewago Township, **Lancaster County** to the receiving waters named UNT to the Conewago Creek in Watershed 7-G.

Northcentral Regional Office: 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.

Permit NPDES PA0114472. Sewerage. **Cherry Township Board of Supervisors**, R. R. 1, Box 1283BB, Dushore, PA 18614-9804. Renewal granted to existing NPDES permit for facility located at Cherry Township, **Sullivan County**.

Permit NPDES PA0209236. Sewerage. **Borough of Tioga**, P. O. Box 158, Tioga, PA 16946-0158. Renewal granted to existing NPDES permit for facility located at Tioga Township, **Tioga County**.

Permit NPDES PA0114588. Industrial Waste. **Sunoco Inc R & M**, 10 Penn Center, 1801 Market Street, Philadelphia, PA 19103-1699. Renewal granted to existing NPDES permit for facility located at State College Borough, **Centre County**.

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

NPDES Permit No. PA0094994. Sewage. **Kennywood Entertainment Partners, L. P.**, 4800 Kennywood Boulevard, West Mifflin, PA 15122 is authorized to discharge from a facility located at Idlewild Park Sewage Treatment Plant, Ligonier, **Westmoreland County** to receiving waters named Loyalhanna Creek.

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

NPDES Permit No. PA0023124. Sewerage. **Albion Borough Municipal Authority**, 15 Smock Avenue, Albion, PA 16401 is authorized to discharge from a facility located in Conneaut Township, **Erie County** to Conneaut Creek.

NPDES Permit No. PA0000167. Industrial Waste. **Transportation Investment Group—Union Electric Steel Corporation**, Greengarden Electro Slag Remelt Facility, 7005 West Pine Gate Road, Fairview, PA 16415 is authorized to discharge from a facility located in the City of Erie, **Erie County** to an unnamed tributary to Cascade Creek.

WQM Permit No. 2000411. Sewerage. **Trustees of Conneaut Lake Park, Inc.**, 12382 Center Street, Conneaut Lake, PA 16316. This project is for the conversion of an abandoned wastewater treatment plant into an equalization tank in Sadsbury Township, **Crawford County**.

WQM Permit No. 2500418. Sewerage. **Mark T. Hopson SRSTP**, 8658 Haft Rd., Erie, PA 16510. Construction of Mark T. Hopson SRSTP located in Greene Township, **Erie County**.

WQM Permit No. 6200412. Sewerage. **Rebecca L. Gafner SRSTP**, 6 Bradley St., Warren, PA 16365. Construction of Rebecca L. Gafner SRSTP located in Pine Grove Township, **Warren County**.

INDIVIDUAL PERMITS

(PAS)

The following NPDES Individual Permits for Discharges of Stormwater from Construction Activities have been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant's Name and Address</i>	<i>County Municipality</i>	<i>Receiving Stream or Body of Water</i>
PAS10-G008-R	Toll Brothers, Inc. 3103 Philmont Avenue Huntingdon Valley, PA 19006	Easttown Township Chester County	Unnamed Tributary to Crum Creek (HQ-CWF)
PAS10-G161-R	The Pulte Home Corporation of Delaware Valley 1210 Northbrook Drive Suite 150 Trevose, PA 19053	Schuylkill Township Chester	Pickering Creek Reservoir (HQ-TSF)

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's Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream Body of Water</i>
PAS10R036	Chris L. Rau HC2, Box 2573 Jim Thorpe, PA 18229	Luzerne County Dennison Township	Mill Creek HQ-CWF
PAS10S091	Steven Setar and Nyles Possinger 44 Overlook Dr. Stroudsburg, PA 18360	Monroe County Jackson Township	Kettle Creek/ McMichaels Creek HQ-CWF
PAS10U126	Joseph Trinkle Director of Development Liberty Property, L. P. 1510 Valley Center Parkway Suite 240 Bethlehem, PA 18017	Northampton County Hanover Township	Catasauqua and Monocacy Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County Municipality</i>	<i>Receiving Stream or Body of Water</i>
PAS102514	GKN Sintered Metals Inc. P. O. Box D St. Marys, PA 15857 Dobson Excavation Cherry Road Kersey, PA 15846	Elk County Fox Township	Byrnes Run (EV)

INDIVIDUAL PERMITS

(PAR)

Notice of Intent (NOI) for coverage under NPDES and/or other General Permits

The following parties have submitted (1) Notices of Intent (NOIs) for Coverage under General NPDES Permits to discharge wastewater into the surface 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
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>
New Garden Township Chester County	PAR10-G393	Orleans Homebuilders 3333 Street Road Suite 101 Bensalem, PA	West Branch Red Clay Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Marlborough Township Chester County	PAR10-G353	DCW, Inc. 214 Kirkbrau Road Kennett Square, PA	Red Clay Creek (WWF-MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Fallowfield Township Chester County	PAR10-G356	Fallowfield Development Company 1532 Richard Drive West Chester, PA	Dennis Run (WWF-MF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Collegeville Borough Montgomery County	PAR10-T619	Ursinus College Main Street Collegeville, PA	Perkiomen Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lower Gwynedd Township Montgomery County	PAR10-T630	Philomeno and Salamone 450 S. Gravers Rd. Plymouth Meeting, PA	Unnamed Tributary to Wissahickon Creek	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130

NOTICES

6001

<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>
New Hanover Township Montgomery County	PAR10-T656	Nicholas P. Fioravanti 2978 Reifsnnyder Rd. Gilbertsville, PA	Swamp Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Hatfield Township Montgomery County	PAR10-T640	TH Properties, Inc. 345 Main Street Harleysville, PA 19438	Unnamed Tributary to Towamencin Creek (TSF)	Department of Environmental Protection Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Lehigh County N. Whitehall Township	PAR10Q147	N. Whitehall Township Janet Talotta 3256 Levans Rd. Coplay, PA 18037	Coplay Creek CWF	Lehigh CD (610) 391-9583
Lehigh County N. Whitehall Township	PAR10Q148	Nuss Enterprises Leonard Nuss 2632 Old Post Rd. Coplay, PA 18037	Coplay Creek CWF	Lehigh CD (610) 391-9583
Northampton County Upper Mt. Bethel Township	PAR10U143	Stephan J. Setar 44 Overlook Drive Stroudsburg, PA 18360	Allegheny Cr. CWF	Northampton CD (610) 746-1971
Elk County City of St. Marys	PAR102520	St. Marys Clay Products Co. 1764 Bucktail Trail St. Marys, PA 15857	Elk Creek (CWF)	Elk Conservation District Elk County Courthouse P. O. Box 448 Ridgway, PA 15853 (814) 776-5373
Erie County Millcreek Township	PAR10K170	Paul Luciano 7950 Palmer Drive Fairview, PA 16415	Unnamed Tributary to Walnut Creek (CWF; MF)	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203

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>
Lancaster County Columbia Borough	PAR203527	Colonial Metals Company 217 Linden Street P. O. Box 311 Columbia, PA 17512-0311	Susquehanna River	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Union County White Deer Township	PAR804835	Pillings FRP R. R. 1, Box 75 New Columbia, PA 17856	West Br. Susquehanna	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Sandycreek Township Venango County	PAR208347	Timken Latrobe Steel—Sandycreek Service Center 2626 Ligonier Street P. O. Box 31 Latrobe, PA 15650	Unnamed Tributary to Morrison Run	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Dauphin County East Hanover Township	PAG043535	Mark Malone 273 North Mill Road Harrisburg, PA 17112	UNT to Manada Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bradford County Monroe Township	PAG044893	Carol J. Beirne R. R. 4, Box 273C Towanda, PA 18848	UNT to Towanda Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Lycoming County Bastress Township	PAG044834	Howard and Dorothy Smith 4825 Rte 654 Highway Williamsport, PA 17702-9502	UNT Bender Run	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Centre County Union Township	PAG044831	Frederick G. Moore 318 Walker Hollow Rd. Bellefonte, PA 16823	UNT Bald Eagle Creek	Northcentral 208 W. Third St. Williamsport, PA 17701 (717) 327-3664
Westmoreland County Mt. Pleasant Township	PAG046104	George Lazur R. D. 4, Box 1895 Mt. Pleasant, PA 15666	Tributary of Boyer Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Greene Township Erie County	PAG048695	Mark T. Hopson 8658 Haft Road Erie, PA 16510	Unnamed Tributary to Fourmile Creek	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pine Grove Township Warren County	PAG048698	Rebecca L. Gafner 6 Bradley Street Warren, PA 16365	Unnamed Tributary of Wiltsie Run	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Conewango Township Warren County	PAG048340	Edward W. and Barbara C. McCullough 630 Liberty Street Extension Warren, PA 16365	Unnamed Tributary of Conewango Creek	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Sugar Grove Township Warren County	PAG048352	Robert A. and Mary A. Marasco R. R. 1, Box 85C Youngsville, PA 16371	Tributary to Irvine Run	DEP Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Berks County Exeter Township	PAG053543	PA Historical & Museum Commission Daniel Boone Homestead 400 Daniel Boone Road Birdsboro, PA 19508	Otawin Creek	DEP—Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Washington County Washington City	PAG056146	United Refining Co. of PA 11 Bradley Street P. O. Box 688 Warren, PA 16365	UNT of Catfish Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

**SEWAGE FACILITIES ACT
PLAN APPROVAL**

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

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

Location: Jackson Township, Tioga County.

Project Description: Construction of sewage collection and conveyance system consisting of approximately 44,100 feet of 8-inch sewer and 4,000 feet of 4-inch force main to serve the villages of Millerton and Jackson Summit as well as the SR 0328 corridor between these two villages. A pump station will be located southwest of Millerton. A new 100,000 gallon per day extended aeration sewage treatment plant will be constructed northeast of Millerton with discharge to Hammond Creek. Approximately 283 existing EDUs will be served by this project.

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

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

Location: Garda's Restaurant at the Intersection of S. R. 0066 and Township Rd. T-522. Manor Township, Armstrong County.

Project: Approval of a revision to the Official Sewage Facilities Plan of Manor Township, **Armstrong County**. Project involves construction of a small flow sewage treatment facility to service an existing restaurant. Treated effluent is to be discharged to Crooked Creek.

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

Location: City of Corry, Erie County. Municipal Authority of the City of Corry, 100 South Center Street, Corry, PA 16407.

Project Description: This approved project proposes construction of a new pump station adjacent to the existing Avenue A Pump Station. The pump station will be designed to handle 1.15 mgd dry-weather flows and 6.0+

mgd wet weather flows. A new 18" force main, parallel to the existing force main will be constructed. Several short-term improvements to the Sewage Treatment Plant to enhance operation and maintenance are included.

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

SAFE DRINKING WATER

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

Southcentral Regional Office: Sanitarian Regional Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.

Permit No. 0600505. Public water supply. **Washington Township Municipal Authority, Berks County.** *Responsible Official:* Newton T. Longacre, Authority Chairperson, P. O. Box 421, Bally, PA 19503-0421. *Type of Facility:* New consecutive community water system comprised of a distribution system only. *Consulting Engineer:* Richard L. Hinkle, Gilmore & Associates, Inc., 331 Butler Avenue, New Britain, PA 18901. *Permit to Construct Issued:* September 15, 2000.

Permit No. 0698506. Public water supply. **Filippini Real Estate, Inc., Berks County.** *Responsible Official:* Edmidio Filippini, 17 Augusta Lane, Fleetwood, PA 19522. *Type of Facility:* Issued permit to construction of two wells with treatment to serve the Golden Oaks Subdivision. *Consulting Engineer:* Timothy Krall, P.E., Vitillo Corporation. *Permit to Construct Issued:* October 16, 2000.

Permit No. 0600502. Public water supply. **Cornell Corrections, Inc., New Morgan Borough, Berks County.** *Responsible Official:* Thomas Rathjen, 4801 Woodway, Suite 100E, Houston, TX 77056-1805. *Type of Facility:* Public water supply Well No. 5 as a second source with disinfection and pH adjustment. *Consulting Engineer:* Daniel R. Hudson, P.E., Evans Mill Environmental, Inc., P. O. Box 735, 101 Fellowship Road, Uwchland, PA 19480-0735. *Permit to Operate Issued:* October 20, 2000.

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

Permit No. Minor Amendment. The Department issued an Operation Permit to **Wellsboro Municipal Authority**, 28 Crafton Street, Wellsboro, PA 16901, Wellsboro Borough, **Tioga County**. The permit will allow operation of the sedimentation basin with the new cover.

Permit No. 1498505 Operation Temporary #2. The Department issued an Operation Temporary Permit to **College Township Water Authority**, 1481 East College Avenue, State College, PA 16801, College Township, **Centre County**. This permit authorizes temporary operation of Spring Creek Park Well, a disinfection system, a sequestration system and a pump station.

Permit No. 1791503. The Department issued a Revised Operation Permit to **Clearfield Municipal Authority**, 107 East Market Street, Clearfield, PA 17830, Clearfield Borough, **Clearfield County**. This revised permit condition is to limit maximum flow from all wells to 740 gallons a minute.

Permit No. 1799502. The Department issued an Operation Permit to **Clearfield Municipal Authority**, 107 East Market Street, Clearfield, PA 17830, Clearfield Borough, **Clearfield County**. This permit authorizes operation of Wells 4 and 5 as permanent supply sources that will be treated at the Montgomery Creek Filter Plant.

Permit No. Minor Amendment. The Department issued an Operation Permit to **Clearfield Municipal Authority**, 107 East Market Street, Clearfield, PA 17830, Clearfield Borough, **Clearfield County**. This permit amendment authorizes operation of a finished water storage tank, booster pumping facilities and water transmission and distribution lines to provide public water service to the Mount Zion area of Lawrence Township.

Permit No. Minor Amendment. The Department issued a construction permit to **Shamokin Dam Borough Water System**, 144 West Eighth Avenue, PO Box 273, Shamokin Dam, PA 17876, Shamokin Dam Borough, **Snyder County**. This minor amendment authorizes construction of a 10-inch diameter direct feed line in the new elevated welded steel finished water storage tank. This direct feed line will allow the supply of water directly from the treatment plant to the elevated tank.

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

Permit No. 0399502. Public Water Supply. **South Buffalo Township Municipal Authority**, P. O. Box 266, Iron Bridge Road, Freeport, PA 16229-0266.

Type of Facility: Kenneth R. VanDyke Storage Tank, Permit issued for Operation: October 27, 2000.

Permit No. 0200501. Public Water Supply. **Harrison Township Water Authority**, 1705 Rear Freeport Road, Natrona Heights, PA 15065. *Type of Facility: Harrison Township Water Storage Tanks, Permit issued for Construction: October 23, 2000.*

Northwest Regional Office: Regional Manager; Water Supply Management, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6899.

3300501. Public Water Supply. **Brockway Borough Municipal Authority**, 501 Main Street, Brockway, PA 15824. Permit issued for the construction and development of groundwater supply well at Rattlesnake Reser-

voir (Well No. 5) in Snyder Township, **Jefferson County**. *Type of Facility: Municipal Authority*

Consulting Engineer: Robert A. Reisinger, Project Manager, Glace Associates, Inc., Consulting Engineers, 3605 Trindle Road, Camp Hill, PA 17011.

Construction Permit Issued: November 1, 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 non-residential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, 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:

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

Boeing Company Helicopters, Ridley Township and Eddystone Borough, **Delaware County**. Colleen Costello, P.G., Langan Engineering & Environmental Services, Inc., 500 Hyde Park, Doylestown, PA 18901-1699, has submitted a Final Report concerning remediation of site soil contaminated with BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and heavy metals and groundwater, surface water and sediment contaminated with BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons, solvents and heavy metals. The report is intended to document remediation of the site to meet Statewide health, background and site-specific standards.

Riverfront North Site—Property A, Bristol Borough, **Bucks County**. Michael A. Christie, P.G., Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals, solvents, and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

James Armour Site, City of Philadelphia, **Philadelphia County**. Thomas G. May, P.E., Urban Engineers, Inc., 530 Walnut Street, 14th Floor, Philadelphia, PA 19106-3685, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. Since the site now meets the Statewide health standard, the report was prepared in accordance with the Statewide health standard format. It had previously been expected that a site-specific standard would be necessary as was published as such in the February 28, 1998 *Pennsylvania Bulletin*. The Final Report is intended to document remediation of the site to meet the Statewide health standard.

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

Tokarczyk Property (540 Altamont Boulevard), West Mahanoy Township, **Schuylkill County**. Eric P. Roberts, Principal Engineer, Excalibur Group LLC, 19709 Frederick Road, Suite 440, Germantown, MD 21770 has submitted a Final Report (on behalf of Leonard Tokarczyk and George Tokarczyk, North Railroad Avenue, Frackville, PA 17931) concerning the remediation of site soils and groundwater found or suspected to have been contaminated with gasoline. The report was submitted to document remediation of the site to meet the Background 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.

All American Truck Plaza Carlisle, Middlesex Township, **Cumberland County**. Hydrocon Services, Inc., 2945 South Pike Avenue, Allentown, PA 18103 and All American Truck Plazas, Inc., Box 302, Bethel, PA 19507 have submitted a Final Report concerning remediation of site soils contaminated with BTEX and PAHs. The report is intended to document remediation of the site to the Statewide health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

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

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act (Act). Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report, and cleanup plan. A remedial investigation report includes conclusions

from the 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, 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:

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

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 final report concerning the remediation of site soils contaminated with BTEX, PHCs and PAHs. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on October 27, 2000.

Teledyne Amco, Mohnton Borough, **Berks County**. Teledyne Industries, Inc., c/o ATI, 1000 Six PPG Place, Pittsburgh, PA 15222 has submitted a combined remedial investigation and baseline risk assessment report concerning the remediation of site soils, groundwater, surface water and sediment contaminated with solvents. The report was disapproved by the Department on November 2, 2000.

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

Abandoned Garnier Portfolio Site, City of Sunbury, **Northumberland County**. Coca-Cola Enterprises, Inc., 2500 Windy Ridge Parkway, Suite 700, Atlanta, GA 30339 has submitted a Final Report concerning the remediation of site soil contaminated with lead, heavy metals, solvents and PAHs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 16, 2000.

SOLID AND HAZARDOUS WASTE LICENSE TO TRANSPORT HAZARDOUS WASTE

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

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

Monarch Transport Environmental Services, P. O. Box 330, Woodstown, NJ 08098; License No. PA-AH 0558; amended license issued November 2, 2000.

License expired under the Solid Waste Management Act (35 P. S. §§ 6018.1001—6018.1003) and regulations for license to transport hazardous waste.

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

Ahles Pump & Tank Company, Inc., 5302 Brown Road, Verona, NY 13478; License No. PA-AH S234; license expired on October 31, 2000.

Keystone Petroleum Equipment, LTD, 981 B Trindle Road W., Mechanicsburg, PA 17055; License No. PA-AH 0540; license expired on October 31, 2000.

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

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

AES Transportation, Inc., 4990 Grand Avenue, Pittsburgh, PA 15225; License No. PA-AH 0671; license issued October 31, 2000.

Heritage-Crystal Clean, LLC, 3970 W. 10th Street, Suite A, Indianapolis, IN 46222; License No. PA-AH 0672; license issued November 2, 2000.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit I. D. No. 301256. Martins Creek SES Ash Basin No. 1, PPL Martins Creek, LLC, Two North Ninth Street, Allentown, PA 18101-1179. A permit reissuance, transferring Permit No. 301256, Martins Creek SES Ash Basin No. 1 from PPL to PPL Martins Creek, LLC for this captive, Class II residual waste disposal impoundment, located in Lower Mount Bethel Township, **Northampton County. The permit was reissued in the Regional Office on October 30, 2000.**

Permit I. D. No. 301257. Martins Creek SES Ash Basin No. 4, PPL Martins Creek, LLC, Two North Ninth Street, Allentown, PA 18101-1179. A permit reissuance,

transferring Permit No. 301257, Martins Creek SES Ash Basin No. 4 from PPL to PPL Martins Creek, LLC for this captive, Class II residual waste disposal impoundment, located in Lower Mount Bethel Township, **Northampton County**. The permit was reissued in the Regional Office on October 30, 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.

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

17-15A: Kriebel Minerals, Inc. (P. O. Box 765, Clarion, PA 16214) on October 31, 2000, for construction and operation of a 450 horsepower natural gas-fired engine and associated air cleaning device (a catalytic converter) pursuant to the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP5) in Knox Township, **Clearfield County**.

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

24-152: Atlas America Inc., Boone Mountain Station (County Line Road, St. Marys, PA 15857) on October 31, 2000, for a natural gas fired compressor engine in Horton Township, **Elk County**.

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

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

37-00264: Ellwood Quality Steels Co. (700 Moravia Street, New Castle, PA 16101) for an Administrative Amendment made to the facility's Title V Operating Permit to incorporate newly applicable requirements from Plan Approvals PA37-264C and PA37-264D in New Castle, **Lawrence 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.

15-0078: Centocor, Inc. (200 Great Valley Parkway, Malvern, PA 19355) on November 3, 2000, for operation of a Facility NO_x/VOC RACT in East Whiteland Township, **Chester County**.

46-0202: Nanosystems elan Pharmaceuticals Tech. (3000 Horizon Drive, King of Prussia, PA 19406) on November 3, 2000, for operation of an emergency electric generator in Upper Merion Township, **Montgomery County**.

46-0123: Wesco Industrial Products, Inc. (1250 Welsh Road, Lansdale, PA 19446) on November 3, 2000, for operation of spray paint booths in **Montgomery County**.

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

17-305-045: King Coal Sales, Inc. (P. O. Box 712, Phillipsburg, PA 16866) on October 3, 2000, for operation of a rotary coal breaker and diesel engine in Morris Township, **Clearfield County**. The coal breaker is subject to Subpart Y of the Federal Standards of Performance for New Stationary Sources.

47-303-003: HRI, Inc. (1750 West College Avenue, State College, PA 16804-0155) on October 10, 2000, to operate a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) in Liberty Township, **Montour County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

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

37-00003: Essroc Cement (2nd Street, Bessemer, PA 16112) for a Title V Operating Permit on November 2, 2000, for operation of the cement manufacturing facility in Bessemer Borough, **Lawrence County**. This operating permit included approval to utilize tire-derived fuels in the cement kilns at the facility.

PLAN APPROVALS

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

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

15-0086A: Bakery Feeds, Inc. (97 Westbrook Drive, Honey Brook, PA 19344) on November 2, 2000, for operation of a Regenerative Thermal Oxidizer (RTO) in West Brandywine Township, **Chester County**.

09-0009B: Webcraft Direct Marketing, Inc. (4371 County Line Road, Chalfont, PA 18914) on November 2, 2000, for operation of a Web Offset Press in New Britain Township, **Bucks County**.

46-0169B: H & N Packaging, Inc. (92 County Line Road, Colmar, PA 18915) on November 3, 2000, for operation of a five color Flexographic Printing Press in Hatfield Township, **Montgomery County**.

15-0074A: R. A. Ferris & Co., Inc. (899 Fern Hill Road, West Chester, PA 19380) on November 3, 2000, for operation of a gas fired cremation unit in West Goshen Township, **Chester County**.

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

45-318-031: Tobyhanna Army Depot (Attention AMSEL-TY-RK-E, 11 Hap Arnold Boulevard, Tobyhanna, PA 18466) on October 27, 2000, for construction of a paint spray booth and associated air cleaning device in Coolbaugh Township, **Monroe County**.

39-304-009C: Ransom Industries LP (101 North Church Street, Macungie, PA 18062) on October 30, 2000, for modification of grinding stations in Macungie Borough, **Lehigh County**.

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

19-317-023C: Heinz Pet Products (6670 Low Street, Bloomsburg, PA 17815-8607) on October 2, 2000, for installation of an air cleaning device (a wet centrifugal collector) on seven gravy mixing tanks in South Centre Township, **Columbia County**.

08-302-042: Oak Hill Veneer, Inc. (P. O. Box 304, Troy, PA 16947) on October 16, 2000, for construction of a 16.26 million BTU per hour wood-fired boiler and associated air cleaning device (a multiclone collector) in Troy Township, **Bradford County**. This boiler is subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

08-313-003D: Osram Sylvania Products, Inc. (Hawes Street, Towanda, PA 18848-0504) on October 17, 2000, for installation of an air cleaning device (a cartridge collector) on three TV phosphor furnaces in North Towanda Township, **Bradford County**.

49-0014A: Jeraco Enterprises, Inc. (135 Sodom Road, Milton, PA 17847) on October 24, 2000, for construction of three fiberglass automotive accessory surface coating spray booths in Milton Borough, **Northumberland County**.

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

37-290A: Barletto Corp. (526 South Jefferson Street, New Castle, PA 16101) on October 30, 2000, for installation of a baghouse in New Castle, **Lawrence County**.

24-318-001A: Osram Sylvania, Inc. (835 Washington Road, St. Marys, PA 15857) on October 30, 2000, for installation of a baghouse in Benzinger Township, **Elk County**.

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

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

46-0207: BKL, Inc. (421 Feheley Drive, King of Prussia, PA 19406) on November 3, 2000, for operation of two screen printing presses and two coating in Upper Merion Township, **Montgomery County**.

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

31-05011A: U. S. Silica Co. (P. O. Box 187, Berkeley Springs, WV 25411-0187) on October 28, 2000, for operation of a low iron sand project controlled by a dust collector, covered under this Plan Approval until February 24, 2001, at the Mapleton Depot Plant in Brady Township, **Huntingdon County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Processing Plants.

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

65-307-054B: Teledyne, Inc. (100 River Road, Brackenridge, PA 15014) on November 1, 2000, for the EAF Oxygen Lance and AOD Vessel at Teledyne Allvac in Derry Township, **Westmoreland County**.

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

10-047D: Mine Safety Appliances Co. (1420 Mars Evans City Road, Evans City, PA 16033) on October 30, 2000, for a drying operation in the amine boranes plant in Forward Township, **Butler County**.

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

42-399-013C: Temple Inland Forest Products Corp.—Mt. Jewett (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on October 30, 2000, for post modification of the particleboard operation (System 15/15A) in Sergeant Township, **McKean County**.

42-158A: Temple Inland Forest Products Corp.—Mt. Jewett (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on October 30, 2000, for post modification of the particleboard operation (System 17) in Sergeant Township, **McKean County**.

42-176C: Temple Inland Forest Products Corp.—Mt. Jewett (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on October 30, 2000, for a sander dust system in Sergeant Township, **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).

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

Coal Mining Permits Issued:

32881301. Mears Enterprises, Inc. (P. O. Box 157, Clymer, PA 15728), to renew the permit for the Penn Run Mine in Cherryhill Township, **Indiana County** to renew the existing deep mine permit, no additional discharges. Permit issued October 13, 2000.

32881301. Mears Enterprises, Inc. (P. O. Box 157, Clymer, PA 15728), to revise the permit for the Penn Run Mine in Cherryhill Township, **Indiana County** to revise the subsidence control plan to eliminate the support areas for pre-1966 structures, no additional discharges. Permit issued October 18, 2000.

30743711. RAG Cumberland Resources, L. P. (P. O. Box 1020, Waynesburg, PA 15370), to transfer the permit for the Cumberland Mine, Refuse Site No. 1 in Whiteley Township, **Greene County** to transfer from Corp. to L. P., no additional discharges. Permit issued October 27, 2000.

30960701. RAG Emerald Resources, L. P. (P. O. Box 1020, Waynesburg, PA 15370), to transfer the permit for the Emerald Mine, Refuse Site No. 2 in Franklin Township, **Greene County** to transfer from Corp. to L. P., no additional discharges. Permit issued October 28, 2000.

32991301. DLR Mining, Inc. (3065 Airport Rd., Indiana, PA 15701), to revise the permit for the Nolo Mine in Buffington Township, **Indiana County** to revise the existing permit to add a haul road with a stream crossing, no additional discharges. Permit issued October 30, 2000.

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

17840132. M. B. Energy, Inc. (P. O. Box 1319, Indiana, PA 15701-1319), renewal of an existing bituminous surface mine permit in Bell Township, **Clearfield County** affecting 459.4 acres. Receiving streams: unnamed tributaries to Whiskey Run, Whiskey Run to Lost Run. Application received August 28, 2000. Permit issued October 31, 2000.

17753050. River Hill Coal Company, Inc. (P. O. Box 141, Kylertown, PA 16847), revision to an existing bituminous surface mine permit for a Change in Permit Acres from 642.8 to 687.6 acres. The permit is located in Karthaus Township, **Clearfield County**. Receiving streams: unnamed tributaries to Saltlick Run, to Saltlick Run, unnamed tributaries to Mosquito Creek, unnamed tributaries to West Branch Susquehanna River, Saltlick Run, Mosquito Creek all to West Branch Susquehanna River. Application received September 22, 2000. Permit issued October 31, 2000.

17990123. Thunder Coal Company (P. O. Box 283, Grampian, PA 16838), commencement, operation and restoration of a bituminous surface mine permit in Penn Township, **Clearfield County** affecting 64.8 acres. Receiving streams: unnamed tributaries to Kratzer Run and unnamed tributaries to Bell Run. Application received December 6, 1999. Permit issued October 30, 2000.

17930124. Sky Haven Coal, Inc. (R. R. 1, Box 180, Penfield, PA 15849), transfer of an existing bituminous surface mine-auger permit from Al Hamilton Contracting Company. The permit is located in Woodward and Decatur Townships, **Clearfield County** affecting 346 acres. Receiving streams: North Branch to Upper Morgan Run, Upper Morgan Run to Clearfield Creek, Clearfield Creek to West Branch Susquehanna River; and Little Beaver Run to Beaver Run, Beaver Run to Moshannon Creek, Moshannon Creek to West Branch Susquehanna River. Application received June 12, 2000. Permit issued October 25, 2000.

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

Small Noncoal (Industrial Mineral) Permits Issued

58000832. George Appleman (P. O. Box 52, Nicholson, PA 18446), commencement, operation and restoration of a small bluestone quarry operation in Springville Township, **Susquehanna County**, affecting 2.0 acres, receiving stream—Meshoppen Creek. Permit issued October 31, 2000.

58000840. William H. Liepinis (R. R. 1, Box 145A, Susquehanna, PA 18847), commencement, operation and restoration of a small bluestone quarry operation in Oakland Township, **Susquehanna County**, affecting 3.0 acres, receiving stream—Lewis Creek. Permit issued November 1, 2000.

58000837. Robert J. Thomas, Sr. (Montrose Terrace Park, Box 503, Montrose, PA 18801), commencement, operation and restoration of a small bluestone quarry operation in Franklin Township, **Susquehanna County**, affecting 3.0 acres, receiving stream—Snake Creek. Permit issued November 1, 2000.

58000838. John L. Magill (R. R. 1, Box 1453, Hop Bottom, PA 18824), commencement, operation and restoration of a small noncoal quarry operation in Lathrop Township, **Susquehanna County**, affecting 1.0 acre, receiving stream—none. Permit issued November 3, 2000.

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

Small Industrial Minerals Permit Issued

08000807. Irene West (P. O. Box 387, Wysox, PA 18854), commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit in Rome Township, **Bradford County** affecting 3 acres. Receiving streams: unnamed tributary; tributary to Parks Creek to Wysox Creek. Application received September 19, 2000. Permit issued November 1, 2000.

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

Noncoal Permits Issued

52980301. McKean & Son, Inc. (R. R. 1, Box 628, Hawley, PA 18428), commencement, operation and restoration of a quarry operation in Lackawaxen Township, **Pike County** affecting 11.87 acres, receiving stream—unnamed tributary to Little Blooming Grove Creek. Permit issued November 1, 2000.

36990301. Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506), commencement, operation and restoration of a quarry operation in Earl and Ephrata Townships, **Lancaster County** affecting 51.2 acres, receiving stream—none. Permit issued November 1, 2000.

7774SM2A1C4. Berks Products Corporation (726 Spring Street, Reading, PA 19603), correction to an existing quarry operation in Ontelaunee Township, **Berks County** affecting 152.0 acres, receiving stream—Maiden Creek. Correction issued November 3, 2000.

Bureau of Deep Mine Safety

The Bureau of Deep Mine Safety (BDMS) has approved Consolidation Coal Company's request for a variance from the requirements of Section 224(b) of the Pennsylvania Bituminous Coal Mine Act at the Dilworth Mine. This 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>.

Summary of the request: Consolidation Coal Company requested a variance from Section 224(b) of the Pennsylvania Bituminous Coal Mine Act to use a Conoco Drill to drill long horizontal boreholes in advance of mining at the Dilworth Mine. The proposal accords protections to persons and property substantially equal to or greater than the requirements of Section 224(b).

The basis for the Bureau's approval is summarized in the following statements:

1. The proposed alternate drilling method requested by Consolidation Coal Company was used successfully in 1998 under a Bureau-approved plan for the F Mains Section of the Dilworth Mine. In 1998, this method was used to verify that there were no mine voids that would

be cut into during future planned mining activities and to tap and dewater an adjacent mine pool.

2. The Conoco Drill is equipped with a means to close off the borehole should abandoned workings be encountered, thus preventing water and/or hazardous gasses from entering the Dilworth Mine.

3. The proposed minimum barrier pillar width of 50 feet is substantially larger than the pillar that would be provided under the provisions of Section 224(b).

4. The long horizontal borehole method is less labor intensive and produces less exposure to injuries by not having to handle and use hand-held drills and drill steels. By mining normal depth cuts, the work force will be subjected to less risk associated with equipment place changes due to drilling rib boreholes to a depth of 20 feet at an angle of 45-degrees every 8 feet. This will eliminate the need to handle all the equipment associated with the hand-held drill, including hydraulic hoses, drill steels, and the drill itself. Thus, the work force's exposure to types of injuries that could result from handling the hand-held drill is significantly reduced.

5. The long horizontal borehole method will provide verification along the entire length of the drilled hole that there are no mine voids present.

This approval is limited to a variance of the test hole drilling methods set forth in Section 224(b). All other terms and requirements of Section 224 shall remain in effect. Continued authorization for operation under this approval is contingent upon compliance with the measures described in Dilworth Mine's plan. Specific-site plans for future drilling using the long horizontal borehole method shall be submitted to the District Mine Inspector for review and approval.

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 Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, 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 the written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

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

E40-556. 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 a road crossing of Long Run, consisting of a 22.0-foot by 6.0-foot concrete box culvert, depressed 1.0 foot below stream bed elevation. The project includes the placement of fill in a de minimis area of wetlands equal to 0.02 acre. The project is located on S. R. 3040, Section 370, approximately 0.5 mile east of S. R. 0081 (Sybertsville, PA Quadrangle N: 5.4 inches; W: 0.2 inch), in Butler Township, **Luzerne County**.

E54-273. Encroachment. **Raymond Yaggie**, 202 Kemp Street, Lyons Station, PA 19536. To excavate accumulated silts and sediments within an existing 0.11 acre body of water known as Yaggie Pond in order to restore its original storage capacity; to expand the pond areally an additional 0.2 acre in a southerly direction; to construct an impervious clay liner in the bottom and sides of the pond and to construct and maintain a 4-inch PVC intake structure in a tributary to Lizard Creek. The project is located approximately 500 feet south east of the intersection of Township Road T761 and T928 (New Tripoli, PA Quadrangle N: 15.3 inches; W: 14.0 inches), in West Penn Township, **Schuylkill County**.

E54-275. Encroachment. **Pine Grove Manufactured Homes, Inc.**, P. O. Box 128, Pine Grove, PA 17963. To perform minor grading, paving, chain link fence and guide rail installation within the 100-year floodway of Swatara Creek associated with the driveway realignment and parking lot extension at the Pine Grove Manufactured Homes, Inc. facility. The project is located on the south side of S. R. 0443 approximately 1,500 feet east of the intersection of S. R. 0443 and S. R. 0125 (Pine Grove, PA Quadrangle N: 9.95 inches; W: 0.9 inch) in Pine Grove Borough, **Schuylkill County**.

E54-277. Encroachment. **Kmetz Sales & Service**, R. R. 2, Box 165, Tamaqua, PA 18252. To place fill in 0.08 acre of wetlands for the purpose of constructing a parking lot for an auto sales and service building. The project is located on the west side of S. R. 0309 approximately 700 feet south of the intersection of S. R. 1027 and S. R. 0309 (Tamaqua, PA Quadrangle N: 15.4 inches; W: 16.1 inches), Ross Township, **Schuylkill County**.

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

E05-280. Encroachment. **New Enterprise Stone & Lime Inc.**, P. O. Box 77, New Enterprise, PA 16664. To construct and maintain a bridge with a single span of 32.5 feet with a minimum underclearance of 4.19 feet across Three Springs Run (HQ-CWF) in order to provide access of delivery trucks located about 1,750 feet down-

stream of Church Street (New Enterprise, PA Quadrangle N: 8.33 inches; W: 3.86 inches) in South Woodbury Township, **Bedford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E06-543. Encroachment. **Kutztown Borough**, 105 Railroad Street, Kutztown, PA 19530. To construct and maintain a building for public works facility along the right bank's 100-year floodplain of Sacony Creek located in the area bounded by Perch Street, Railroad Street and Roeller Alley (Kutztown, PA Quadrangle N: 3.8 inches; W: 3.78 inches) in Kutztown Borough, **Berks County**. This permit is in accordance with the Chapter 106 Floodplain Management.

E36-697. Encroachment. **Conoy Township**, 211 Falmouth Road, Bainbridge, PA 17052. To remove the existing structure and to construct and maintain a 71-inch by 47-inch corrugated metal arch culvert at the channel of an unnamed tributary to Conoy Creek in order to widen Chestnut Street (T-849) in Bainbridge Village (York Haven, PA Quadrangle N: 17.3 inches; W: 6.0 inches) in Conoy Township, **Lancaster County**. This permit was issued under section 105.13(e) "Small projects." This permit also includes 401 Water Quality Certification.

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

E32-421. Encroachment. **Indiana County Commissioners**, 825 Philadelphia Street, Indiana, PA 15701-3972. To remove the existing structure and to construct and maintain a 24-foot long, 8-foot by 4-foot R. C. box culvert (invert depressed one foot) in Tom's Run (CWF) located on an access road in Pine Ridge Park at a point approximately 1,000 feet southeast of S. R. 2002. Also, to construct and maintain riprap stream bank protection for a length of 15 feet at the structure and to replace the existing 15-inch RC pipe on the back channel with an 18-inch diameter SLCPP (Bolivar, PA Quadrangle N: 12.5 inches; W: 10.8 inches) in Burrell Township, **Indiana County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

E10-312. Encroachment. **Jeremy Thrower**, 234 Westminster Road, Sarver, PA 16055. To construct and maintain a private driveway across a tributary to Davis Run consisting of four 36-inch diameter plastic pipe culverts and clean rock fill approximately 3,000 feet southeast of the intersection of Tower Road and S. R. 2012 (Curtisville, PA Quadrangle N: 20.75 inches; W: 12.5 inches) in Clinton Township, **Butler County**.

E25-617. Encroachment. **Erie Yacht Club**, P. O. Box 648, Erie, PA 16512-0648. To make the following improvements to the existing Erie Yacht Club Marina in Presque Isle Bay, Lake Erie at the foot of Ravine Drive approximately 1 mile east of the base of the Presque Isle peninsula (Swanville, PA Quadrangle N: 22.3 inches; W: 0.8 inch) in the City of Erie, **Erie County**:

1. To dredge six areas of the existing marina basin removing a total of approximately 25,000 cubic yards of sediment and shale to establish and maintain bed elevations ranging from 560.0 feet USGS to 564.0 feet USGS.

2. To install and maintain a 370-foot long by 6-foot wide pile anchored floating dock along and parallel to the eastern side of the western marina jetty.

ENVIRONMENTAL ASSESSMENT

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

Environmental Assessment No. EA63-001SWa. U. S. Department of Energy, Grand Junction Office, 2597 B3/4 Road, Grand Junction, CO 81503. To construct and maintain 517 linear feet of rip rap and vegetated, reinforced earth bank stabilization along the right bank of Chartiers Creek (WWF) in the borough of Canonsburg, **Washington County** (Canonsburg, PA Quadrangle N: 1.1; W: 10.1).

WATER QUALITY CERTIFICATION

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553.

Certification Request Initiated by: Department of the Army, United States Army Corps of Engineers, P. O. Box 1715, Baltimore, MD 21203-1715, Attention: Robert W. Lindner, Chief, Planning Division.

Date of Initial Pennsylvania Bulletin Notice: September 23, 2000.

Project Description/Location: The project, known as the Scranton Local Flood Protection Project, will protect the communities of Plot and Green Ridge, Lackawanna County, Pennsylvania, against a 100-year flood event on the Lackawanna River. The Water Quality Certification is being requested for the following specific activities: construction of earth levees, mechanically stabilized earth wall sections, a concrete floodwall, road closure structures, and interior drainage structures. No dredging is planned as part of this project. Long-term operation and maintenance of the project will be the responsibility of the City of Scranton.

Final Action on Request: Certification granted.

WATER ALLOCATIONS

Actions taken on applications filed under the Act of June 24, 1939 (P. L. 842, No. 365) (32 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth.

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

Permits issued

WA2-131B. Water Allocation. Pittsburgh Water & Sewer Authority, Allegheny County, Pennsylvania. This permit grants the right to purchase, for public water supply purposes, 110,000 gallons per day (GPD) of water, on a peak month, 30 day average basis, from Tarentum Borough, Allegheny County.

WA-200D. Water Allocation. Pennsylvania American Water Company, Allegheny County, Pennsylvania. Modification Order to supply water to the Pittsburgh Water & Sewer, Allegheny County.

SPECIAL NOTICES**Notice of Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of October 2000 the Department of Environmental Protection, under the authority contained in the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Alan Aulson The Aulson Co., Inc.	49 Danton Drive Methuen, MA 01844	Mitigation
Biechler & Tillery, Inc.	2843 North Front Street Harrisburg, PA 17110	Testing
Jeanne Buckley	2575 Giant Oaks Drive Pittsburgh, PA 15241	Testing
Kevin Crane Crane Enterprises, Inc.	282 Union Avenue Williamsport, PA 17701	Testing
Daniel Festa Festa Radon Technologies Co.	634 North Avenue Pittsburgh, PA 15209	Mitigation
Kevin Fischer	49 South Main Street Yardley, PA 19067	Testing
Cathleen Flood	P. O. Box 191 Centre Hall, PA 16828	Testing
Todd Giddings	3049 Enterprise Drive State College, PA 16801	Testing Mitigation
John Gogal Choice Environ. Solutions	P. O. Box 65 Brodheads ville, PA 18322	Mitigation
Housing Insp. Services, Inc.	P. O. Box 373 Murrysville, PA 15668	Testing
JCN Radon Testing & Mitigation	R. D. 2, Box 1050 New Columbia, PA 17856	Testing Mitigation

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Dan Jones Precision Home Inspections, Inc.	6 Chestwood Drive Connellsville, PA 15425	Mitigation
Garen Mugardichian	302 Lexington Road Schwenksville, PA 19473	Testing
Randolph Payne	500 Carothers Avenue Carnegie, PA 15106	Testing
Raymond Rowe	735 Municipal Street Pittsburgh, PA 15204	Mitigation
Troy Rudy	P. O. Box 4214 Lancaster, PA 17604	Testing
Jacqueline Rutter	P. O. Box 191 Centre Hall, PA 16828	Testing
Ronald Simon	Flat 21, Bridge House 18 Saint George Wharf London SW82LP UK	Mitigation
Kenneth Struder	P. O. Box 722 Thorndale, PA 19372	Testing
Mary Terp	957 Ebert Road Coopersburg, PA 18036	Testing
John Urenovitch	118 Maple Drive Drums, PA 18222	Testing
Glenn Vernon Certified Radon Services	200 Newburn Avenue Pittsburgh, PA 15227	Testing

Submission Deadline for Certified Host Municipality Inspector Reimbursement Applications under Section 1102 of the Municipal Waste Planning, Recycling and Waste Reduction Act and Section 304 of the Hazardous Sites Cleanup Act

The Department of Environmental Protection hereby announces the submission deadline for 2000 Host Municipality Inspector Program Reimbursement Applications as April 2, 2001. Reimbursements are available to municipalities under the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) and the Hazardous Sites Cleanup Act (Act 108). Municipalities include cities, boroughs, incorporated towns, townships and home rule municipalities.

All reimbursements are allocated from the Recycling Fund authorized under Act 101 for municipal waste facilities or from the Hazardous Sites Cleanup Fund under Act 108 for hazardous waste facilities. Reimbursements are available to any municipality which has a municipal waste landfill, resource recovery, or commercial hazardous waste storage, treatment and disposal facilities located within its geographic borders. Upon application from any host municipality, the Department shall award reimbursements for authorized costs incurred for the salary and expenses of up to two certified Host Municipality Inspectors. The reimbursement shall not exceed 50% of the approved costs of salaries and expenses. Reimbursement is available only for Host Municipality Inspectors trained and certified by the Department.

The application for reimbursement contains tables for specifying the itemized expenses for certified inspectors and for calculating the total reimbursement request. Complete instructions are included with the application, which is being distributed to all municipalities that have participated in the program. If your municipality does not receive but requires an application, or if you have any questions about this program, please contact the Program Development Section, Department of Environmental Protection,

Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9870.

The deadline for submitting applications is 4 p.m. on April 2, 2001. Applications received by the Department after the deadline will not be considered.

[Pa.B. Doc. No. 00-1989. Filed for public inspection November 17, 2000, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board Meeting

The Cleanup Standards Scientific Advisory Board (CSSAB) meeting will be held on December 7, 2000, at 9:30 a.m., 400 Market Street, RCSOB, 14th Floor conference room.

Questions concerning the agenda for this meeting can be directed to Marilyn Wooding at (717) 783-7509 or e-mail to Wooding.Marilyn@dep.state.pa.us. All agendas, minutes and meeting materials will be available through the Public Participation Center on Department's world wide website at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Marilyn Wooding directly at (717) 783-7509 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate your needs.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-1990. Filed for public inspection November 17, 2000, 9:00 a.m.]

DEPARTMENT OF HEALTH

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established by section 8 of the act of December 1, 1994 (P. L. 655, No. 102) (20 P. S. § 8622), will hold a public meeting on December 6, 2000, from 10 a.m. to 2 p.m. The meeting will be held in Room 812 of the Health & Welfare Building, 7th & Forster Streets, Harrisburg, PA.

For additional information please contact William J. Neil, Manager, Health Education and Information Program, Bureau of Chronic Diseases & Injury Prevention or Angela H. Anderson, Clerk Typist II, Health Education & Information Program, Bureau of Chronic Diseases & Injury Prevention, 1000 Health & Welfare Building, Harrisburg, PA at (717) 787-5900.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact William J. Neil or Angela H. Anderson at (717) 787-5900.

V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 00-1991. Filed for public inspection November 17, 2000, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Intention to Establish an Additional Class of Disproportionate Share Payments

The purpose of this notice is to provide prior public notice of the Department of Public Welfare's (Department's) intent to establish an additional class of disproportionate share payments for certain qualifying hospitals.

The Department intends to make this payment, in addition to the classes of disproportionate share payments already made under the Medical Assistance (MA) Program, to certain hospitals, which the Department has determined advance the Department's goal of enhanced access to multiple types of medical care in economically distressed areas of this Commonwealth.

The Department intends to consider a hospital eligible if:

(a) The hospital is an acute care hospital (provider type 11) currently receiving inpatient disproportionate share payments; and

(b) The hospital reported in excess of 40,000 Pennsylvania MA inpatient days on their Fiscal Year 1996-97 Medical Assistance Cost Report (MA 336); and

(c) The hospital is part of a health system that is owned by a State-related university, which operates a school of medicine, children's hospital and school of dentistry; and

(d) The hospital operates an emergency room and has acute care beds, both of which are located in a Federal Empowerment Zone.

The Department intends to allocate \$5,861,504 from the State General Fund for this additional payment. Payments will be divided proportionally between qualifying hospitals based on the percentage of each qualifying hospital's MA inpatient days to the total MA inpatient days of all qualifying facilities. All payment limitations are still applicable, namely, the Commonwealth may not exceed its aggregate annual disproportionate share allotment, and no hospital may receive disproportionate share payments in excess of its hospital-specific limit.

Fiscal Impact

For Fiscal Year 2000-2001, the fiscal impact as a result of this additional payment will be \$12,637,999 in total funds (\$5,861,504 in State General funds and \$6,776,495 in Federal funds).

Contact Person

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

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

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-264. (1) General Fund; (2) Implementing Year 2000-01 is \$5.862 Million; (3) 1st Succeeding Year 2001-02 is \$5.862 Million; 2nd Succeeding Year 2002-03 is \$5.862 Million; 3rd Succeeding Year is \$5.862 Million; 4th Succeeding Year 2004-05 is \$5.862 Million; 5th Succeeding Year 2005-06 is \$5.862 Million; (4) 1999-00 Program—\$392.528 Million; 1998-99 Program—\$453.594 Million; 1997-98 Program—\$428.079 Million; (7) Medical Assistance—Inpatient; (8) recommends adoption. Funds are available in the Department's current budget to cover the cost of the additional disproportionate share payment.

[Pa.B. Doc. No. 00-1992. Filed for public inspection November 17, 2000, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Bingo Mania II Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Bingo Mania II.

2. *Price:* The price of a Pennsylvania Bingo Mania II instant lottery game ticket is \$5.00.

3. *Play Symbols:* Each Pennsylvania Bingo Mania II instant lottery game ticket will contain ten play areas designated as "Card 1," "Card 2," "Card 3," "Card 4," "Card 5," "Card 6," "Card 7," "Card 8," "Card 9" and "Card 10." The 76 play symbols located in the 10 play areas are: The numbers 1 through 75 and FREE. Each ticket will also contain a "Caller's Card" area. The "Caller's Card" area will consist of 30 squares in a 6 x 5 grid. The play symbols that may be located in each square are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

4. *Prizes:* The prizes that can be won in this game are \$5, \$10, \$15, \$25, \$50, \$100, \$250, \$500, \$1,000 and \$50,000. The player can win up to 10 times on a ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 4,080,000 tickets will be printed for the Pennsylvania Bingo Mania II instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the "Caller's Card" play symbols in a "M" pattern, matching in a five space vertical pattern the first and fifth columns and the second square from the top of the second and fourth columns, on any "Card," shall be entitled to a prize of \$50,000.

(b) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 10," shall be entitled to a prize of \$1,000.

(c) Holders of tickets matching the "Caller's Card" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 10," shall be entitled to a prize of \$1,000.

(d) Holders of tickets matching the "Caller's Card" play symbols in a "X" extending through the "FREE" space and through to each of the four corners on "Card 6," "Card 8," "Card 9" or "Card 10," shall be entitled to a prize of \$1,000.

(e) Holders of tickets matching the "Caller's Card" play symbols in a "X" extending through the "FREE" space and through to each of the four corners on "Card 3" or "Card 7," shall be entitled to a prize of \$500.

(f) Holders of tickets matching the "Caller's Card" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 6," "Card 8" or "Card 9," shall be entitled to a prize of \$500.

(g) Holders of tickets matching the "Caller's Card" play symbols in a postage stamp pattern, matching four

numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 3" or "Card 7," shall be entitled to a prize of \$250.

(h) Holders of tickets matching the "Caller's Card" play symbols in a "X" extending through the "FREE" space and through to each of the four corners on "Card 4" or "Card 5," shall be entitled to a prize of \$250.

(i) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 6" or "Card 8," shall be entitled to a prize of \$250.

(j) Holders of tickets matching the "Caller's Card" play symbols in a "X" extending through the "FREE" space and through to each of the four corners on "Card 2," shall be entitled to a prize of \$100.

(k) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 3," shall be entitled to a prize of \$100.

(l) Holders of tickets matching the "Caller's Card" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 4" or "Card 5," shall be entitled to a prize of \$100.

(m) Holders of tickets matching the "Caller's Card" play symbols in a "X" extending through the "FREE" space and through to each of the four corners on "Card 1," shall be entitled to a prize of \$50.

(n) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 5," "Card 7" or "Card 9," shall be entitled to a prize of \$50.

(o) Holders of tickets matching the "Caller's Card" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 2," shall be entitled to a prize of \$25.

(p) Holders of tickets matching the "Caller's Card" play symbols in a postage stamp pattern, matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 1," shall be entitled to a prize of \$15.

(q) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 1," "Card 2" or "Card 4," shall be entitled to a prize of \$10.

(r) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on any "Card," shall be entitled to a prize of \$5.

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

<i>Match Any Of The Winning Numbers To Any Of Your Numbers; With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
Line Card 1	\$5	1:15	272,000
Line Card 2	\$5	1:20	204,000
Line Card 3	\$5	1:30	136,000
Line Card 4	\$5	1:30	136,000
Line Card 5	\$5	1:60	68,000
Line Card 6	\$5	1:60	68,000
Line Card 7	\$5	1:30	136,000
Line Card 8	\$5	1:60	68,000
Line Card 9	\$5	1:60	68,000
Line Card 10	\$5	1:60	68,000
Line Card 1 + Line Card 2	\$10	1:42.86	95,200

<i>Match Any Of The Winning Numbers To Any Of Your Numbers; With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
Line Card 4 + Line Card 5	\$10	1:300	13,600
Corner Card 1	\$10	1:50	81,600
Corner Card 2	\$10	1:300	13,600
Stamp Card 1	\$15	1:60	68,000
Line Card 1 + Line Card 2 + Line Card 3 + Line Card 8	\$20	1:100	40,800
Line Card 2 + Line Card 5 + Corner Card 1	\$20	1:300	13,600
Corner Card 1 + Corner Card 2	\$20	1:300	13,600
Line Card 1 + Line Card 4 + Line Card 5 + Corner Card 2	\$25	1:300	13,600
Corner Card 4 + Stamp Card 1	\$25	1:300	13,600
Line Card 4 + Line Card 5 + Stamp Card 1	\$25	1:600	6,800
Stamp Card 2	\$25	1:600	6,800
Stamp Card 2 + Line Card 7 + Corner Card 1 + Corner Card 4	\$50	1:1,200	3,400
Stamp Card 2 + Line Card 6 + Stamp Card 1 + Line Card 10	\$50	1:1,200	3,400
Line Card 1 + Line Card 2 + Line Card 3 + Line Card 4 + Line Card 5 + Line Card 6 + Line Card 7 + Line Card 8 + Line Card 9 + Line Card 10	\$50	1:2,400	1,700
X Card 1	\$50	1:3,000	1,360
Corner Card 5	\$50	1:3,000	1,360
Corner Card 7	\$50	1:4,000	1,020
X Card 2	\$100	1:20,000	204
Corner Card 3	\$100	1:20,000	204
Stamp Card 4	\$100	1:20,000	204
Stamp Card 5	\$100	1:20,000	204
X Card 1 + Corner Card 9	\$100	1:30,000	136
X Card 3	\$500	1:30,000	136
Stamp Card 6	\$500	1:30,000	136
Stamp Card 8	\$500	1:30,000	136
Stamp Card 9	\$500	1:40,000	102
X Card 7	\$500	1:40,000	102
X Card 4 + Stamp Card 7	\$500	1:40,000	102
Stamp Card 3 + Corner Card 8	\$500	1:40,000	102
X Card 5 + Corner Card 6	\$500	1:40,000	102
X Card 6	\$1,000	1:40,000	102
X Card 8	\$1,000	1:60,000	68
X Card 9	\$1,000	1:60,000	68
Corner Card 10	\$1,000	1:204,000	20
X Card 10	\$1,000	1:204,000	20
Stamp Card 10	\$1,000	1:204,000	20
M Pattern on any Card	\$50,000	1:510,000	8

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

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

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

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

LARRY P. WILLIAMS,
Acting Secretary

[Pa.B. Doc. No. 00-1993. Filed for public inspection November 17, 2000, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right of Way

Notice is hereby given that pursuant to 67 Pa. Code § 495.4, an application to lease highway right-of-way has been made to the Department of Transportation by Schuylkill River Greenway Association of 960 Old Mill Road of Wyomissing, Pa 19610 seeking to lease highway right of way located along SR 422 in the City of Reading, Berks County, 2.45 acres ±, adjacent to SR 422, for the purposes of a public bike/walking trail. Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Walter E. Bortree, P. E., District Engineer, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103.

Questions regarding this application or the proposed use may be directed to Paul J. Goida, Right of Way Administrator, Engineering District 5-0, 2460 Parkwood Drive, Allentown, PA 18103, (610) 791-6011.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 00-1994. Filed for public inspection November 17, 2000, 9:00 a.m.]

Finding

Somerset County

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

The Department of Transportation plans to replace the existing bridge carrying SR 523 over the Casselman River in Lower Turkeyfoot and Addison Townships, Somerset County. This project will require the acquisition of 0.4 ha(1.05 acre) from the 45.2 ha(111.6 acre) Hanna Farmstead and the demolition of a two story agricultural storage building that is considered a contributing structure to the National Register eligible Hanna Farmstead.

Information describing the project, together with the associated environmental analysis, is contained in the Categorical Exclusion Evaluation/Section 2002 Evaluation that was prepared for this project.

Based upon studies, there is no prudent and feasible alternative to the use of property from the National Register eligible Hanna Farmstead.

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

No adverse environmental effect is likely to result from the reconstruction of this section of highway.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 00-1995. Filed for public inspection November 17, 2000, 9:00 a.m.]

Retention of Engineering Firms

Blair County

Project Reference No. 08430AG2641

The Department will retain an engineering firm to provide supplementary construction inspection staff of approximately eight (8) inspectors, under the Department's Inspector(s)-in-Charge for construction inspection and documentation services on S.R. 0865, Sections 002 & 003, Bellwood Bridge and S.R. 0865 Realignment, Blair County.

This project involves the reconstruction and realignment of S. R. 0865 in Bellwood Borough and Antis Township, Blair County. The project begins approximately 800 feet west of Old S. R. 0220 and extends 3,424 feet to the west on S. R. 0865 to the intersection with North Second Street in Bellwood Borough. The major construction items include:

- A new roadway alignment and three-span bridge carrying S.R. 0865 over the Norfolk Southern Railroad and Main Street from East Logan Street to West Tuckahoe Street.
- Reconstruction of East Logan Street with wider traffic lanes, curb gutters, and sidewalks.
- Construction of a Main Street connection for access from S.R. 0865 to Main Street.
- A new bridge carrying pedestrian traffic over the Norfolk Southern Railroad.
- Extensive utility replacements and utility relocation.
- Demolition of the existing Cambria Street Bridge after the new alignment is open to traffic.

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

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

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

a. Review of inspectors' resumes with emphasis on current construction inspection capabilities and specialized experience in Maintenance and Protection of Traffic, soils, structures, concrete, asphalt paving and drainage. Work experience and supervisory experience with the Department and Engineering District 9-0.

b. Specialized experience in asphalt paving, drainage, earthwork, signalization, CPM Schedule usage, and Construction Documentation System (CDS).

c. Number of NICET and NECEPT certified inspectors in each payroll classification.

d. Number of available inspectors in each payroll classification.

e. Ability to provide one (1) CDS operator or person capable of inputting data into personal computer and one (1) licensed nuclear operator (TCI-M classification).

f. Past performance, with particular emphasis being placed on the firm's demonstrated commitment to customer service, customer satisfaction, partnering, and dedicated support staff.

g. Understanding of Department's requirements, policies, and specifications.

Letters of interest must clearly indicate which inspectors meet these requirements.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

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

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Manager 2 (TCM-2) (NICET Highway Construction Level 4 or equivalent)	1 (1)
Transportation Construction Ins. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	1 (1)
Transportation Construction Inspector—Materials (TCI-Materials) (NICET Highway Materials Level 2 or equivalent)	1 (1)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	3 (1)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (0)

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

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.

2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

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

<i>Payroll Classification</i>	<i>Maximum Straight Time Hourly Payroll Rate (Year 2000)</i>
(TCM-2)	\$26.50
(TCIS)	\$20.34
(TCI-Materials)	\$17.55
(TCI)	\$17.05
(TA)	\$11.72

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

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

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The firm selected will be required to supply the following equipment:

<i>Quantity</i>	<i>Item</i>
1	Nuclear Densometer Gauges/License
1	Vehicle for Transporting Nuclear Gauge
3	Pagers
1	Camera—digital

The Department will directly reimburse the selected engineering firm for the above equipment, for use by the consultant inspection staff at their actual cost not to exceed the maximum direct reimbursement shown below.

- Nuclear Densometer Gauge @ \$660.00 each Maximum/month
- Vehicle for Gauge @ \$650.00 each Maximum/month
- Pagers As per invoice
- Camera - digital As per invoice

If the equipment is self-owned, reimbursement will be based on actual cost of ownership not to exceed the maximum allowable. If equipment is from an outside

supplier, the engineer must secure a minimum of three written quotes. The Department reserves the right to request additional quotes.

The Department will reimburse for actual miles driven on the project as directed by the Department, and a maximum of \$32.50/day for either mileage to and from the work site or lodging. An inspector will not be reimbursed for a combination of the two (2) during the same day. Mileage will be reimbursed for the most direct route from the inspector's residence or the Consultant's office, whichever is less, to the project site and return at the lesser of the maximum mileage rate established by the Commonwealth or the firm's current policy. The first fifteen (15) miles each day of an inspector's commute from and to his/her residence or the consultant's office to the work location is considered normal commuting travel and will not be eligible for mileage reimbursement. Lodging will be reimbursed at a maximum rate of \$32.50/day, in lieu of mileage, but receipts for all costs must be provided to the Department with the Engineer's invoice. Lodging will only be reimbursed for employees whose home or headquarters is more than 65 miles from the project.

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

Letters of interest for this project must include a letter, with an original signature (no copies), signed by the individuals you propose for all TCM-2 and TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

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

<i>Classification</i>	<i>No. of Resumes</i>
TCM-2	2
TCIS	2
TCI-M	2
TCI	4
TA	0

Resumes shall clearly show the individual's construction inspection experience within the past five (5) years, identifying the dates, project location, and description of work.

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

The Letter of Interest submission shall be sent to:

Mr. Earl L. Neiderhiser, P.E., District Engineer
Engineering District 9-0
1620 North Juniata Street
Hollidaysburg, PA 16648

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. Philip J. Rampulla, District 9-0, phone number (814) 696-7135, fax number (814) 696-7146.

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. 00-1996. Filed for public inspection November 17, 2000, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Michael A. Varleta and Joan M. Gustin v. DEP and The Executive Golf & Country Club; EHB Doc. No. 2000-226-L

Michael A. Varleta and Joan M. Gustin have appealed the issuance by the Department of Environmental Protection of an NPDES permit to The Executive Golf & Country Club for a facility in Lackawanna County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, please contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 00-1997. Filed for public inspection November 17, 2000, 9:00 a.m.]

HISTORICAL AND MUSEUM COMMISSION

National Register Nominations to be Reviewed by the Historic Preservation Board Meeting

Great Valley and Piedmont Region

1. *White Horse Historic District.* Intersection of Goshen and Providence Roads, Willistown Township, Chester County.

2. *Columbia Wagon Works.* 920 Plane Street, Columbia, Lancaster County.

Anthracite Region and Poconos

3. *Tamaqua Historic District.* Roughly bounded by State Route 209 and the Odd Fellows Cemetery, Rowe and Mauch Chunk Streets, East End Avenue, Mountain Avenue, Cedar Street, West Cottage Avenue, VanGelder

Street to Odd Fellows Cemetery, Tamaqua Borough and Schuylkill Township, Schuylkill County 111085.

4. *Summit Hill High School*. 124 West Hazard Street, Summit Hill, Carbon County 105583.

Southwestern Pennsylvania, Allegheny Plateau, Ridge and Valley—no nominations

BRENT D. GLASS,
Executive Director

[Pa.B. Doc. No. 00-1998. Filed for public inspection November 17, 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, November 2, 2000, and took the following actions:

Regulations Approved:

State Board of Examiners of Nursing Home Administrators #16A-626: Fees (amends 29 Pa. Code § 39.72).

State Board of Vehicle Manufacturers, Dealers and Salespersons: #16A-600: Application Fees (amends 49 Pa. Code § 19.4).

State Board of Accountancy: #16A-558: Fees (amends 49 Pa. Code §§ 11.4, 11.5 and 11.17).

Pennsylvania Public Utility Commission #57-213: Reporting Requirements for Quality of Gas Service Benchmarks and Standards (adds §§ 62.31—62.37 to 52 Pa. Code).

Pennsylvania Public Utility Commission #57-212: Reporting Requirements for Universal Service and Energy Conservation Programs (adds §§ 62.1—62.8 to 52 Pa. Code).

Commissioners Voting: John R. McGinley, Jr., Chairperson, by Proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner, by Phone

Public Meeting held
November 2, 2000

State Board of Examiners of Nursing Home Administrators; Fees—Regulation No. 16A-626

On April 30, 1999 the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Examiners of Nursing Home Administrators (Board). This rulemaking amends 49 Pa. Code § 39.72. The proposed regulation was published in the May 15, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 2, 2000.

The Board is proposing to revise or add fees for the following:

<i>Fee Title</i>	<i>Existing Fee</i>	<i>Proposed Fee</i>
License application fee	\$30	\$40
N.A.B. examination fee (Effective January 1, 2000)	\$170	\$235
Complete nursing home administration examination (Effective January 1, 2000)	\$212	\$322
Temporary permit fee	\$150	\$145
Certification of examination scores	\$15	\$25
Verification of licensure	\$10	\$15
Verification of temporary permit	None	\$15
Continuing education provider application fee	\$50	\$40
Continuing education program application fee per credit	\$10	\$15

The Board estimates that 1,000 persons will request one or more of the enumerated services over the next 2-year period. Total additional costs to the regulated community during that time span will be approximately \$70,000.

We have determined this regulation is consistent with the statutory authority of the State Board of Examiners of Nursing Home Administrators (63 P. S. § 1107.1(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, by Phone

Public Meeting held
November 2, 2000

State Board of Vehicle Manufacturers, Dealers and Salespersons; Application Fees—Regulation No. 16A-600

On September 17, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board). This rulemaking amends 49 Pa. Code § 19.4. 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 October 2, 2000.

This regulation amends the fee schedule for the Board by increasing 13 existing fees and adding two new fees. The Board estimates that 13,000 persons will avail themselves of one or more of the enumerated services over the next 2-year period. Total additional costs to the regulated community during that time span will be approximately \$140,000. Only those requesting the enumerated services will be affected.

We have determined this regulation is consistent with the statutory authority of the State Board of Vehicle Manufacturers, Dealers and Salespersons (63 P. S. § 818.30(b)) 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, by Phone

Public Meeting held
November 2, 2000

State Board of Accountancy; Fees—Regulation No. 16A-558

On May 3, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Accountancy (Board). This rulemaking amends 49 Pa. Code §§ 11.4, 11.5 and 11.17. The proposed regulation was published in the May 13, 2000 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 2, 2000.

In response to a recent audit, the Board is increasing four fees to generate revenue to cover the actual costs of the services. These fees were last revised in 1990. In addition, the regulation implements the statutory requirement that the Board establish a new fee for the reinstatement of inactive or expired licenses.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. §§ 9.3(a)(6), 9.6 and 9.9b(d)(2)) 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, by Phone

Public Meeting held
November 2, 2000

Pennsylvania Public Utility Commission; Reporting Requirements for Quality of Gas Service Benchmarks and Standards—Regulation No. 57-213

On February 3, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking adds §§ 62.31—62.37 to 52 Pa. Code. The proposed regulation was published in the February 19, 2000 *Pennsylvania Bulletin* with a 45-day public comment period. The final-form regulation was submitted to the Commission on October 2, 2000.

The final-form regulation establishes standard measurement and reporting requirements for customer service performance of natural gas distribution companies. The regulation implements portions of the Natural Gas Choice and Competition Act (Act). Under the Act, customer service for retail gas customers must be maintained at the same level of quality, under retail competition, that was in effect prior to the implementation of the Act.

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.

Commissioners Voting: John R. McGinley, Jr., Chairperson, by Proxy; Alvin C. Bush, Vice Chairperson; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner, by Phone

Public Meeting held
November 2, 2000

Pennsylvania Public Utility Commission; Reporting Requirements for Universal Service and Energy Conservation Programs—Regulation No. 57-212

On February 3, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking adds sections 62.1—62.8 to 52 Pa. Code. The proposed regulation was published in the February 19, 2000 *Pennsylvania Bulletin* with a 45-day public comment period. The final-form regulation was submitted to the Commission on October 2, 2000.

This regulation implements part of the Natural Gas Choice and Competition Act by establishing standard reporting requirements for universal service and energy conservation programs. All seven natural gas distribution companies will be required to comply. The PUC anticipates that this regulation will benefit the approximately 10,000 low-income customers in the Commonwealth.

We have determined this regulation is consistent with the statutory authority of the Pennsylvania Public Utility Commission (66 Pa.C.S. §§ 501, 504, 2202 and 2203; and 45 P. S. §§ 1202 and 1205) 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. 00-1999. Filed for public inspection November 17, 2000, 9:00 a.m.]

Notice of Comments Issued

Section 5(d) and (g) of the Regulatory Review Act (71 P. S. § 745.5(d) and (g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in section 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)).

The Commission issued Comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulations. The

final-form regulations must be submitted by the date indicated.

Reg. No.	Agency/Title	Issued	Final-Form Submission Deadline
7-358	Environmental Quality Board Interim Enhanced Surface Water Treatment	11/02/00	10/02/02
7-359	Environmental Quality Board Disinfectants and Disinfection Byproducts	11/02/00	10/02/02
2-133	Department of Agriculture Preferential Assessment of Farmland and Forest Land Under the Clean and Green Act	11/02/00	10/02/02
10-162	Department of Health School Immunization	11/02/00	10/02/02
11-184	Insurance Department Policies and Forms; General Filing Requirements and General Contents of Forms	11/02/00	10/02/02
6-270	State Board of Education Special Education Services and Programs	11/02/00	10/02/02
7-356	Environmental Quality Board Administration of Land Recycling Program	11/03/00	10/04/02

**Environmental Quality Board Regulation No. 7-358
Interim Enhanced Surface Water Treatment
November 2, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Environmental Quality Board must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 2, 2002, the regulation will be deemed withdrawn.

1. General. Reasonableness.

The Environmental Protection Agency (EPA) commented that the provision at 40 CFR 141.173(a)(3) is not included in this rulemaking. This Federal provision states, "A system that uses lime softening may acidify representative samples prior to analysis using a protocol approved by the state." Why was this option excluded in Pennsylvania's regulation?

2. Section 109.1. Definitions.—Clarity.

CPE—Comprehensive Performance Evaluation

The provisions under subsection (ii) are substantive. Definitions should not contain substantive provisions. These minimum components of the Comprehensive Performance Evaluation should be moved to section 109.205.

Disinfection profile

This definition mentions "procedures and measurement methods established by the EPA. For clarity, a specific reference to the EPA procedures and measurement methods should be added.

3. Section 109.202. State MCLs and treatment technique requirements.—Reasonableness; Clarity.

Subsection (c)(1)(iii)(C) uses the phrase "unless the Department specifies more stringent performance criteria." Under what circumstances would the Department require "other filtration technologies" to meet more stringent criteria than conventional filtration? What process will the Department use to impose more stringent performance criteria?

4. Section 109.204. Disinfection profiling and benchmarking.—Nature of required reports; Reasonableness; Clarity.

This section requires data to be submitted "in a format acceptable to the Department." What format does the Department intend to accept? How will the person filing the data be notified what format is acceptable to the Department?

5. Section 109.301. General monitoring requirements.—Economic impact; Reasonableness.

Subsection (1)(iv) requires an operator to "conduct continuous monitoring of turbidity . . . and record turbidity levels every 15 minutes." One commentator currently records turbidity continuously and can retrieve data as necessary from the continuous data. The commentator suggests an amendment to "record data at least every 15 minutes." Is the requirement to "record turbidity levels every 15 minutes" intended to be a minimum requirement? If so, the regulation should be amended as suggested.

6. Section 109.701. Reporting and recordkeeping.—Clarity.

In regard to Subsection (e), the EPA notes that "systems must maintain individual filter monitoring data for at least 3 years, and they must report that they have conducted individual filter monitoring within 10 days after the end of each month that the system serves water to the public." Existing subsection (d) specifies record maintenance requirements. Are the records required under subsection (e) subject to subsection (d) Record maintenance? Does this meet EPA requirements?

7. Section 109.714. Filter profile, filter self-assessment and CPEs.—Reasonableness; Clarity.

EPA commented that under Federal regulations, systems have 90 days to complete a Comprehensive Performance Evaluation. Subsection (3) states a CPE must be conducted within 30 days. There are two concerns. First, why is Pennsylvania using a 30-day requirement when the EPA uses a 90-day requirement? Second, the regulation should state when the CPE must be completed.

**Environmental Quality Board Regulation No. 7-359
Disinfectants and Disinfection Byproducts
November 2, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Environmental Quality Board (EQB) must respond to these Comments when it submits the final-form regulation. If the final-

form regulation is not delivered by October 2, 2002, the regulation will be deemed withdrawn.

1. General.—Clarity.

The Pennsylvania Bottled Water Association and the International Bottled Water Association have questioned whether provisions in the proposed regulation apply to bottled water companies. The final-form regulation should clearly state who is required to comply with these provisions.

2. Section 109.1. Definitions.—Clarity.

MRDL—Maximum Residual Disinfectant Level

The definition of “MRDL” includes the phrase, “unacceptable possibility of adverse health effects.” What is an unacceptable possibility of adverse health effects?

3. Section 109.202. State MCLs, MRDLs or treatment technique requirements.—Clarity.

Subsection (a) Primary MCLs

Paragraph (3) of Subsection (a) states that a public water system may apply to the Department for “an extension of up to 24 months past the application compliance date specified in the Federal regulations.” How will a public water system apply for an extension, and what criteria will be used in determining whether or not to grant an extension?

Paragraph (a)(3), as published in the *Pennsylvania Bulletin*, contains a typographical error. In the first sentence, there is a period after the phrase “. . . in the Federal regulations.” It would appear a comma was intended so that the regulation will read “. . . in the Federal regulations, but not beyond December 31, 2003.” This correction should be made in the final-form regulation.

Subsection (g) Treatment technique requirements for disinfection byproduct precursors

Subsection (g)(2)(ii)(C) begins with a lengthy sentence. For clarity, this sentence should be broken into shorter sentences.

This provision also has a typographical error. It appears the second and third sentences were intended to be one sentence with a comma.

4. Section 109.301. General monitoring requirements.—Clarity.

Subsection (12)(i)(A)

EPA commented that sample sites for total trihalomethanes (TTHM) and haloacetic acids (five) (HAA5) should be representative of the entire site distribution system. Should this provision be added?

Subsections (12)(i)(B)(I)(a)—(c)

These subsections state, “Systems on reduced monitoring are not required to monitor source water TOC.” EPA agrees that systems do not have to meet a particular total organic carbon (TOC) level to remain on reduced monitoring for TTHM and HAA5. However, if the system uses a conventional filtration plant under the disinfection byproducts precursor treatment technique, the system would still need to monitor source water TOC. Therefore, EPA suggests that TOC monitoring should be continued if monitoring for TTHM and HAA5 is reduced. Should TOC monitoring be required in this situation?

Subsection (12)(iv)(A)

This section states, “Systems shall take monthly samples of the source water alkalinity, the source water

TOC and the combined filter TOC for each treatment plant that utilizes conventional filtration.” If a plant does not have a combined filter effluent line, where should this sample be taken?

5. Section 109.403. Description and content of notice.—Protection of the public safety.

EPA commented that the EQB should not adopt the public notice on health effects language referenced in Subsection (d). EPA recommends using EPA’s revised language in 40 CFR Part 141, Subpart Q, Appendix B. The regulation should be amended accordingly.

6. Section 109.701. Reporting and recordkeeping.—Clarity.

EPA commented that two reporting requirements for disinfectant residuals were left out of Subsection (a)(8) as follow:

- For chlorine dioxide, systems must also report whether the MRDL was exceeded and whether it was exceeded in any two consecutive daily samples and whether the resulting violation was acute or nonacute.
- For chlorine and chloramines, systems must also report the number of samples and whether the MRDL was exceeded.

EPA also commented that the phrase “entry point” should be taken out of Subsection (a)(9)(ii)(A) because systems must report all samples, not just entry point samples. The EQB should consider revising this subsection in accordance with EPA’s comments.

Department of Agriculture Regulation No. 2-133 Preferential Assessment of Farmland and Forest Land Under The Clean and Green Act November 2, 2000

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Department of Agriculture (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 2, 2002, the regulation will be deemed withdrawn.

1. Comments of Representative Raymond Bunt, Jr., and Senator Noah W. Wenger.

During our review of this regulation, we identified a number of sections that did not meet the criteria of the Regulatory Review Act. These same issues were also raised in the comments submitted by Representative Raymond Bunt, Jr., Chairperson of the House Agriculture and Rural Affairs Committee, and Senator Noah W. Wenger, Acting Chairperson of the Senate Agriculture and Rural Affairs Committee, in their letters to the Department dated October 23, 2000.

We concur with the objections and recommendations that were raised in the comments of Representative Bunt and Senator Wenger concerning the following sections of the regulation:

Section 137b.1. Purpose.—Consistency with statute; Legislative intent.

For consistency with the Pennsylvania Farmland and Forest Land Assessment Act of 1974, as amended by Act

156 of 1998 (72 P. S. §§ (5490.1—5490.11) (Act), the last sentence of Subsection (b) should be deleted.

Section 137b.2. Definitions.—Consistency with statute; Clarity.

The second sentence of the definition of “transfer” should be deleted, as it is inconsistent with Section 6(a.3) of the Act.

Paragraphs (i) and (ii) under the definition of “outdoor recreation” are inconsistent with the Act and should be deleted.

Section 137b.12. Agricultural use.—Clarity

The undefined term “agricultural production” should be replaced with the defined term “agricultural commodity.”

Section 137b.13. Agricultural reserve.—Statutory authority; Clarity.

The Department should delete the requirement that at least 60% of the land in agricultural reserve must be in land classifications I through IV excluding wetlands and water areas, or explain its statutory basis. Additionally, the phrase “and woodlot” should be added at the end of the sentence, since this section describes agricultural reserve land.

Section 137b.14. Forest reserve.—Statutory authority; Clarity.

Since there is no statutory basis for the requirement of producing annual growth of 25 cubic feet per acre, it should be deleted. Paragraph (ii) from the definition of “forest reserve” should be added to this section.

Section 137b.27. Assessment of ineligible land.—Clarity. The phrase “and buildings” is unnecessary and should be deleted.

Subsection 137b.52(b) No termination of preferential assessment without change of use.—Legislative intent; Consistency with the statute; Clarity.

The last sentence in the first paragraph of Subsection (b) is inconsistent with the Act and the intent of the General Assembly. This sentence should be deleted. Examples 3 and 4 under Subsection (b) are not applicable without the mechanism to make advance payments toward the roll-back tax. Therefore, they should be deleted.

Subsection 137b.52(d) Payment of roll-back taxes does not affect preferential assessment of remaining land.—Clarity.

The references to Section 2 of the Act in Examples 3 and 4 are incorrect. They should be changed to Section 3 of the Act.

Section 137b.54. Calculating the contributory value of farm buildings.—Clarity.

Paragraph (i) of the proposed definition for “contributory value of farm buildings” should be added to this section.

Section 137b.62. Enrolled “agricultural use” land of less than 10 contiguous acres.—Clarity.

Instead of using terms describing specific agricultural operations, the defined term “agricultural commodity” should be used.

Section 137b.71. Death of an owner of enrolled land.—Clarity.

This section should clearly indicate that the inheritors of the preferentially assessed land must file amended applications as required by Section 5490.4(f)(1) of the Act.

Section 137b.102. Recordkeeping.—Consistency with statute; Clarity.

To be consistent with Section 5(a)(1) of the Act, the term “property record cards” should be added to the first sentence of this section. In addition, the last sentence should be deleted.

Section 137b.131. Civil penalties.—Clarity

We agree with Representative Bunt, Senator Wenger and the Pennsylvania Farm Bureau that the term “violation” should be defined in this section. Additionally, the regulation should state that those who change the use of enrolled land are subject to roll-back taxes, not civil penalties.

2. Section 137b.2 Definitions.—Consistency with statute; Clarity.

General

The definitions of “agricultural commodity, agricultural reserve, agricultural use, capitalization rate, farm building, farmstead land, income approach, land use category, net return to land, and woodlot” are the same as the Act. The regulation should reference the statutory definitions, not repeat them verbatim.

The regulatory definitions of “contributory value of farm building, forest reserve, split off, roll-back taxes, and separation” are similar to the statutory definitions in the Act but include new language. To be consistent with the statute, the regulation should reference the statutory definitions.

Rural enterprise incidental to the operational unit

This phrase is defined as a “commercial enterprise or venture.” Section 8(d) of the Act refers to this activity as “direct commercial sales of agriculturally related products and activities or for a rural enterprise incidental to the operational unit.” The definition should be amended to incorporate the language of the Act.

3. Section 137b.4. Contacting the Department.—Clarity.

This section gives the street address of the Department along with a telephone and fax number that the regulated community can use. Can the regulated community contact the Department through electronic mail? If so, an e-mail address should also be included.

4. Section 137b.22. Landowner may include or exclude from the application tracts described in separate deeds.—Consistency with statute; Clarity.

This section states that if contiguous tracts are described in separate deeds, a landowner may include or exclude any of the tracts from the application for preferential assessment. Subsections 3(a.1)(1) and (2) of the Act (72 P. S. §§ 5490.3(a.1)(1) and (2)) state that contiguous tracts may be enrolled if the total area meets the minimum requirements for eligibility. Additionally, if a tract itself does not meet the minimum requirements, it may be enrolled if it is contiguous to a tract previously enrolled for preferential assessment.

This section in the regulation does not include these conditions. The regulation should be revised to reflect these statutory provisions governing the enrollment of contiguous tracts with separate deeds.

5. Section 137b.24. Ineligible land may appear on an application, although it cannot receive preferential assessment.—Statutory authority; Clarity.

This section includes the following sentence: “The ultimate determination of whether land is eligible or ineli-

gible shall be made by the county assessor.” Rather than using the word “ultimate,” the regulation should state that eligibility determinations by the county assessor shall be based upon the requirements and standards set forth in the Act.

6. Section 137b.26. Land located in more than one tax district.—Consistency with other regulations; Clarity.

Example 2 under this section contains statements that conflict with Section 137b.43. Example 2 provides that when a tract of land is located in two counties, the landowner must file applications for preferential assessment in each county. Section 137b.43 states that when a tract is located in more than one county, the landowner must file the application with the county assessor in the county to which the landowner pays property taxes. Example 2 should be consistent with Section 137b.43.

7. Section 137b.41. Application forms and procedures.—Legislative intent; Consistency with statute; Implementation procedure; Reasonableness; Clarity.

Subsection (a) Standardized application form required.

Subsection (b) Application form and worksheets.

Subsection 4(c) of the Act (72 P. S. § 5490.4(c)) sets forth three conditions for “application forms for preferential assessment in all counties”:

- Application forms shall be “uniform.”
- “Application forms shall be developed by the department.”
- Forms will include “the information the department shall deem appropriate.”

Subsections 137b.41(a) and (b) refer to a “‘Clean and Green Valuation Application’ form” and “‘Clean and Green Valuation Worksheet’ form.” However, nothing in this section or elsewhere in the regulation identifies the contents of these forms or the types of information needed to complete the forms.

To insure uniformity, the regulation should be amended to include the content and informational requirements of the application and worksheet forms.

Subsection (e) Additional information.

This subsection allows a county assessor to require an applicant to provide additional information or documentation. A county assessor must make the request in writing. This written request must clearly state the reasons why the application is insufficient and identify the necessary information required by the assessor. There are two concerns.

First, for consistency with Subsection 3(e) of the Act (72 P. S. § 5490.3(e)), Subsection 137b.41(e) should provide examples of the types of documentation or information that a county assessor may request.

Second, this section should direct counties to perform a completeness review. The completeness review should be finished within a certain time period, such as within 30 days of receipt. The county should then notify the applicant as to whether the application is complete or what additional information is required.

8. Section 137b.46. Fees of the county board for assessment appeals.—Consistency with statute; Clarity.

This section could be interpreted to allow counties to charge fees in addition to those authorized by Subsections

4(d), (e) and (f) of the Act. For clarity, the regulation should reference Subsections 4(d), (e) and (f) of the Act which specify both the application fee and the circumstances when a county may impose recording fees.

9. Section 137b.51. Assessment procedures.—Reasonableness; Clarity

Subsection (d) Determining preferential assessment.

This section contains a standard formula for determining preferential assessment of land. The formula includes the number of acres of land in each subcategory and the use value for the particular land use subcategory. However, each county uses its own “established predetermined ratio” in assessing land values. The term “established predetermined ratio” is defined in Section 102 of the General County Assessment Law (72 P. S. § 5020-102). In order to accurately determine the assessments of these lands, the regulation should incorporate a county’s established predetermined ratio into the formula.

10. Section 137b.52. Duration of preferential assessment.—Legislative intent; Consistency with the statute; Clarity.

Subsection (g) Transfer does not trigger roll-back taxes.

This subsection states that there will be no roll-back taxes when enrolled land is transferred without a change to an ineligible use. There are two concerns.

First, the second sentence limits the protection from roll-back taxes to contiguous acreage when the enrolled land consists of several noncontiguous tracts in one application. However, the Act does not make a distinction between contiguous and noncontiguous tracts in the same application. The Department needs to explain its authority for the second sentence or delete it from the regulation.

Second, this subsection does not indicate who is responsible for roll-back taxes if there is a change in the use of the land. Subsection 6(a.3) of the Act provides: “The landowner changing the use of the land to one inconsistent with the provisions of Section 3 shall be liable for payment of roll-back taxes.” This subsection of the regulation should include a reference to this provision of the Act.

11. Section 137b.53. Calculation and recalculation of preferential assessment.—Statutory authority; Reasonableness; Clarity.

Subsection (b) Option of county assessor in calculation of preferential assessment.

Subsection (b) gives county assessors the option of either calculating the preferential assessment annually, or establishing a “base year” for preferential assessment. However, the process for calculating a “base year” value is not discussed. The regulation should include the acceptable process for calculating a “base year.”

Subsection (g) Land enrolled prior to June 2, 1998.

Subsection (g) provides county assessors the option of not recalculating the preferential assessment of land covered in applications for preferential assessment filed on or before June 1, 1998. We have three questions regarding this subsection.

First, what is the Department’s statutory authority for including this “grandfather clause”?

Second, why is this subsection optional?

Finally, how was the date of “June 1, 1998” determined?

12. Section 137b.61. Liability for roll-back taxes.—Clarity.

Subsection (a) provides that, if an owner of enrolled land changes the use of the land “. . . so that it otherwise fails to meet the requirements of section 3 of the Act (72 P. S. § 5490.3). . . .” the landowner is responsible for the payment of roll-back taxes. The regulation should include a phrase that states that, if the above condition is met, the land shall be removed from the preferential assessment program.

13. Section 137b.64. Agricultural reserve land to be open to the public.—Statutory authority.

Subsection (c) Reasonable restrictions on use allowed.

This section allows a landowner to place “. . . reasonable restriction to public access on enrolled land that is enrolled as agricultural reserve land.” Subsection (c) also includes examples of restrictions, including “limiting access to the land to pedestrians only,” and “prohibiting hunting or the carrying or discharge of firearms on the land.”

Section 5490.2 of the Act (72 P. S. § 5490.2) defines “agricultural reserve” as “Noncommercial open space lands used for outdoor recreation . . . and open to the public . . . on a nondiscriminatory basis.” This definition does not contain the restrictions listed in Subsection (c). What is the statutory authority for including these restrictions?

14. Section 137b.75. Transfer of enrolled land for use as a cemetery. Section 137b.76. Transfer of enrolled land or transfer of an easement or right-of-way across enrolled land for use as a trail.—Clarity.

Sections 137b.75 and 137b.76 allow an owner of enrolled land to sell, donate or otherwise transfer any portion of the enrolled land to a nonprofit corporation for use as a cemetery, or easement or right of way, without violating the land’s preferential assessment.

The term “transfer” is not applicable in this instance. As defined in Section 137b.2, “transfer” includes “[a] conveyance of all the contiguous enrolled land described in a single application for preferential assessment under the act” [emphasis added]. The scenarios included in Sections 137b.75 and 137b.76 only apply to portions of land being “transferred,” not the entire parcel. The word “transfer” should be replaced in these two sections with the word “convey.”

15. Section 137b.131. Civil penalties.—Consistency with statute; Clarity

Subsection (c) Appeal hearing.

Subsection (c) provides that a hearing for contesting a civil penalty will be allowed upon “timely notification.” The phrase “timely notification” is unclear. This subsection should be clarified by replacing “timely” with a reference to Section 137b.131(b)(2) in the final-form regulation.

Subsection (d) Final civil penalty.

This subsection, as well as Subsection (b)(2), includes the phrase “within 10 days” for the period to file an appeal. Section 5490.5b(b) of the act (72 P. S. § 5490.5b(b)) states, “If within ten *calendar* days . . . the person does not notify the county board for assessment appeals . . . the civil penalty shall become final” [emphasis added]. Section 137b.131(b)(2) also uses the term “calen-

dar days.” For consistency with the statute, the phrase “within 10 calendar days” should be used in Subsections (d) and (b)(2).

16. Impact of proposed regulation on counties, municipalities and school boards. —Fiscal impact; Implementation procedures; Clarity.

The Preamble indicates that the regulation and the Act will impose costs on counties including revenue shortfalls. Neither the Preamble nor the Regulatory Analysis Form (RAF) provides any estimates concerning the fiscal impact of this regulation on local governments. What will be the economic impact of this regulation on municipalities and school districts?

**Department of Health Regulation No. 10-162
School Immunization
November 2, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Department of Health (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 2, 2002, the regulation will be deemed withdrawn.

1. Adoption by reference.—Protection of the public health and safety; Reasonableness; Clarity.

In the Preamble, the Department explains that the amendments are based on recommendations of the Advisory Committee on Immunization Practices (ACIP) under the Federal Centers for Disease Control and Prevention. The ACIP is recognized as the authority in this area under Pennsylvania law. Section 2 of the Hepatitis B Prevention Act (35 P. S. § 630.2) requires the Department “to establish a program for the prevention of hepatitis B through immunization of children consistent with the recommendations of the Advisory Committee on Immunization Practices.”

Is it the Department’s intention to follow ACIP guidelines in establishing requirements for school immunization? If so, the Department should consider incorporating ACIP guidelines by reference in the regulation, under to 45 Pa.C.S. § 727 and 1 Pa. Code § 3.41. A concern is that new vaccine availability could lag behind the ACIP guidelines. If this is the case, the regulation should provide a grace period for distribution of new vaccines.

2. Section 23.83. Immunization requirements.—Protection of the public health and safety; Reasonableness; Consistency; Need.

(a) Required for entry.

(b) Required for attendance.

Chickenpox and hepatitis B immunizations are included in the list of immunizations required for entry into kindergarten and first grade under Subsection (a). However, they are not included in the list of immunizations required for attendance under Subsection (b). Why? What is the impact of this requirement when a child moves to Pennsylvania and does not have these two immunizations?

Requirement for chickenpox immunization.

Sections 23.83(a)(8) and (c)(2) require chickenpox immunization as a requirement for entry “at a public, private, or parochial school in this Commonwealth, including special education and home education programs.” Public comment was submitted both in support of and in

opposition to adding chickenpox immunity to the list of immunizations required for entry into school. The Department should provide additional explanation or documentation of the need to require chickenpox immunization as a prerequisite for school entry.

3. Section 23.84. Exemption from immunization.—Protection of the public health and safety; Need.

Existing Section 23.84 provides an exemption in the event a physician determines an immunization may be detrimental to the health of the child. One commentator stated that immunizations can be detrimental to other persons in the child's household whose immune systems have been compromised by other diseases or treatments. Is this a possibility? If so, the Department should consider addressing this issue in a future rulemaking.

**Insurance Department Regulation No. 11-184
Policies and Forms; General Filing Requirements
and General Contents of Forms
November 2, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Insurance Department (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 2, 2002, the regulation will be deemed withdrawn.

1. Section 89.2. Scope. and Chapter 89a.—Clarity.

Existing Section 89.2, relating to scope, covers life insurance forms. Section 89a.3 also mentions life insurance forms. For clarity, the Department should explain the differences between Chapter 89 and Chapter 89a, or combine them.

2. Section 89a.6. General contents of forms.—Clarity.

Subsection (c)(3) requires forms to indicate whether the form is a "participating or nonparticipating" form. We understand that the intent is to indicate whether a member may participate in the divisible surplus of an insurer. However, one commentator believes members of a health care network may mistakenly believe "participating and nonparticipating" refers to providers in the health care provider network. Could a different phrase be used?

3. Electronic filing compatibility.—Clarity.

In regard to electronic filings, there is no mention of how compatibility problems will be resolved. What will happen if a filing is made electronically, but it is unusable or unreadable?

**State Board of Education Regulation No. 6-270
Special Education Services and Programs
November 2, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)), which have not been met. The State Board of Education (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 2, 2002, the regulation will be deemed withdrawn.

1. General.—Clarity.

Course completion and diplomas

Section 14.39 relating to course completion and diplomas is being deleted. We have two questions regarding this deletion. Will a student who satisfactorily completes a special education program developed by an IEP team be issued a diploma? How will parents and school districts know what criteria is necessary for a child with a disability to graduate?

Calendar days and school days

In a number of sections, including Sections 14.131(a)(1), 14.154(d)(1) and 14.161(2), the regulation includes specific time frames. However, it is unclear whether these time frames refer to school or calendar days. These timelines should be clarified and made consistent throughout the regulation.

2. Section 342.1. Definitions.—Clarity.

Mental retardation

This definition is deleted from Chapter 342. It is defined in 34 CFR Section 300.7. The term is used in Section 14.132(2)(vii). Because the federal definition is less specific than the existing definition in Chapter 342, how will parents and school districts measure whether students have "subaverage general intellectual functioning"? Further, how will reliance upon the Federal definition affect students currently in special education?

3. Section 14.101. Definitions.—Clarity.

Child with a disability

The proposed regulation incorporates by reference the Federal definition of this term at 34 CFR Section 300.7. However, variations of this term appear throughout the regulation. For example, Section 14.121(c) refers to "students with disabilities." The defined term "child with a disability" should be used consistently throughout the final-form regulation.

Early intervention services and Mutually agreed-upon written arrangement

The definitions of "early intervention services" and "mutually agreed-upon written arrangement" are not consistent with the definitions of these terms found in Section 875-103 of the Early Intervention Services System Act (Act) (11 P. S. § 875-103). The regulation should include or reference the definitions used in the Act or explain why the text of these definitions differ from their counterparts in the Act.

Parent

The Federal regulations at 34 CFR 300.20 define the term "parent" in two subsections. Subsection (a) generally defines "parent" and Subsection (b) defines the term relating to "foster parent." The Federal definition provides "unless State law prohibits a foster parent from acting as a parent, a State may allow a foster parent to act as a parent." The final-form regulation should address the role of foster parents in obtaining special education or early intervention services.

4. Section 14.102. Purpose.—Reasonableness; Clarity.

Subsection (a) uses the term "quality" to describe special education services and programs. The term "quality" is vague. It should be clarified or deleted from the final-form regulation.

Subsection (a)(2) provides for the incorporation by reference of an extensive list of Federal requirements. We have two concerns with this section. First, the Board is incorporating by reference 25 different citations of 34 CFR Part 300. The extensive reference to the Federal

citations gives little guidance to school districts and parents. It would improve the clarity of this regulation if the incorporation by reference were moved to the corresponding sections of the regulation under the applicable subject areas wherever possible.

Second, Subsection (a)(2) uses the phrase “except as expressly otherwise provided in this chapter. . . .” We were unable to find any sections in the proposed rulemaking where citations to 34 CFR were not incorporated by reference. For clarity, this phrase should be deleted.

Subsection (a)(3) uses the phrase “reach their potential.” This phrase is vague. It should be clarified or deleted from the final-form regulation.

5. Section 14.104. Educational plans.—Clarity.

Subsection (f)(1) states “services and programs are adequate in quantity and variety to meet the needs of students. . . .” The terms “adequate” and “variety” should be clarified or deleted from the final-form regulation.

6. Section 14.121. Child find.—Consistency with statute; Clarity.

Subsection (a)

This subsection requires each school district to “locate and identify children thought to be eligible for special education. . . .” Federal regulations, specifically 34 CFR Section 300.125(a)(i), adds the requirement that children with disabilities are also “evaluated.” For consistency with Federal regulations, the Board should amend Subsection (a) to reflect that children thought to be eligible for special education are “identified, located and evaluated.”

Subsection (b)

This subsection requires school districts to conduct “awareness activities. . . .” This subsection should include examples of “awareness activities.”

Subsection (c)

This subsection requires school districts to “provide annual public notification, . . . with circulation adequate to notify parents throughout the school district. . . .” What constitutes “adequate” circulation?

7. Section 14.122. Screening.—Clarity; Reasonableness.

General

This section requires school districts to establish a system of screening. It is not clear from this section whether the school districts are required to involve parents in this activity. Are school districts required to notify parents before any intervention during the screening phase?

Subsection (a)

In Subsection (a)(1), how do school districts “identify and provide initial screening and direct intervention for students *prior to referral for a special education evaluation*”? (Emphasis added.) This should be clarified in the final-form regulation.

Subsection (d)

Subsection (d) provides “if screening activities have produced little or no improvement within 60 school days after initiation, the student shall be formally referred for evaluation. . . .” A period of 60 school days could potentially extend to a total of 12 weeks or a 3 month period of time. What is the basis for the 60-school day limit for screening? Would a lesser period of time following a

teacher’s screening be sufficient to refer a student for an evaluation? For example, would 6 weeks or 30 school days suffice? We request that the Board respond to these questions when the final-form regulation is submitted.

Further, Subsection (d) states that the “student shall be formally referred for evaluation. . . .” Is there a distinction for “formally referred” as opposed to “informally”? If so, specific components of the formal referral process should be specified in the final-form regulation. If not, then the term should be deleted from the final-form regulation.

8. Section 14.123. Evaluation.—Reasonableness; Need; Clarity.

General

Existing Chapter 342 includes not only the disabilities that students would be tested for, but also the types of evaluations that would be used in assessing the presence of various disabilities. The proposed regulation incorporates by reference 34 CFR 300.534(a)(1) and 300.531—535 (relating to evaluating students with disabilities). However, the CFR sections do not address specific disabilities or the methods for determining whether a child has a disability. The final-form regulation should include the provisions of 22 Pa. Code § 342.25(f)—(m) (relating to multidisciplinary evaluation). If these provisions are not included, an explanation should be provided in the preamble of the final-form regulation.

Subsection (a)

Subsection (a) requires a group of qualified professionals to review evaluation materials to determine whether a child has a disability. We have two concerns with this subsection and Section 14.124(a).

First, this group of qualified professionals, according to this subsection, “. . . shall include a certified school psychologist *when appropriate*.” (Emphasis added.) When would including a school psychologist be inappropriate in this setting? Who determines when the psychologist’s participation is “appropriate”?

Second, the term “group of qualified professionals” is vague. For clarity, the term “group of qualified professionals” should be defined in either this section, or Section 14.101 relating to definitions.

Subsection (b)

This subsection requires “the initial evaluation shall be completed and a copy of the evaluation report presented to the parents no later than 60-school days after the agency receives written parental consent.” We have two concerns with this subsection.

First, will parents be allowed to review and discuss drafts of the report with the school administration? If so, language should be included clarifying that parents have this right.

Second, why does a school district need 60 school days from the time it receives written parental consent to complete the evaluation and draft the report? We have the same concern with the 60-day time frame for reevaluation in Section 14.124(b). Sections 14.123 and 14.124 in the final-form regulation should explain the process that occurs during the 60-school day time period.

9. Section 14.131. IEP.—Reasonableness; Need; Clarity.

Subsection (a)

“Notwithstanding the requirements incorporated by reference. . . .” is confusing. As written, this provision does not provide sufficient notice of mandatory standards. Only

those specific Federal regulations that do not conflict with the Board's regulations should be incorporated by reference.

As soon as possible

The existing 22 Pa. Code § 14.32(i)(2) provides that "the IEP of each student shall be implemented as soon as possible, but no later than 10 school days after the completion of the IEP." The proposed regulation does not directly address the implementation time frame. Instead, it incorporates 34 CFR 300.342(b)(1), through its general references in Section 14.102, which requires public agencies to implement a student's IEP "as soon as possible." The phrase "as soon as possible" in the Federal regulations is vague, and leaves the time frame for implementation open to interpretation. The final-form regulation should retain the 10-school day time frame from the existing regulation, or the Board should explain why 10 school days is no longer appropriate.

Behavior management programs

Commentators have noted that behavior management programs are no longer included in the IEP. The Federal regulations, at 34 CFR 300.347, specify the content of an IEP. Behavior management plans are not included. However, Section 300.346(a)(2)(i), relating to development, review and revision of an IEP, states, "In the case of a child whose behavior impedes his or her learning . . . consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior."

The behavior management criterion for an IEP is not specifically included in Section 14.131 of the proposed regulation, or Section 300.347 of the Federal regulation, even though the behavior of a student with a disability will be evaluated during the formulation of their IEP. Therefore, the Board should consider retaining "behavior management programs" as a component of the IEP or explain why this requirement is not retained.

Subsection (a)(1)

Subsection (a)(1) allows a parent to waive the rule requiring a copy of the comprehensive evaluation report to be disseminated to the child's parents at least 10 days prior to the meeting of the IEP team. What is the process for a parent to waive this rule? This procedure should be clarified in the final-form regulation.

Subsection (a)(2)

Subsection (a)(2) outlines the process for students with disabilities that transfer from one school district in the Commonwealth to another. This subsection also provides that the student's new school district will provide services and programs specified in an interim IEP, ". . . until a new IEP is developed and implemented and until the completion of due process proceedings under this chapter." This subsection implies that due process hearings are an automatic part of transferring a student with disabilities to a new school district. If that is not the case, this provision should indicate that if due process proceedings occur, they must be completed before the new IEP is developed and implemented.

Subsection (a)(3)

Subsection (a)(3) states "If a student with a disability moves into a school district in this Commonwealth from another state, the new school district may treat the student as a new enrollee and place the student into regular education and is not required to implement the student's existing IEP." Why would a Commonwealth

school district place a transferring student with a disability into a regular education program without an evaluation?

10. Section 14.132. ESY.—Clarity.

The regulation should indicate whether this section applies to eligible young children. An "eligible young child" as defined in Section 14.101, is "a child who is less than the age of beginners and at least 3 years of age and meets the criteria at 34 CFR Section 300.7 (relating to a child with a disability)." Since the definition of the term "child with a disability" includes the term "eligible young child," can an eligible young child qualify for ESY services?

11. Section 14.133. Behavior support.—Reasonableness; Clarity.

Subsection (e) includes a list of aversive techniques that are considered inappropriate and impermissible. Subsection (e)(7) includes "treatment of a demeaning nature." For greater clarity, the final-form regulation should include examples or a definition of "treatment of a demeaning nature."

Finally, for consistency, the term "behavior management" should be replaced with the IDEA 97 term-of-art "behavioral management" in this section, and throughout the regulation.

12. Section 14.141. Educational placement.—Reasonableness; Need; Clarity.

Paragraph (1)

Paragraph (1) defines a number of terms used in reference to educational placement. These terms include "itinerant," "part time" and "resource." "Itinerant" includes regular classroom instruction for most of the school day, "with special education services and programs provided by special education personnel inside or outside of the regular class for part of the school day." "Part time" includes special education services and programs outside of the regular classroom, ". . . but in a regular school for most of the school day, with some instruction in the regular classroom for part of the school day." "Resource" denotes regular classroom instruction for most of the school day, "with special education services provided by special education personnel in a resource room for part of the school day." These definitions are confusing. In the final-form regulation, the differences between these three terms should be clarified.

Caseload charts

Paragraph (2) requires each school district to ". . . establish caseloads for special education and submit a caseload chart to the Department for approval as part of their special education plan. . . ." We have a number of concerns.

First, why is the Board replacing the former caseload requirements and allowing school districts to determine their own standards?

Second, Paragraph (5) states, "the Department may impose caseloads on agencies when the caseload is determined to be inadequate." What criteria will be used in determining whether a school district's caseload is inadequate? Criteria for the evaluation of caseload charts should be included in this section.

Third, Paragraph (4) provides that caseloads are not applicable to approved private schools. As "approved private schools" are included in the definition of "agency," we question why these schools are not subject to the caseload requirement.

Paragraph (6)

Paragraph (6) requires each school district to establish an age range chart for both elementary school classes and secondary school classes and submit this chart to the Department for approval. Paragraph (6)(iii) requires school districts to provide justification for deviating from the Department's recommended age ranges.

Commentators, including the House Education Committee, have stated that, even with the inclusion of Paragraph (6)(iii), age ranges included in 22 Pa. Code Section 342.42(f) should be retained. We agree and request that the Board consider retaining in this regulation the requirements of caseload and age range that are included in 22 Pa. Code Section 342.42(f).

13. Section 14.142. Caseload for special education.—Reasonableness; Clarity.*Caseload chart*

This section includes a chart that "presents the recommended maximum caseload allowed on a single teacher's roll for each school district." This revised chart is different from the existing chart contained in Chapter 342 (22 Pa. § 342.42). We have several concerns about Section 14.142.

First, absent any Federal or state requirement to do so, the Board should explain the need for altering the existing table in the final-form regulation.

Second, why are the ratios merely "recommended"? Under the existing regulation, the caseload was required for every school district in the Commonwealth. In this proposal, the ratios are optional, and therefore, are included in the regulation to offer school districts guidance. A regulation contains mandates and has the full force and effect of law. Nonmandatory provisions should be contained in a separate guidance document. If the ratios are nonmandatory, the word "recommended" should be deleted.

Third, the existing caseload chart established the limited number of students in parentheses after each caseload ratio. This number denoted the "maximum number of exceptional students in the room with the teacher at any one time." The revised caseload chart does not include that number. Why has that number been deleted in the caseload table?

Fourth, the existing caseload chart (22 Pa. Code § 342.42(j)) under "learning support" and "life skills support" included ratios for both part-time and full-time students in both elementary and secondary schools. The proposed rulemaking includes only elementary and secondary caseload ratios for "life skills" support, and even then it is only under the "full-time" category. Elementary and secondary caseload ratios are not included for "learning support." Why are these ratios and specific educational program breakdowns not included in the final-form regulation?

Finally, the existing caseload chart included a range of students allowed on a single teacher's class rosters. That range has been replaced by a single number. Why has a single number in the final-form regulation replaced the range of students?

14. Section 14.144. Facilities.—Clarity.*Paragraph (1)*

This paragraph requires students with disabilities to be provided with "appropriate classroom space." This requirement is vague and open to interpretation. For example, does this provision apply to the actual size and

location of the classroom, or the facilities within the classroom? The Board should clarify the meaning of "appropriate classroom space" in the final-form regulation.

Paragraph (2)

This paragraph addresses the circumstances under which moving a class is permissible. Does this paragraph apply only to moves within a district, or are moves between districts allowed?

15. Section 14.152. Child find, public awareness and screening.—Clarity.*Subsection (a)*

This subsection requires early intervention agencies to "adopt and use a system to locate and identify eligible young children. . . ." Federal regulations, specifically 34 CFR 300.125(a)(i), add the requirement that children with disabilities must be "evaluated." For consistency with federal regulations, Subsection (a) should be amended to reflect that early intervention agencies "identify, locate and evaluate eligible young children."

Subsection (c)

This subsection requires early intervention agencies to "notify the public of child identification and the procedures followed to ensure confidentiality of information pertaining to eligible young children." What type of notification is required? This requirement should be clarified in the final-form regulation.

16. Section 14.153. Evaluation.—Reasonableness; Clarity.*Paragraphs (A)(i), (ii) and (iii)*

Paragraphs (i) and (ii) require an evaluation or reevaluation to be completed and a report presented to the parents within "60 days" of the request for evaluation or reevaluation. What process occurs during the 60-day period, and how was this time frame determined? Additionally, the time period should refer to school days consistent with the requirements for special education evaluation and reevaluation in Sections 14.123 and 14.124.

Paragraph (iii) requires reevaluations to occur at least once every 2 years. The existing requirement at 22 Pa. Code 342.53(i) is once every year. Why was the minimum time frame for reevaluations revised?

17. Section 14.154. IEP.—Reasonableness.

Subsection (d)(1) requires that the IEP be implemented "as soon as possible, but no later than 14 days after completion of the IEP." What is the basis for the 14-day limit for implementation?

18. Section 14.155. Range of services.—Statutory authority; Clarity.

In its comments, the Pennsylvania Catholic Conference objects to the licensure requirements referenced in Subsection (a). Section 5 of the Private Academic Schools Act (24 P. S. § 6705) specifically exempts religiously affiliated schools from licensure requirements. Furthermore, Section 304 of the Early Intervention Services System Act (11 P. S. § 875-304) only requires mutually agreeable written arrangements and annual assurance that "the service

provider is in compliance with the Commonwealth's regulations and standards." What is the statutory authority for requiring licensure of private preschools?

19. Section 14.156. System of quality assurance.—Reasonableness; Clarity.

Paragraph (2)(i)

This paragraph states that the caseload for supportive intervention "should be 10—40 children with no more than 6 eligible young children serviced in the same session." (Emphasis added.) We have three concerns.

First, the term "supportive intervention" should be defined in the final-form regulation.

Second, this paragraph states what the caseload "should be." As written, this provision appears to be a guideline, rather than a mandate. A regulation has the full force and effect of law. Nonmandatory provisions should not be included in regulations. If the caseload range contained in this paragraph is a requirement, then the language should be revised to so indicate. If the caseload range is a recommendation, the language should be placed in a statement of policy.

Finally, how was the caseload range determined?

Paragraph (2)(ii)

Paragraphs (A), (B) and (C) list the staff-to-children ratios for children functioning at different developmental levels. How were these ratios determined?

Paragraph (2)(iii)

This paragraph specifies that for home based programs, the caseload ratio is 10 to 20 eligible young children per teacher. This ratio appears to include a broad range of children for which a teacher may provide services. Please explain how this ratio was determined.

Paragraph (2)(iv)

This paragraph provides that the speech and language itinerant program caseload for a single teacher is 10 to 50 eligible young children. This appears to be a broad range. How was this ratio determined?

Paragraph (2)(v)

Under this paragraph, for "early intervention programs where physical therapy or occupational therapy, or both, is specified on the IEP, individual caseloads are determined with consideration of the type of services delivered and the time required for those services." For these situations, does the individual therapist determine the caseload?

20. Section 14.157. Exit criteria.—Reasonableness; Clarity.

Subsection (a)(1) cross-references 11 P. S. 875-301(1). However, this citation does not appear to relate to exit criteria. Is this citation correct?

Subsection (a)(2) establishes a 4 month time period during which a child functions within the range of normal development as one of the criteria to exit the early intervention program. The existing time period is 6 months. Why is this time period is being reduced?

21. Section 14.158. Data collection and confidentiality.—Clarity.

The title of this section references confidentiality. However, there are no confidentiality provisions in this section. This section should be reviewed to reconcile this inconsistency.

22. Section 14.161. Prehearing conferences.—Clarity.

Inclusion of early intervention agencies

This section of the regulation addresses prehearing conferences as they relate to when "the parent disproves the school district's proposed action or refusal to act." Do the provisions in this section also apply to early intervention agencies? If so, they should be added to this section. If not, please explain the options for parents when they disagree with the action or inaction of the early intervention agency.

Additionally, if early intervention agencies are included under this section, the term "young child" in the first sentence (relating to the purpose of the section) should be replaced with the defined term "eligible young child."

Paragraph (2)

Under this paragraph, "When requested, the school district shall convene the prehearing conference within 10 days of receipt of the parent notice and shall be chaired by the superintendent or the superintendent's designee." There are two concerns.

First, a hearing officer has the discretion to schedule a prehearing conference with or without a party's request. Therefore, the word "shall" should be changed to "may" in this paragraph.

Second, the regulation should clarify what constitutes "receipt" of a parent notice.

Paragraph (3)

This paragraph states that "if the prehearing conference does not result in an agreement, the provisions under 14.162 (relating to impartial due process hearing and expedited due process hearing) shall be applied." In its comments, the House Education Committee notes that the Pennsylvania mediation system could be applied and that parents should not feel compelled to enter a due process hearing. Consequently, the House Education Committee suggests changing "shall be applied" to "may be applied." We concur. Also, to improve clarity, a reference to the mediation process should be included in this subsection.

23. Section 14.162. Impartial due process hearing and expedited due process hearing.—Statutory authority; Reasonableness; Clarity.

Subsection (b)

This subsection consists of one long sentence, which is confusing and difficult to read. The clarity of this section could be improved by breaking the sentence into subparagraphs.

Subsection (c)

This subsection allows the school district or early intervention agency to request a hearing to proceed with an initial evaluation or educational placement when they have been unable to obtain consent from the parents. In its comments, the House Education Committee recommends deleting the reference to early intervention agencies. The Committee notes that the early intervention system is optional, since parents may choose whether or not they want these services for their child.

What is the statutory authority for the early intervention agency to proceed with evaluation or placement in

the absence of parental consent? If there is none, the reference to early intervention agencies should be deleted.

Subsection (d)

This subsection requires a hearing to be held at "a place reasonably convenient to the parents." This provision should be revised to require the hearing to be held at both a place and time that is convenient for the parents.

Subsection (i)

The Board's explanation of this subsection in the preamble does not clearly convey the intent of the regulatory language. We suggest that this discussion be redrafted to clarify that a party does not have to be represented by a lawyer in a due process hearing. A party may be accompanied, assisted or advised by a person with expertise in special education. However, only a lawyer may perform functions in the hearing that constitute the practice of law.

**Environmental Quality Board Regulation No. 7-356
Administration of Land Recycling Program
November 3, 2000**

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) that has not been met. The Environmental Quality Board (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by October 4, 2002, the regulation will be deemed withdrawn.

1. Section 250.5. Public notice by applicant.—Clarity.

Subsection (d)

Subsection (d) states "the remediator shall send notice to every municipality and community water supplier servicing the area. . . ." Will the remediator have to "send notice" through first class or registered mail? Will notice by phone or electronic mail suffice? The final-form regulation should include a clarification of the notice requirement.

Subsection (e)

Subsection (e) begins with the phrase "Upon receipt of a request. . . ." What constitutes "receipt"? Additionally, upon receipt, the "municipality and community water supplier shall have 45 days to indicate . . . any information relevant to the requirements of § 250.303." When does the 45-day time frame begin? The final-form regulation should indicate how receipt is documented.

2. Section 250.6. Public participation.—Reasonableness; Clarity.

Subsection (e) requires a person making a precertification determination request for a nonuse aquifer to develop and implement a public involvement plan. We have a number of concerns regarding this subsection.

First, this subsection requires that a public involvement plan ". . . shall be developed by the person making a precertification determination request under § 250.303(f). . . ." Section 250.303(f) allows only municipal authorities and political subdivisions to make a precertification determination request. Is this the intent? Should a company interested in remediating the site also be able to develop a public involvement plan?

Second, Subsection (e)(2) requires a person making a precertification determination request to implement a public involvement plan. One component of the public

involvement plan is a 90-day comment period. How was the 90-day time frame time determined? Would 45 or 60 days be sufficient time for local governments to respond?

Third, Subsections (c)(1) and (e)(3) require the public to have access to documentation at "convenient locations." For clarity, examples of "convenient locations" should be included in these subsections in the final-form regulation.

Fourth, Subsections (c)(1) and (e)(3) should require the documentation to be available to the public at convenient times. They should include examples of convenient times.

Finally, Subsections (c)(1) and (e)(5) require "A location near the proposed nonuse aquifer designation site for any public hearings and meetings. . . ." The word "near" is vague and needs clarification.

3. Section 250.303. Aquifer determination; current use and currently planned use of aquifer groundwater.—Consistency with the statute; Clarity.

We have several concerns with Subsection (f). First, the regulation refers to "receipt of a nonuse aquifer determination request, and receipt of the required public involvement plan." The final-form regulation should clarify what constitutes "receipt."

Second, Subsection (f) establishes a 3 year expiration date for a nonuse aquifer determination made under this subsection. How was the 3 year period determined? Would a longer period of time suffice? Additionally, what does the renewal process entail? Is another public involvement plan required?

Finally, under this subsection, the nonuse aquifer determination "may be updated at any time additional *relevant* information comes to the attention of the Department." (Emphasis added.) For clarity, the final-form regulation should include examples of what type of information would be considered relevant to updating a nonuse aquifer determination.

4. Section 250.311. Evaluation of ecological receptors.—Clarity.

Subsections (c) and (d) address "Constituents of Potential Ecological Concern (CPECs) associated with a release at the site. . . ." Does "release" refer to any historical release on the site, or only the release that is currently being remediated?

5. Section 250.707. Statistical tests.—Clarity.

There are several concerns with this section. First, Subsection 250.707(b)(1)(iii) uses the phrase "full site characterization." It is our understanding that the required components of a "full site characterization" are listed in existing Subsections 250.204(b)—(e). If so, Subsection 250.707(b)(1)(iii) should cross-reference the subsections that describe a "full site characterization."

Second, the regulation only addresses situations in which a "full site characterization" has not been done in association with an excavation remediation. What requirements apply when a "full site characterization" has been done?

Third, does Subsection 250.707(b)(1)(iii) pertain only to underground storage tank systems or does it involve releases in other situations?

Finally, Subsection 250.707(b)(1)(iii)(C) states: "All sample results shall meet the Statewide health standards." The subsection should cross-reference or identify the appropriate "Statewide health standards."

6. Appendix A, Medium-Specific Concentrations (MSCs) for Organic Regulated Substances, Physical and Toxicological Properties.—Consistency with other regulations; Reasonableness; Clarity.

Part of this regulation was a correction of typographical and calculation errors in Appendix A. This is a continual process. BP Exploration & Oil, Inc., Pennsylvania Electric Association, PPL Generation LLC and Energy Association of Pennsylvania noted the need for additional corrections. The Appendix should be reviewed and corrected in developing the final-form regulation.

In particular, there is a concern with the standards and calculations for polychlorinated biphenyls (PCBs). The Energy Association of Pennsylvania noted that the standards and calculations for PCBs in the proposed regulation are inconsistent with and more stringent than the Federal standards of the U.S. Environmental Protection Agency. The standards for monitoring PCBs need to be clarified. If they are more stringent than comparable Federal standards, the need for the higher standards should be justified.

JOHN R. MCGINLEY,
Chairperson

[Pa.B. Doc. No. 00-2000. Filed for public inspection November 17, 2000, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
106-5	Environmental Hearing Board Practice and Procedure	11/08/00
18-349	Department of Transportation Administrative Practice and Procedure; Outdoor Advertising	11/08/00

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 00-2001. Filed for public inspection November 17, 2000, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws: Kevin J. Brogan; Doc. No. SC00-11-009

Notice is hereby given of the Order to Show Cause issued on May 4, 1999, by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the above-referenced matter. Violation of the following is alleged: Insurance Department Act of 1921 (40 P.S. §§ 234, 275, 278 and 279); 31 Pa. Code §§ 37.46—37.47, 81.1 and Appendix A.

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If

Respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code §§ 31.1—35.251 (relating to General Rules of Administrative Practice and Procedure); 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene, or notices of intervention, if any, must be filed in writing with the Docket Clerk, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-2002. Filed for public inspection November 17, 2000, 9:00 a.m.]

Application for Voluntary Dissolution

PMA Life Insurance Company, a domestic stock life insurance company, has submitted an application for approval of the voluntarily dissolution of its charter. The filing was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. § 1 et seq. Persons wishing to comment on the grounds of public or private interest concerning the dissolution, are invited to submit a written statement to the Pennsylvania Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed, and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Room 1311 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557, or by e-mail to rbrackbi@ins.state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-2003. Filed for public inspection November 17, 2000, 9:00 a.m.]

List of Names of Qualified Unlicensed Reinsurers

Under Section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1), the Insurance Commissioner hereby lists reinsurers not licensed by the Insurance Department which shall be considered qualified to accept reinsurance from insurers licensed by the Insurance Department.

This listing of qualified unlicensed reinsurers shall be published in the *Pennsylvania Bulletin* when additions to or deletions from such listing are made by the Insurance Commissioner. This present listing shall replace in their entirety previously published listings of qualified unlicensed reinsurers which appeared at 6 Pa.B. 2423 (September 25, 1976); 6 Pa.B. 3140 (December 18, 1976); 7 Pa.B. 501 (February 19, 1977); 7 Pa.B. 1766 (June 25, 1977); 8 Pa.B. 276 (January 28, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 3461 (December 2, 1978); 9 Pa.B. 4235

(December 22, 1979); 11 Pa.B. 38 (January 3, 1981); 12 Pa.B. 37 (January 2, 1982); 12 Pa.B. 2368 (July 23, 1982); 13 Pa.B. 657 (February 5, 1983); 13 Pa.B. 2826 (September 10, 1983); 14 Pa. B. 1053 (March 24, 1984); 14 Pa.B. 3065 (August 18, 1984); 15 Pa.B. 402 (February 2, 1985); 15 Pa.B. 3214 (September 7, 1985); 16 Pa.B. 290 (January 25, 1986); 17 Pa.B. 461 (January 24, 1987); 17 Pa.B. 5368 (December 26, 1987); 18 Pa.B. 5540 (December 10, 1988); 19 Pa.B. 713 (February 18, 1989); 19 Pa.B. 3129 (July 22, 1989); 19 Pa.B. 5476 (December 23, 1989); 20 Pa.B. 6227

(December 15, 1990); 21 Pa.B. 3286 (July 20, 1991); 21 Pa.B. 5445 (November 23, 1991); 22 Pa.B. 4591 (September 5, 1992); 23 Pa.B. 60 (January 2, 1993); 23 Pa.B. 5678 (November 27, 1993); 24 Pa.B. 4151 (August 13, 1994); 24 Pa.B. 6033 (December 3, 1994); 25 Pa.B. 5799 (December 16, 1995); 26 Pa.B. 5665 (November 16, 1996); 27 Pa.B. 2593 (May 24, 1997); 27 Pa.B. 6019 (November 15, 1997); 28 Pa.B. 5733 (November 14, 1998) 28 Pa.B. 5922 (December 5, 1999) and 29 Pa.B. 5965 (November 20, 1999).

Insurance Department's Qualified Reinsurers List

1. 37958 Acceptance Insurance Company, Omaha, Nebraska
2. 10021 ACE Capital Mortgage Reinsurance Company, New York, New York
3. 30180 ACE Guaranty Re Inc., Baltimore, Maryland
4. 37532 Agricultural Excess and Surplus Insurance Company, Wilmington, Delaware
5. 10651 AIG Global Trade & Political Risk Insurance Company, Parsippany, New Jersey
6. 41858 American Dynasty Surplus Lines Insurance Company, Wilmington, Delaware
7. 37990 American Empire Insurance Company, Cincinnati, Ohio
8. 26883 American International Specialty Lines Insurance Company, Anchorage, Alaska
9. 10316 Appalachian Insurance Company, Johnston, Rhode Island
10. 27189 Associated International Insurance Company, Woodland Hills, California
11. 50687 Attorneys' Title Insurance Fund, Inc., Orlando, Florida
12. 19925 Audubon Indemnity Company, Jackson, Mississippi
13. 18988 Auto-Owners Insurance Company, Lansing, Michigan
14. 36552 AXA Reinsurance Company, Wilmington, Delaware
15. 36951 Century Surety Company, Columbus, Ohio
16. 38989 Chubb Custom Insurance Company, Dover, Delaware
17. 81914 Clarica Life Insurance Company, Waterloo, Canada
18. 97071 Clarica Life Reinsurance Company, Lansing, Michigan
19. 10291 CNA Reinsurance Company Limited, London, England
20. 39993 Colony Insurance Company, Richmond, Virginia
21. 40371 Columbia Mutual Insurance Company, Columbia, Missouri
22. 27955 Commercial Risk Re-Insurance Company, South Burlington, Vermont
23. 17400 Coregis Indemnity Company, Durham, North Carolina
24. 10928 Eagle Insurance Company, Jersey City, New Jersey
25. 10240 E+S Ruckversicherungs Aktiengesellschaft, Hannover, Germany
26. 40509 EMC Reinsurance Company, Des Moines, Iowa
27. 90670 ERC Life Reinsurance Corporation, Jefferson City, Missouri
28. 39020 Essex Insurance Company, Wilmington, Delaware
29. 35378 Evanston Insurance Company, Evanston, Illinois
30. 44792 Executive Risk Specialty Insurance Company, Simsbury, Connecticut
31. 85472 First ING Life Insurance Company of New York, New York
32. 92673 Gerling Global Life Insurance Company, Toronto, Canada
33. 87017 Gerling Global Life Reinsurance Company, Los Angeles, California
34. 22098 Grain Dealers Mutual Insurance Company, Indianapolis, Indiana
35. 88340 Hannover Life Reassurance Company of America, Orlando, Florida
36. 10241 Hannover Ruckversicherungs-Aktiengesellschaft, Hannover, Germany
37. 93505 Hartford International Life Reassurance Corporation, Westport, Connecticut
38. 78972 Healthy Alliance Life Insurance Company, St. Louis, Missouri
39. 42374 Houston Casualty Company, Houston, Texas
40. 27960 Illinois Union Insurance Company, Chicago, Illinois

41. 10040 Inner Harbor Reinsurance, Inc., Baltimore, Maryland
42. 22829 Interstate Fire & Casualty Company, Chicago, Illinois
43. INEX Insurance Exchange, Chicago, Illinois
44. 35637 Landmark Insurance Company, San Francisco, California
45. 29912 Legion Indemnity Company, Chicago, Illinois
46. 19437 Lexington Insurance Company, Wilmington, Delaware
47. Lloyd's Underwriters, London, England
48. 98078 Manulife Reinsurance Corporation (USA), Buffalo, New York
49. 32089 Medmarc Mutual Insurance Company, Vergennes, Vermont
50. 33189 Monticello Insurance Company, Wilmington, Delaware
51. 20079 National Fire & Marine Insurance Company, Omaha, Nebraska
52. 41629 New England Reinsurance Corporation, Hartford, Connecticut
53. 29700 North American Elite Insurance Company, Manchester, New Hampshire
54. 31143 Old Republic Union Insurance Company, Montgomery, Alabama
55. 88099 Optimum Re Insurance Company, Dallas, Texas
56. 37338 Pacific Insurance Company, Los Angeles, California
57. 38636 Partner Reinsurance Company of the U. S., New York, New York
58. 88536 Protective Life and Annuity Insurance Company, Birmingham, Alabama
59. 29807 PXRE Reinsurance Company, Hartford, Connecticut
60. 24481 Reliance Insurance Company of Illinois, Chicago, Illinois
61. 10679 St. Paul Reinsurance Company, Limited., London, England
62. 21911 San Francisco Reinsurance Company, Novato, California
63. 87572 Scottish Re (U.S.), Inc., Santa Cruz, California
64. 41297 Scottsdale Insurance Company, Columbus, Ohio
65. 23388 Shelter Mutual Insurance Company, Columbia, Missouri
66. 10743 Sphere Drake Insurance Company Limited, Brighton, England
67. 10932 Starr Excess Liability Insurance Company, Ltd., Wilmington, Delaware
68. 39187 Suecia Insurance Company, Nanuet, New York
69. 93483 Swiss-Am Reassurance Company, Wilmington, Delaware
70. 10672 Terra Nova Insurance Company, Limited., London, England
71. 19887 Trinity Universal Insurance Company, Dallas, Texas
72. 37982 Tudor Insurance Company, Keene, New Hampshire
73. 10292 Unionamerica Insurance Company, Limited., London, England
74. 36048 Unione Italiana Reinsurance Company of America, Inc., New York, New York
75. 39330 United Capitol Insurance Company, Atlanta, Georgia
76. 28053 United Coastal Insurance Company, Phoenix, Arizona
77. 13021 United Fire & Casualty Company, Cedar Rapids, Iowa
78. 38032 US International Reinsurance Company, Manchester, New Hampshire
79. 21067 Westchester Surplus Lines Insurance Company, Honolulu, Hawaii
80. 29548 Western Indemnity Insurance Company, Houston, Texas
81. 13196 Western World Insurance Company, Keene, New Hampshire
82. 10242 Zurich Specialties London Limited, London, England

**Changes to the Qualified Unlicensed Reinsurers
List Since it Was Published on November 20, 1999:**

The following companies have been removed from the list since it was published on November 20, 1999.

American Agricultural Insurance Company, Indianapolis, Indiana

Guardian Royal Exchange Assurance PLC, London, England

The following companies have been added to the list since it was published on November 20, 1999:

Clarica Life Insurance Company (U.S. Branch), Waterloo, Canada

Sphere Drake Insurance Company Limited, London, England

The following companies have changed their names since the list was published on November 20, 1999:

Capital Mortgage Reinsurance Company, New York, New York changed its name to ACE Capital Mortgage Reinsurance Company, New York, New York

Capital Reinsurance Company, Baltimore, Maryland changes its name to ACE Guaranty Re Inc., Baltimore, Maryland

European Reinsurance Corporation of America, Manchester, New Hampshire changed its name to North American Elite Insurance Company, Manchester, New Hampshire

Hansa Reinsurance Company of America, Nanuet, New York has changed its name to Suecia Insurance Company, Nanuet, New York

Harbourton Reassurance, Inc., Wilmington, Delaware changed its name to Scottish Re (U.S.), Inc., Santa Cruz, California

Reassurance Company of Hannover, Orlando, Florida changed its name to Hannover Life Reassurance Company of America, Orlando, Florida

Sun Life Of Canada Reinsurance Company (U.S.), Lansing, Michigan changed its name to Clarica Life Reinsurance Company, Lansing, Michigan

The following company was removed from the list because it became licensed in Pennsylvania since the list was published on November 20, 1999:

AXA Re Property & Casualty Insurance Company, Wilmington, Delaware

The following companies were removed from the list because they merged into licensed companies since the list was published on November 20, 1999:

First Excess and Reinsurance Corporation, Jefferson City, Missouri merged into GE Reinsurance Corporation

Health Providers Insurance Company, Deerfield, Illinois merged into American Continental Insurance Company

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-2004. Filed for public inspection November 17, 2000, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance 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 Pittsburgh, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held at the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Keith D. Cerqueira; file no. 00-308-71258; Farmers Fire Insurance Company; doc. no. P100-11-008; January 12, 2001, at 1 p.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. 00-2005. Filed for public inspection November 17, 2000, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no such documents have been received. For questions concerning or copies of documents filed, but not published, please call (717) 783-1530.

Executive Board

Resolution #CB-00-279, Dated, October 27, 2000. Authorizes the side letter amending Article 41 of the labor agreement between the Commonwealth of Pennsylvania and SEIU. Additionally, it also provides to increase the hourly rate paid to PRN Nurses effective 8/1/2000.

Resolution #CB-00-280, Dated, October 27, 2000. Authorizes the side letter to move the Registered Nurse 1 and Registered Nurse 2 classifications at SCI-Graterford, Southeastern Pa. Veteran's Center and four state hospitals (Norristown, Allentown, Wernersville, and Harrisburg) to Step 6 of their respective Pay Range, effective the first full pay period in August 2000.

Governor's Office

Management Directive No. 310.24—Accepting Debit/Credit Cards and Electronic Funds Transfers for Commonwealth Revenues, Amended October 20, 2000.

Management Directive No. 315.17—Direct Deposit of Pay Program, Amended October 20, 2000.

Management Directive No. 325.5—Single Audit Costs—State Level, Amended September 27, 2000.

Management Directive No. 505.28—Family Care Account Program, Amended October 6, 2000.

Management Directive No. 530.11—Benefit Rights of Permanent and Temporary Employees, Amended October 6, 2000.

Management Directive No. 620.1—Coal Sampling and Reporting, Revision No. 1, Dated September 26, 2000.

Administrative Circular No. 00-31—Holidays - 2001, Dated October 6, 2000.

Administrative Circular No. 00-32—Christmas Trees and Decorations, Dated October 16, 2000.

Administrative Circular No. 00-33—Preaudit Requirements - Invitation to Qualify (ITQ) Contracts, Dated October 20, 2000.

Administrative Circular No. 00-34—Distribution Manual for Personnel Management Review, M505.2, Dated October 23, 2000.

GARY R. HOFFMAN,
Director,
Pennsylvania Code and
Bulletin

[Pa.B. Doc. No. 00-2006. Filed for public inspection November 17, 2000, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Chester County, Wine & Spirits Shoppe #1513, 1006 Lancaster Avenue, Berwyn, PA 19312-1844.

Lease Expiration Date: August 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space located within 1.5 miles of Berwyn, Easttown Township.

Proposals due: December 8, 2000 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: James M. Bradley, (215) 482-9670

Delaware County, Wine & Spirits Shoppe #2311, 4316 Woodland Avenue, Drexel Hill, PA 19026-4324.

Lease Expiration Date: August 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space located near the intersection of Woodland Avenue and Burmont Road, Drexel Hill, Upper Darby Township.

Proposals due: December 8, 2000 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: James M. Bradley, (215) 482-9670

Franklin County, Wine & Spirits Shoppe #2805, 1670 Lincoln Way East, Chambersburg, PA 17201-3346.

Lease Expiration Date: October 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,700 to 3,200 net useable square feet of new or existing retail commercial space along U.S. Route 30, between Interstate 81 to the west and Garman Drive to the east.

Proposals due: December 8, 2000 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Charles D. Mooney, (717) 657-4228

Chester County, Wine & Spirits Shoppe #1503, 228 South 3rd Street, Oxford, PA 19363-1728.

Lease Expiration Date: August 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space located within four (4) miles of the area of Oxford.

Proposals due: December 8, 2000 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: James M. Bradley, (215) 482-9670

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 00-2007. Filed for public inspection November 17, 2000, 9:00 a.m.]

MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND

Notice of and Amount of Surcharge

The Medical Professional Liability Catastrophe Loss Fund, under the authority granted by section 701(e) of the Health Care Services Malpractice Act (40 P.S. § 1301.701(e)), as amended by Act 135 of 1996, has determined that the annual surcharge to be assessed for calendar year 2001 shall be 61% applied to the prevailing primary premium for each health care provider.

Act 135 of 1996 defines "prevailing primary premium" as the schedule of occurrence rates approved by the Insurance Commissioner for the Joint Underwriting Association (JUA). For purposes of the 2001 annual surcharge, the JUA rates to be used are \$500,000 per occurrence/\$1,500,000 per annual aggregate for health care providers other than hospitals, and \$500,000 per occurrence/\$2,500,000 per annual aggregate for hospitals.

Health care providers having approved self-insurance plans shall be surcharged an amount equal to the sur-

charged imposed on a health care provider of like class, size, risk and kind as determined by the Fund's Director.

JOHN H. REED,
Director

[Pa.B. Doc. No. 00-2008. Filed for public inspection November 17, 2000, 9:00 a.m.]

PENNSYLVANIA COMMISSION FOR WOMEN

Meeting Notice

The Pennsylvania Commission for Women has scheduled the next Commission Meeting to be held on Monday, November 27, 2000, from 10 a.m. until 3 p.m. at the Wyndham Garden Hotel, 765 Eisenhower Boulevard, Harrisburg, PA 17111. The public is invited to attend. Persons who need accommodations due to a disability and want to attend should contact Christine Anderson, PA Commission for Women, 205 Finance Building, Harrisburg, PA 17120 at (717) 787-8128 or (888) 615-7477, at least 24 hours in advance so arrangements can be made.

DANA ZAMOLYI,
Deputy Director

[Pa.B. Doc. No. 00-2009. Filed for public inspection November 17, 2000, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; Nora Mead Brownell; Terrance J. Fitzpatrick

Public Meeting held
October 25, 2000

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. American Telecommunications En-
terprise; Docket No. C-00004116; A-310156*

Default Order

By the Commission:

On August 30, 2000, the Law Bureau Prosecutory Staff instituted a complaint against American Telecommunications Enterprise (the "Respondent"), an interexchange ("IXC") reseller certificated at A-310156. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its monthly Universal Service Fund assessments were overdue by three or more months. The complaint charged that the Respondent violated the Commission's order entered on February 4, 2000, at Docket No. L-00000148 (*Rulemaking Re Establishing Universal Service Fund Regulations at Pa. Code §§ 63.141—63.1502*) by not paying the monthly assessments.

The complaint sought an order from the Commission canceling the Respondent's certificate of public convenience for failure to pay its assessment and accrued late charges. The complaint was mailed by the Secretary's Bureau on August 31, 2000, and according to the postal return receipt, service was perfected on September 6,

2000. To date, more than 20 days later, no answer has been filed to the complaint and the assessments have still not been paid; *Therefore, It Is Ordered:*

1. That the allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. That the Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers, the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That American Telecommunications Enterprise immediately cease providing service to any new customers and, within 10 days of the entry of this Order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent public comment within the 20-day time period established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by American Telecommunications Enterprise at Docket No. A-310156 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

By the Commission,

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2010. Filed for public inspection November 17, 2000, 9:00 a.m.]

Default Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; Nora Mead Brownell; Terrance J. Fitzpatrick

Public meeting held
October 25, 2000

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. ATCALL, Inc.; Docket No.
C-00004117; A-310340*

Default Order

By the Commission:

On August 30, 2000, the Law Bureau Prosecutory Staff instituted a complaint against ATCALL, Inc. (the "Respondent"), an interexchange ("IXC") reseller certificated at A-310340. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its monthly Universal Service Fund assessments were overdue by three or more months. The complaint charged that the Respondent violated the Commission's order entered on February 4, 2000, at Docket No. L-00000148 (*Rulemaking Re Establishing Universal*

Service Fund Regulations at Pa. Code §§ 63.141—63.1502) by not paying the monthly assessments.

The complaint sought an order from the Commission canceling the Respondent's certificate of public convenience for failure to pay its assessment and accrued late charges. The complaint was mailed by the Secretary's Bureau on August 31, 2000, and according to the postal return receipt, service was perfected on September 6, 2000. To date, more than 20 days later, no answer has been filed to the complaint and the assessments have still not been paid; *Therefore, It Is Ordered:*

1. That the allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. That the Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers, the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That ATCALL, Inc. immediately cease providing service to any new customers and, within 10 days of the entry of this Order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent public comment within the 20-day time period established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by ATCALL, Inc. at Docket No. A-310340 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

By the Commission,

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2011. Filed for public inspection November 17, 2000, 9:00 a.m.]

Default Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; Nora Mead Brownell; Terrance J. Fitzpatrick

Public meeting held
October 25, 2000

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Business Telecommunications Systems Inc.; Docket No. C-00004118; A-310038

Default Order

By the Commission:

On September 27, 2000, the Law Bureau Prosecutory Staff instituted a complaint against Business Telecommunications Systems Inc. (the "Respondent"), an interexchange ("IXC") reseller certificated at A-310038. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its monthly Universal Service Fund assessments were overdue by three or more months. The complaint charged that the Respondent violated the Commission's order entered on February 4, 2000, at Docket No. L-00000148 (*Rulemaking Re Establishing Universal Service Fund Regulations at Pa. Code §§ 63.141—63.1502*) by not paying the monthly assessments.

The complaint sought an order from the Commission canceling the Respondent's certificate of public convenience for failure to pay its assessment and accrued late charges. The complaint was mailed by the Secretary's Bureau on September 27, 2000, and according to the postal return receipt, service was perfected on September 29, 2000. To date, more than 20 days later, no answer has been filed to the complaint and the assessments have still not been paid; *Therefore, It Is Ordered:*

1. That the allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. That the Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers, the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That Business Telecommunications Systems Inc. immediately cease providing service to any new customers and, within 10 days of the entry of this Order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent public comment within the 20-day time period established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Business Telecommunications Systems Inc. at Docket No. A-310038 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

By the Commission,

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2012. Filed for public inspection November 17, 2000, 9:00 a.m.]

Default Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; Nora Mead Brownell; Terrance J. Fitzpatrick

Public meeting held
October 25, 2000

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Home Owners Long Distance Inc.;*
Docket No. C-00004120; A-310196

Default Order

By the Commission:

On August 30, 2000, the Law Bureau Prosecutory Staff instituted a complaint against Home Owners Long Distance Inc. (the "Respondent"), an interexchange ("IXC") reseller certificated at A-310196. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its monthly Universal Service Fund assessments were overdue by three or more months. The complaint charged that the Respondent violated the Commission's order entered on February 4, 2000, at Docket No. L-00000148 (*Rulemaking Re Establishing Universal Service Fund Regulations at Pa. Code §§ 63.141—63.1502*) by not paying the monthly assessments.

The complaint sought an order from the Commission canceling the Respondent's certificate of public convenience for failure to pay its assessment and accrued late charges. The complaint was mailed by the Secretary's Bureau on August 31, 2000, and according to the postal return receipt, service was perfected on September 14, 2000. To date, more than 20 days later, no answer has been filed to the complaint and the assessments have still not been paid; *Therefore, It Is Ordered:*

1. That the allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. That the Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers, the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That Home Owners Long Distance Inc. immediately cease providing service to any new customers and, within 10 days of the entry of this Order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent public comment within the 20-day time period established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate

of public convenience held by Home Owners Long Distance Inc. at Docket No. A-310196 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

By the Commission,

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2013. Filed for public inspection November 17, 2000, 9:00 a.m.]

Default Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice Chairperson; Nora Mead Brownell; Terrance J. Fitzpatrick

Public Meeting held
October 25, 2000

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. QCC, Inc.;* *Docket No. C-00004123;*
A-310019

Default Order

By the Commission:

On August 30, 2000, the Law Bureau Prosecutory Staff instituted a complaint against QCC, Inc. a/k/a Quest Communications Corp. (the "Respondent"), an interexchange ("IXC") reseller certificated at A-310019. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its monthly Universal Service Fund assessments were overdue by three or more months. The complaint charged that the Respondent violated the Commission's order entered on February 4, 2000, at Docket No. L-00000148 (*Rulemaking Re Establishing Universal Service Fund Regulations at Pa. Code §§ 63.141—63.1502*) by not paying the monthly assessments.

The complaint sought an order from the Commission canceling the Respondent's certificate of public convenience for failure to pay its assessment and accrued late charges. The complaint was mailed by the Secretary's Bureau on August 31, 2000, and according to the postal return receipt, service was perfected on September 5, 2000. To date, more than 20 days later, no answer has been filed to the complaint and the assessments have still not been paid; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers, the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. The QCC, Inc. immediately cease providing service to any new customers and, within 10 days of the entry of this Order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent public comment within the 20-day time period established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by QCC, Inc. at Docket No. A-310019 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2014. Filed for public inspection November 17, 2000, 9:00 a.m.]

Rescission Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Terrance J. Fitzpatrick

Public Meeting held
October 25, 2000

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. As Telecommunications, Inc.; Doc.
No. C-00003834; A-310537*

Rescission Order

By the Commission:

On June 28, 2000, the Law Bureau Prosecutory Staff instituted a complaint against As Telecommunications, Inc. (the Respondent), an IXC reseller certificated at A-310537 for failure to remit payment for its 1999-2000 Annual Assessment. Subsequently, on September 13, 2000, the Commission entered a Default Order which sustained the complaint and cancelled Respondent's certificate of public convenience. The Default Order was published on September 30, 2000, at 30 Pa.B. 5099.

Since the issuance of the Default Order, it has come to the Commission's attention that the amount had been paid on May 12, 2000; *Therefore, It Is Ordered That:*

1. The Default Order entered September 13, 2000 at Docket No. C-00003834 is hereby rescinded.

2. The certificate of public convenience held by As Telecommunications at Docket No. A-310537 is hereby reinstated.

3. A copy of this order be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2015. Filed for public inspection November 17, 2000, 9:00 a.m.]

Rescission Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Terrance J. Fitzpatrick

Public Meeting held
October 25, 2000

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Laurel Highland Long Distance;
Doc. No. C-00003837; A-310371*

Rescission Order

By the Commission:

On June 28, 2000, the Law Bureau Prosecutory Staff instituted a complaint against Laurel Highland Long Distance (the Respondent), an IXC reseller certificated at A-310371 for failure to remit payment for its 1999-2000 Annual Assessment. Subsequently, on September 13, 2000, the Commission entered a Default Order which sustained the complaint and cancelled Respondent's certificate of public convenience. The Default Order was published on September 30, 2000, at 30 Pa. B. 5100.

Since the issuance of the Default Order, it has come to the Commission's attention that the amount had been paid on July 19, 2000; *Therefore, It Is Ordered That:*

1. The Default Order entered September 13, 2000 at Docket No. C-00003837 is hereby rescinded.

2. The certificate of public convenience held by Laurel Highland Long Distance at Docket No. A-310371 is hereby reinstated.

3. A copy of this order be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2016. Filed for public inspection November 17, 2000, 9:00 a.m.]

Rescission Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Terrance J. Fitzpatrick

Public Meeting held
October 25, 2000

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Telec, Inc.; Doc. No. C-00003843;
A-310446*

Rescission Order

By the Commission:

On June 28, 2000, the Law Bureau Prosecutory Staff instituted a complaint against Telec, Inc. (the Respondent), an IXC reseller certificated at A-310446 for failure to remit payment for its 1999-2000 Annual Assessment. Subsequently, on September 13, 2000, the Commission entered a Default Order which sustained the complaint and cancelled Respondent's certificate of public convenience. The Default Order was published on September 30, 2000, at 30 Pa.B. 5102.

Since the issuance of the Default Order, it has come to the Commission's attention that the amount was paid on July 17, 2000; *Therefore, It Is Ordered That:*

1. The Default Order entered September 13, 2000 at Docket No. C-00003843 is hereby rescinded.

2. The certificate of public convenience held by Telec, Inc. at Docket No. A-310446 is hereby reinstated.

3. A copy of this order be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2017. Filed for public inspection November 17, 2000, 9:00 a.m.]

Rescission Order

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Terrance J. Fitzpatrick

Public Meeting held
October 25, 2000

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Vista International Commun., Inc.;*
Doc. No. C-00003846; A-310155

Rescission Order

By the Commission:

On June 28, 2000, the Law Bureau Prosecutory Staff instituted a complaint against Vista International Commun., Inc. (the Respondent), an IXC reseller certificated at A-310155 for failure to remit payment for its 1999-2000 Annual Assessment. Subsequently, on September 13, 2000, the Commission entered a Default Order which sustained the complaint and cancelled Respondent's certificate of public convenience. The Default order was published on September 30, 2000, at 30 Pa.B. 5104.

Since the issuance of the Default Order, it has come to the Commission's attention that the amount had been paid on September 27, 2000; *Therefore, It Is Ordered That:*

1. The Default Order entered September 13, 2000 at Docket No. C-00003846 is hereby rescinded.

2. The certificate of public convenience held by Vista International Communications, Inc. at Docket No. A-310155 is hereby reinstated.

3. A copy of this order be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2018. Filed for public inspection November 17, 2000, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on

or before December 11, 2000, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00117262. Ralph J. Benner and Mary Ann Benner, Copartners (6 Hemlock Lane, Strasburg, Lancaster County, PA 17579)—persons in paratransit service, between points in the counties of Chester, Lancaster, Lebanon and York, and from points in said counties, to points in Pennsylvania, and vice versa; limited to the transportation of persons whose personal convictions prohibit them from owning or operating motor vehicles.

A-00117309. Superior Ambulance Service, Inc. (620 East Main Street Extension, Grove City, Mercer County, PA 16127), a corporation of the State of New Jersey—persons in paratransit service, between points in the county of Mercer, and from points in said county, to points in Pennsylvania, and vice versa. *Attorney:* Steven R. Wirth, 5002 Lenker Street, Suite 202, Mechanicsburg, PA 17055.

A-00117312. Entertainment Transportation Associates, Inc. (PMB 195, 100 Springdale Road, Suite A-3, Cherry Hill, NJ 08003), a corporation of the State of New Jersey—persons in paratransit service, between points in the counties of Montgomery, Delaware, Philadelphia, Lehigh, Chester and Bucks.

A-00117313. Rodney P. Andrews, t/d/b/a Classic Limousines (251 West Dekalb Pike, B-611, King of Prussia, Montgomery County, PA 19406)—persons in limousine service, between points in the counties of Montgomery and Chester and the city and county of Philadelphia, and from points in said territory, to points in Pennsylvania, and return.

A-00117314. James Joseph Harrington, t/d/b/a Jim Harrington Limo Service (296 Camp Strause Road, Fredericksburg, Lebanon County, PA 17026)—persons in limousine service, between points in the county of Lebanon, and from points in said county, to points in Pennsylvania, and return.

A-00117315. Michael Edward Durant (6339 East Fariston Drive, Philadelphia, Philadelphia County, PA 19120)—persons in paratransit service, from points in the city and county of Philadelphia, to all State Correctional Institutions, located in Pennsylvania, and return.

A-00117316. Warwick Community Ambulance Association (P. O. Box 42, Lititz, Lancaster County, PA 17543), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Lancaster, and from points in said county, to points in Pennsylvania, and vice versa. *Attorney:* Douglas M. Wolfberg, 5002 Lenker Street, Suite 202, Mechanicsburg, PA 17055.

A-00117317. National Limousine Service, Inc. (1808 Morris Circle, Southampton, Bucks County, PA 18966), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the counties of Bucks, Chester, Delaware and Montgomery, and the city and county of Philadelphia, and from points in said territory, to points in Pennsylvania, and return.

Attorney: John J. Gallagher, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

A-00117323. Harry C. Campbell, Jr., t/d/b/a Campbell Limousine (402 Club 21 Road, McClellandtown, Fayette County, PA 15458)—persons in limousine service, between points in the county of Fayette, and from points in said county, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219.

A-00117324. Maria Jacqueline Disen Colon, t/d/b/a Colon Transport (1519 Titania Road, Tobyhanna, Monroe County, PA 18466)—persons upon call or demand in the borough of Mount Pocono, and the townships of Coolbaugh, Tobyhanna, Tunkhannock and Pocono, all located in Monroe County.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-00117326. Limo 2000, Inc. (1140 Delene Road, Jenkintown, Montgomery County, PA 19046), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in the counties of Delaware, Chester, Montgomery and Philadelphia, and from points in said counties, to points in Pennsylvania, and return; subject to the following conditions: (1) that no right, power or privilege is granted to provide transportation from points in the boroughs of Pottstown, Colledgeville and Norristown and the townships of Upper Dublin, Whitmarsh, Montgomery, Upper Merion, Plymouth, Upper Moreland and Lower Gwynedd, Montgomery County; or from the city of Coatesville, the townships of Schuylkill and Charlestown and the Valley Forge General Hospital, the Great Valley Industrial Park, Unisys Corporation in Great Valley, M.A.I. Sorbus in Great Valley, the Embassy Hotel in the township of East Whiteland and the Chesterbrook Shopping Center in Chesterbrook, Chester County, to the Philadelphia International Airport, located in the city and county of Philadelphia and Tinicum Township, Delaware County; (2) that no right, power or privilege is granted to originate or terminate transportation in the townships of Media and Newtown Square, Delaware County; Gladwyne (Lower Merion Township), Montgomery County; Paoli, (Tredyffrin and Williston Townships), Berwyn (Tredyffrin Township) and Westtown Township, Chester County; and (3) that no right, power or privilege is granted to render transportation from the Philadelphia International Airport located in the city and county of Philadelphia and the township of Tinicum, Delaware County, to points in the counties of Chester, Delaware, Montgomery and Philadelphia; which is to be a transfer of all of the rights authorized under the certificate issued at A-00116773 to A Priority Transportation Company, t/d/b/a Town & Country Limousine Service, subject to the same limitations and conditions. *Attorney:* John J. Gallagher, Suite 1100, 1760 Market Street, Philadelphia, PA 19103.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.

A-00103670, Folder 1, Am-E. S. & S. Taxi Co. (400 Eden Park Boulevard, McKeesport, Allegheny County, PA 15132), a corporation of the Commonwealth of Pennsylvania, inter alia—persons upon call or demand in the

borough of Trafford, Westmoreland and Allegheny Counties: *So as to permit* the transportation of persons upon call or demand in the boroughs of East Pittsburgh, East McKeesport, Wilmerding and Wall, Allegheny County, and the cities of New Kensington, Arnold and Lower Burrell, Westmoreland County. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

A-00114036, Folder 1, Am-A. 7th Ward Civic Association (404 Cedar Street, Johnstown, Cambria County, PA 15902), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Cambria, and from points in said county, to points within an airline distance of 70 statute miles of the limits of the city of Johnstown, Cambria County; subject to the following conditions: (1) that service is limited to the use of vehicles equipped with side-opening doors, ramps or lifts, wheelchairs, oxygen tanks and first-out bags; and (2) that the service is limited to equipment operated only by state certified emergency medical technicians: *So as to permit* the removal of the following condition: (1) that service is limited to the use of vehicles equipped with side-opening doors, ramps or lifts, wheelchairs, oxygen tanks and first-out bags. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods by transfer as described under each application.

A-00110007, Folder 2. Isaac's Relocation Service, Inc. (285 Newtonville Avenue, Newton, MA 02160), a corporation of the Commonwealth of Pennsylvania—(1) household goods in use, between points in the city and county of Philadelphia, and from points in said city and county, to points within 10 miles by the usually traveled highways of the limits of the said city and county, and vice versa; and (2) property, excluding household goods in use, between points in Pennsylvania; which is to be a transfer of all of the rights authorized under the certificate issued at A-00114583 to MPS Enterprises, Inc., subject to the same limitations and conditions. *Attorney:* James W. Patterson, Centre Square West, 1500 Market Street, 38th Floor, Philadelphia, PA 19102-2186.

Application of the following for the approval of the transfer of stock as described under each application.

A-00109593, Folder 5001. Anderson Transfer, Inc. (231 Burton Avenue, Washington, Washington County, PA 15301), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of all of the issued and outstanding shares of stock (1,500 shares) from Judy L. Moore to Barbara E. Moore. *Attorney:* Louise R. Schrage, Vuono & Gray, LLC, 2310 Grant Building, Pittsburgh, PA 15219-2383.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2019. Filed for public inspection November 17, 2000, 9:00 a.m.]

Telecommunications

A-310904F0002. The United Telephone Company of Pennsylvania d/b/a Sprint and Broadband Office Communications, Inc. Joint Petition of The United

Telephone Company of Pennsylvania d/b/a Sprint and Broadband Office Communications, Inc. for approval of a master interconnection and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and Broadband Office Communications, Inc., by its counsel, filed on November 1, 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 The United Telephone Company of Pennsylvania d/b/a Sprint and Broadband Office Communications, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2020. Filed for public inspection November 17, 2000, 9:00 a.m.]

Telecommunications

A-310513F0002. United Telephone Company of Pennsylvania d/b/a Sprint and Sprint Spectrum L.P. d/b/a Sprint PCS. Joint Application of United Telephone Company of Pennsylvania d/b/a Sprint and Sprint Spectrum L.P. d/b/a Sprint PCS for approval of a commercial mobile radio services interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania d/b/a Sprint and Sprint Spectrum L.P. d/b/a Sprint PCS, by its counsel, filed on August 25, 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 United Telephone Company of Pennsylvania d/b/a Sprint and Sprint Spectrum L.P. d/b/a Sprint PCS Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2021. Filed for public inspection November 17, 2000, 9:00 a.m.]

Telecommunications

A-310994F0002. The United Telephone Company of Pennsylvania d/b/a Sprint and USA Digital, Inc. d/b/a USA Digital of Nevada, Inc. Joint Petition of The United Telephone Company of Pennsylvania d/b/a Sprint and USA Digital, Inc. d/b/a USA Digital of Nevada, Inc. for approval of a master interconnection and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and USA Digital, Inc. d/b/a USA Digital of Nevada, Inc., by its counsel, filed on November 1, 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 The United Telephone Company of Pennsylvania d/b/a Sprint and USA Digital, Inc. d/b/a USA Digital of Nevada, Inc. Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-2022. Filed for public inspection November 17, 2000, 9:00 a.m.]

Telecommunications

A-310183F0002. Verizon North Inc. f/k/a GTE North Incorporated and Sprint Communications Company L.L.P. Joint Application of Verizon North Inc. f/k/a GTE North Incorporated and Sprint Communications Company L.L.P. for approval of a supplemental interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. f/k/a GTE North Incorporated and Sprint Communications Company L.L.P., by its counsel, filed on October 31, 2000, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of a supplemental interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. f/k/a GTE North Incorporated and Sprint Communications Company L.L.P. 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. 00-2023. Filed for public inspection November 17, 2000, 9:00 a.m.]

PORT OF PITTSBURGH COMMISSION

Independent Auditors' Report

Board of Directors
Port of Pittsburgh Commission
Pittsburgh, Pennsylvania

We have audited, in accordance with generally accepted auditing standards, the balance sheet of Port of Pittsburgh Commission Special Revenue Fund (Commission), a component unit of the Commonwealth of Pennsylvania, as of June 30, 2000, and the related statement of revenues, expenditures and changes in fund balance for the year ended (not presented herein); and, in our report dated September 13, 2000, we express an unqualified opinion on those financial statements.

As described below, the accompanying summary financial information of the Commission as of and for the year June 30, 2000 is not a presentation in conformity with generally accepted accounting principles. In our opinion, however, the accompanying summary financial information is fairly stated, in all material respects, in relation to the financial statements from which it has been derived.

Terry & Stephenson, P. C.
429 Forbes Avenue, Suite 1600
Pittsburgh, PA 15219

September 13, 2000
Pittsburgh, Pennsylvania

Port of Pittsburgh Commission Special Revenue Fund (A Component Unit of the Commonwealth of Pennsylvania) Balance Sheet June 30, 2000

Assets:	
Cash and investments	\$1,406,297
Other assets	<u>7,581</u>
Total Assets	<u>\$1,413,878</u>
Liabilities and Fund Balance:	
Liabilities	\$2,021,683
Fund balance (accumulated deficit) - reserved for economic development	<u>(607,805)</u>
Total Liabilities and Fund Balance	<u>\$1,413,878</u>

Statement of Revenues, Expenditures, and Changes in Fund Balance for the Year Ended June 30, 2000

Revenues and Other Financing Sources:	
Interest, rental, and other income	\$ 159,540
Intergovernmental transfers	<u>901,000</u>
	<u>1,060,540</u>
Expenditures:	
Operating	600,606
Capital	83,564
Other	<u>79,559</u>
	<u>763,729</u>
Excess of revenues and other financing sources over expenditures	296,811
Fund balance, beginning of year	<u>(904,616)</u>
Fund balance, end of year	<u>(\$607,805)</u>

The summary financial information shown above differs from generally accepted accounting principles. Differences include amounts grouped; captions summarized; footnote disclosures are omitted.

Submitted by:

JAMES R. MCCARVILLE,
Executive Director

[Pa.B. Doc. No. 00-2024. Filed for public inspection November 17, 2000, 9:00 a.m.]