

PENNSYLVANIA BULLETIN

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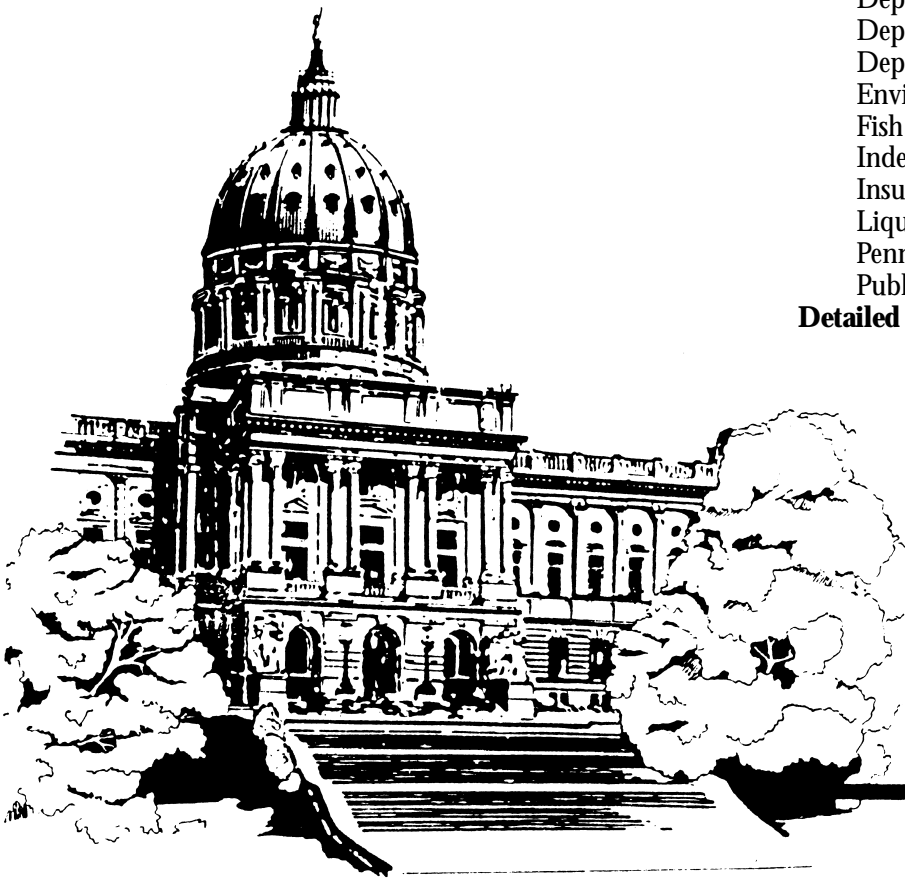
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**Latest Pennsylvania Code Reporter
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No. 319, June 2001

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2001.

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THE GOVERNOR

GOVERNOR'S OFFICE

Proclamation of Disaster Emergency

June 20, 2001

Whereas, investigations made at my direction have disclosed that localized and unusually heavy rains in parts of Bucks and Montgomery Counties associated with Tropical Storm Allison during the period of June 15 through June 17, 2001, have resulted in extensive damage to roads and streets, private homes, businesses, and caused other adverse impacts upon the general population of the counties; and

Whereas, the emergency situation has been of such magnitude and severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable state, county, and municipal emergency response plans; and

Now Therefore, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S. Section 7101 et seq.), I do hereby proclaim the existence of a disaster emergency in the affected areas of Bucks and Montgomery Counties, and I direct all Commonwealth departments and agencies to utilize all available resources and personnel as is deemed necessary to cope with the magnitude and severity of this emergency situation.

Further, I hereby transfer up to \$4 million in unused appropriated funds to the Pennsylvania Emergency Management Agency. The aforementioned funds shall be used for disaster-related expenses incurred by various state agencies and departments. These funds shall be credited to a special account established by the Office of the Budget. All Commonwealth agencies purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in Section 516 of the Commonwealth Procurement Code, 62 Pa.C.S. Section 516. This Proclamation shall serve as the written determination of the basis for the emergency under Section 516; and

Further, I hereby authorize the Secretary of the Department of Transportation to use all available equipment, resources, and personnel of the Department, in whatever manner that he deems necessary, to ensure that all state highways in the disaster affected areas are cleared of debris and any other obstructions resulting from this severe storm. In addition, I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in clearing and removal of debris and other types of obstructions from non-state-owned highways. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of the Department of Transportation. This assistance, however, does not apply to privately owned highways, roads, streets, or other types of property; and

Further, I hereby authorize the Secretary of the Department of Transportation to use all available equipment, resources, and personnel of the Department, in whatever manner he deems necessary, to ensure that highways, bridges, roadbeds, and related facilities and structures, including Federal-aid highways, that have sustained damage in the disaster affected area are immediately repaired, maintained, reconstructed, or replaced or that new construction is undertaken where necessary. In addition, I hereby waive any laws or regulations that would restrict the ability of the Department to respond immediately and effectively in repairing, maintaining, reconstructing, or replacing these damaged highways, bridges, roadbeds, and related facilities and structures, including Federal-aid highways, and areas adjacent thereto, or in undertaking necessary new construction; and

THE GOVERNOR

Further, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, I hereby authorize the Adjutant General of Pennsylvania to place on state active duty for the duration of the emergency/disaster proclamation, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the danger to public health and safety caused by the aforementioned emergency; and

Further, I have directed that the emergency response and recovery aspects of the Commonwealth and all applicable county, municipal, and other disaster emergency response and recovery plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency; and

Still Further, I hereby continue to urge the governing bodies and executive officers of all political subdivisions affected by this emergency to act as necessary to meet the current exigencies as legally authorized under this proclamation, namely: by the employment of temporary workers; by the rental of equipment; and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

Given under my hand and the Seal of the Governor, at the city of Harrisburg, this twentieth day of June in the year of our Lord, two thousand and one and of the Commonwealth, the two hundred and twenty-fifth.



Governor

[Pa.B. Doc. No. 01-1163. Filed for public inspection June 29, 2001, 9:00 a.m.]

THE COURTS

COMMONWEALTH COURT

Regular Session of Commonwealth Court for the
Year 2002; 126 M.D. No. 3

Order

And Now, June 18th, 2001, pursuant to Pa.R.A.P. 3703,
the following calendar is fixed for the year 2002:

<i>Session</i>	<i>Situs</i>
February 11-15	Pittsburgh
March 11-15	Philadelphia
April 8-12	Harrisburg
May 6-10	Pittsburgh
June 10-14	Philadelphia
September 9-13	Harrisburg
October 7-11	Pittsburgh
November 4-8	Philadelphia
December 2-6	Harrisburg

JOSEPH T. DOYLE,
President Judge

[Pa.B. Doc. No. 01-1164. Filed for public inspection June 29, 2001, 9:00 a.m.]

RULES AND REGULATIONS

Title 52— PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 63]

[L-00000148]

Universal Service Fund

The Pennsylvania Public Utility Commission (Commission) on March 22, 2001, adopted a revised final rulemaking order establishing a universal service funding mechanism, implementing revenue-neutral rate reform and resolving interconnection issues in the telecommunications industry. The contact persons are Gary Wagner, Bureau of Fixed Utility Services, (717) 783-6175, and Elizabeth Barnes, Law Bureau, (717) 772-5408.

Executive Summary

For several years, the Commission has been examining the need for an Intrastate Universal Service Fund (USF or Fund) in an effort to both reduce and restructure access charges and establish the appropriate level playing field for the development of local competition in this Commonwealth. The USF is a means to reduce access and toll rates for the ultimate benefit of end-users and to encourage greater toll competition while enabling carriers to preserve the affordability of local service rates.

The State USF, as currently constituted within the parameters of the instant rulemaking, can best be described as a "revenue-neutrality" fund designed to neutralize local exchange carrier (LEC) revenue short-falls resulting as a consequence of anticipated access charge and intraState toll revenue reductions. Although it is referred to as a fund, it is actually a pass-through mechanism to facilitate the transition from a monopoly environment to a competitive environment—an exchange of revenue between telephone companies which attempts to equalize the revenue deficits occasioned by mandated decreases in toll and access charges receipts.

Prior rulemaking attempts at establishing USF regulations, *Rulemaking to Establish a Universal Service Funding Mechanism*, Docket No. L-00950105 (June 21, 1996), were ultimately addressed in the Commission's Order on September 30, 1999 (P-00991648 and P-00991649). The September 30 Order directed that regulations be promulgated to establish and administer a State USF.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Commission submitted a copy of the final rulemaking, which was published as proposed at 30 Pa.B. 1549 (March 18, 2000) and served on March 7, 2000 to IRRC and the Chairpersons of the House Committee on Consumer Affairs and the Senate Committee on Consumer Protection and Professional Licensure for review and comment. Under section 5(c), the Commission also provided the Independent Regulatory Review Commission (IRRC) and the Committees with copies of the comments received, as well as other documentation. In preparing these final-form regulations, the Commission has considered all comments received from IRRC, the Committees and the public.

These final-form regulations were deemed approved by the House Committee on Consumer Affairs and Senate

Committee on Consumer Protection and Professional Licensure on February 20, 2001. The final-form regulations were approved by IRRC on May 17, 2001, in accordance with section 5.1(e) of the Regulatory Review Act.

Public Meeting held
March 22, 2001

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Revised Final Rulemaking Order

By the Commission:

Introduction

For several years, the Commission has been examining the need for a USF or Fund in an effort to both reduce and restructure access charges and establish the appropriate level playing field for the development of local competition. The USF is a means to reduce access and toll rates for the ultimate benefit of end-users and to encourage greater toll competition while enabling carriers to continue to preserve the affordability of local service rates. The State USF, as currently constituted within the parameters of the instant rulemaking, can best be described as a revenue-neutrality fund designed to neutralize LEC revenue short-falls resulting as a consequence of ordered access charge and intraState toll revenue reductions. Although it is referred to as a fund, it is actually a pass-through mechanism to facilitate the transition from a monopoly environment to a competitive environment—the USF provides for an exchange of revenue between telephone companies which attempts to equalize the revenue deficits occasioned by mandated decreases in toll and access charges receipts.

With the enactment of 66 Pa.C.S. Chapter 30 (relating to alternate form of regulation of telecommunications services), this Commission has statutory authority to establish a USF. *Rulemaking to Establish a Universal Service Funding Mechanism*, L-00950105 (June 21, 1996); *Bell Atlantic-Pennsylvania v. PaPUC*, 2790 C.D. 1999, October 25, 2000. Under Chapter 30, the Commission has explicit regulatory authority to take appropriate actions to maintain universal service at affordable rates. In particular, we note the legislative objective of "maintaining universal service at affordable rates statewide," the requirement that telecommunications customers pay only "reasonable charges" for local service, and that the Commission may "establish such additional requirements and regulations as it determines to be necessary and proper to ensure the protection of consumers." See 66 Pa.C.S. §§ 3001(1), 3001(2) and 3009(b)(3) (relating to declaration of policy; and additional powers and duties), respectively. Section 254(f) of the Telecommunications Act of 1996 (TA-96) (47 U.S.C.A. § 254) also contains explicit state authority for a USF, providing that "[e]very telecommunication carrier that provides intrastate telecommunications services shall contribute, on an equitable and nondiscriminatory basis, in a manner determined by the State to preserve and advance universal service in that State."

With the initiation of the Global Settlement Conference in September 1998, the issues relating to a USF, including the size and structure of the fund, and its interplay with access and toll rate reduction, rate caps and rate rebalancing, were bundled with the myriad of other complex telecommunications issues the parties were seeking to resolve. Both of the subsequent petitions to resolve

these complex telecommunications issues (P-00991648 and P-00991649) contained proposals to establish a USF. These petitions formed the basis for the Global Order later entered on September 30, 1999.

Procedural History

In *Formal Investigation to Examine and Establish Updated Universal Service Principles and Policies for Telecommunications in the Commonwealth*, Docket No. I-00940035 (November 10, 1997) and *Generic Investigation in Intrastate Access Charge Reform*, Docket No. I-00960066 (November 10, 1997), Bell Atlantic-Pennsylvania, Inc., now known as Verizon Pennsylvania (Verizon), and the small incumbent LECs filed a proposed joint settlement of the universal service issues, embodied in their Small Company Universal Service Plan (Small Company Plan), originally filed on November 10, 1997, at Docket Nos. I-00940035, L-00950105, I-00940034 and I-00960066. The Small Company Plan was proposed as an interim measure to be in place until such time as the Commission and the Federal Communications Commission resolved outstanding policy issues and permanently established rules concerning universal service and access charge reform. Subsequently, Verizon and the Rural Telephone Company Coalition (RTCC) filed an Amended Plan which was attached to their petition at P-00991649 (1649 Petition) as Appendix II, Small Company Universal Service Fund Settlement.¹

In the Global Order, the Commission directed that a USF be established and sized in accordance with the Amended Plan attached to the 1649 Petition as Appendix II, Section A, as altered by Sprint Communications Company L.P. and the United Telephone Company of Pennsylvania's (Sprint/United) inclusion in the plan. The Commission adopted the Amended Plan's proposal that the Fund be sized at \$20.5 million based upon the schedules attached to the Amended Plan.

At a subsequent Technical Conference on November 2, 1999, the RTCC requested additional time to submit updated schedules which would more accurately reflect September 1998 to September 1999 data, and it was further generally agreed among the parties represented at the Technical Conference that the originally estimated sizing of \$20.5 million did not anticipate Sprint/United's participation in the Fund at a level of \$9.0 million. Therefore, since new incumbent local exchange carrier (ILEC) schedules and Sprint/United's original schedule were forthcoming and would affect the eventual tariff filings and the sizing of the Fund, it was recognized and accepted that the sizing figure of \$20.5 million, as well as Verizon's initial payment of \$12.0 million, would increase.

The USF Proposed Regulations were published at 30 Pa.B. 1549 (March 18, 2000). On April 17, 2000, the Commission received written comments from AT&T Communications of Pennsylvania, Inc. (AT&T); Verizon; RTCC; the Attorney General's Office; Office of Consumer Affairs; and Sprint/United. On May 18, 2000, the Commission received comments from IRRC.

On December 5, 2000, a Final Rulemaking Order was entered at the Commission. However, upon review of continued concerns from IRRC, the Commission sua sponte withdrew its Final Rulemaking Order by letter dated February 23, 2001. This Revised Final Rulemaking Order replaces the earlier Final Rulemaking Order, except that Annex B no longer follows. This is because

¹ Since the modified Small Company Plan in the 1649 Petition essentially replaced the November 10, 1997, filing, this Commission viewed the November 10, 1997, filing as being superseded by the Amended Plan. Global Order, P-00991648 and P-00991649 (September 30, 1999).

Annex B consisted of a draft request for proposals (RFP) inviting bids for the administrator of the Fund. The RFP was officially published at 31 Pa.B. 56 (January 6, 2001).

Discussion of Comments

IRRC commented generally that the Commission Order and Regulatory Analysis Form did not contain sufficient information to evaluate the economic and fiscal impact of this regulation or the regulation's reasonableness. Specifically, IRRC was concerned about the dollar amount of the Fund.

In our Proposed Order adopted on January 27, 2000, and entered on February 4, 2000, the Commission ordered that the Fund be sized at \$20.5 million plus an additional \$9.0 million to reflect Sprint/United's participation, or approximately \$29.5 million. In fact, since then, the size of the Fund for the year 2000 has been established by Commission Order entered April 18, 2000, at \$31,220,606.² The size of the Fund will increase each year at the rate at which the number of access lines owned by the 31 recipient carriers increases.³ Although the regulations do not specify a minimum or maximum limit on the dollar amount of the Fund, the size of the Fund is tied directly to changes in the number of access lines each recipient company owns. The contribution rate to the Fund is directly tied to the specific local telecommunication provider's revenues. Those participating carriers which report intrastate end-user retail telecommunications revenues will contribute to the Fund in their pro-rata share.

In its Comments, IRRC also notes that proposed § 63.161(3) (relating to statement of purpose and policy) sets forth the current intent of the Fund, but that proposed § 63.164(1) (relating to Commission oversight) states that the Commission may establish new programs eligible for universal service funding. IRRC objects that the regulation does not specify any limit on the scope of services that could be supported by the Fund. We have amended § 63.164(1) so as to delete this language.

Verizon argues that Pa.R.A.P. 1707 bars the Commission from establishing the USF because the Commission's ability to create and fund a different USF is currently before the Commonwealth Court in a prior appeal.⁴ However, while the merits of that particular fund adopted in 1997 (but never implemented) may be on appeal, nothing in Pa.R.A.P. 1701 bars this Commission from establishing a wholly different fund.

Pa.R.A.P. 1701 generally provides that after an appeal is taken or review of a quasi-judicial order is sought, the trial court or government unit may no longer proceed further in the matter. See Pa.R.A.P. 1701(a). Essentially, the effect of an appeal stays the government unit's ability to act further on the particular matter or issues appealed to the reviewing court. The Pa.R.A.P. 1701 stay, however, is not applicable to the USF established by the Commission in the instant order.

The January 28, 1997, order established a Basic Universal Service (BUS) rate and a different universal service costing methodology. Verizon's appeal is limited to

² *Establishment of a Pennsylvania Universal Service Fund*, M-00001337, Tentative Order, entered April 18, 2000, p.14.

³ *Establishment of a Pennsylvania Universal Service Fund*, M-00001337, Order, entered April 18, 2000, p. 3.

⁴ See *Formal Investigation to Examine and Establish Updated Universal Service Principles and Policies for Telecommunications in the Commonwealth*, PaPUC Docket No. I-00940035, Opinion and Order entered January 28, 1997, *Bell Atlantic-Pennsylvania v. PaPUC* at No. 2420 C.D. 1997, Commonwealth Court of Pennsylvania.

the creation of the prior fund. Verizon's appeal does not create an open-ended stay or bar the Commission's ability to create any fund, only the one at issue in the appealed order. The Commission has not attempted to pursue implementation of the January 28, 1997, BUS fund. Moreover, in the recently issued decision at *Bell Atlantic-Pennsylvania, Inc. v. Pennsylvania Public Utility Commission*, 2790 C.D. 1999, October 25, 2000, the Commonwealth Court has expressly ruled that "the PUC's action on the current USF issue, now before this Court, is not barred by Pa.R.A.P. 1701." *Slip Opinion* at 99.

Verizon also argues that in *Process Gas Consumers Group v. Pa.P.U.C.*, 511 Pa. 88, 511 A.2d 1315 (1986) (*Process Gas*), the Pennsylvania Supreme Court prohibited the Commission from creating a fund similar to the USF because the creation of that particular kind of fund was not within the Commission's delegated authority. The Commission rejects this argument as the fund created in *Process Gas* is distinguishable from the USF established in the Global Order.

In *Process Gas*, the Commission, in response to a Federal program established to reduce the rates of eligible consumers throughout the states, imposed a State-specific Boiler Fuel Rider (BFR) surcharge on certain industrial consumers. The Commission ordered the resulting revenue from the State BFR surcharge to be placed into an escrow account. Subsequently, the Commission ordered that the funds from the escrow account be used to create a conservation program, finding that the General Assembly had conferred in 66 Pa.C.S. § 308 (relating to bureaus and offices) a duty upon the Commission to promote energy conservation. The Pennsylvania Supreme Court concluded that 66 Pa.C.S. § 308 only empowers the Commission to direct an internal bureau to conduct research in the area of conservation, and does not empower the Commission to create a fund or to mandate programs to utilize those funds.

The creation of the USF in the Global Order, however, is within the Commission's delegated authority. One of the primary purposes set forth in 66 Pa.C.S. Chapter 30 is to "[m]aintain universal telecommunications service at affordable rates. . . ." See 66 Pa.C.S. § 3001(1). Another prevailing purpose of the Commission under 66 Pa.C.S. Chapter 30 is to "[e]nsure that customers pay only reasonable charges for local exchange telecommunications services. . . ." See 66 Pa.C.S. § 3001(2). Moreover, 66 Pa.C.S. § 3009(b)(3) provides statutory authority for the Commission to "establish such additional requirements and regulations as it determines to be necessary to ensure the protection of consumers."

Section 254(f) of TA-96 provides that a state may adopt regulations to determine the manner in which intrastate telecommunications providers shall on an equitable and nondiscriminatory basis contribute to the preservation and advancement of universal service. Verizon argues that because section 254(f) of TA-96 refers to "states" instead of "state commissions," the General Assembly, not the Commission, is the only entity authorized to establish a USF in this Commonwealth. Nonetheless, as was previously explained, the General Assembly has delegated authority to the Commission under 66 Pa.C.S. § 501 (relating to general powers) to administer and supervise public utilities doing business within this Commonwealth, and therefore, the Commission may promulgate and enforce regulations to carry out its duties. Under these circumstances, the Commission submits, and the Com-

monwealth Court has now affirmed, that State and Federal statutes confer upon the Commission the power to establish a USF.⁵

IRRC further comments that the Commission did not provide an estimate of the operating cost of the Fund. These costs include those determined by competitive bid (the administrator and auditor), the reserve in § 63.165(b) (relating to calculation of contributions), and the cost to telecommunications providers to report monthly to the administrator.

The Commission did not provide an estimate of the operating cost of the Fund because we are interested in obtaining a low bid from prospective administrators and/or auditors. Publicly estimating how much the administrative and auditor fees should be would jeopardize the competitive bid process. Nevertheless, the administrative and auditing costs of the Fund should be minimal compared to the overall size of the Fund and should not be dependent on the size of the Fund. Rather, the fees should be reflective of the cost of providing the administrative and auditing services.

Regarding the cost to telecommunications providers to provide monthly reports to the administrator, monthly calculations are eliminated in the final-form regulations. Also, the companies can save on mailing expenses by electronically submitting their worksheets to the administrator and by electronically wiring their payments into the Fund.

AT&T commented that although the Commission's establishing a USF is "on the mark," the methodology imposes a disproportionate financial burden of the Fund on competitive local exchange carriers (CLECs), interexchange carriers (IXC), and other telecommunications providers that must pay access and other wholesale charges to LECs because the contribution calculation is based on each provider's end-user retail revenue and thus excludes all revenues received from the sale of wholesale services such as access, resale (toll or local) and unbundled network elements (UNEs). CLECs buy UNEs from ILECs. The revenues the ILEC receives for the sale of wholesale services are not assessed for purposes of calculating the ILEC's contribution to the USF. Contrarily, the CLEC, which does not sell its services at wholesale rates, has entirely assessable revenues. AT&T operates as an IXC and a CLEC within this Commonwealth and it advocates changing the Fund contribution calculation so as to base contributions on each carrier's gross intrastate revenues, less payments made to other carriers for wholesale services.

The Commission developed the formula for determining each company's USF contribution so as to avoid a double counting of revenues for the same services. Whether the Commission allows the ILECs to exclude wholesale revenues from their calculation of assessable revenues, or allows the carriers buying wholesale services to subtract what they pay, the service which ultimately reaches the end-user customer is assessed only once. The Commission believes, for the purposes of this USF, that it is more appropriate to allow the ILECs to subtract those revenues received from the sale of wholesale services because the ILEC is not delivering the service to an end-user customer. The Commission is persuaded by the RTCC and Verizon that this calculation is more revenue-neutral for the eligible recipient carriers. We also note that, unlike the assessments for Commission regulatory expenses under 66 Pa.C.S. § 510 (relating to assessment for regu-

⁵ *Bell Atlantic-Pennsylvania, Inc. v. Pennsylvania Public Utility Commission*, 2790 C.D. 1999, October 25, 2000, *Slip opinion* at p. 104.

latory expenses upon public utilities), there is no set statutory formula that limits our discretion in developing an appropriate USF contribution methodology.

AT&T further asserts that the definition of a USF Recipient in § 63.162 (relating to definitions) should be modified so as to provide that a CLEC operating in the service territory of an ILEC other than Verizon-Pennsylvania or Verizon-North, and certified by the Commission as an eligible telecommunications carrier under 47 U.S.C.A. § 214(e), qualifies as a USF Recipient. We disagree. The Small Company Plan restricted the eligible carriers to a list of approximately 30 rural telephone companies and, by the Global Order, this Commission adopted that theory and added Sprint/United to the limited listing of eligible Fund recipients. The Federal universal fund referenced by AT&T as justification for its position was established for various programs which are not a part of the reasons for establishing the Commonwealth USF. Therefore, 47 U.S.C.A. § 214(e) does not govern our definition.

We further disagree with AT&T regarding its assertion that the costs associated with administering the Fund should be borne only by those receiving disbursements from the Fund. The Fund was designed to be revenue neutral. The 31 companies that are recipients should not have to bear the entire administrative cost.

AT&T also avers that the Commission's proposed supervision and oversight of the Fund administrator should be expanded to provide contributors with an ongoing consultative role in the administration of the Fund and that the regulations should provide for an oversight committee comprising contributors, recipients and Commission employees. While we agree with AT&T that all telecommunications providers' input is helpful and wanted, we do not believe this needs to be expressly incorporated into the regulation. By regulation, all participants will receive annual reports regarding the Fund administration and will have opportunity to comment regarding the administration of the Fund. Any intermittent problems may be addressed to the Commission.

Comments relating to specific sections of the proposed regulations are addressed as follows.

§ 63.161. Statement of purpose and policy.

As noted previously, we agree with IRRC that the last sentence in § 63.161 should be stricken as it appears that future Commission orders could have the effect of changing the regulations. We have further deleted the word "currently" from the regulation. We decline to specify dollar amounts on what the access charges, intraLATA toll rates, and cap on residential local services are to be because these dollar amounts might change in the future. In its September 30, 1999, Global Order, the Commission ordered reductions to \$.009 per minute for access charges, \$.11 per minute for intraLATA toll rates and \$16.00 caps on residential local service charges to consumers.

§ 63.162. Definitions.

We accept IRRC's suggested modifications to the definitions for the terms assessment rate, contributing telecommunications providers, end-user revenue, fund recipient and local service provider, and modify our definitions accordingly. IRRC suggested we delete the term "basic universal service" because it was not used elsewhere in the regulation. Instead, in the definition of "local service provider" we have changed the phrase "basic local exchange services" to "basic universal service" and have kept the definition of BUS. We note that we have defined BUS as "an evolving set of telephone services, as defined

by the Commission, which represents the set of services essential for a resident of this Commonwealth to participate in modern society at any point in time." By order entered April 10, 1995, the Commission has specifically defined BUS to consist of the following service components: 1) single party, voice grade, incoming and outgoing access to the public switched network and usage within a local calling area; 2) touch tone capability; 3) annual local directory; 4) access to operator services; 5) access to directory assistance; 6) access to telecommunications relay service and other services designed for persons with disabilities; and 7) access to emergency services.⁶

§ 63.163. Universal service fund administration.

IRRC is concerned that § 63.163 describes a competitive bidding process, but does not state the term of the contract. IRRC states that the Commission should amend § 63.163(a) to provide the length of the contract awarded. Although we decline to add a temporal constraint to the regulation, we included a sentence in our RFP attached to our original Final Rulemaking Order entered on December 5, 2000, which provided that the initial contract for the administrator shall terminate on December 31, 2003, subject to possible renewals.

§ 63.164. Commission oversight.

IRRC commented that § 63.164(a)(1)–(4) goes beyond the intent of the Fund expressed in the Global Order and should be deleted. The Commission agrees and deletes § 63.164(a)(1)–(4). IRRC also commented regarding the Commission's need to include "the size of the Fund" in the Order required by this subsection. We agree and have added such language to § 63.164(a) of the final-form regulation.

§ 63.165. Calculation of contributions.

RTCC requested additional language in § 63.165 to require that the Fund amount never fall below the initial amount established by the Commission. The Commission declines to add this provision as it is not necessary. We note that the Fund size will never fall below the initial amount established by the Commission because even if recipient carriers have a decrease in access lines, they will not receive less than they initially received because that is how the Small Company Plan was designed and adopted by the Commission in the September 30, 1999, Global Order.

The Commission further rejects RTCC's suggestion that the submission of year-end intrastate end-user retail revenue by March 31 of each year be changed to an earlier date. March 31 is the deadline for the submission of utility gross intrastate operating revenue reports under 66 Pa.C.S. § 510 annual assessment calculations; therefore, it is a good deadline for the submission of year-end intrastate end-user retail revenue reports.

The Commission does agree with RTCC that all calculations and assumptions should be done on an annual basis rather than monthly. The Commission is persuaded by RTCC, Sprint/United and Verizon that the administrative expense of having to recalculate monthly contributions to the Fund outweighs the benefit of having the monthly contributions more accurately reflect monthly revenue fluctuations. The Commission further agrees with RTCC that the calculation should include a factor which increases the Fund in accordance with growth in access lines of eligible recipient carriers.

⁶ In Re: Formal Investigation to Examine and Establish Updated Universal Service Principles and Policies for Telecommunications Services in the Commonwealth; Declaratory Order, Advance Notice of Proposed Rulemaking, Scheduling of Public Forum, Order entered April 10, 1995, Docket Nos. 1-00940035 and L-00950102.

The Commission agrees with Verizon and AT&T in reducing the surcharge for uncollectables from 5% to 1% of the size of the Fund per annum, and in eliminating estimated surplus at the end of each calendar year. Our final-form regulation has been amended accordingly.

IRRC commented that the calculation includes the "Commission approved" administrative and auditing expenses. Section 63.163(a) states the administrator and auditor will be selected by competitive bid. Therefore, it is unclear why the phrase "Commission approved" is needed. The phrase "Commission approved" is needed because in a contract, there may be per diem charges for things not covered in the flat-rate charge for administering the Fund. Extra expenses, which may include traveling expenses, auditing expenses and legal expenses, are those expenses above that which were contemplated and bargained for in the flat rate charge and these expenses may be recovered, but only with Commission approval.

IRRC further commented that the language describing the illustrated calculation was confusing and IRRC suggested that the formula could stand alone in the regulation without the description. We deleted the language describing the formula for calculating contributions. Additionally, IRRC noted that the definition for "W" could be better. We added language describing how to calculate "W." IRRC questioned whether we should amend the calculation of "Y" such that $Y = 1\% \text{ times } (X+W)$ instead of what had been written, $Y = 1\% \text{ times } X$. We agree with IRRC that the 1% for uncollectables should be multiplied by the prior year's size of the Fund plus any increase in the Fund due to growth in access lines of the recipient carriers. We amend the calculation of "Y" accordingly. Finally, we changed the definition of X such that the prior year's size of the Fund is adjusted for any surplus or shortfall experienced the prior year.

§ 63.166. Administrator criteria.

We accept IRRC's comments that the administrator be expressly neutral, impartial and independent from telecommunications services providers operating in this Commonwealth. We have modified our regulation accordingly.

IRRC commented that the term "affiliate" should be defined in § 63.166(3). We define "affiliate" as in the *Webster's Collegiate Dictionary 10th Edition* as "a person or organization closely associated with another typically in a dependent or subordinate position." IRRC commented that we should explain whether this provision, which excludes all affiliates, including telecommunications providers outside of this Commonwealth, was our intent. Yes, it was. We have added additional language to the regulation to further clarify our position.

Additionally, in response to IRRC's comment that the phrase "common carrier" is undefined and should be clarified, we remove the term "common carrier" and substitute the word "telecommunications," which needs no definition.

In response to IRRC's comments regarding the Administrator's requirement to report to the Commission any changes in its Board composition, we agree, and have added such language to the regulation.

§ 63.167. Administrator's duties.

We accept IRRC's comments regarding administrator duties in this section and modify § 63.167 accordingly. We have changed references to "companies" or "entities" to read "contributing telecommunications providers" in the interest of using consistent language. We have changed the deadline for the administrator's annual report from July 1 to September 1.

Regarding § 63.167(2), IRRC commented the Commission should explain the need to report contributions on a monthly basis. While the assessment calculations are annual, billings and payments are monthly. The form is mailed with payment due on a monthly basis because the form identifies the carrier, the carrier's current address, phone numbers, utility code and the monthly amount due. The form acts as an invoice and a way of tracking incoming payments. We have amended the text of the regulation to clarify our intent.

Regarding § 63.167(7), IRRC commented that if the administrator believes a contributing telecommunications provider is guilty of submitting false information or another irregularity, and the Commission agrees, the type of action taken against a contributing telecommunications provider should be specified. IRRC suggests that the regulation should reference either a citation to corrective action or other penalty that will be assessed to the contributing telecommunications provider. Accordingly, we will cross reference this subsection to the section of these rules dealing with enforcement, § 63.171.

Regarding § 63.167(8), IRRC wants to know where the return on investment will be placed. Will profits be reinvested in selected instruments, or will the moneys be placed into the Fund? The interest earned on the Fund monies will be reinvested into the Fund. This is specified in the final-form regulation.

Regarding § 63.167(9), any potential Fund shortfall should be reported as soon as possible because it would involve the Commission having to recalculate assessment rates and this would take time before Funds flowing in would exceed Funds flowing out. Also, we have removed the term "data analysis" from the regulation to remove any uncertainty caused by this term.

Regarding § 63.167(10), we believe it is important that the forms be mailed annually to contributing telecommunications providers as opposed to sending the forms electronically or by facsimile. Currently, electronic mail and fax machines are not viewed as reliable as regular mail.

Regarding § 63.167(12), IRRC wants to know what is meant by "promptly." Depending upon the type of data request, the Commission will determine what is an acceptably prompt response. This discretion is necessary to effective oversight of the Fund administration. For example, if the Commission requires a recalculation of contributions, the Commission might expect a prompt response to be within 2 weeks. However, if the Commission asks whether a particular contributor is delinquent and by how much, the Commission might expect a prompt response to be one within a couple of days.

Regarding § 63.167(23), IRRC commented the phrase "on a timely basis" is unacceptably vague. IRRC suggested the Commission should consider adding a specific minimum time period that an administrator must follow to alert the Commission if short-term borrowing is needed. We agree and remove the phrase "on a timely basis" and substitute the phrase "at least 60 days before short-term borrowing is necessary."

Regarding § 63.167(24), we agree with IRRC and omit compliance requirements with "procedures and guidelines" as there are none currently other than an investment guideline attached as an appendix to the current sole source contract with the National Exchange of Carriers Association (NECA) as an interim administrator. To clarify, we have substituted in the revised final-form regulations the phrase, "the contract and Commission Orders" for "procedures and guidelines."

§ 63.168. Auditor's duties.

IRRC noted that in the original rulemaking the regulations stated that the Administrator's report and the Auditor's report were due on the same date, July 1 of each year. This was a typographical error. The Administrator's report should be due 60 days after the Auditor's report is due. Therefore, we changed the language in § 63.163 to reflect that the Administrator's report is due on September 1, and we did not change the auditor's deadline for a report in § 63.168.

IRRC further requested we amend or explain the meaning of the sentence: "Thereafter, the Fund shall be audited in the same manner annually." We accept IRRC's comments regarding these matters and modify § 63.168 so as to clarify that an audit of Fund collections and disbursements will be done annually.

§ 63.169. Collection of universal service fund contributions.

IRRC contends that it is unclear why each carrier must return the form within 30 days of issuance. Second, IRRC contends the phrase "end-user revenue" should replace the phrase "end-user telecommunications retail revenue." We have addressed IRRC's two concerns in our revised final-form regulations.

At the beginning of the calendar year, the administrator will provide monthly reporting forms to each contributing telecommunications provider. Each carrier will complete and remit the form to the administrator along with its monthly contribution in full. Failure to make timely payment will result in the levy of a late-payment charge of 1.5% per month pro rata per diem on the delinquent contribution. If a carrier's contribution to the USF in any given year is less than or equal to \$120, that carrier will not be required to submit a contribution. We have added this figure to the regulation. Also, we eliminated the phrase "end-user telecommunications retail revenue."

§ 63.170. End-user surcharge prohibited.

IRRC asked for clarity regarding whether a provider can recover USF contributions through any type of direct or indirect charge even though a surcharge on customer bills is expressly prohibited. To clarify as requested, no telecommunications service provider may implement a customer or end-user surcharge to recover its contribution to the USF. All telecommunications service providers are prohibited from recovering these contributions through any type of direct or indirect charge. Section 63.170 is expanded to include this clarification.

§ 63.171. Sunset provision.

IRRC commented that § 63.171 states the "Fund shall expire on December 31, 2003, unless the term of the Fund is extended by the Commission." The regulations would thus allow the term of the Fund to be extended by Commission order. The regulation does not specify under what authority or circumstances the Commission would extend the term of the Fund beyond December 31, 2003. Therefore, the term of the Fund is unclear. IRRC recommends that if the Commission wants to rescind this regulation at some point, it should do so by promulgating another regulation. IRRC recommends the provision be deleted from the final-form version. We agree and delete § 63.171.

In addition to the previously-noted modifications, the final-form USF regulations hereby adopted include a number of grammatical, nonsubstantive changes intended only for clarification.

Overall, we believe that the final-form regulations, as herein amended in consideration of comments received, and as follows in Annex A, are consistent with the public interest and shall be adopted at this time through final order. Accordingly, under authority in 66 Pa.C.S. § 501, the Commonwealth Documents Law (45 P.S. § 1201, et seq.) and regulations promulgated thereunder in 1 Pa. Code §§ 7.1—7.4, we add the regulations in §§ 63.161—63.171 as previously discussed and as set forth in Annex A.

Therefore,

It Is Ordered that:

1. The Commission's Final Rulemaking Order entered on December 5, 2000, is hereby rescinded and replaced with this Revised Final Rulemaking Order.

2. Chapter 63 of the regulations of the Commission is amended by adding §§ 63.161—63.171 to read as set forth in Annex A.

3. The Secretary shall submit this order and Annex A for review by the designated Standing Committees of both houses of the General Assembly, and for review and approval of IRRC.

4. The Secretary shall submit this order and Annex A to the Governor's Budget Office for review of fiscal impact.

5. The Secretary shall submit a copy of this order and Annex A to the Office of Attorney General for review as to legality.

6. The Secretary shall certify this order and Annex A and deposit them with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

7. A copy of this order and Annex A be filed in the Joint Petitions for Global Resolution proceeding at P-00991648 and P-00991649 as well as at Docket No. M-00001337, *Establishment of a Pennsylvania Universal Service Fund*.

8. A copy of this Order and Annex A shall be served upon the Pennsylvania Telephone Association, all jurisdictional telecommunications utilities, the Office of Trial Staff, Office of Consumer Advocate and the Office of Small Business Advocate.

9. The final-form regulations embodied in Annex A shall become effective upon publication in the *Pennsylvania Bulletin*.

10. NECA continues as the interim administrator to assist in administering the interim USF now in place until final regulations are approved and a permanent administrator is selected through a competitive bidding process.

JAMES J. MCNULTY,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 31 Pa.B. 2855 (June 2, 2001).

Fiscal Note: Fiscal Note 57-214 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

CHAPTER 63. TELEPHONE SERVICE

Subchapter L. UNIVERSAL SERVICE

Sec.	
63.161.	Statement of purpose and policy.
63.162.	Definitions.
63.163.	Universal service fund administration.
63.164.	Commission oversight.
63.165.	Calculation of contributions.
63.166.	Administrator criteria.
63.167.	Administrator's duties.
63.168.	Auditor's duties.
63.169.	Collection of universal service fund contributions.
63.170.	End-user surcharge prohibited.
63.171.	Enforcement.

§ 63.161. Statement of purpose and policy.

On July 8, 1993, the General Assembly enacted 66 Pa.C.S. Chapter 30 (relating to alternative form of regulation of telecommunications services) which provides for the regulatory reform of the telephone industry in this Commonwealth.

(1) The General Assembly's first declaration of policy in Chapter 30 is to "[m]aintain universal telecommunications services at affordable rates while encouraging the accelerated deployment of a universally available state-of-the-art, interactive, public switched broadband telecommunications network in rural, suburban and urban areas." See 66 Pa.C.S. § 3001(1) (relating to declaration of policy).

(2) The General Assembly assigned to the Commission and this Commonwealth's telecommunications providers responsibility for assuring and maintaining universal service in this Commonwealth. Given an increasingly competitive telecommunications marketplace, it is necessary to establish a competitively-neutral universal service funding mechanism to assure and maintain universal service and to promote the development of competition in telecommunications markets throughout this Commonwealth.

(3) The purpose of the Fund is to maintain the affordability of local service rates for end-user customers while allowing rural telephone companies to reduce access charges and intraLATA toll rates, on a revenue-neutral basis, thereby encouraging greater competition.

§ 63.162. Definitions.

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

Assessment rate—The percentage rate which when multiplied by each contributing telecommunications provider's total intraState end-user telecommunications retail revenue for the prior month will determine that provider's monthly contribution to the annual Fund budget. The assessment rate is computed annually under § 63.165 (relating to calculation of contributions).

Basic universal service—An evolving set of telephone services, as defined by the Commission, which represents the set of services essential for a resident of this Commonwealth to participate in modern society at any point in time.

Contributing telecommunications providers—Telecommunications carriers that provide intraState telecommunications services. Whether a provider or class of provid-

ers is a telecommunications carrier will be determined based upon whether the provider or class of providers is considered a telecommunications carrier under Federal law as interpreted by the Federal Communications Commission except that wireless carriers are exempt from this subchapter under 66 Pa.C.S. § 102(2)(IV) (relating to definitions).

End-user revenue—Revenues received from telecommunications subscribers who consume the final service unadjusted for any expense or other purpose. Total intrastate end-user telecommunications retail revenue does not include those revenues received from access, resale (toll or local), or the sale of unbundled network elements or other services which are essentially wholesale in nature.

Fund—The Universal Service Fund.

Fund recipient—An entity which receives funds from the Fund. Incumbent local exchange carriers operating in this Commonwealth, with the exception of Verizon Pennsylvania and Verizon North, Inc. are eligible Fund recipients.

Local service provider—A telecommunications company to which retail customers subscribe for basic universal service.

§ 63.163. Universal service fund administration.

(a) The Commission will designate within the context of a competitive bidding process a third-party administrator and a fund auditor to maintain and audit the Fund consistent with this subchapter.

(b) The Fund shall be administered in a manner ensuring that the Fund is exempt from State, Federal, and local taxes. The Fund administrator shall seek tax exempt status from the Internal Revenue Service.

(c) The Fund shall be established and kept separate from any other Commonwealth general fund.

(d) The administrator shall be responsible for assessing contributing telecommunications providers for contributions to the Fund as provided for in § 63.165 (relating to calculation of contributions). The administrator shall also be responsible for receiving contributions, validating contributions and distributing payments to fund recipients.

(e) The administrator shall file with the Commission by September 1 of each year an annual report which shall include an income statement of the Fund's activity for the preceding calendar year, a list of recommendations pertaining to operations of the Fund, and a proposed budget and assessment rates for the upcoming year. A copy of the report will be served contemporaneously upon the Office of Consumer Advocate, Office of Small Business Advocate and all telecommunications carriers participating in the Fund.

(f) Interested parties shall be provided the opportunity to file comments to the administrator's report within 30 days of its submission to the Commission. Replies to comments shall be filed within 15 days thereafter. Comments should be addressed to the Pennsylvania Public Utility Commission's Secretary's Bureau, P. O. Box 3265, Harrisburg, PA 17105-3265. The comments should be filed at Docket No. M-00001337.

§ 63.164. Commission oversight.

The Commission will issue an order within 90 days of receipt of the administrator's annual report, which establishes the size of the Fund, a budget, assessment rate for contributing telecommunications providers, and administrative guidelines for the upcoming calendar year.

§ 63.165. Calculation of contributions.

(a) Contributing telecommunications providers shall submit an affidavit to the administrator by March 31 of each year, identifying the provider's total intrastate end-user telecommunications retail revenue for the previous calendar year. A copy shall be served upon the Commission.

(b) In determining the annual assessment rate, the administrator will utilize the following calculation:

$$\frac{W + X + Y + Z \times \frac{B}{12}}{A} = C$$

W = Increase in funding requirement due to growth in access lines of recipient carries. W equals the access line growth percentage for each recipient carrier multiplied by each recipient carrier's prior year net support (prior year funding minus prior year payment). The individual recipient carriers' required fund increases are totaled to yield W. $W = ALG \times (PYF-PYP)$.

X = Prior year's size of fund minus the estimated surplus from the prior year or plus any shortfall from the prior year.

Y = Surcharge for uncollectables is 1% times (X + W).

Z = Commission approved administrative and auditing expenses.

A = Aggregate Statewide end-user intraState retail revenue of all contributing telecommunications providers for the previous calendar year.

B = Individual contributing telecommunications provider's end-user intra-state retail revenue for the prior calendar year.

C = Individual contributing telecommunications provider's monthly contribution.

(c) To the extent the funding received from providers in any 1 year exceeds the disbursements required for the Fund plus the cost of administering the Fund (including 1% of the total size of the Fund to cover delinquent accounts and contingencies), the excess shall remain in the Fund, and the subsequent year's Fund size reduced by that surplus.

§ 63.166. Administrator criteria.

The administrator shall meet the following criteria:

(1) The administrator shall be neutral, impartial and independent from telecommunications service providers operating in this Commonwealth.

(2) The administrator may not advocate specific positions before the Commission in nonuniversal service administrative proceedings related to telecommunications issues.

(3) The administrator may not be an affiliate of any provider of telecommunications services. The administrator may not be closely associated with any provider of telecommunications services in a dependent or subordinate position.

(4) If the administrator has a board of directors that includes members with direct financial interests in entities that contribute to or receive support from the Fund, no more than a third of the board members may represent any one category (for example, local exchange carriers or interchange carriers) of contributing carriers or support recipients, and the Board's composition shall reflect the broad base of contributors to and recipients of

Fund assets. For purposes of this restriction, a direct financial interest exists when the administrator or Board member:

(i) Is an employee of a telecommunications carrier.

(ii) Owns any equity interests in bonds or equity instruments issued by any telecommunications carrier.

(iii) Owns mutual funds that invest more than 50% of its assets in telecommunications securities.

(5) If the administrator's board composition changes during its contractual period, the administrator shall notify the Commission immediately.

§ 63.167. Administrator's duties.

The administrator shall have the following duties:

(1) Maintain a database to track contributing telecommunications providers.

(2) Develop Commission-approved forms which all telecommunications service providers will submit to the administrator on a monthly basis with their monthly contributions.

(3) Review the completed forms to ensure completeness and accuracy of reported revenue and Fund assessments and contact providers whose accounts contain unexplained variances in reported revenues or Fund assessments.

(4) Assess late-payment charges of 1.5% per month pro rata per diem on contributions that are 30 days or more past due.

(5) Send initial notices of delinquency to delinquent contributors when a payment is 30 days past due and follow up with at least one subsequent written notice, phone call, or both, to the contributor to pursue collection of Fund payments that are 60 days past due.

(6) Maintain logs of notices to delinquent contributors and refer to the Commission for further enforcement, on a monthly basis, all accounts more than 90-days past due.

(7) Immediately inform the Commission if the administrator has reason to believe that a contributing telecommunications provider has submitted false information to the administrator with the intent of obtaining fraudulent funding or underreported end-user revenue, or if any other irregularity occurs in the operation or administration of the Fund. Penalties that will be assessed to the contributing telecommunications provider are addressed in § 63.171 (relating to enforcement).

(8) Invest Fund moneys in interest-bearing instruments designed to minimize risk of loss while providing maximum liquidity. Return on investment shall be placed into the Fund. Permitted investments include:

(i) Marketable obligations directly and fully guaranteed by the United States government.

(ii) Federally-insured checking, money market accounts or certificates of deposit.

(iii) Other accounts expressly approved by the Commission.

(9) Promptly advise the Commission if the administrator projects any potential Fund shortfall or if Fund disbursements exceed receipts in a given month.

(10) In January of each year, mail reporting forms to each contributing telecommunications provider to acquire appropriate data to determine the following:

(i) Each contributing telecommunications provider's intraState end-user telecommunications retail revenue for the prior calendar year.

(ii) The Fund recipients' access line growth which translates into a dollar amount increase in the size of the next year's Fund.

(iii) Aggregate Statewide end-user intraState retail revenue of all contributing telecommunications providers for the previous calendar year.

(iv) Each contributing telecommunications provider's contribution for the following calendar year.

(11) Cooperate with the auditor selected by the Commission and provide data and information reasonably required to support audit activities.

(12) Promptly respond to Commission requests for information pertaining to Fund administration.

(13) Maintain adequate principal liability insurance coverage, criminal liability coverage, and a sufficient umbrella liability policy.

(14) Prepare reports of Fund activity for the Commission on a monthly basis detailing carrier assessments, delinquent payers, late-payment charges, fund disbursements, interest earned and cumulative results.

(15) Maintain records by contributor and by recipient.

(16) Provide additional reports as requested by the Commission.

(17) Maintain a statement of financial condition (balance sheet) and income statement for the total fund, and a sources and uses of funds statement, which will tie to the total Fund income statement.

(18) Deliver the balance sheet, income statement, and sources and uses of funds statement to the Fund auditor by May 1 of each year so that the auditor may prepare its report.

(19) Maintain a system of internal controls.

(20) Consider the auditor's report in preparing the annual report for submission to the Commission and include any undercollections or overcollections identified by the audit report in developing a proposed budget for the upcoming fiscal year.

(21) Submit the administrator's annual report by September 1 or 60 days following receipt of the audit report, whichever is later.

(22) With prior Commission approval, borrow monies to cover the short-term liabilities of the Fund caused by undercollections.

(23) At least 60 days before short-term borrowing is necessary, the administrator shall provide formal notice to the Commission which identifies the amount, the proposed lending source and the terms and conditions of the loan.

(24) Comply with the contract and Commission orders. Any dispute between the administrator and any contributing telecommunications provider shall be submitted to

the Commission for resolution.

(25) Have access to the books of account of all telecommunications service providers to the limited extent necessary to verify their intraState end-user telecommunications retail revenues and other information used by the administrator in determining assessments and disbursements for the Fund.

(26) Treat competitive and financial information received as confidential and proprietary and only release that information upon order of the Commission.

(27) Operate on a fiscal year which shall be the same as the calendar year.

§ 63.168. Auditor's duties.

(a) An independent external auditor chosen by the Commission will audit the Fund records covering both collections and disbursements for the fiscal year. The costs for conducting audits will be included in the computation of Fund requirements. Thereafter, an audit of the Fund collections and disbursements will be done annually.

(b) Following the audit, the Fund auditor will prepare and submit a report to the Commission and the administrator by July 1 of each year. The audit report should make recommendations regarding the finances of the Fund and should identify undercollections or overcollections experienced by the Fund in the previous year.

§ 63.169. Collection of universal service fund contributions.

(a) At the beginning of the calendar year, the administrator will provide monthly reporting forms to each contributing telecommunications provider. Each carrier will complete the form monthly using the calculation as described in § 63.165 (relating to calculation of contributions) and remit the form to the administrator along with its monthly contribution in full.

(b) Failure to make timely payment will result in the levy of a late payment charge of 1.5% per month pro rata per diem on the delinquent contribution.

(c) If a carrier's contribution to the Fund in a given year is less than \$120, that carrier will not be required to submit a contribution.

§ 63.170. End-user surcharge prohibited.

A telecommunications service provider may not implement a customer or end-user surcharge or any other direct or indirect charge to recover any contributions to the Fund.

§ 63.171. Enforcement.

A telecommunications service provider that fails to pay, in a timely manner, any contribution required under this subchapter may be prohibited from providing service in this Commonwealth and be subject to other penalty as authorized under law.

[Pa.B. Doc. No. 01-1165. Filed for public inspection June 29, 2001, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 63]

Marking Fish

The Fish and Boat Commission (Commission) proposes to amend Chapter 63 (relating to general fishing regulations). The Commission is publishing this regulation as a notice of proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The proposed regulation relates to tagging, branding, marking or finclipping fish.

A. Effective Date

The proposed regulation, if approved on final-form rulemaking, will go into effect on January 1, 2002, or upon publication of an order adopting the regulation in the *Pennsylvania Bulletin*, whichever occurs later.

B. Contact Person

For further information on the proposed regulation, contact Laurie E. Shepler, Assistant Counsel, (717) 705-7815, P. O. Box 67000, Harrisburg, PA 17106-7000. This proposal is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

C. Statutory Authority

The proposed regulation is published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. Purpose and Background

The proposed regulation is designed to update, modify and improve the Commission's regulations pertaining to fishing. The specific purpose of the proposed regulation is described in more detail under the summary of proposal.

E. Summary of Proposal

Tagging, branding, marking and finclipping have been used to identify fish for a variety of reasons by fisheries scientists, angling organizations, commercial establishments and even individual anglers for years. Reasons for "marking" fish have been equally diverse from well designed studies aimed at answering a specific question to a means of dispersing awards or simply identifying repeat catches at an angler's favorite fishing spots. Devices for "marking" fish go from sophisticated radio transmitters to crude home-made creations, sometimes as plain as a bent paperclip inserted through the dorsal fin of a trout. Tags are readily available from a variety of commercial sources, not only those in the fisheries supply business but poultry and livestock suppliers as well. In addition, tags and tagging kits can be purchased through popular fishing tackle catalogs. Each year, Commission staff encounter anglers who have caught fish with tags often with no labels as to who applied the tag or a means to learn about the tagging.

Generally speaking, marked fish, particularly those with a skin piercing tag, are not better off from the activity. Commission biologists in conducting field studies requiring the marking of fish resort to tagging and fin clipping only as a last resort. These studies also must take into account mortality due to marking and behavior responses that may impact study results. Tagging efforts

by anglers often are at the worst time of the year for fish as warming water temperatures increase the likelihood that tagged fish may become infected due to the placement of tags and entry wounds.

When asked by the general public about tagging fish, Commission staff can only attempt to persuade the requestor to not do any, due not only to the limited information that might come from the effort, but the likelihood of damage and even death to tagged fish. Given the Commission's stewardship role in regard to fish and other aquatic life, the Commission is proposing a new regulation that prohibits tagging and other forms of marking except under certain conditions. The Commission proposes that the new regulation read as set forth in Annex A.

F. Paperwork

The proposed regulation will not increase paperwork and will create no new paperwork requirements.

G. Fiscal Impact

The proposed regulation will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed regulation will impose no new costs on the private sector or the general public.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about the proposed regulation to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to ra-pfbcregs@state.pa.us. A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,
Executive Director

Fiscal Note: 48A-120. No fiscal impact; (8) recommends adoption.

(Editor's Note: The following section is new. It has been printed in regular type to enhance readability.)

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.45. Tagging, branding, marking and finclipping of fish.

(a) It is unlawful for a person to implant tracking devices in or to tag, brand, mark or fin clip any fish taken from the waters of this Commonwealth, unless the fish are purchased from an authorized commercial aquaculture facility, are part of a Commission-recognized and sanctioned stocking by a cooperative nursery, are authorized by a scientific collector's permit issued by the

Commission or are part of a tagged fish contest in a boundary lake for which the Commission has issued a permit.

(b) There shall be a rebuttable presumption that a person implanting a tracking device in or tagging, branding, marking or fin clipping a fish is in violation of this section if the person does not have in his possession proof that the fish was purchased from an authorized commercial aquaculture facility, is part of a Commission-recognized and sanctioned stocking by a cooperative nursery, is authorized by a scientific collector's permit or is part of a tagged fish contest in a boundary lake for which the Commission has issued a permit.

[Pa.B. Doc. No. 01-1166. Filed for public inspection June 29, 2001, 9:00 a.m.]

[58 PA. CODE CHS. 71 AND 73] Propagation of Fish

The Fish and Boat Commission (Commission) proposes to amend Chapters 71 and 73 (relating to propagation and introduction of fish into Commonwealth waters; and transportation of live fish into this Commonwealth). The Commission is publishing these amendments as a notice of proposed rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The proposed amendments relate to fishing.

A. *Effective Date*

The proposed amendments, if approved on final-form rulemaking, will go into effect upon publication of an order adopting the amendments in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the proposed amendments, contact Laurie E. Shepler, Assistant Counsel, (717) 705-7815, P. O. Box 67000, Harrisburg, PA 17106-7000. This proposal is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

C. *Statutory Authority*

The proposed amendments to §§ 71.1 and 73.2 (relating to general; and authorized list) are published under the statutory authority of section 2102 of the code (relating to rules and regulations). The proposed amendments to § 71.2 and 71.3 (relating to live bait dealer's licenses; and propagation) are published under the statutory authority of section 2102 of the code and 3 Pa.C.S. § 4219 (relating to permissible propagation). The proposed amendment to § 71.7 (relating to triploid grass carp) is published under the statutory authority of section 2102 and section 2904 of the code (relating to permits for protection and management of particular fish).

D. *Purpose and Background*

The proposed amendments are designed to update, modify and improve the Commission's regulations pertaining to fishing. The specific purpose of the proposed amendments is described in more detail under the summary of proposal.

E. *Summary of Proposal*

On October 16, 1998, the General Assembly amended the Commonwealth's agriculture laws to designate aquaculture as a normal farming activity. These amendments transfer most administrative functions related to

commercial artificial propagation from the Commission to the Department of Agriculture (Department). On December 16, 1998, the Department began registering commercial propagators of fish and dealers in live aquatic animals. The Commission no longer issues artificial propagation licenses, live fish, fishbait and baitfish dealer licenses and resident and nonresident fish transportation licenses. Accordingly, Commission's regulations pertaining to the issuance of these licenses should be removed.

In addition, 3 Pa.C.S. 4219 (relating to permissible propagation) provides that the Commission will determine which species of fish are allowed to be propagated in each watershed and will provide the Department with the list. This section also provides that special regulations shall be promulgated regarding closed system propagation. Therefore, the Commission proposes the amendments to read as set forth in Annex A.

F. *Paperwork*

The proposed amendments will not increase paperwork and will create no new paperwork requirements.

G. *Fiscal Impact*

The proposed amendments will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The proposed amendments will impose no new costs on the private sector or the general public.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about the proposed amendments to the Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to ra-pfbcregs@state.pa.us. A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,
Executive Director

Fiscal Note: 48A-117. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 71. PROPAGATION AND INTRODUCTION OF FISH INTO COMMONWEALTH WATERS

§ 71.1. General.

[(a) Species of fish for which "Propagation," "Live Bait Dealers" and "Transportation" permits will be issued are listed by the Commission. Lists will be made available upon request. Permits or

licenses will not be issued for propagation or introduction of fish into the waters of this Commonwealth other than those listed as approved by the Commission. Upon action of the Bureau of Fisheries, species of fish may be added to or deleted from these lists.

(b) Licenses and permits will state the common and scientific names of the species covered by the permit or license. The Commission reserves the right to revoke or refuse to issue permits or licenses that would result in the introduction of diseased fish or a particular species of fish into a watershed where it is not now present.

(c)] The introduction of grass carp or white amur into Commonwealth waters is prohibited except that triploid grass carp may be introduced into Commonwealth waters as provided in § 71.7 (relating to triploid grass carp). It is unlawful to propagate grass carp (diploid or triploid) in this Commonwealth.

§ 71.2. [Live bait dealer's licenses] Fish species approved for artificial propagation and introduction.

[The Bureau of Fisheries will maintain a list of species for which issuance of live bait dealers' licenses is authorized.] The Bureau of Fisheries will maintain a list of species by watershed for which the Department of Agriculture may issue registrations for artificial propagation and registrations for dealers of live aquatic animals. The Director of the Bureau of Fisheries may update or modify the list of authorized species by adding species to, or deleting species from, the list as necessary to provide for the protection and management of fish and fishing in this Commonwealth. The Commission will provide the list to the Department of Agriculture on or before January 31 each year and whenever the Commission updates or modifies the list. Copies of the list of authorized species are available upon request from the Pennsylvania Fish and Boat Commission, Bureau of Fisheries, 450 Robinson Lane, Bellefonte, Pennsylvania 16823.

§ 71.3. [Propagation] Closed system propagation.

(a) [The Bureau of Fisheries will maintain a list of species for which issuance of propagation licenses is authorized. The Director of the Bureau of Fisheries may update or modify the list of authorized species by adding species to, or deleting species from, the list as necessary to provide for the protection and management of fish and fishing in this Commonwealth. Copies of the list of authorized species are available upon request from the Pennsylvania Fish and Boat Commission, Bureau of Fisheries, 450 Robinson Lane, Bellefonte, Pennsylvania 16823.

(b) *Limited propagation licenses.* The Commission may issue an artificial propagation license for a species of fish not listed in subsection (a) if the applicant demonstrates to the satisfaction of the Executive Director, or a designee, that the propagation will occur in a closed system with essentially no chance of escapement of the fish into the waters of this Commonwealth. An artificial propagation

license issued for species of fish not listed in subsection (a) will be subject to additional restrictions the Executive Director, or a designee, may impose. The limited propagation license shall be considered experimental and is subject to suspension if fish escape into the waters of this Commonwealth or a license condition or restriction is violated. It is unlawful for a person issued a limited propagation license under this subsection to permit fish to escape into the waters of this Commonwealth, to violate a term, restriction or condition of the license or to continue to operate if the license is suspended.]

(a) *Closed (no discharge) system.* A propagating system may be designated as a closed system only if the following criteria are met:

(1) There will be 100% recycling water as normal operations.

(2) Closed systems will be housed indoors in a structure enclosed by solid walls, floor and roof.

(3) Water can be added to the system only for making up evaporative loss, cleaning and fish harvesting or to reduce toxic ammonia/nitrates by diluting.

(4) The system does not discharge water into waters of this Commonwealth.

(5) No live fish or live fish eggs will be allowed to escape with water discharges. Accidental spillage of live fish or live fish eggs (including truck loading, and the like) will be contained within the facility in a manner that will prevent fish and fish eggs from escaping into the waters of this Commonwealth.

(6) The system operator is registered with and the system has been inspected and approved by the Department of Agriculture (Department).

(b) *Systems with discharges rendered incapable of containing living organisms.* A system whose discharge of water is rendered incapable of containing self-perpetuating living organisms shall be registered with and inspected and approved by the Department to ensure that no living organisms are contained in the discharge. The registration of this system may include any species of fish with the approval of the Department

(c) *Escape of fish into waters of this Commonwealth.* It is unlawful for an operator of any system registered under subsection (a) or (b) to allow fish to escape into the waters of this Commonwealth.

(d) *Written plans for discharge.* An operator of any system registered under subsection (a) or (b) shall develop, maintain and make available for immediate inspection by the Commission and the Department upon request a written plan for containing or treating discharge in the event of a discharge system failure.

(e) *Satisfaction in event of discharge.* An operator of any system registered under subsection (a) or (b) shall notify both the Commission's Director of the

Bureau of Fisheries and the Department's Aquaculture Coordinator immediately in the event of a discharge system failure that is likely to contain viable living organisms.

§ 71.7. Triploid grass carp.

* * * * *

(d) *Dealers and importers.* In addition to the triploid grass carp permit required by subsection (c), [a license is required under section 3309 of the code (relating to live bait fish, live fish bait and live fish dealers licenses) to sell live triploid grass carp in this Commonwealth or to transport these fish into this Commonwealth. The following licenses are required by section 3309 of the code:

- (1) Resident live fish dealer license—\$25 per year.
- (2) Resident dealer's transportation license—\$10 per license.
- (3) Nonresident dealer's license—\$100 per year.] dealers and importers shall obtain and maintain all licenses, permits and registrations required by the Department of Agriculture for the sale or transportation of fish.

* * * * *

CHAPTER 73. TRANSPORTATION OF LIVE FISH INTO THIS COMMONWEALTH

§ 73.2. [Authorized list] (Reserved).

[The Bureau of Fisheries will maintain a list of species for which issuance of transportation permits is authorized. The Director of the Bureau of Fisheries may update or modify the list of authorized species by adding species to, or deleting species from, the list as necessary to provide for the protection and management of fish and fishing in this Commonwealth. Copies of the list of authorized species are available upon request from the Pennsylvania Fish and Boat Commission, Bureau of Fisheries, 450 Robinson Lane, Bellefonte, Pennsylvania 16823.]

[Pa.B. Doc. No. 01-1167. Filed for public inspection June 29, 2001, 9:00 a.m.]

STATEMENTS OF POLICY

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 57]

Deputy Waterways Conservation Officers

The Fish and Boat Commission (Commission) by this order adopts a statement of policy set forth in Chapter 57 (relating to statements of policy). The Commission is publishing this statement of policy under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code). The statement of policy relates to deputy waterways conservation officers.

A. *Effective Date*

This statement of policy will go into effect upon publication of this order adopting the statement of policy in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the statement of policy, contact Laurie E. Shepler, Assistant Counsel, (717) 705-7815, P. O. Box 67000, Harrisburg, PA 17106-7000. This statement of policy is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

C. *Statutory Authority*

The statement of policy is published under the statutory authority of section 305 of the code (relating to deputy waterways conservation officers).

D. *Purpose and Background*

The Commission's Bureau of Law Enforcement (Bureau) maintains detailed standard operating procedures pertaining to a variety of subjects, including deputy waterways conservation officers, their appointment, training, and the like. The Bureau's statements of policy set forth in §§ 57.41 and 57.42 (relating to deputy waterways conservation officers; and active deputy waterways conservation officers) also address these issues. To avoid some of the redundancy, the Commission has replaced the text of §§ 57.41 and 57.42 with the language set forth in Annex A.

E. *Paperwork*

The statement of policy will not increase paperwork and will create no new paperwork requirements.

F. *Fiscal Impact*

The statement of policy will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The statement of policy will impose no new costs on the private sector or the general public.

G. *Public Involvement*

Because this order adopts a statement of policy, and not amendments, the Commission was not required to publish a notice of proposed rulemaking in the *Pennsylvania Bulletin* or to solicit public comment.

Order

The Commission, acting under the authorizing statutes, orders that:

(a) The statement of policy of the Commission, 58 Pa. Code Chapter 57, is amended by amending § 57.41 and deleting § 57.42 to read as set forth at Annex A.

(b) The Executive Director shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

PETER A. COLANGELO,
Executive Director

Fiscal Note: 48A-119. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 57. STATEMENTS OF POLICY

Subchapter C. LAW ENFORCEMENT POLICIES

§ 57.41. Deputy waterways conservation officers.

(a) The Commission's Bureau of Law Enforcement will establish and implement policies as necessary to administer a volunteer deputy waterways conservation officer program. The policies, at a minimum, shall address the following:

(1) Eligibility and procedure for appointment.

(2) Training, law enforcement procedures and firearms and other qualifications.

(3) Wearing of uniforms.

(b) Commissions for deputy waterways conservation officers expire on December 31 of the year in which they were issued. No person has a right, title or interest in being commissioned as a deputy waterways conservation officer nor an expectation that his commission will be reissued for a subsequent year. Commissions are issued until December 31 and no longer.

(c) The district waterways conservation officer or region manager may temporarily suspend the commission of a deputy waterways conservation officer for failure to comply with the policies established by the Bureau of Law Enforcement. The Executive Director or a designee may permanently revoke the commission of a deputy waterways conservation officer when revocation is deemed to be in the best interests of the Commission.

§ 57.42. (Reserved).

[Pa.B. Doc. No. 01-1168. Filed for public inspection June 29, 2001, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) hereby gives notice that it intends to award up to \$100,000 in grants under its Year 2002 Dog Control Facility Bill Reimbursement Program (Program). The Program will award bill reimbursement grants of up to \$7,500-per-recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this Program. The Program will be funded from the Dog Law Restricted Account, from funds which are hereby declared to be "surplus" funds for the limited purposes set forth in the Dog Law (3 P.S. § 459-1002(b)).

The proposed guidelines and conditions for the Program are set forth as follows. These proposed guidelines and conditions are substantively identical to the guidelines and conditions for last year's "Dog Control Facility Bill Reimbursement Grant Program," published at 30 Pa.B. 5544 (October 28, 2000). In fulfillment in 7 Pa. Code § 23.4 (relating to conditions and guidelines), the Department invites public and legislative review of these proposed guidelines and conditions. Commentators should submit their comments, in writing, so they are received by the Department no later than 30 days from the date the proposed guidelines and conditions are published in the *Pennsylvania Bulletin*. Comments should be directed to Richard Hess, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

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

Proposed Guidelines and Conditions for the Year 2002 Dog Control Facility Bill Reimbursement Grant Program

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

Department—The Department of Agriculture.

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

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

- i. The date the document is issued.
- ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.
- iii. If for materials, a description of the materials and the date of delivery.

- iv. If for services, a description of the nature of the services and the dates upon which the services were rendered.

- v. If for utilities (such as electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility, for which payment is sought, was provided.

- vi. The name, address and telephone number of the entity issuing the document.

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

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

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

- a. Has been in operation for at least 1 year immediately preceding the application date.

- b. Has performed dog control functions for at least 1 year immediately preceding the application date.

- c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.

- d. Is not a party to a contract with the Department under which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2002.

- e. Agrees—as a condition of receiving any grant money under the Program—to continue to perform dog control activities through the year 2002.

- f. Has a total operating budget of \$250,000 or less for the 2002 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$250,000 or less for each fiscal year comprising any portion of calendar year 2002.

3. Use of Grant Funds. The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement, and will not exceed \$7,500 with respect to any application. The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2002, through December 31, 2002. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Any money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2002, or after December 31, 2002, that bill is not an eligible bill and will not be reimbursed by the Department under the Program.

4. Application Process.

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

b. *Obtaining an application form.* The Department will provide grant application forms upon request. Requests for application forms should be directed to Richard Hess, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4833, Fax: (717) 772-4352.

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

- i. The name and address of the applicant.
- ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2.
- iii. The maximum grant amount sought by the applicant—not to exceed \$7,500.
- iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2001 for the same type of materials, services or utilities for which reimbursement will be sought under the grant agreement.

v. Other information as the Department might reasonably require.

5. Review and approval of grant application.

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

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

- i. The number of applications received and the availability of funds for the grants sought.
- ii. The relative contribution of the applicant to dog control activities in the area it serves.

iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.

iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.

v. The expense or logistical difficulty the Department would encounter if the applicant's dog control facility was no longer in operation.

6. Grant agreement.

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

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

By May 15, 2002, the grant recipient will: (1) deliver copies of the eligible bills it has paid between January 1 and April 30, 2002; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

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

By January 15, 2003, the grant recipient will: (1) deliver copies of the eligible bills it has paid between September 1, and December 31, 2002; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 4-month period.

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

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

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 01-1169. Filed for public inspection June 29, 2001, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending June 19, 2001.

BANKING INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-14-02	Three Rivers Bank and Trust Company, Jefferson Borough, and The Pennsylvania Capital Bank, Pittsburgh Surviving Institution— Three Rivers Bank and Trust Company, Jefferson Borough	Jefferson Borough	Approved
6-14-01	Third Street Interim Bank, Williamsport, and Woodlands Bank, Williamsport Surviving Institution— Third Street Interim Bank, Williamsport, With a Change In Corporate Title to "Woodlands Bank"	Williamsport	Approved

The purpose of the merger is to facilitate the acquisition of Woodlands Bank by Woodlands Financial Services Company, Williamsport, a bank holding company in formation.

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-13-01	Minersville Safe Deposit Bank & Trust Company Minersville Schuylkill County	452 South Lehigh St. Frackville Schuylkill County	Filed
6-13-01	Mifflinburg Bank and Trust Company Mifflinburg Union County	RiverWoods 1 River Road Lewisburg Union County (Limited Service Facility)	Filed
6-18-01	Leesport Bank Leesport Berks County	One West Broad St. Hazleton Luzerne County (Drive-Up Facility)	Filed
6-18-01	PeoplesBank, a Codorus Valley Company Glen Rock York County	118 East Market St. York York County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-15-01	The Madison Bank Blue Bell Montgomery County	<i>To:</i> Plymouth Corporate Center, Bldg. F 625 Ridge Pike Conshohocken Montgomery County <i>From:</i> 202 West Ridge Pike Conshohocken Montgomery County	Filed
6-19-01	Commonwealth Bank Norristown Montgomery County	<i>To:</i> 70 Commerce Drive Wyomissing Berks County <i>From:</i> 320 Abington Drive Wyomissing Berks County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-18-01	Farmers First Bank Lititz Lancaster County	Wal-Mart 2034 Lincoln Highway East Lancaster Lancaster County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1170. Filed for public inspection June 29, 2001, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

Under the Federal Clean Water Act and the Pennsylvania Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements. For all new permit applications, renewal application with major changes or applications for permits not waived by EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. All Oil and Gas Related permit applications are listed under Section III. These determinations are published as proposed actions for comments prior to taking final actions.

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

Persons wishing to comment on the proposed permit are invited to submit a statement, to the 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. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The renewal application, including proposed effluent limitations and special conditions, is available on file. For new permit applications, information submitted with the applications is available on file. The information may be inspected and arrangements made for copying at the office indicated above the application.

Persons with a disability, who require an auxiliary aid service, including TDD users or other accommodations to seek additional information, should contact the Department through the Pennsylvania AT&T Relay service at (800) 654-5984.

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA-0029874 (Non-Municipal) Sewage	Skytop Lodge 1 Skytop Drive Skytop, PA 18357	Barrett Township Monroe County	Leavitt Branch (1E)	Yes
PA-0062286	Diocese of Scranton Church of Saint Benedict 301 South State Street Clarks Summit, PA 18411	Newton Township Lackawanna County	Unnamed tributary to Gardner Creek (4G)	Yes
PA-0041424 Minor Renewal	Pocmont Resort Bushkill, PA 18324	Lehman Township Pike County	Unnamed tributary to Little Bushkill Creek (1D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0087572	Williamstown Borough Authority P. O. Box 32 Williamstown, PA 17098	Dauphin County Williams Township	UNT Wiconisco Creek/6-C	Yes
PA0084255	Swatara Mobile Homes 222 Grace Avenue Lebanon, PA 17046-8028	Lebanon County Swatara Township	UNT to Little Swatara Creek/7-D	Yes
PA0051560	Western Berks Water Authority 91 Water Road Sinking Spring, PA 19608-9633	Berks County Lower Heidelberg Township	Tulpehocken Creek/ 3-C	Yes
PA0051683	Titanium Hearth American Operations DBA Timet North American Operations 900 Hemlock Rd. Morgantown Business Park Morgantown, PA 19543	Berks County Caervarvon Town- ship	Conestoga Creek/ J-J	Yes
PA0080187	Dauphin Meadows Inc. R. R. 1 Route 209 Millersburg, PA 17061	Dauphin County Washington Town- ship	Wiconisco Creek/ 6-C	Yes

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

Application No. PA0223115. Industrial Waste, SIC 3089. **Comor, Inc.**, 23697 U. S. Highway 322, Cochranon, PA 16314-0241.

This application is for a new NPDES Permit, to discharge noncontact cooling water and stormwater to a private pond in East Fairfield Township, **Crawford County**. This is a new 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 City of Franklin on French Creek located at Franklin, approximately 18 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.000815 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		
Temperature (°F)	XX		
Oil and Grease	XX		
pH			6.0 to 9.0 at all times

XX—Monitor and report.

The EPA Waiver is in effect.

PA0238619, Sewage. **Cornerstone Family Services**, 2700 Mt. Royal Boulevard, Glenshaw, PA 15116.

This proposed facility is located in Franklin Township, **Butler County**.

Description of Proposed Activity: a new discharge of treated sewage.

The receiving stream, Mulligan Run is in watershed 20-C and classified for: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Harmony Borough Water Authority intake on Little Connoquenessing Creek located at Harmony, approximately 12 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.08 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Phosphorus (as P) (4-1 to 10-31)	2		4
NH ₃ -N (5-1 to 10-31)	2.5		5
(11-1 to 4-30)	7.5		15
Fecal Coliform (5-01 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		3,300/100 ml as a geometric average	
Total Residual Chlorine	0.38		0.9
Dissolved Oxygen		Minimum of 5 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

PA0103411, Industrial Waste. **Ellwood Quality Steels Company**, 700 Moravia Street, New Castle, PA 16101.

This proposed facility is located in New Castle, **Lawrence County**.

Description of Proposed Activity: discharge of treated I. W. and stormwater.

The receiving stream, Shenango River—Outfall 001 and Neshannock Creek—Outfall 002, is in watershed 20-C and classified for: warm water fishes—Shenango River; trout stocking fishes—Neshannock Creek, 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 on the Beaver River located at Eastvale, approximately 20 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0075 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	XX				
pH					Within limits of 6.0 to 9.0 standard units at all times.

The proposed effluent limits for Outfall 002 based on a design flow of n/a MGD.

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

XX—Monitor and report on monthly DMRs.

The EPA Waiver is in effect.

PA0103152, Sewage. **Walter W. Robertson, Jr., Hydro-Pac, Inc.**, P. O. Box 921, 7470 Market Road, Fairview, PA 16415.

This proposed facility is located in Fairview Township, **Erie County**.

Description of Proposed Activity: sanitary waste treatment from a manufacturing facility.

The receiving stream, unnamed tributary to Brandy Run, is in watershed 15 BR (Lake Erie) and classified for: cold water and migratory fishery.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60

NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH ₃ -N (5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18
Dissolved Oxygen		minimum of 3.0 mg/l at all times	
Total Residual Chlorine	0.50		0.75
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 to 9.0 standard units at all times	

The EPA Waiver is in effect.

PA0000124, Industrial Waste. **International Paper Company—Erie Mill**, 1540 East Lake Road, Erie, PA 16533.

This proposed facility is located in the City of Erie, **Erie County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge noncontact cooling water.

The receiving stream, Presque Isle Bay and Outer Erie Harbor, is in watershed 15 and classified for: warm water fishery, aquatic life, water supply and recreation. There is no potable water supply affected by this discharge.

The proposed effluent limits for Outfall 006 based on a design flow of 7.2 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
Stormwater			See Part C, Condition No. 4		
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 007 based on a design flow of 12.2 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 010 based on a design flow of 0.9 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 012 based on a design flow of 0.15 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 013 based on a design flow of 0.007 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.2
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 014 based on a design flow of 0.11 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
Stormwater				See Part C, Condition No. 4	
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 015 based on a design flow of 0.003 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Temperature				110°F	
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 017 based on a design flow of 3.0 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			30	60	
Iron (total)			2	4	
Aluminum (total)			4	8	
Manganese (total)			1	2	
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 018 based on a design flow of 2.21 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine			0.5		1.6
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The EPA Waiver is in effect.

PA0210668, Sewage. **Perseus House, Inc., Andromeda House II**, Box 99, 39132 Mt. Pleasant Road, Spartansburg, PA 16434.

This facility is located in Bloomfield Township, **Crawford County**.

Description of Proposed Activity: renewal of sewage discharge.

The receiving stream, unnamed tributary to Pine Hollow Run, is in watershed 16E and classified for: warm water fishes, recreation water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0032 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10		20
Total Suspended Solids	20		40
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 to 9.0 standard units at all times		

The EPA Waiver is in effect.

PA0102369, Sewage. **Rainbow Valley Mobile Home Park**, 11682 Route 97 North, Waterford, PA 16441.

This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Activity: Facility serves as treatment for sanitary wastes from the mobile home park.

The receiving stream, unnamed tributary to LeBoeuf Creek, is in French Creek watershed and classified for: TSF.

The proposed effluent limits for Outfall 001 based on a design flow of 0.05 MGD.

<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)	20		40
(11-1 to 4-30)	25		50
Total Suspended Solids	30		60
NH ₃ -N			
(5-1 to 10-31)	1.5		30
(11-1 to 4-30)	no limit		no limit
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 to 9.0 standard units at all times	

The EPA Waiver is in effect.

PA0031461, Sewage. **Hickory Hill Country Village, A Division of Thomas Mobile Home Park**, Trask Road, Waterford, PA 16441.

This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Activity: Sanitary waste treatment facility for a mobile home park.

The receiving stream, unnamed tributary to Trout Run, is in watershed 16A, LeBoeuf Creek and classified for: CWF

Interim Limits

The proposed effluent limits for Outfall 001 based on a design flow of 0.020 MGD:

<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)	20		40
(11-1 to 4-30)	25		50
Total Suspended Solids	30		60
NH ₃ -N			
(5-1 to 10-31)	4.5		9
(11-1 to 4-30)	13.5		27
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 to 9.0 standard units at all times	

Final Limits

The proposed effluent limits for Outfall 001 based on a design flow of 0.040 MGD:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N			
(5-1 to 10-31)	4.5		9
(11-1 to 4-30)	13.5		27
Dissolved Oxygen		minimum of 3.0 mg/l at all times	
Total Residual Chlorine	0.5		1.15
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 to 9.0 standard units at all times	

The EPA Waiver is in effect.

PA0238627, Sewage. **Timothy J. Herbstritt SRSTP**, 135 Denise Road, St. Marys, PA 15857.

This proposed facility is located in the City of St. Marys, **Elk County**.

Description of Proposed Activity: a new treated sewage discharge.

The receiving stream, Elk Creek, is in watershed 17A and classified for: Cold Water Fishes, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.000400 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10		20
Total Suspended Solids	20		40
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 to 9.0 standard units at all times	

The EPA Waiver is in effect.

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

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

Application No. PA 0088692, CAFO, Frey Dairy Farms, Inc., 2646 River Road, Conestoga, PA 17516-9326.

Frey Dairy Farms, Inc. has submitted an application for an Individual NPDES permit for an existing Concentrated Animal Feeding Operation (CAFO) known as Frey Dairy Farm, located at 2646 River Road, Conestoga, PA in Manor Township, **Lancaster County**.

The CAFO is situated near Wisslers Run in Watershed 7-J, which is classified for high quality cold water fishery. The CAFO is designed to maintain an animal population of approximately 2,480 animal equivalent units (AEUs) consisting of 2,200 dairy cows. Manure is collected in manure storage lagoons. The total capacity of the manure storage facilities is 7.5 million gallons, including 2 feet of freeboard. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the draft permit.

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. Individuals may make an appointment to review the files by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

Persons wishing to comment on the proposed permit are invited to submit written comments to the above address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. All comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

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 the determination may be appealed to the Environmental Hearing Board.

PA No. 0009164, Industrial Waste SIC Code 3312, Standard Steel, Division of Freedom Forge Corporation, 500 North Walnut Street, Burnham, PA 17009.

This proposed facility is located in Burnham Borough, **Mifflin County**.

Description of proposed activity: Discharge of treated process wastewater, contact and noncontact cooling water and stormwater to Kishacoquillas Creek.

The receiving stream (Kishacoquillas Creek) is in Watershed 12-A and classified for trout stocking fishery.

The proposed effluent limits for Outfalls 002, 003, 005 and MP 401 based on a design flow of 12.03 MGD are:

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
pH			6 to 9	
Discharge Total Suspended Solids	XXX	XXX		Monitor and Report
Intake Total Suspended Solids	XXX	XXX		Monitor and Report
Net Total Suspended Solids	XXX	XXX	15	30
Discharge Oil and Grease	XXX	XXX		Monitor and Report
Intake Oil and Grease	XXX	XXX		Monitor and Report
Net Oil and Grease	XXX	XXX	10	20

The proposed effluent limits for Outfall MP 402 based on a design flow of 0.008 MGD are:

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
pH			6 to 9	
Vinyl	XXX	XXX	Monitor and Report	
TCE	XXX	XXX	Monitor and Report	

The proposed effluent limits for Outfall 500 are:

Cumulative Thermal Discharge Period	Allowable Heat Rejection Rate (10 ⁶ BTU/day)
January	2,060
February	1,872
March	5,244
April	5,970
May	6,000
June	5,450
July	4,075
August	2,547
September	2,119
October	2,055
November	1,880
December	1,798

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

The EPA waiver is not in effect.

Application No. PA 0008265, SIC Code 1518, Industrial Waste, **Appleton Papers Inc.** (Spring Mill), 100 Paper Mill Road, Roaring Spring, PA 16673-1488.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Frankstown Branch Juniata River in Watershed 11-A, in Blair Township, **Blair County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 4.84 MGD are:

Parameter	Average Monthly (lbs/day)	Maximum Daily (lbs/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
pH			From 6.0 to 9.0 inclusive Minimum of 5.0 at all times		
Dissolved Oxygen			25	50	62
BOD ₅	1,009	2,018	100	200	250
Total Suspended Solids	4,036	8,073	1.9	3.8	4.8
NH ₃ -N	76.7	153.4	341	434	
Color PCU (Interim)			197	394	493
Color PCU (Final)			221	442	553
(5-1 to 10-31)					
(11-1 to 4-30)					
AOX	314	479			
COD					Monitor and Report
Temperature					Monitor and Report
Chromium, Hexavalent (Interim)					Monitor and Report
Lead (Interim)					Monitor and Report
Selenium (Interim)					Monitor and Report
Aluminum (Interim)					Monitor and Report
Chromium, Hexavalent (Final)			.018	.036	.045
Lead (Final)			.010	.020	.025
Selenium (Final)			.006	.012	.015
Aluminum (Final)			.52	1.04	1.3

The proposed limits for internal monitoring point MP 101-First, Second and Third Stage Bleach Plant Filtrate Effluent.

<i>Parameter</i>	<i>Average Monthly (lbs/day)</i>	<i>Maximum Daily (lbs/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Kappa Number			20 Annual Avg.	Monitor	
Color (PCU)				Monitor and Report	
Chloroform	2.09	3.49		Monitor and Report	
2,3,7,8-TCDD					<10 pg/l
2,3,7,8-TCDF					31.9 pg/l
Trichlorosyringol					<2.5 ug/l
3,4,5- trichlorocatechol					<5.0 ug/l
3,4,6- trichlorocatechol					<5.0 ug/l
Tetrachlorocatechol					<5.0 ug/l
3,4,5-trichloroguaiacol					<2.5 ug/l
3,4,6-trichloroguaiacol					<2.5 ug/l
4,5,6-trichloroguaiacol					<2.5 ug/l
Tetrachloroguaiacol					<5.0 ug/l
2,4,5-trichlorophenol					<2.5 ug/l
2,4,6-trichlorophenol					<2.5 ug/l
2,3,4,6-trichlorophenol					<2.5 ug/l
Pentachlorophenol					<5.0 ug/l

Outfalls 002 through 005 and 009 through 020 are identified as stormwater outfalls receiving runoff from areas with industrial activity. Monitoring is required for CBOD₅, Chemical Oxygen Demand, Oil and Grease, pH, Total Suspended Solids, Total Phosphorus, Total Kjeldahl Nitrogen and Dissolved Iron for Outfalls 002 through 005 and 009 through 020.

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

The EPA waiver is not in effect.

Application No. PA 0007773, SIC Code 3471, Industrial Waste, **Electroplaters of York, Inc.**, 209 East Willow Street, Wrightsville, PA 17368.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to the Susquehanna River, in Wrightsville Borough, **York County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.06 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		From 6.0 to 9.0 inclusive	
CBOD ₅	Monitor & Report	XXX	XXX
Total Phosphorus	Monitor & Report	XXX	XXX
Total Suspended Solids	31	60	75
Oil and Grease	15	XXX	30
Total Cadmium	0.26	0.69	0.9
Total Chromium	1.71	2.77	4.3
Total Copper	2.07	3.38	5.2
Total Lead	0.43	0.69	1.08
Total Nickel	2.38	3.98	6.0
Total Silver	0.24	0.43	0.6
Total Zinc	1.48	2.61	3.7
Total Cyanide	0.65	1.2	1.6
Total Toxic Organics	XXX	2.13	XXX

In addition, the recommended monitoring parameters for Outfall 002 for the discharge of stormwater are: pH, Oil & Grease, Total Suspended Solids, Total Zinc, Total Nickel and Total Chromium.

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

The EPA waiver is not in effect.

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

PAS 224802, Industrial Stormwater SIC 2421, **Bruce Charles Sawmill**, 500 Sawmill Road, Benton, PA, 17814.

This proposed facility is located in Pine Township, **Columbia County**.

Description of Proposed Activity: This proposed action is for the issuance of a permit for discharge of stormwater runoff from a sawmill.

The receiving stream, Kline Hollow Run, is in the Fishing Creek watershed (SWP 5C) and is classified for: Exceptional Value. The nearest downstream public water supply intake for, located on Fishing Creek is 10 miles below the point of discharge.

The proposed effluent limits for Outfalls 001 and 002 are based on Best Management Practices.

PA0026310, Sewerage SIC 4952, **Clearfield Municipal Authority**, 107 East Market Street, Clearfield, PA 16830.

This proposed facility is located in Lawrence Township, **Clearfield County**.

Description of Proposed Activity: This proposed action is for the renewal of a NPDES permit for the discharge of treated sewage effluent.

The receiving stream, the West Branch Susquehanna River, is in the 8-B Chest Watershed and classified for warm water fishery and aquatic life, water supply and recreation.

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

Parameter	Concentration (mg/l)		
	Average Monthly	Average Weekly	Instantaneous Maximum
CBOD ₅	25	40	50
TSS	30	45	60
Chlorine Res. (T)	0.5		1.6
Fecal Coliforms			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 at all times		

In addition to the effluent limits, the permit contains the following major special conditions:

1. Combined Sewer Overflow (CSO) monitoring.

PAS804801, Industrial Waste, SIC Code 4512,4513,45,22,4581, **University Park Airport/PSU**, 2535 Fox Hill Road, University Park, PA 16802.

This proposed permit is for an existing facility is located in Benner Township, **Centre County**.

Description of Industrial Activity: The permittee is classified as a regional airport facility served by commuter airlines, cargo transport and general aviation services. Industrial activities include those typically found at airports such as aircraft refueling, washing, maintenance and deicing.

The receiving streams, Spring Creek and Buffalo Creek, are in the State Water Plan watershed (9-C) and are classified for High-Quality Cold Water Fisheries. The nearest downstream public water supply intake for future assumed intake located on Bald Eagle Creek is approximately 31 river miles below the point of discharge.

The proposed effluent limits for all Outfalls are based on a design flow of which varies with storm rainfall intensity.

This permit establishes effluent limitations in the form of implemented Best Management Practices (BMPs) such as Preparedness, Prevention and Contingency Plans and Erosion and Sedimentation Control Plans which restrict the rates and quantities of pollutants discharged into surface waters of the Commonwealth.

In addition to the effluent limits, the permit contains the following major special conditions.

1. De-icing Facility Upgrade Compliance Schedule and Outfall 001 Monitoring Activities.

PA0228443, CAFO 0241, **Paul Dotterer & Sons Inc.**, 6795 Nittany Valley Road, Mill Hall, PA 17751.

This existing facility is located in Potter Township, **Clinton County**.

Description of Existing Activity: Concentrated animal feeding operation (CAFO) for 1,141.7 animal equivalent units (AEU) of dairy cows, heifers, young stock, young heifers and calves.

The receiving stream, Cedar Run, is in the State Water Plan watershed 9C Watershed and classified for High Quality Cold Water Fishes (HQ-CWF).

The proposed effluent limits for the operation/activity include: except for the chronic or catastrophic rainfall events defined as over the 25 year/24 hour rain storms, the CAFO general permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

PA0228401, CAFO, SIC 0241, **Schrack Farms Partnership**, 860 West Valley Road, Loganton, PA 17747.

This existing facility is located in Greene Township, **Clinton County**.

Description of Proposed Activity: Schrack Farms contains a dairy Concentrated Animal Feeding Operation (CAFO) operated with the primary purpose of generating milk. The estimated population of the CAFO will be maintained at 610 milk cows and 468 replacement heifers, totaling 1,275 Animal Equivalent Units (AEUs).

The receiving stream, Fishing Creek, is in the Bald Eagle Creek Watershed (SWP 9-C) and is classified for: High Quality—Cold Water Fishes (HQ-CWF).

The proposed effluent limits for the operation/activity include: except for the chronic or catastrophic rainfall events defined as over the 25 year/24 hour rain storms, the CAFO permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

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

PA0110655, Industrial Waste, SIC, 3399, **North American Hoganas**, 250 Abex Road, P. O. Box 509, Hollsopple, PA 15935-0509.

This application is for Renewal of an NPDES permit to discharge treated process water, cooling water and stormwater from the Coldstream Products Division in Quemahoning Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, Stony Creek, Quemahoning Creek and unnamed tributary to Quemahoning Creek classified as trout stock and cold water fisheries, respectively, with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Saltsburg Municipal Waterworks, located at Box 104, 320 Point Street, Saltsburg, PA 15681, 70 miles below the discharge point.

Outfall 002: existing discharge, design flow of 3.61 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Residual Chlorine			0.5		1.25
Temperature (°F):					
June 1-16				84	
June 1-15				81	
July 1-31				76	
August 1-15				91	
August 16-May 31				110	
pH	not less than 6.0 nor greater than 9.0 standard units				

Outfalls 003, 004, 005, 006, 007, 008, 009, 010, 011, 012 and 013: new stormwater discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended solids					Monitor and Report
Nitrate-Nitrite nitrogen					Monitor and Report
Cadmium					Monitor and Report
Lead					Monitor and Report
Zinc					Monitor and Report

Outfall 102: new discharge, design flow of 0.0634 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Aluminum			4.0		8.0
Iron			2.0		4.0
Manganese			1.0		2.0
BOD ₅					Monitor and Report
Total Dissolved Solids					Monitor and Report
pH	not less than 6.0 nor greater than 9.0 standard units				

The EPA waiver is in effect.

PA0205109, Industrial Waste, SIC, 3325, **Johnstown Corporation**, 545 Central Avenue, Johnstown, PA 15902.

This application is for renewal of an NPDES permit to discharge untreated cooling water stormwater from its Johnstown Plant in the City of Johnstown, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Stony Creek, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Saltsburg Municipal Water Works, located at Saltsburg-Conemaugh River, 27 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.00003 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Temperature					110
pH	not less than 6.0 nor greater than 9.0				

Outfall 004: existing discharge, design flow of 0.00003 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Temperature					110
pH	not less than 6.0 nor greater than 9.0				

Outfall 005: existing discharge, design flow of 0.00003 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Temperature					110
pH	not less than 6.0 nor greater than 9.0				

Outfalls 002, 003, 006 and 007: stormwater discharges to Stony Creek.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
The discharge via these outfalls shall consist of uncontaminated storm water runoff only.					

The EPA waiver is in effect.

PA0205877-A1, Sewage, **Redstone Township Sewer Authority**, P. O. Box 751, Republic, PA 15475.

This application is for amendment of an NPDES permit to discharge treated sewage from Redstone Township Sewer Authority Wastewater Treatment Plant in Redstone Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Dunlap 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: California Water Company located on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.45 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.5	3.8		5.0
(11-1 to 4-30)	7.5	11.3		15.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	25,000/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: The existing STP is proposed to be expanded from 0.30 mgd to 0.45 mgd

The EPA waiver is in effect.

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

PA0006343, Industrial Waste. **AK Steel Corporation—Butler Operations**, P. O. Box 832, 210 Pittsburgh Road, Butler, PA 16003-0832.

This proposed facility is located in Butler Township and the City of Butler, **Butler County**.

Description of Proposed Activity: discharge of treated I.W., noncontact cooling water and stormwater.

The receiving stream, Connoquenessing Creek (Outfalls 001—005, 007—016), Sawmill Run (Outfalls 006 and 026), Rocklick Run (Outfalls 017—024) and Sullivan Run (Outfall 025), is in watershed 20-C and classified for: 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 Zelenople Municipal Water Works on Connoquenessing Creek located at Zelenople, approximately 20 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.341 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
Total Suspended Solids	172	401	XX	XX	140
Chromium, Total	2.3	5.7	XX	XX	1.9
Nickel, Total	1.7	5.1	XX	XX	1.4
Chromium Hexavalent	0.26	0.51	0.093	0.19	0.23
Nitrite & Nitrate					
(Interim)+	25,000		XX		
(Interim)+	15,500		XX		
(Final)			The total load being discharged from 001 and 005 shall not exceed 999 lb/day (monthly average)		
Fluoride	XX	XX			
Temperature	XX	XX			
Iron, Total			4.3	8.7	10.9
Ammonia-Nitrogen					
(5-1 to 10-31)	22.2		6.5		16
(11-1 to 4-30)	31		11		27
Sulfate					
(Interim)++	29,400		XX		
(Final)	6,260	12,500	2,200	4,400	5,500
pH			Within limits of 6.0 to 9.0 standard units at all times.		

+—Total for Outfalls 001 & 005.

++—Total for Outfalls 001, 005 & 006.

The proposed effluent limits for Outfall 002 based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	XX				
TSS					150
Oil and Grease					30
pH			Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 003 based on a design flow of varies MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	XX				
TSS					150
Oil and Grease					30
pH			Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 004 based on a design flow of 0.25 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	XX				
Temperature					XX
pH			Within limits of 6.0 to 9.0 standard units at all times.		

The proposed effluent limits for Outfall 005 based on a design flow of 2.63 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	XX				
TSS	1495	3479	XX	XX	170
Oil and Grease	329	658	15	XX	30
Chromium Total	19.9	49.8	XX	XX	2.3
Nickel, Total	15	44.8	XX	XX	2.0
Napthalene		0.06		XX	0.003
Tetrachloroethylene		0.09		XX	0.004
Iron, Total	55.7	111	2.54	5.08	6.35
Fluoride	XX	XX	7	14	17.5
Nitrite-Nitrate					
(Interim)+	25,000		XX		
(Interim)+	15,500		XX		
(Final)					
The total load being discharged from 001 and 005 shall not exceed 999 lb/day (monthly average)					
Ammonia-Nitrogen					
Interim	1053		48		121
(5-1 to 10-31) Final	35.1		1.6		4.0
(11-1 to 4-30) Final	90		4.1		10.2
Sulfate					
(Interim)++	29,400		XX		
(Final)	18,000	36,000	820	1,640	2,050
Temperature			<i>Daily Average</i>		
(10 ⁶ BTU/day)					
January 1-31			440		
February 1-29			453		
March 1-31			966		
April 1-30			908		
May 1-15			866		
May 16-31			1442		
June 1-15			1632		
June 16-30			1135		
July 1-31			910		
August 1-31			951		
September 1-30			903		
October 1-31			843		
November 1-15			739		
November 16-30			591		
December 1-31			405		

pH Within limits of 6.0 to 9.0 standard units at all times.

+—Total for Outfalls 001 & 005.

++—Total for Outfalls 001, 005 & 006.

The proposed effluent limits for Outfall 006 based on a design flow of 0.216 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	XX				
TSS	185	544	XX	XX	259
Oil and Grease	48	144	15	XX	30
Lead	0.3	1.0	XX	XX	1.5
Zinc	0.5	1.6	XX	XX	2.3
Fluoride	24.3	48.6	XX	XX	33.7
Iron, Total	XX	XX	2.54	5.08	6.35
Chromium Hexavalent					
(Interim)	0.63	XX	0.351	XX	0.88
(Final)	0.32	0.43	0.13	0.26	0.32
Sulfate					
(Interim)++	29,400		XX		
(Final)	540	1,080	300	600	750

pH Within limits of 6.0 to 9.0 standard units at all times.

++—Total for Outfalls 001, 005 & 006.

The proposed effluent limits for Outfall 007 based on a design flow of 1.345 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	XX				
Copper (Interim)	0.58	XX	0.052	XX	0.13
Copper (Final)	0.52	1.03	0.046	0.092	0.115
Total Suspended Solids	1,214.5	3,241.3			271
Oil and Grease	168.3		15		30
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall Nos. 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023 and 024 based on a design flow of n/a MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Stormwater only.					

The proposed effluent limits for Outfall 025 based on a design flow of 0.073 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	XX				
TSS			30		60
Oil and Grease			15		30
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 026 based on a design flow of 0.01 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	XX				
TSS			30		60
Oil and Grease			15		30
pH	Within limits of 6.0 to 9.0 standard units at all times.				

XX—Monitor and report.

In addition to the effluent limits, the permit contains the following major special conditions.

- Toxics Reduction Evaluation for Chromium, Hex. (Outfall 006) and Copper (Outfall 007).
- Schedules of Compliance for Nitrite-Nitrate (Outfalls 001 & 005) and Ammonia-Nitrogen (Outfall 005).
- Sulfate Reduction Evaluation for Outfalls 001, 005 and 006.
- Chemical Additives.
- Stormwater.

The EPA Waiver is not in effect.

**WATER QUALITY MANAGEMENT PERMITS
CONTROLLED INDUSTRIAL WASTE AND SEWAGE
WASTEWATER**

**APPLICATIONS UNDER THE PENNSYLVANIA
CLEAN STREAMS LAW**

PART II PERMITS

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department). The applications are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permit applications.

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted

above the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department reserves the right to hold a public hearing if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation of the area. If no hearing is held, the Department's Water Management Program Manager will make a final determination regarding the applications after a complete review. Notice of

this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

A copy of the permit application or proposed plan is on file in the office indicated and is open to public inspection. Appointments to review the application may be made by contacting Records Management at the indicated telephone number.

I. Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

WQM Permit No. 6401402, Sewerage, **Waymart Area Authority**, P. O. Box 3300, Waymart, PA 18472-0224.

This proposed facility is located in Waymart Borough and Canaan Township, **Wayne County**.

Description of Proposed Action/Activity: Phase I of the project involves construction of sanitary sewers and force mains to collect and convey sewage to the Waymart Area Wastewater Treatment Plant. Phase II of the project will include the upgrade of the WWTP from a 0.21 MGD facility to a 0.715 MGD facility and the installation of approximately 1,600 ft. of a gravity interceptor from the Borough. Phase II will also include a 14,000 ft. pipeline to convey the effluent to a discharge point located along Van Auken Creek downstream of Keen Lake in Canaan Township.

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

WQM Permit No. 0501404, Sewerage, **Richard Henderson**, P. O. Box 233, Bedford, PA 15522.

This proposed facility is located in East St. Clair Township, **Bedford County**.

Description of Proposed Action/Activity: Construction/Operation of a small flow sewage treatment system to serve their single family residence on Pigeon Hill Road.

WQM Permit No. 6701406, Sewerage, **Manchester Township Municipal Authority**, 3200 Farmtrail Road, York, PA 17402.

This proposed facility is located in Manchester Township, **York County**.

Description of Proposed Action/Activity: Replacement of the Asland Heights Phase II pumping station with the Willow Creek Pump Station to serve the Bentley Croft Subdivision for conveyance to the York City Sewer Treatment Plant.

WQM Permit No. 2101404, Sewerage, **Silver Spring Township Authority**, 6475 Carlisle Pike, Mechanicsburg, PA 17055.

This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/Operation of the Cumberland Valley Motors/Team Rahal Sewer Extension & Pump Station.

NPDES Stormwater Individual Permit

The following parties have applied for an NPDES permit to discharge stormwater associated with a construction activity into waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regula-

tions, the Department of Environmental Protection (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

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

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

Following the 30-day comment period, the appropriate Regional Office 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 sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

NPDES Permit PAS10 G471, Stormwater. **Heritage Building Group**, 3326 Old York Road, Suite A100, Furlong, PA 18925, has applied to discharge stormwater associated with a construction activity located in East Coventry Township, **Chester County** to Pigeon Creek (HQ-TSF).

NPDES Permit PAS10 G472, Stormwater. **Gen Terra Corporation**, Great Valley Corporate Center, 666 Exon Commons, Exton, PA 19341, has applied to discharge stormwater associated with a construction activity located in East Whiteland Township, **Chester County** to Little Valley Creek (EV).

NPDES Permit PAS10 G473, Stormwater. **Oxford Mall**, 75 Valley Stream Parkway, Malvern, PA 19355, has applied to discharge stormwater associated with a construction activity located in Oxford Borough, **Chester County** to Big Elk Creek (HQ-TSF-MF).

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

NPDES Permit PAS10 M110, Stormwater. Borough of Chambersburg, 100 South Second Street,

Chambersburg, PA 17201 has applied to discharge stormwater associated with a construction activity located in Borough of Chambersburg & Guilford Township, Franklin County to Falling Spring Branch (HQ-CWF) & Conococheague Creek (CWF-WWF).

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10M110	Borough of Chambersburg 100 S. Second Street Chambersburg, PA 17201	Chambersburg Borough Greene Township Guilford Township Franklin County	Falling Spring Branch (HQ-CWF) Conococheague Creek (CWF-WWF)

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

NPDES Permit PAS106112, Stormwater. Seven Springs Farm, Inc., 777 Waterwheel Drive, Champion, PA 15622 has applied to discharge stormwater associated with a construction activity located in Jefferson Township and Middlecreek Township, **Somerset County** to Allen Creek/HQ-CWF and Jones Mill Run/EV.

Somerset Conservation District: 1590 N. Center Avenue, Suite 103, Somerset, PA 15501, (814) 445-4652.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS106112	Seven Springs Farm, Inc. 777 Waterwheel Drive Champion, PA 15622	Somerset County Jefferson Township Middlecreek Township	Allen Creek/HQ-CWF Jones Mill Run/EV

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

NPDES Permit PAS104109, Stormwater. DL Resources, Inc., 1066 Hoover Road, Smicksburg, PA 16256 has applied to discharge stormwater associated with a construction activity located in Hamilton Township, **McKean County** to South Branch Kinzua Creek (HQ-CWF).

<i>Description of Action</i>	<i>Applicant seeks a Construction Permit for Well No. 9 and treatment facilities. The well will be pumped at a rate of 60 gpm. Treatment will be disinfection using chlorine gas. The application also seeks an increase in the permitting pumping rate of previously existing Well No. 1 from 25 to 30 gpm.</i>
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SAFE DRINKING WATER

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

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

Permit No. 6701506, Public Water Supply.

Applicant	Asbury Pointe LTD
Municipality	East Manchester Township
County	York
Responsible Official	Richard W Schreiber, President 135 N. George Street York, PA 17401
Type of Facility	Public Water Supply
Consulting Engineer	Jerry T. Stahlman, P.E. Stahlman & Stahlman, Inc. 139 E. Market Street York, PA 17401
Application Received Date	June 11, 2001

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

Permit No. 5701501, Public Water Supply.

Applicant	Dushore Borough Water System Office of Planning & Development Sullivan County Courthouse Laporte, PA 18626
Borough	Dushore Borough, Sullivan County
Responsible Official	John Shoemaker Dushore Borough Office P. O. Box 248 Dushore, PA 18614
Type of Facility	Public Water Supply
Consulting Engineer	MacNiell-Tagg Engineers 122 Fireside Lane Camillos, NY 13031

Application Received Date June 5, 2001

Description of Action Construction of 10,500 feet of distribution main, pump station and finished water storage tank

Permit No. Minor Amendment, Public Water Supply.

Applicant **Pike Township Municipal Authority**
P. O. Box 27
Curwensville, PA 16833

Borough Curwensville Borough
Clearfield County

Responsible Official Michael Smeal, Manager
Pike Township Municipal Authority
P. O. Box 27
Curwensville, PA 16833

Type of Facility Public Water Supply

Consulting Engineer Stiffler, McGraw, & Assoc. Inc.
19 North Juniata Street
P. O. Box 462
Hollidaysburg, PA 16648

Application Received Date June 14, 2001

Description of Action Construction of a 200,000 gallon storage tank and 1,600 feet of transmission main

MINOR AMENDMENT**Applications Received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).**

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

Application No. 1791501-T1,

Applicant **Covington-Karthauss-Girard Area Authority**
P. O. Box 104
Frenchville, PA 16836

Township Covington Township, **Clearfield County**

Responsible Official Jack E. Reese, Vice-Chairperson
P. O. Box 104
Frenchville, PA 16836

Type of Facility Public Water Supply

Consulting Engineer Hess & Fisher Engineers, Inc.
36 North Second Street
Clearfield, PA 16830

Application Received Date June 4, 2001

Description of Action Transfer of permit for Girard Township interconnection, pump stations #1 and #2, booster chlorinator at pump station #1, 32,000 gallon storage tank

Application No. 1798502-T1,

Applicant **Covington-Karthauss-Girard Area Authority**
P. O. Box 104
Frenchville, PA 16836

Township Covington Township, **Clearfield County**

Responsible Official Jack E. Reese, Vice-Chairperson
P. O. Box 104
Frenchville, PA 16836

Type of Facility Public Water Supply

Consulting Engineer Hess & Fisher Engineers, Inc.
36 North Second Street
Clearfield, PA 16830

Application Received Date June 4, 2001

Description of Action Transfer of permit for Quehanna-Covington-Karthauss Area Authority covering Well #1 and some transmission main

Application No. 1795504-T1,

Applicant **Covington-Karthauss-Girard Area Authority**
P. O. Box 104
Frenchville, PA 16836

Township Covington Township, **Clearfield County**

Responsible Official Jack E. Reese, Vice-Chairperson
P. O. Box 104
Frenchville, PA 16836

Type of Facility Public Water Supply

Consulting Engineer Hess & Fisher Engineers, Inc.
36 North Second Street
Clearfield, PA 16830

Application Received Date June 4, 2001

Description of Action Transfer of permit for Quehanna-Covington-Karthauss Area Authority for Well #2 and disinfection facilities

Application No. 1794503-T1,

Applicant **Covington-Karthauss-Girard Area Authority**
P. O. Box 104
Frenchville, PA 16836

Township Covington Township, **Clearfield County**

Responsible Official Jack E. Reese, Vice-Chairperson
P. O. Box 104
Frenchville, PA 16836

Type of Facility Public Water Supply

Consulting Engineer Hess & Fisher Engineers, Inc.
36 North Second Street
Clearfield, PA 16830

Application Received Date June 4, 2001

Description of Action Transfer of permit for Quehanna-Covington-Karthauss Area Authority for a finished water storage tank

Application No. 8756-T1,

Applicant **Covington-Karthus-Girard Area Authority**
P. O. Box 104
Frenchville, PA 16836

Township Covington Township, **Clearfield County**

Responsible Official Jack E. Reese, Vice-Chairperson
P. O. Box 104
Frenchville, PA 16836

Type of Facility Public Water Supply

Consulting Engineer Hess & Fisher Engineers, Inc.
36 North Second Street
Clearfield, PA 16830

Application Received Date June 4, 2001

Description of Action Transfer of permit for Quehanna-Covington-Karthus Area Authority for finished water storage tank, distribution system and transmission mains

Application No. Minor Amendment Innovative Technology-T1,

Applicant **Covington-Karthus-Girard Area Authority**
P. O. Box 104
Frenchville, PA 16836

Township Covington Township, **Clearfield County**

Responsible Official Jack E. Reese, Vice-Chairperson
P. O. Box 104
Frenchville, PA 16836

Type of Facility Public Water Supply

Consulting Engineer Hess & Fisher Engineers, Inc.
36 North Second Street
Clearfield, PA 16830

Application Received Date June 4, 2001

Description of Action Transfer of permit for Quehanna-Covington-Karthus Area Authority for tablet erosion chlorinator

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 or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, 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 of Environmental Protection has received the following Notices of Intent to Remediate:

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

Proposed French Creek Center (East), Former Phoenix Iron & Steel Site, Phoenixville Borough, **Chester County**. Jeffrey A. Smith, P.G., Langan Engineering & Environmental Services, Inc., on behalf of Phoenix Property Group, The Delta Organization, Inc., 72 E. Swedesford Rd., Suite 214, Malvern, PA 19355-1488, has submitted a Notice of Intent to Remediate site soil, groundwater and surface water contaminated with PCBs, lead, heavy metals, BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and 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 *The Phoenix* on May 19, 2001.

Proposed French Creek Center (West), Former Phoenix Iron & Steel Site, Phoenixville Borough, Chester County. Jeffrey A. Smith, P.G., Langan Engineering & Environmental Services, Inc., on behalf of Phoenix Property Group, The Delta Organization, Inc., 72 E. Swedesford Rd., Suite 214, Malvern, PA 19355-1488, has submitted a Notice of Intent to Remediate site soil, groundwater and surface water contaminated with PCBs, lead, heavy metals, BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and 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 *The Phoenix* on May 19, 2001.

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

D. B. Fisher Charter Bus Service, Borough of Palmyra, Lebanon County. Storb Environmental, 410 North Easton Road, Willow Grove, PA 19090 (on behalf of D. B. Fisher Charter Bus Service, c/o 1715 Grace Avenue, Lebanon, PA 17046) has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and PHCs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lebanon Daily News* on May 22, 2001.

Ameristeel Facility, Spring Garden Township, York County. ARM Group Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797 (on behalf of WDB Corporation Inc., c/o W. D. Brougher, 1200 Country Club Road, York, PA 17403) has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Site-Specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* on June 6, 2001.

Buonarroti Trust Property, Susquehanna Township, Dauphin County. Mavickar Environmental Consultants, Inc., 1240 North Mountain Road, Harrisburg, PA 17112 (on behalf of The Buonarroti Trust, 3601 Vartan Way, Harrisburg, PA 17110) has submitted a Notice of Intent to Remediate site groundwater contaminated with heavy metals and solvents. The applicant proposes to remediate the site to meet the Site-Specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot News*.

Reading LLC, City of Reading, Berks County. Earth Tech, Two Market Plaza Way, Mechanicsburg, PA 17055 (on behalf of Reading LLC, 1650 Des Peres Road, Suite 303, Saint Louis, MO 63131) has submitted a Notice of Intent to Remediate site groundwater contaminated with heavy metals and PHCs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Eagle/Reading Times*.

Lancaster County Central Park Shuts Environmental Library, West Lampeter Township, Lancaster County. Alternative Environmental Solutions, Inc., 930 Pointview Avenue, Suite B, Ephrata, PA 17522 (on behalf of Lancaster County Department of Parks and Recreation, 950 Eshelman Road, Lancaster, PA 17602) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX and PHCs. The applicant proposes to remediate the site to meet the

Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer Journal* on May 25, 2001.

Brewery Products, Springettsbury Township, York County. React Environmental Services, Inc., 6901 Kingessing Avenue, Philadelphia, PA 19142 (on behalf of Stover Fuel Oil Company, P. O. Box 117, Hershey, PA 17033) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot News* on May 7, 2001.

Caterpillar, Inc., Springettsbury Township, York County. Earth Tech, Two Market Plaza Way, Mechanicsburg, PA 17055 (on behalf of Fenton & Bowles, LLC, 1650 Des Peres Road, Suite 303, Saint Louis, MO 63131 and Caterpillar, Inc., 100 NE Adams Street, Peoria, IL 61629-3315) has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record*.

Defense Distribution Depot Susquehanna PA SWMU 6, Fairview Township, York County. Defense Distribution Depot, Susquehanna, PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002 has submitted a Notice of Intent to Remediate site soils contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* on June 11, 2001, and the *Harrisburg Patriot News* on June 12, 2001.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

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

RENEWAL APPLICATIONS RECEIVED

York Hospital, 1001 S. George Street, York, PA 17405. License No. **PA-HC 0017.** Received on June 14, 2001.

AIR QUALITY

NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (DEP) 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 DEP, the regulated community

and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

Notice is hereby given that DEP has received applications for plan approvals and/or operating permits from the following facilities.

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

Persons wishing to receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest to the DEP 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 DEP 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 DEP 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 DEP schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

PLAN APPROVALS

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

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

48-302-103: Northampton Pulp LLC (6 Horwith Drive, Northampton, PA 18067) for reactivation of a natural gas fired boiler at the facility in Northampton Borough, **Northampton County**.

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

06-03078A: Brush Wellman Inc. (P. O. Box 973, Reading, PA 19603) for construction of a pickling line controlled by four wet scrubbers in Perry Township, **Berks County**.

21-05046A: Lindy, Inc. (R. D. 3 Box 24, Northgate Industrial Park, New Castle, PA 16105) for construction of a portable hot mix asphalt plant controlled by a fabric filter at the Carlisle Plant in Upper Frankford Township, **Cumberland County**. This construction is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and 40 CFR Part 60, Subpart Kb—Standards for Performance for Volatile Organic Liquid Storage Vessels.

67-05004B: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) for the use of the existing No. 5 Power Boiler as the primary control device for Low Volume, High Concentration (LVHC) Noncondensable Gases at the Spring Grove Mill located in Spring Grove Borough, **York County**. The LVHC NCGs are currently being burned in the No. 1 and No. 4 Power Boilers. Burning the gases in the No. 5 Power Boiler will reduce mill sulfur dioxide (SO₂) emissions due to the SO₂ controls used at the No. 5 Power Boiler. The No. 5 Power Boiler is also equipped with an electrostatic precipitator for the control of particulate matter. This modification is subject to 40 CFR Part 60, Subpart BB—Standards of Performance for Kraft Pulp Mills and 40 CFR Part 63, Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.

67-05004C: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) for construction and operation of a High Volume Low Concentration (HVLC) gas collection system on the softwood pulping line at the Spring Grove Mill located in Spring Grove Borough, **York County**. The HVLC collection system will be used to collect vent gases from the softwood pulping operation and convey them to the No. 3 Recovery Boiler where they will be burned to reduce mill emissions of Volatile Organic Compounds (VOCs), Hazardous Air Pollutants (HAPs) and Total Reduced Sulfur (TRS) compounds. This construction is subject to 40 CFR Part 63, Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.

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

49-399-007A: Reagent Chemical and Research, Inc. (124 River Road, Middlesex, NJ 08846) for construction of a biodegradable target line incorporating a molten sulfur storage tank and associated air cleaning device (a fume treatment tank), three bulk material storage silos and associated air cleaning devices [three fabric collectors], a dry mix tank and associated air cleaning device (a fabric collector), a product mix tank and a remelt tank and associated air cleaning device (a fume treatment tank) in Coal Township, **Northumberland County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Contact: William Charlton, New Source Review Chief, (412) 442-4174.

11-00285A: Whitaker Roads Corp.—Johnstown Asphalt Plant (P. O. Box 5657, Johnstown, PA 15904) for construction of an asphalt plant in Richland Township, **Cambria County**.

32-00297C: Creps United Publications (1163 Water Street, P. O. Box 746, Indiana, PA 15701) for construction of an offset press at the Christy Park Drive Facility in White Township, **Indiana County**.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.

15-0104A: Tasty Baking Oxford, Inc. (700 Lincoln Street, Oxford, PA 19363) for the increase of production on Production Line Nos. 1, 2 and 3 at their facility in Oxford Borough, **Chester County**. This facility makes bakery products. The production increase will result in an increase of 24.99 tons per year of volatile organic compounds (comprising mostly of ethanol), making the facility a Title V facility. Particulate matter emissions will also increase by 0.58 tons per year. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

06-05007A: Carpenter Technology Corp. (P. O. Box 14662, Reading, PA 19612-4662) for modification of four boilers at Boiler House No. 48 in the City of Reading, **Berks County**. Two of the boilers are subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial, Commercial, Institutional, Steam Generating Units. Each boiler will have hourly emission limits. The boilers will have a combined potential to emit limit of 18.5 tons per year of sulfur dioxide, 24.8 tons per year of nitrogen oxides and 10.2 tons per year of carbon monoxide. The plan approval will include monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The plan approval will be incorporated into the Title V operating permit in accordance with 25 Pa. Code § 127.450. (Administrative Amendment)

28-03037: Greencastle Metal Works, Inc. (P. O. Box 838, Chambersburg, PA 17201) for installation of a paint spray booth for metal finishing at the existing facility in Chambersburg Borough, **Franklin County**. The plan approval and operating permit will contain monitoring, record keeping and reporting requirements to ensure compliance with the applicable air quality requirements.

36-05072: Mount Joy Wire Corp. (1000 East Main Street, Mount Joy, PA 17552) for an administrative amendment for a change in the type of solvent used in the facility's degreasing operations located in the Borough of Mount Joy, **Lancaster County**. This amendment is Revision #1 of the facility's Title V operating permit.

36-05082A: Clark Filter, Inc. (3649 Hempland Road, Lancaster, PA 17601) for construction of a vacuum pleater oven controlled by a catalytic oxidizer. This modification will effectively increase the facility's potential Volatile Organic Compound (VOC) emissions by approximately 700 lbs. per year. Conditions in the permit will limit the VOC content of the coatings in accordance with 25 Pa. Code § 129.52. The plan approval and operating permit will include monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The plan approval will be incorporated into the Title V

operating permit in accordance with 25 Pa. Code § 127.450. (Administrative Amendment).

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: Muhammad Zaman, Facilities Permitting Chief, (570) 327-3637.

53-00005: Dominion Transmission Corp.—Greenlick Station (625 Liberty Avenue, Pittsburgh, PA 15222-3199) for their Natural Gas Transmission facility in the Stewardson Township, **Potter County**. The Title V Operating Permit revision is to incorporate conditions from Plan Approval 53-0003B for operation of a 26.5 MMBtu/hr natural gas pipeline heater. The installation of the heater increases the facility's potential to emit nitrogen oxides by 4.20 tons per year, carbon monoxide by 42.18 tons per year and volatile organic compounds by 6.61 tons per year.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Contact: Thomas Huynh, Chief, (215) 823-7584.

96-022: University of Pennsylvania Health System—Presbyterian Medical Center (51 North 39th Street, Philadelphia, PA 19104) to revise the operating permit issued September 23, 1999, to remove a condition related to opacity emissions from ash handling for an incinerator that was included in the original permit but is not applicable to the facility in the City of Philadelphia, **Philadelphia County**. The condition is not part of 40 CFR Subpart Ce, the applicable regulation for the incinerator.

95-085: Episcopal Hospital (100 East Lehigh Avenue, Philadelphia, PA 19125) to revise the operating permit issued September 23, 1999, to remove a condition related to opacity emissions from ash handling for an incinerator that was included in the original permit but is not applicable to the facility in the City of Philadelphia, **Philadelphia County**. The condition is not part of 40 CFR Subpart Ce, the applicable regulation for the incinerator.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

54-321-006B: Guilford Mills (Penn Dye and Finishing Co. 1 Penn Dye Street, Pine Grove, PA 17963) for operation of Tenter Frame #3 and associated air cleaning device at the facility in Pine Grove Borough, **Schuylkill County**.

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

06-03031: NGK Metals Corporation (P. O. Box 13367, Reading, PA 19612) for a Natural Minor Operating Permit for a beryllium alloy manufacturing facility controlled by fabric collectors in Muhlenberg Township, **Berks County**. These sources are subject to 40 CFR Part 61, Subpart C—National Emission Standard for Beryllium.

22-03022: Wenger's Feed Mill, Inc. (101 West Harrisburg Avenue, Rheems, PA 17570-0026) for a Natural Minor Operating Permit for a feed mill controlled by nine fabric filters in Lykens Township, **Dauphin County**. The natural minor operating permit shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

36-05015B: Dart Container Corporation of PA (60 East Main Street, Leola, PA 17540) for a Title V Operating Permit for a direct injection foam processing operation in Upper Leacock Township, **Lancaster County**.

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

55-00016: Conestoga Wood Specialities Corp.—Beavertown Plant (441 West Market Street, Beavertown, PA 17813-9795) for their wood cabinet making facility in Beavertown Borough, **Snyder County**. The facilities main sources include two fuel oil fired boilers. These sources have the potential to emit major quantities of sulfur oxides(SOx). The facility has taken restrictions on type of fuel and fuel usage to limit potential SOx emissions below Title V thresholds. The facility has the potential to emit, nitrogen oxides (NOx), particulate matter (PM), carbon monoxide (CO), hazardous air pollutants (HAPs) and volatile organic compounds (VOCs) the major emission thresholds.

59-00010: Eagle Family Foods (125 East Avenue, Wellsboro, PA 16901) for their Food Processing Facility in Wellsboro, **Tioga County**. The facility's main sources include three natural gas/fuel oil fired boilers and a steam generator. These sources have the potential to emit major quantities of sulfur oxides (SOx). The facility has taken fuel oil and emissions limitations to fall Title V thresholds. The facility has the potential to emit nitrogen oxides (NOx), particulate matter (PM), carbon monoxide (CO), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) below the major emission thresholds.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Contact: Roger Fey, Chief, (215) 823-7584.

00-008: Roto-Die Co., Inc. (2850 Comly Road, Philadelphia, PA 19154) for the process of repairing rotary dies which are utilized by the printing industry, consisting of cleaning, grinding, sharpening, testing, chrome stripping and chrome plating for their facility in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include a hard chromium electroplating system/stripping process consisting of one 108 gallon strip tank and one 108 gallon plating tank controlled by an air pollution control system consisting of a Pre-Filter Mist Eliminator, Enforcer III Composite Mesh-Pad System and HEPA filters. The facility has been deferred from Title V permitting until December 9, 2004.

96-010: Philadelphia Tramrail Co. (2201 East Ontario Street, Philadelphia, PA 19134) for manufacturing of overhead cranes and hydraulic balers and compactors in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include three 1.75 MMBTU/hr no. 2 oil-fired space heaters and two painting stations with filters.

OPERATING PERMITS

PUBLIC HEARINGS

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

The Pennsylvania Department of Environmental Protection will conduct a public hearing on July 24, 2001 beginning at 1 p.m. in the Air Quality Conference Room of the DEP Regional Office Building located at 230 Chestnut Street, Meadville, PA 16335-3407.

The hearing is for DEP to accept testimony concerning the Department's decision to approve, with conditions, Reasonably Available Control Technology (RACT) plan by **Werzalit of America, Inc.**, 40 Holley Avenue, Bradford, PA.

To meet the requirements under 25 Pa. Code §§ 129.91—129.95 (RACT), concerning the emissions of oxides of nitrogen (NOx) and volatile organic compounds (VOC) from various air contamination sources. The final RACT proposal will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan. This facility is located in **McKean County**.

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

The preliminary RACT determination, if finally approved, will be incorporated into Plan Approvals and/or Operating Permits for the facility and will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The following is a summary of the preliminary VOC RACT determination for Werzalit of America:

<i>Process</i>	<i>RACT</i>
Casual Furniture and Architectural Cladding	Resin usage shall not exceed 3.60 million pounds in any consecutive 12-month period. Methanol content of the resin shall not exceed 0.5% by weight. Methanol emissions from resin usage shall not exceed 9.0 ton in any consecutive 12-month period. Formaldehyde emissions from resin usage shall not exceed 3.5 ton in any consecutive 12-month period.
Process Paint Line	VOC emissions shall not exceed 4.10 lb/hr, 9.84 ton in any consecutive 12-month period. Hours of operations shall not exceed 4,800 hrs/yr.
Chipping/Drying	De minimis
Wood and Wood Product Fired Boiler	De minimis

For the previous facility, a Public Hearing will be held for the purpose of receiving comments on the previous proposed Plan Approvals and/or Operating Permits and the proposed SIP revisions. The public hearing is scheduled as follows:

July 24, 2001
1 p.m.—3 p.m.

DEP Meadville Regional Office
Air Quality Conference Room
230 Chestnut Street
Meadville, PA 16335-3407

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

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

Those unable to attend the hearing but wish to comment should provide written comments to the above noted DEP contact person. Comments should be submitted within 30 days of the date of this publication notice.

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

MINING ACTIVITY APPLICATIONS

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

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

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will

incorporate NPDES permits into the mining activity permits issued in response to these applications. Such 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.

Coal Applications Received

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.

57813001. Capitol Coal Co., Inc. (Box 216, Rte. 1006, Mildred, PA 18632), transfer of an existing bituminous surface mine-coal preparation plant permit located in Cherry Township, **Clearfield County** affecting 511 acres. Receiving stream—Birch Creek to Loyalsock Creek, two unnamed tributaries of Loyalsock Creek to the West Branch Susquehanna River. Application received: May 29, 2001.

17010103. Bell Resources, Inc. (R. R. 2, Box 281, Curwensville, PA 16833), commencement, operation and restoration of a bituminous surface mine-auger permit in Greenwood Township, **Clearfield County** affecting 23.5 acres. Receiving stream—unnamed tributary to West Branch Susquehanna River. Application received: June 11, 2001.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982.

65950104. Dunamis Resources, Inc. (One Energy Place, Suite 4000, Latrobe, PA 15650). Renewal application received for continued mining of a bituminous surface mine location in Fairfield and Ligonier Townships, **Westmoreland County**, affecting 111.5 acres. Receiving streams: unnamed tributaries to Hannas Run and unnamed tributaries to Hyprocrite Creek. Renewal application received: June 11, 2001.

03010103. Marquise Mining Corporation (3889 Menoher Blvd., Johnstown, PA 15905). Application received for commencement, operation and reclamation of a bituminous surface mine located in Kisiminetas Township, **Armstrong County** and Conemaugh Township, **Indiana County** affecting 145.6 acres. Receiving streams: unnamed tributary to Long Run and Sulphur Run to Kiskiminetas River, unnamed tributaries to Kiskiminetas River. Application received: June 11, 2001.

30010101. Patriot Mining Company, Inc. (P. O. Box 4360, Star City, WV 26504). Application received for commencement, operation and reclamation of a bituminous surface mine located in Dunkard and Perry Townships, **Greene County**, affecting 163 acres. Receiving stream: Dooley Run. Application received: June 6, 2001.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.

37010102. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a bituminous surface strip and auger operation in Wayne Township, **Lawrence County** affecting 109.6 acres. Receiving streams: unnamed tributary to Beaver River. Application received June 11, 2001.

Coal Applications Returned

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

54803019T2. No. 1 Contracting Corporation, (49 S. Main Street, Ashley, PA 18706), transfer of an existing anthracite surface mine operation from Harriman Coal Corp. in Hegins & Porter Townships, **Schuylkill County** affecting 1,313.0 acres, receiving stream—West Branch Rausch Creek. Application received May 15, 2001. Application returned June 6, 2001.

Noncoal Applications Received

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.

14920301. Con Stone, Inc., (P. O. Box 28, Bellefonte, PA 16823), major permit revision to two issued permit special conditions: (1) allow the extraction of the Valentine Limestone below the 1,080 elevation to the base of the Valentine; (2) allow seasonal pumping of pit water during low water table conditions to facilitate extraction of the limestone. This permit is located in Haines Township, **Centre County** and affects 96.7 acres. Application received June 11, 2001.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.

25010302. Rodger E. Niemeyer, Sr. (8939 Jones Road, R. D. 1, Wattsburg, PA 16442). Commencement, operation and restoration of a sand and gravel operation in Concord Township, **Erie County** affecting 121 acres. Receiving streams: South Branch French Creek. Application received June 7, 2001.

Noncoal Applications Returned

Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.

10012803. Ancient Sun, Inc. (P. O. Box 129, Shippenville, PA 16254) Commencement, operation and restoration of a small noncoal sand and gravel operation in Parker Township, **Butler County** affecting 5.8 acres. Receiving streams: Two unnamed tributaries to the Allegheny River. Application received: March 22, 2001. Permit returned: June 6, 2001.

Bureau of Abandoned Mine Reclamation, P. O. Box 8476, Harrisburg, PA 17105-8476.

Under Act 181 of 1984, the Department of Environmental Protection gives notice of an unsolicited proposal received from **Hoffman Mining, Inc.**, Friedens, PA, to reclaim an abandoned surface mine in Adams Township, **Cambria County**. The Department intends to enter into negotiations with Hoffman Mining, Inc. to contract for site reclamation, if funding is available.

The project, **DMF 011-101.1**, involves reclamation of a dangerous highwall abandoned by Meadows and Leonard Mining, Inc. where the Department under Permit Number SMP 11831301 forfeited bonds.

Hoffman Mining, Inc. proposes to revegetate about 20 acres. All areas will be regraded to promote surface drainage and provide integration with surrounding unmined areas.

Interested parties should send comments to Richard L. Joyce, Bureau of Abandoned Mine Reclamation, P. O. Box 8476, Harrisburg, PA, no later than 4 p.m., July 30, 2001.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality 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 Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment 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. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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 (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-888. Eagle Lodge Conference Center and CC, Ridge Pike and Manor Road, Lafayette Hill, PA 19444, Whitmarsh Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with the proposed reconstruction of the Eagle Lodge Conference Center and Country Club located at the corner of Ridge Pike and Manor Road (Germantown, PA Quadrangle N: 13.9 inches; W: 17.0 inches).

1. To relocate 995 linear feet of an unnamed tributary of the Schuylkill River (WWF). The relocation work will commence at the outfall of the existing spring house; route through a proposed nonjurisdictional dam and its appurtenances; continue through 1,005 linear feet of 29-inch by 45-inch HERCP stream enclosure; then rejoin the stream approximately 110 linear feet upstream of Manor Road. The existing stream channel will be filled. Additionally, 630 linear feet of existing stream enclosure and two on-stream nonjurisdictional dams, their appurtenances and associated impoundments will be removed, filled and/or modified.

2. To construct and maintain a 10-foot wide and 90-foot long pile supported golf cart bridge with attached utilities and construct a temporary road crossing across 70 linear feet of an unnamed tributary to the Schuylkill River and 15 linear feet of adjacent wetlands.

3. To construct and maintain a 10-foot wide and 40-foot long pile supported golf cart bridge with attached utilities and construct a temporary road crossing across 25 linear feet of an unnamed tributary to the Schuylkill River.

4. To construct and maintain a 10-foot wide and 35-foot long pile supported golf cart bridge with attached utilities and construct a temporary road crossing across 20 linear feet of an unnamed tributary to the Schuylkill River.

5. To construct and maintain 31 permanent outfall structures within the floodway of an unnamed tributary to the Schuylkill River associated with on site stormwater management and irrigation.

This application also includes a request for an Environmental Assessment Approval for impacts associated with the removal of an on-stream nonjurisdictional dam, which is currently being used as a stormwater management facility

E15-668. Liberty Property Limited Partnership, 65 Valley Stream Parkway, Malvern PA 19355, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To install and maintain an 8-inch PVC gravity sanitary sewer pipe across Valley Creek and an unnamed tributary to Valley Creek (EV) associated with the construction of Great Valley Corporate Center-Quarry Ridge Subdivision. The site is located 300 feet south of the intersection of Lapp Road and Old Morehall Road (Malvern, PA USGS Quadrangle N: 10.4 inches; W: 4.8 inches).

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

E64-217. Jennifer F. Canfield, R. R. 1, Damascus, PA 18415, in Damascus Township, **Wayne County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and to maintain a single-family residence and garage on a 0.88 acre lot, in the floodway of the Delaware River. The project is located east of S.R. 1016, on Lot #18 along Tammany Flats Road, approximately 0.8 mile south of the Callicoon, New York bridge (Callicoon, NY-PA, Quadrangle N: 0.8 inch; W: 7.6 inches).

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

E36-711. Martin Murray, Conewago Industrial Park, P. O. Box 332, Lemoyne, PA 17043 in West Donegal Township, **Lancaster County**, ACOE Baltimore District.

To fill in a total of 2.23 acres of wetlands in order to construct associated buildings and parking lots of the Conewago Industrial Park located about 1.5 miles northwest of Newville (Middleton, PA Quadrangle N: 6.2 inches; W: 4.6 inches, N: 5.4 inches; W: 2.1 inches, N: 5.7 inches; W: 1.9 inches). The applicant is required to provide 2.23 acres of replacement wetlands.

E44-108. Richard Williams, 1309 Bridge Street, New Cumberland, PA 17070 in Derry Township, **Mifflin County**, ACOE Baltimore District.

To fill a scour hole along the west abutment with riprap to temporarily impact 0.008 acre of wetlands and to use a temporary sandbag cofferdam to maintain an existing bridge across the Kishacoquilles Creek (TSF) at a point at T-480 (Lewistown, PA Quadrangle N: 18.6 inches; W: 8.4 inches).

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

E41-485. Washington Township, 353 Mill Road, Allenwood, PA 17810. Cross Culverts for Dirt and Gravel Roads Projects, in Washington Township, **Lycoming County**, ACOE Baltimore District (Carroll, PA Quadrangle N: 15.75 inches; W: .25 inch).

The proposed application proposes to install 28-fifteen inch diameter cross culverts that will discharge into White Deer Hole Creek. The proposed culverts are associated with numerous improvements to Gap Road for the Dirt and Gravel Road Program. This project is located 6.5 miles west on Gap Road From Elimsport (Carroll, PA Quadrangle, N: 15.75 inches, W: .25 inch) Washington Township, Lycoming County. This project proposes to effect 2.5 miles of roadway, which will minimize the amount of sedimentation to White Deer Hole Creek which is designated a High Quality Cold Water Fishery. This project does not propose to impact any wetlands.

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

E32-429. Indiana County Commissioners, 825 Philadelphia Street, Indiana, PA 15701-3842. West Mahoning Township, **Indiana County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a single span bridge having a normal span of 37.68 meters and an average underclearance of 3.5 meters across Little Mahoning Creek (HQ-CWF) for the purpose of improving transportation safety and roadway standards. The project is located on T-398, approximately 0.15 mile south of its intersection with S.R. 4018 (Plumville, PA Quadrangle N: 19.42 inches; W: 4.45 inches).

E32-430. Indiana County Commissioners, 825 Philadelphia Street, Indiana, PA 15701-3842. Center Township, **Indiana County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a single span bridge having a normal span of 10.00 meters and an average underclearance of 3.1 meters across Cherry Run (CWF) for the purpose of improving transportation safety and roadway standards. The project is located on T-469, approximately 500 feet

from its intersection with S. R. 3056 (Indiana, PA Quad-
rangle N: 11.67 inches; W: 10.27 inches).

E26-286. Duke Energy Fayette LLC, c/o Duke En-
ergy North America, 5400 Westheimer Court, Houston,
TX 77056-5310. German Township, **Fayette County**,
ACOE Pittsburgh District.

To construct and maintain a raw water intake and
wastewater outfall structures in the right bank of the
Monongahela River (WWF) located at River Mile 78 and
to construct and maintain two pipe line stream crossings
under the channel bed of an unnamed tributary to
Monongahela River (WWF). Also, to place and maintain
fill in 0.05 acre of wetland. The purpose of this project is
to construct and operate an electrical generation facility
(Masontown, PA Quadrangle N: 21.25 inches; W: 7.73
inches).

ENVIRONMENTAL ASSESSMENTS

*Northcentral Region: Water Management Program Man-
ager, 208 West Third Street, Williamsport, PA 17701, (570)
327-3636.*

EA08-004NC. U.S. Fish and Wildlife Service, 315 S.
Allen St., Suite 322, State College, PA 16801-4850.
Bentley Creek restoration Project, WWF, Ridgebury
Township, **Bradford County**, ACOE Baltimore District

The project begins approximately 1,000 feet upstream
of SR 4013 bridge and continues downstream 5.1 miles to
the confluence of the Chemung River in Ashland New
York. This assessment covers the Pennsylvania portion of
the project (19,495 feet) in Ridgebury Township, Bradford
County (Bentley Creek N: 13.94; W: 12.44). The purpose

of the project is to conduct stream restoration activities
that will address bank erosion, grade control and sedi-
ment transport. The project will reconstruct the channel
and floodplain to proper bankfull elevations by grading
embankments and placing control structures in the chan-
nel. The entire project will disturb 4 acres.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation
Permit application has been received by the Department
of Environmental Protection (Department) and is cur-
rently under review. Persons wishing to comment on the
proposed permit are invited to submit a statement to the
Bureau of Land Recycling and Waste Management, Divi-
sion of Storage Tanks, P. O. Box 8763, Harrisburg, PA
17105-8763, within 30 days from the date of this publica-
tion. 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
based.

**The following applications have been received for
Storage Tank Site-Specific Installation Permits
under the authority of the Storage Tank Spill
Prevention Act (35 P. S. §§ 6021.304, 6021.504,
6021.1101 and 6021.1102) and under 25 Pa. Code
Chapter 245, Subchapter C.**

<i>SSIP Application No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01008	Kathleen M. Furlong Iris Energy LLC, (Brunner Island Power Plant) 100 Nyala Farm Westport, CT 06880	York	East Manchester	2 ASTs Fuel Additive	15,000 gallons each
01009	Kathleen M. Furlong Iris Energy LLC, (Montour Power Plant) 100 Nyala Farm Westport, CT 06880	Montour	Derry	2 ASTs Fuel Additive	15,000 gallons each

ACTIONS

**FINAL ACTIONS TAKEN UNDER THE
PENNSYLVANIA CLEAN STREAMS
LAW AND THE FEDERAL CLEAN
WATER ACT—NPDES AND WQM
PART II PERMITS**

**INDUSTRIAL WASTE AND SEWERAGE
WASTEWATER**

The Department of Environmental Protection (Depart-
ment) has taken the following actions on previously
received permit applications and requests for plan ap-
proval.

Persons 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, 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 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 of 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.

I. Municipal and Industrial Permit Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

NPDES Permit No. PA-0064092, Sewage, **Beach Lake Municipal Authority**, P. O. Box 151, Beach Lake, PA 18405.

This proposed facility is located in Berlin Township, **Wayne County**.

Description of Proposed Action/Activity: New treated sewage discharge to Beach Lake Creek.

WQM Permit No. 45101403, Sewerage, **Twin Pines Christian Camp**, 3000 Twin Pines Road, Stroudsburg, PA 18360.

This proposed facility is located in Hamilton Township, **Monroe County**.

Description of Proposed Action/Activity: construction of a Sewage Treatment Plant and a spray irrigation system which will discharge up to 2000 gpd.

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

NPDES Permit No. PA0026077, **Borough of Carlisle**, 53 W. South Street, Carlisle, PA 17013.

The facility is in **Cumberland County**.

The Department of Environmental Protection, after public notice, has on June 14, 2001 issued a National Pollutant Discharge Elimination System Permit to Borough of Carlisle, Permit No. PA 0026077.

This notice reflects changes from the notice published in the *Pennsylvania Bulletin*.

<i>Parameter</i>	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum</i>
NH ₃ -N			
(5-1 to 10-31)	3.6	—	10
(11-1 to 4-30)	10.8	—	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.

NPDES Permit No. PA0084506, Sewage, **Kitch, Inc. (Starlite Camping Resort)**, 1500 Furnace Hill Road, Stevens, PA 17578.

This proposed facility is located in Clay Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Middle Creek in Watershed 7-J.

NPDES Permit No. PA0082511, Sewage, **Roxbury Holiness Camp, Inc.**, 13763 Cumberland Highway, Orrstown, PA 17244.

This proposed facility is located in Letterkenny Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to Conodoguinet Creek in Watershed 7-B.

NPDES Permit No. PA0028592, Sewage, **Borough of Bonneauville**, 46 West Hanover Street, Bonneauville, PA 17325.

This proposed facility is located in Bonneauville Borough, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to Chicken Run in Watershed 13-D.

WQM Permit No. PA0080454, Industrial Waste, **Borough of Carlisle, Water Filtration Plant**, 53 West South Street, Carlisle, PA 17013.

This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Conodoguinet Creek in Watershed 7-B.

WQM Permit No. PA0042781, Industrial Waste, **Mount Joy Wire Corporation**, 1000 East Main Street, Mount Joy, PA 17552.

This proposed facility is located in Rapho Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Little Chickies Creek in Watershed 7-G.

WQM Permit No. PA0008150, Industrial Waste, **MH Dielectrics Inc.**, Box C, One Mountain Street, Mount Holly Springs, PA 17065-0240.

This proposed facility is located in Mount Holly Springs, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Mountain Creek in Watershed 7-E.

WQM Permit No. 3495201 Amendment No. 01-1, Industrial Waste, **Empire Kosher Poultry**, R. R. 5, Box 228, Mifflintown, PA 17059-9803.

This proposed facility is located in Walker Township, **Juniata County**.

Description of Proposed Action/Activity: Authorization for modifications to the construction/operation of Industrial Waste Treatment Facilities.

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

NPDES Permit No. PA0111431, Industrial Waste Renewal, **H H Knoebels & Sons Inc.**, R. D. #1, Box 317, Elysburg, PA 17824.

This proposed facility is located in Cleveland Township, **Columbia County**.

Description of Proposed Action/Activity: Renewal of Industrial Waste to discharge swimming pool filter backwash, overflow from pools plus the discharge from the oil/sedimentation trap at the motor boat ride.

NPDES Permit No. PA0114677, Industrial Waste Renewal, **Coastal Aluminum Rolling Mills, Inc.**, 2475 Trenton Avenue, Williamsport, PA 17701-7927.

This proposed facility is located in City of Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: Renewal of Industrial Waste permit, for noncontact cooling water processing.

NPDES Permit No. PA0032492, Sewerage, **DCNR Bureau of State Parks, Bald Eagle State Park**, 149 Main Park Road, Howard, PA 16841.

This proposed facility is located in Liberty Township, **Centre County**.

Description of Proposed Action/Activity: Renewal of Sewage treatment plan, serving Bald Eagle State Park, Village of Blanchard and Howard Borough.

NPDES Permit No. PA0228362, Sewerage, **Michael Hughes, Gateway Store & Restaurant**, 5198 Route 87 Highway, Williamsport, PA 17701.

This proposed facility is located in Plunketts Creek Township, **Lycoming County**.

Description of Proposed Action/Activity: New Sewage, applicant is applying for authorization to discharge under an individual NPDES permit. Dual treatment trains will serve residential and restaurant.

NPDES Permit No. PA0101290, Sewerage, **Sandy Township Supervisors**, P. O. Box 267 DuBois, PA 15801.

This proposed facility is located in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: Renewal of an existing permit to discharge treated wastewater.

NPDES Permit No PA0043583, Sewerage, **Hartley Township Municipal Authority**, Box 175, Laurelton, PA 17835.

This proposed facility is located in Hartley Township, **Union County**.

Description of Proposed Action/Activity: Renewal of an existing permit to discharge treated wastewater.

NPDES Permit No PA0027375, Sewerage, **City of DuBois**, P. O. Box 408, DuBois, PA 15801.

This proposed facility is located in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: Renewal of existing permit to discharge treated wastewater.

NPDES Permit No PA0111112, Sewerage, **H H Knoebels Sons Inc.**, P. O. Box 317, Elysburg, PA 17824.

This proposed facility is located in Franklin Township, **Columbia County**.

Description of Proposed Action/Activity: Renewal of existing permit to discharge treated wastewater.

NPDES Permit No PA0046159, Sewerage, **Houtzdale Municipal Sewer Authority**, P. O. Box 277, Houtzdale, PA 16651-0277.

This proposed facility is located in Woodward Township, **Clearfield County**.

Description of Proposed Action/Activity: Renewal of an existing permit to discharge treated wastewater.

NPDES Permit No PA0036773, Sewerage, **Shinglehouse Borough**, P. O. Box 156, Shinglehouse, PA 16748.

This proposed facility is located in Shinglehouse Borough, **Potter County**.

Description of Proposed Action/Activity: Renewal of an existing permit to discharge treated wastewater.

WQM Permit No. 5701401, Sewerage, **Davidson Township Municipal Authority**, R. R. #1 Box 7112, Sonestown, PA 17758.

This proposed facility is located in Davidson Township, **Sullivan County**.

Description of Proposed Action/Activity: Residential septic tank effluent treated by a community re-circulating gravel filter and calcium hypochlorite tablet disinfection. Comply with planning approval.

WQM Permit No 4901403, Sewerage, **Ronald J. and Donna M. Filarski**, 1250 West Arch Street, Coal Township, PA 17866-1822.

This proposed facility is located in East Cameron Township, **Northumberland County**.

Description of Proposed Action/Activity: Single Residence septic tank dosing siphon sand filter tablet chlorinator. Comply with planning for new residence construction.

WQM Permit No 4101402, Sewerage, **Michael E. Hughes, Gateway Store & Restaurant**, 5198 Route 87 Highway, Williamsport, PA 17701.

This proposed facility is located in Plunkett Creek Township, **Lycoming County**.

Description of Proposed Action/Activity: New Sewage. The applicant is applying for authorization to construct and operate wastewater treatment facilities. All will be located in the same building. Dual treatment trains will serve residential and restaurant. This permit covers the Outfall.

WQM Permit No 1401406, Sewerage, **State College Sewer Authority**, 118 South Fraser Street, State College, PA 16801.

This proposed facility is located in State College Borough, **Centre County**.

Description of Proposed Action/Activity: New Sewage. Replacement of storm and sanitary sewer lines on Holly Alley from Clover Alley to University Drive. The existing gravity sanitary lines will be replaced with new PVC lines maintaining the same trench and grade as the existing sewers.

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

NPDES Permit No. PA0003239. Industrial. **Dynamic Metal Forming, Inc.**, 7544 Route 18 North, Koppel, PA 16136-0617 is authorized to discharge from a facility located at Big Beaver Borough, **Beaver County** to receiving waters named Beaver River.

NPDES Permit No. PA0217107. Industrial. **Republic Technologies International, L.L.C.**, 1001 Main Street, Gate 3, Johnstown, PA 15909 is authorized to discharge from a facility located at the Johnstown Plant, Franklin Borough, **Cambria County** to receiving waters named Little Conemaugh River (Outfalls 001, 002, 003, 101, 114, 900-903), Peggy's Run (Outfalls 110, 120, 130, 140, 122, 132), Conemaugh River (302A-C, 303A, 305A, 305B, 306, 307, 307A-C).

NPDES Permit No. PA0096636. Sewage. **Somerset Township Municipal Authority**, P. O. Box 247, Somerset, PA 15001 is authorized to discharge from a facility located at Siemons Lakeview Manor Estate Nursing Home STP, Somerset Township, **Somerset County** to receiving waters named East Branch Coxes Creek.

NPDES Permit No. PA0218766. Sewage. **Edward Hallisey**, 1252 Lovi Road, Freedom, PA 15042 is authorized to discharge from a facility located at Hallisey Small Flow STP, New Sewickley Township, **Beaver County** to receiving waters named Drainage Swale to Snake Run via PennDOT Storm Sewer Culvert.

Permit No. 0201404. Sewerage. **Municipality of Penn Hills**, 12245 Frankstown Road, Pittsburgh, PA 15235. Construction of Equalization Facility and Interceptor Replacement located in Penn Hills, **Allegheny County** to serve Plum Creek.

Permit No. 1101404. Sewerage. **Ebensburg Borough Municipal Authority**, 300 West High Street, Ebensburg, PA 15931. Construction of pump station, force main, sewerlines and appurtenances located in Cambria Township, **Cambria County** to serve South Park Complex Phase I Pumping Station.

Permit No. 5672401-A2. Sewerage. **Upper Stonycreek Joint Municipal Authority**, P. O. Box 24, Hooversville, PA 15936. Construction of sewer extensions located in Quemahoning Township, **Somerset County** to serve Quemahoning and Shade Townships.

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10 D115	James Neill 413 Hill Road Perkasie, PA 18944	Bucks	Buckingham Township	Aquetong Creek (HQ-CWF)
PAS10 D116	Riggio & Associates, Inc. P. O. Box 147 Upper Black Eddy, PA 18972	Bucks	Nockamixon Township	Rapp Creek (EV)
PAS10 G420	General Residential Properties, Inc. 666 Exton Commons Exton, PA 19341	Chester	East Whiteland Township	Valley Creek (EV)
PAS10 J013-R	National Developers 1604 Walnut Street Philadelphia, PA 19103	Delaware	Edgmont Township	Crum Creek (CWF)

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under 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). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

The following parties have submitted: (1) Notices of Intent (NOIs) for Coverage Under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations. Monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. The Department of Environmental Protection approves the following coverage under the specific General Permit.

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site

PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Concord Township Delaware County	PAR10J198	Southco, Inc. 210 North Brinton Road Concordville, PA 19331	West Branch Chester Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Whitemarsh Township Montgomery County	PAR10T731	Germantown Academy 340 Morris Road Ft. Washington, PA 19034	Wissahickon Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower and Upper Providence Townships Montgomery County	PAR10T759	Lower Providence Township SA 100 Parklane Drive Eagleville, PA 19408	Eagleville Run (WF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
New Hanover Township Montgomery County	PAR10T705	Heritage Building Group, Inc. 3326 Old York Rd. Suite A100 Furlong, PA 18925	UNT to Minister Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Hanover Township Montgomery County	PAR10T748	Hickory Realty Associates 762 East Main Street Lansdale, PA 19446	Perkiomen Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Perkiomen Township Montgomery County	PAR10T719	Heritage Building Group, Inc. 3326 Old York Rd. Suite A100 Furlong, PA 18925	Schoolhouse Run (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Union Township Adams County	PAR100126	John Lingg Baxter Investment Group Inc. 1108 Baltimore Street Hanover, PA 17331	Alloway Creek (WWF)	Adams County Con- servation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Caernarvon Township Berks County	PAR10C211R	Samuel Nemroff 7 Wynnewood Road Suite 203 P. O. Box 240 Wynnewood, PA 19096-0240	Conestoga Creek (WWF)	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Exeter Township Berks County	PAR10C034R-1	Michael Rodino MDR Construction 38 W. Lancaster Avenue Shillington, PA 19607	Heisters Creek (WWF)	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Snyder Township Blair County	PAR100720	Superior Lumber R. D. 4 Box 304K Tyrone, PA 16602	Little Juniata River (WWF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Logan Township Blair County	PAR100721	Commonwealth Stone 1898 N. Center Ave. Somerset, PA 15501	Glenwhite Run (CWF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Greenfield Township Blair County	PAR100722	Greenfield Township P. O. Box 372 Claysburg, PA 16625		Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Guilford Township Franklin County	PAR10M238	John Helman 1115 Sheller Avenue Chambersburg, PA 17201	Conococheague Creek (CWF)	Franklin County Conservation District 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Ferguson Township Centre County	PAR10F135	Oak Hill Townhomes Cooper Beech Townhome Communities 101 Aspen Drive Boalsburg, PA 16827	UNT Big Hollow Run (CWF)	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Lewis Township Northumberland County	PAR104933	PA Dept. of Transportation District 3-0 P. O. Box 218 Montoursville, PA 17842	Warrior Run (WWF)	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114X4
Mansfield Borough Richmond & Tioga Townships, Tioga County	PAR106634-1	PA Dept. of Transportation District 3-0 P. O. Box 218 Montoursville, PA 17842	Tioga River (CWF)	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801

NOTICES

3451

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Lawrence Township Clearfield County	PAR101770	Cress Wood Co., LLC P. O. Box 153 Woodland, PA 16881	UNT. Wolf Run (CWF)	DEP Northcentral Re- gional Office 208 W. 3rd St. Suite 101 Williamsport, PA 17701 (570) 327-3574
Clarion County Farmington Township	PAR101530	Farmington Township P. O. Box 148 Leeper, PA 16233	Tributary Foy Run (CWF)	DEP 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Elk County Benezette Township	PAR102523	James Burke Elk Meadows Subdivision P. O. Box 306 1075 Million Dollar Hwy. St. Marys, PA 15857	Dents Run (CWF)	Elk Conservation District (814) 776-5373
Jefferson County Rose Township	PAR103340	National Fuel Gas Supply Corporation 1100 State St. Erie, PA 16501	Redbank Creek (TSF)	Jefferson Conserva- tion District (814) 849-7463
Lawrence County Mahoning Township	PAR103746	Erskine Resources Charles Pezzulo, President P. O. Box 73 Hillsville, PA 16132	Coffee Run/ Mahoning River (WWF)	Lawrence Conserva- tion District (724) 652-4512
Mercer County Liberty Township	PAR104365	Stream Restoration, Inc. 3016 Unionville Rd. Cranberry Township, PA 16066	Unnamed tributary to Wolf Creek (CWF)	Mercer Conservation District (724) 662-2242
<i>General Permit Type—PAG-3</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Tioga County Bloosburg Borough	PAR204815	Ward Manufacturing Inc. P. O. Box 9 115 Gulick Street Bloosburg, PA 1612-0009	Johnson Creek Tioga River	Northcentral Re- gional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Bradford County North Towanda Township	PAR804863	Williams Oil Company Inc. P. O. Box 207 Towanda, PA 18848	Storm drain to Susquehanna River	Northcentral Re- gional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Snyder County Selinsgrove Borough	PAR204830	Philips Products 499 West Sassafras St. P. O. Box 118 Selinsgrove, PA 17870	Penns Creek	Northcentral Re- gional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Columbia County Mifflin Township	PAR704806	HRI Inc P. O. Box 155 State College, PA 16804	Ten Mile Run	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Lycoming County Muncy Township	PAR234812	Charlotte Pipe and Foundry Company P. O. Box 363 Muncy, PA 17756	Wolf Run	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Bradford County Troy Township	PAR224819	Cummings Lumber Company Inc. P. O. Box 6 Troy, PA 16947	North Branch Sugar Creek	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Snyder County Monroe Township	PAR124810	Farmland National Beef 301 Old Trail Rd. & Elm Sts. Hummels Wharf, PA 17831	Rolling Green Run	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
<i>General Permit Type—PAG-4</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Bedford County East St. Clair Township	PAG043678	Richard Henderson P. O. Box 233 Bedford, PA 15522	UNT Dunnings Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Columbia County Roaring Creek Township	PAG044865	Thomas Whitenight R. D. #1 Box 188 Catawissa, PA 17820	Unnamed tributary to Roaring Creek	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Centre County Union Township	PAG044924	Theo Brobeck 802 Egypt Hollow Road Julian, PA 16844	Unnamed tributary of Brower Hollow Run	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Northumberland County East Cameron Township	PAG045116	Ronald J. and Donna M. Filarski 1250 West Arch Street Coal Township, PA 17866-1822	Unnamed tributary of Mahanoy Creek	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Centre County Gregg Township	PAG044839	Ginny L. Altenderfer 245 Greenwich Street Kutztown, PA 19530	Penns Creek	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Clearfield County Ramey Borough	PAG044846	Robert H. Jones Box 284 Ramey, PA 16671	Unnamed tributary to Little Muddy Run	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Centre County Union Township	PAG044887	Carlton and Taqmara Schaad P. O. Box 8 389 Unionville Pike Julian, PA 16844	Unnamed tributary to Bald Eagle Creek	Northcentral Regional Office 208 West 3rd Street Suite 101 Williamsport, PA 17701 (570) 327-3666
<i>General Permit Type—PAG-5</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Adams County Arendtsville Borough	PAG053551	Getty Properties Corp. Getty S/S #69682 125 Jericho Turnpike Jericho, NY 11753	UNT Conewago Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Taylor Township	PAG053552	Rodney Weyant R. D. 2, Box 218 Lock Mountain Road Martinsburg, PA 16662	UNT to Cove Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

SAFE DRINKING WATER

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

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

Permit No. 2200510, Public Water Supply.

Applicant	Cedar Manor MHP
Municipality	Londonderry Township
County	Dauphin
Type of Facility	Construction of Nitrate treatment for Well No. 5.
Consulting Engineer	Alex A McIntyre, P.E. Alex A. McIntyre, Consulting Engineer 1297 Wheatland Ave. Lancaster, PA 17603
Permit to Construct Issued:	June 14, 2001

Permit No. 0601505 MA, Minor Amendment, Public Water Supply.

Applicant **Citizens Utilities Water Company of PA**
Municipality Amity Township
County **Berks**
Type of Facility Addition of aqua mag for manganese control.
Consulting Engineer Darryl Jenkins, P.E.
Citizens Utilities Water Company of PA
P. O. Box 6342
Wyomissing, PA 19610

Permit to Construct Issued: May 21, 2001

Permit No. 0601501, Public Water Supply.

Applicant **United Mobile Homes, Inc.**
Municipality Greenwich Township
County **Berks**
Type of Facility Construction of new pump station.
Consulting Engineer Jeffery Yorick, P.E.
United Mobile Homes, Inc.
102 East Hillview Drive
Morgantown, WV 26508

Permit to Construct Issued: April 18, 2001

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

Permit No. 6001501, Public Water Supply.

Applicant **New Berlin Municipal Authority**
P. O. Box 396
700 Water Street
New Berlin, PA 17855

Borough New Berlin Borough
County **Union**
Type of Facility Public Water Supply
Consulting Engineer J.A. Coukart & Associates
122 Front Street
P. O. Box 300
New Berlin, PA 17855

Permit to Construct Denied June 18, 2001

Permit No. 1400510, Public Water Supply.

Applicant **Orchard Creek Partnership**
Hampton Hills Subdivision
1901 East College Ave.
State College, PA 16801

Township Benner Township
County **Centre**
Type of Facility Public Water Supply
Consulting Engineer Gwin, Dobson, & Foreman, Inc.
3121 Fiarway Drive
Altoona, PA 16602

Permit to Construct Issued June 14, 2001

Permit No. Minor Amendment. Public Water Supply.

Applicant **Pennsylvania American Water Company**
800 W. Hersheypark Drive
Hershey, PA 17033

Township White Deer Township
County **Union**
Type of Facility Public Water Supply
Permit to Operate Issued June 11, 2001

Permit No. 4199501. Public Water Supply.

Applicant **Muncy Borough Municipal Authority**
 14 N. Washington St.
 Muncy, PA 17756

Borough Muncy Borough

County Lycoming

Type of Facility Public Water Supply

Permit to Operate Issued June 11, 2001

Permit No. 1400506. Public Water Supply.

Applicant **State College Borough Water Authority**
 1201 West Branch Road
 State College, PA 16801

Borough State College Borough

County **Centre**

Type of Facility Public Water Supply

Consulting Engineer Gwin, Dobson, & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602

Permit to Operate Issued June 11, 2001

Permit No. 264W012-T1. Public Water Supply.

Applicant **State College Borough Water Authority**
 1201 West Branch Road
 State College, PA 16801

Borough State College Borough

County **Centre**

Type of Facility Public Water Supply

Consulting Engineer Gwin, Dobson, & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602

Permit to Operate Cancelled June 11, 2001

Permit No. 267W017-T1. Public Water Supply.

Applicant **State College Borough Water Authority**
 1201 West Branch Road
 State College, PA 16801

Borough State College Borough

County **Centre**

Type of Facility Public Water Supply

Consulting Engineer Gwin, Dobson, & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602

Permit to Operate Cancelled June 11, 2001

Permit No. 1469501-T1. Public Water Supply.

Applicant **State College Borough Water Authority**
 1201 West Branch Road
 State College, PA 16801

Borough State College Borough

County **Centre**

Type of Facility Public Water Supply

Consulting Engineer Gwin, Dobson, & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602

Permit to Operate Cancelled June 11, 2001

Permit No. Minor Amendment. Public Water Supply.

Applicant **State College Borough Water Authority**
 1201 West Branch Road
 State College, PA 16801

Borough State College Borough

County **Centre**

Type of Facility Public Water Supply

Consulting Engineer Gwin, Dobson, & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602

Permit to Operate Cancelled June 11, 2001

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

WA 5-547C, Water Allocations. Saxton Borough Municipal Authority, Bedford County. The authority is granted the right to withdraw an average of 300,000 gallons per day from the Putts Hollow Reservoir/Miller Run. Consulting Engineer: Mark V Glenn, P.E., Gwin, Dobson & Foreman, Inc. Permit Issued: June 11, 2001.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Black Creek Township	P. O. Box 3 Rock Glen, PA 18246	Luzerne

Plan Description: The Plan Update Revision calls for the construction of a new gravity/low-pressure wastewater collection system within the Village of Weston. A new wastewater collection system will also be constructed to serve the Black Creek Township portion of the Village of Nuremberg. Wastewater from these areas will be conveyed to a new 0.130 MGD wastewater treatment facility and pumping station to be constructed in North Union Township. The treatment facility will serve the Village of Nuremberg and the Village of Weston. The treatment facility will discharge treated wastewater to Tomhicken Creek in North Union Township. The selected wastewater disposal alternative is described in the Plan Update Revision as "Nuremberg Alternative No. 3." Implementation of the selected alternative and operation of the proposed facilities will be performed by the Twin County Joint Authority (Authority).

Financing of the proposed wastewater collection, conveyance and treatment systems is to be provided by the United States Department of Agriculture's Rural Utilities Service.

Implementation of the selected wastewater disposal alternative will require an NPDES Permit for the proposed effluent discharge. This permit application must be submitted in the name of the Authority. The proposed project will also require a Water Management Part II Permit for the construction and operation of the proposed sewage facilities. This permit application must also be submitted in the name of the Authority. The Department's review has also not identified any significant environmental impacts resulting from this proposal.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Union Township	P. O. Box 657 Nuremberg, PA 18241	Schuylkill

Plan Description: The Plan Update Revision calls for full replacement of the Village of Nuremberg's entire existing "wildcat" wastewater collection system with a combination of gravity and low-pressure sewer systems. A new wastewater collection system will also be constructed to serve the Apple Street and Main Street areas of the Village of Nuremberg. A new 0.130 MGD wastewater treatment facility and pumping station will also be constructed to serve the Village of Nuremberg and the Village of Weston (located in neighboring Black Creek Township, Luzerne County). The treatment facility will be located in North Union Township and discharge treated wastewater to Tomhicken Creek in North Union Township. The selected wastewater disposal alternative is described in the Plan Update Revision as "Nuremberg Alternative No. 3." Implementation of the selected alternative and operation of the proposed facilities will be performed by the Twin County Joint Authority (Authority).

Financing of the proposed wastewater collection, conveyance and treatment systems is to be provided by the United States Department of Agriculture's Rural Utilities Service.

Implementation of the selected wastewater disposal alternative will require an NPDES Permit for the proposed effluent discharge. This permit application must be submitted in the name of the Authority. The proposed project will also require a Water Management Part II Permit for the construction and operation of the proposed sewage facilities. This permit application must also be submitted in the name of the Authority. The Department's review has also not identified any significant environmental impacts resulting from this proposal.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bethel Township	P. O. Box 24 Bethel, PA 19507	Berks

Plan Description: The approved plan provides for the installation of sewage collection systems for the Village of Bethel and the Village of Frystown. The plan also provides for the construction of a 40,000 gpd extended aeration treatment plant and a 25,000 gpd extended aeration treatment plant for the Village of Bethel and the Village of Frystown respectively. The plan also provides for the implementation of an OLDS management program for the Village of Schubert and for all onlot sewage disposal systems for which a repair permit has been or will be issued. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

For further information concerning 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:

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

D. B. Fisher Charter Bus Service, Borough of Palmyra, **Lebanon County**. Storb Environmental, 410 North Easton Road, Willow Grove, PA 19090 (on behalf of D. B. Fisher Charter Bus Service, c/o 1715 Grace Avenue,

Lebanon, PA 17046) has submitted a Final Report concerning remediation of site soils contaminated with BTEX and PHCs. The report is intended to document remediation of the site to the Statewide Health standard.

Former SKF USA Inc. Plant, Shippensburg Borough, **Franklin County**. ARM Group Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797 (on behalf of SKF USA Inc., 1111 Adams Avenue, Norristown, PA 19403) has submitted a combined remedial investigation and final report concerning remediation of site soils and groundwater contaminated with heavy metals, solvents, BTEX and PAHs. The report is intended to document remediation of the site to a combination of the Statewide Health and Site Specific standards.

Former Keystone Distribution Center, Penn Township and Hanover Borough, **York County**. Gannett Fleming, Inc., P. O. Box 4724, Lancaster, PA 17604-4724 (on behalf of dELiA*s Distribution Company, c/o Hartman Underhill & Brubaker, 221 East Chestnut Street, Lancaster, PA 17602) has submitted a Final Report concerning remediation of groundwater contaminated with lead, BTEX and PHCs. The report is intended to document remediation of the site to the Statewide Health standard.

Madison Square Furniture, Borough of Hanover, **York County**. Alliance Environmental Services, Inc., 1414 North Cameron Street, Harrisburg, PA 17103 (on behalf of Madison Square Furniture, West Elm Avenue, Hanover, PA 17331) has submitted a Final Report concerning remediation of site soils and groundwater contaminated with PCBs, solvents, BTEX, PHCs and PAHs. The report is intended to document remediation of the site to the Statewide Health standard.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

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

HAZARDOUS WASTE TRANSPORTER LICENSE RENEWED

Berry & Smith Trucking LTD., 301 Warren Avenue East, Penticton, BC V2A 3M1. License No. **PA-AH 0623**. Effective June 13, 2001.

K & D Industrial Services, Inc., 30105 Beverly Road, Romulus, MI 48174. License No. **PA-AH 0320**. Effective June 14, 2001.

Republic Environmental Systems (Transportation Group), Inc., 21 Church Road, Hatsfield, PA 19440. License No. **PA-AH 0317**. Effective June 12, 2001.

Wade Salvage, Inc., 382 Jackson Road, Atco, NJ 08004. License No. **PA-AH S246**. Effective June 12, 2001.

Weavertown Transport Leasing, Inc., Weavertown Ind. Park, 3866 Millers Run, McDonald, PA 15057. License No. **PA-AH 0263**. Effective June 12, 2001.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

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

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE RENEWED

Medwaste Management, Inc. of New England, P. O. Box 1281, Cromwell, CT 06416. License No. PA-HC 0198. Effective June 6, 2001.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit issuance 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 Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

General Permit No. WMGR038NC005. The Recycling Environmental Group, Inc., 29 Frosty Valley Road, Bloomsburg, PA 17815 for the operation of a waste tire processing facility located in Hemlock Township, Columbia County. The Department approved the Determination of Applicability on June 13, 2001.

Persons interested in reviewing the Determination of Applicability may contact John C. Hamilton, P.E., Facilities Operations Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

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

General Permit No. WMGR019D004. Besco Manufacturing Company, Inc., P. O. Box 68, Zelienople, PA 16063-0068. General Permit Number WMGR019D004 for the beneficial use of waste foundry sand as roadway construction material or as an ingredient in the manufacturing of concrete or asphalt products. Central Office approved the determination of applicability on June 19, 2001.

AIR QUALITY

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.

23-0066A: Pyropure, Inc. t.a. Pyromet (5 Commerce Drive, Aston, PA 19014) on June 12, 2001, for operation of three Crucible and three Rotary Furnaces in Chester Township, **Delaware County**.

46-0015: Occidental Chemical Corp. Vinyl Division (375 Armand Hammer Boulevard, Pottstown, PA 19464) on June 14, 2001, for operation of three 98 MMBtu/hr boilers in Lower Pottsgrove Township, **Montgomery County**.

46-0033: Waste Management Disposal Services of PA (1425 Sell Road, Pottstown, PA 19464) on June 14, 2001, for operation of a permitted landfill in West Pottsgrove Township, **Montgomery County**.

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

40-320-013: Bemis Co., Inc. (20 Jaycee Drive, West Hazleton, PA 18201) on June 12, 2001, for construction of two 8-color printing presses at the facility in the Valmont Industrial Park in West Hazleton Borough, **Luzerne County**.

39-318-106: Allen Organ Co. (150 Locust Street, Macungie, PA 18062) on June 14, 2001, for construction of a paint spray system and associated air cleaning devices at the facility in Macungie Borough, **Lehigh County**.

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

01-05029: Reliant Energy Hunterstown, LLC (1001 Broad Street, P. O. Box 1050, Johnstown, PA 15907) on June 15, 2001, for construction of a natural gas fired electric generating facility at the Hunterstown Station in Straban Township, **Adams County**. This source is subject to the following: 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines; 40 CFR Part 60, Subpart Da—Standards of Performance for Electric Utility Steam Generating Units; 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 25 Pa. Code Chapter 127, Subchapters D, New Source Review and E, Prevention of Significant Deterioration.

06-03045A: Eastern Industries, Inc. (4401 Camp Meeting Road, Center Valley, PA 18034) on June 13, 2001, for modification of the asphalt batch concrete plant controlled by a fabric collector at the Kutztown Blacktop Plant in Maxatawny Township, **Berks County**. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, William Charlton, New Source Review Chief, (412) 442-4174.

65-839A: Texas Eastern Transmission Corp.—Delmont Station (P. O. Box 1642, Houston, TX 77251) on June 8, 2001, for construction of a turbine in Salem Township, **Westmoreland County**.

32-00291A: Senate Coal Mines, Inc.—Coral Tipple (One Energy Place, Suite 5100, Latrobe, PA 15650) on June 11, 2001, for construction of a bituminous coal processing facility in Burrell Township, **Indiana County**.

65-657A: Tresco Paving Corp. (P. O. Box 14004, Pittsburgh, PA 15239) on June 14, 2001, for construction of a drum mix asphalt plant at TPC in Salem Township, **Westmoreland County**.

03-207A: Hanson Aggregates PMA, Inc.—Allegheny II Dredge (400 Industrial Blvd., New Kensington, PA 15068) on May 31, 2001, for construction of a diesel engine, generator and tanks in Gilpin Township, **Armstrong County**.

65-00065A: Hanson Aggregates PMA, Inc.—Lower Burrell Plant (400 Industrial Blvd., New Kensington, PA 15068) on June 4, 2001, for construction of a crusher and conveyor belt in Lower Burrell City, **Westmoreland County**.

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

42-151A: Werzalit of America, Inc. (40 Holley Avenue, Bradford, PA 16701) on June 6, 2001, for modifications to Plan Approval 42-151A (chipping/drying process) in Bradford, **McKean County**.

37-027A: IA Construction—West Pittsburg Plant (River Road, West Pittsburg, PA 16160) on June 8, 2001, for modifications to the existing batch asphalt plant to burn alternative fuels in Taylor Township, **Lawrence County**.

10-102A: IA Construction—Harrisville Plant (131 Campground Road, Harrisville, PA 16030) on June 8, 2001, for modifications to the existing batch asphalt plant to burn alternative fuels in Mercer Township, **Butler County**.

10-230A: IA Construction—Zelienople Plant (158 Lindsay Road, Zelienople, PA 16063) issued June 8, 2001, for modifications to the existing batch asphalt plant to burn alternative fuels in Jackson Township, **Butler County**.

62-035A: IA Construction—Warren Plant (240 River Road, Warren, PA 16365) on June 8, 2001, for modifications to the existing batch asphalt plant to burn alternative fuels in Conewango Township, **Warren County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Roger Fey, Chief, (215) 823-7584.

01017: Clean Earth of Philadelphia, Inc. (3201 South 61st Street, Philadelphia, PA 19153) for modification of their soil treatment operation. The modification consists of changes to existing air pollution control equipment for their soil storage building. The changes include the replacement of the existing thermal oxidizer with a carbon absorption system. An additional limitation has been included in the permit for their process thermal oxidizer. This limit states that, "the emissions of VOC to the atmosphere from the thermal desorption system shall be reduced by 99.9% or to a minimum of 20ppmvd as propane." Clean Earth of Philadelphia shall process approved types of contaminated soils and other noncombustible media excluding hazardous waste and pathological/

hospital waste at a maximum rate of 85 tons per hour and 48 tons per hour on a 24-hour rolling period basis. The total contamination concentration of the contaminated soil shall not exceed 3% by weight. The hydrocarbon contamination mass feed rate shall not exceed a maximum of 2,500 pounds of VOC per hour and 1,424 pounds of VOC per hour on a 24-hour rolling period basis.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-0206: Merck and Co., Inc. (1180 Church Road, Lansdale, PA 19446) issued a plan approval extension on June 11, 2001, for operation of two 400 kW Emergency Generators in Lansdale Borough, **Montgomery County**.

23-0001K: Sunoco, Inc. (Delaware Avenue and Green Streets, Marcus Hook, PA 19061) issued a plan approval extension on June 13, 2001, for operation of a Organic Chemical Production facility in Marcus Hook Borough, **Delaware County**.

15-0013A: Huhtamaki Flexibles Inc. (2400 Continental Boulevard, Malvern, PA 19355) issued a plan approval extension on June 14, 2001, for operation of a Flexographic/Gravure Press and PAL in Tredyffrin Township, **Chester County**.

46-0198C: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041) issued a revised plan approval under the Administrative Plan Approval Amendment process on June 13, 2001, for their W400 Winnower and baghouse in Upper Hanover Township, **Montgomery County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, William Charlton, New Source Review Chief, (412) 442-4174.

04-707B: Quality Aggregates, Inc.—Colona Dock (200 Neville Road, Pittsburgh, PA 15225) on June 11, 2001, for construction of a Barge Unloading Excavator in Monaca Borough, **Beaver County**. This plan approval was extended.

04-688A: Nova Metals, L.P. (2301 Duss Avenue, Suite 14, Ambridge, PA 15003) on June 11, 2001, for construction of metals reprocessing at Ambridge Regional Center in Ambridge Borough, **Beaver County**. This plan approval was extended.

65-889A: Allegheny Energy Resources, Inc.—Valley Landfill (301 Fifth Avenue, Room 307, McKeesport, PA 15132) on June 8, 2001, for construction of an LFG Recycling Facility in Penn Township, **Westmoreland County**. This plan approval was extended.

03-026A: Eljer Plumbingware, Inc. Ford City Plant (1301 Eljer Way, Ford City, PA 16226) on June 13, 2001, for construction of Tunnel Kiln 1 in Burrell Township, **Armstrong County**. This plan approval was extended.

26-518A: Amerikohl Mining, Inc.—Keslar Mine (202 Sunset Drive, Butler, PA 16001) on June 13, 2001, for construction of a portable coal crusher in Saltlick Township, **Fayette County**. This plan approval was extended.

03-22A: Amerikohl Mining, Inc.—Cherry Run #1 Surface Mine (202 Sunset Drive, Butler, PA 16001) on

June 13, 2001, for construction of a portable coal crusher in Plumcreek Township, **Armstrong County**. This plan approval was extended.

26-495A: Allegheny Energy Supply Co., LLC—Gans Power Station (800 Cabin Hill Drive, Greensburg, PA 15601) on June 14, 2001, for construction of two Simple Cycle Combustion Turbines in Springhill Township, **Fayette County**. This plan approval was extended.

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

10-079A: BNZ Materials, Inc. (191 Front Street, Zelienople, PA 16063) on May 30, 2001, for construction of an insulating fire brick process in Zelienople, **Butler County**. This plan approval was extended.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

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

15-00023: International Envelope Co. (2 Tabas Lane, Exton, PA 19341) on June 12, 2001, for operation of a Facility Title V Operating Permit in West Whiteland Township, **Chester County**.

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

63-00549: Arden Landfill, Inc. (West Point Corporate Center 1, Suite 200, Coraopolis Heights Road, Moon, PA 15108) on May 7, 2001, for operation of a landfill at East Valley in Chartiers Township, **Washington County**.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

22-05045: The Harrisburg Authority (Front and Market Streets, Harrisburg, PA 17101) on June 11, 2001, for a Synthetic Minor Operating Permit at the Harrisburg Advanced Wastewater Treatment Facility in Swatara Township, **Dauphin County**.

01-03026: Agway, Inc. dba Andgrow Fertilizer (3150 Stoney Point Road, East Berlin, PA 17316) on May 29, 2001, for a Natural Minor Operating Permit in Latimore Township, **Adams County**.

21-05030: Ahlstrom Tech Specialities, LLC (P. O. Box A, Mt. Holly Springs, PA 17065) on May 23, 2001, for a Synthetic Minor Operating Permit at the Mt. Holly Springs Plant in Mt. Holly Springs Borough, **Cumberland County**.

36-03033: Bulova Tech LLC (101 North Queen Street, Lancaster, PA 17604) on May 23, 2001, for a Natural Minor Operating Permit at the Lancaster Plant in the City of Lancaster, **Lancaster County**.

38-05026: Butler Manufacturing Company (400 North Weaver Street, Annville, PA 17003) on May 29, 2001, for a Title V Operating Permit in Annville Township, **Lebanon County**.

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

25-00955: Foam Fabricators, Inc. (6550 West 26th Street, Erie, PA 16506) on June 11, 2001, for a Synthetic Minor Operating Permit for its facility in Fairview Township, **Erie County**.

43-00039: Campbell's Asphalt Products, Inc.—Grove City Plant (73 Glacial Till Road, Grove City, PA 16161) on June 14, 2001, for a Synthetic Minor Operating Permit for its facility in Liberty Township, **Mercer County**.

37-00012: Dunbar Asphalt Products, Inc.—Hillsville Plant (Route 224, Hillsville, PA 16161) on June 14, 2001, for a Synthetic Minor Operating Permit for its facility in Mahoning Township, **Lawrence County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Roger Fey, Chief, (215) 823-7584.

00-007: Federal Detention Center—Philadelphia (700 Arch Street, Philadelphia, PA 19105) on June 12, 2001, for operation of a Federal prison in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include three 10 MMBTU/hr natural gas or No. 2 oil-fired boilers. The facility shall ensure that the firing rate of the burners are adjusted and are firing between 9 MMBTU/hr and 9.5 MMBTU/hr on the maximum end of the firing range for each boiler.

96-051: Federal Reserve Bank of Philadelphia (100 North 6th Street, Philadelphia, PA 19106) on June 12, 2001, for operation of banking in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include five 6 MMBTU/hr natural gas or No. 2 oil-fired boilers, a natural gas-fired incinerator for unfit currency and nine emergency generators.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Thomas McGinley, New Source Review Chief, (610) 832-6242.

46-0005: Merck and Co., Inc. (770 Sumneytown Pike, West Point, PA 19486) issued a revised operating permit under the Administrative Operating Permit Amendment process on June 12, 2001, for Facility VOCs/Nox RACT in Upper Gwynedd Township, **Montgomery County**.

46-0197: Hershey Foods Corp. (2452 Quakertown Road, Pennsburg, PA 18073) issued a revised operating permit under the Administrative Operating Permit Amendment process on June 14, 2001, for Corn Starch Deduster, Starch Dryer in Upper Hanover Township, **Montgomery County**.

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

59-00003: OSRAM Sylvania Inc. (1 Jackson Street, Wellsboro, PA 16901) issued a revised operating permit on June 12, 2001, under the Administrative Operating Permit Amendment process for their Pressed and Blown Glass manufacturing facility in Wellsboro, **Tioga**

County. The revision of this permit is to incorporate terms and conditions from Plan Approval 59-309-001D, which authorized construction of a new fabric collector to replace an older fabric collector. The fabric collector will control particulate matter emissions from the glass proportioner area of the facility.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); 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 the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Issued

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

35910101R2. Pioneer Aggregates, Inc., (202 Main Street, Laflin, PA 18702), renewal of an existing anthracite surface mine operation in Fell Township, **Lackawanna County** affecting 425.0 acres, receiving stream—Wilson Creek. Renewal issued: June 14, 2001.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.

17000107. Shud's Coal Hounds, Inc. (R. R. 1, Box 301, Houtzdale, PA 16651), commencement, operation and restoration of a bituminous surface mine-auger permit in Bigler and Woodward Townships, **Clearfield County** affecting 146.8 acres. Receiving stream—unnamed tributaries to Upper Morgan Run and Goss Run. Application received August 21, 2000. Permit issued: June 8, 2001.

Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982.

26000101. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Saltlick Township, **Fayette County**, affecting 136.5 acres. Receiving streams: unnamed tributaries to Newmyer Run to Poplar Run to Indian Creek to Youghiogheny River; and unnamed tributaries to Little Champion Creek to Champion Creek to Indian Creek to Youghiogheny River. Application received: February 23, 2000. Permit issued: June 12, 2001.

04840101. Kerry Coal Company (R. D. 2, Box 2139, Wampum, PA 16157). Permit renewed for continued operation and reclamation of a bituminous surface mine/coal refuse disposal site located in Big Beaver Borough, **Beaver County**, affecting 462.8 acres. Receiving streams: unnamed tributaries to Clark Run, Clark Run, unnamed tributaries to Stockman Run and Stockman Run. Application received: May 25, 2001. Renewal issued: June 15, 2001.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.

33850123. Waroquier Coal Company (P. O. Box 128, Clearfield, PA 16830) Renewal of an existing bituminous strip operation in Washington Township, **Jefferson County** affecting 203.2 acres. Receiving streams: unnamed tributary to Mill Creek and unnamed tributary to Rattlesnake Run. Application received: April 5, 2001. Permit Issued: June 11, 2001.

Noncoal Permits Issued

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

58010813. WD Fisk, Jr. (Box 160A, Susquehanna, PA 18847), commencement, operation and restoration of a bluestone quarry operation in Jackson Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Permit issued: June 13, 2001.

58010815. Tracy Bennett (Bomboy Road, Rushville, PA 18839), commencement, operation and restoration of a bluestone quarry operation in Franklin Township, Susquehanna County affecting 1.0 acre, receiving stream—none. Permit issued: June 13, 2001.

66000817. Matthew R. McClain (24 Lakeview Drive, Tunkhannock, PA 18657), commencement, operation and restoration of a bluestone quarry operation in Clinton Township, **Wyoming County** affecting 2.0 acres, receiving stream—Tunkhannock Creek. Permit issued: June 14, 2001.

Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209.

08002802. Walter Flagstone, Inc. (R. R. 4, Box 40, Sugar Run, PA 18846), commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit in Stevens Township, **Bradford County** affecting 3 acres. Receiving stream—unnamed tributary to Wyalusing Creek. Application received: September 20, 2000. Permit issued: June 8, 2001.

Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.

62970801. Martha J. Young (P. O. Box 199, Clarendon, PA 16313) Transfer of an existing sand and gravel operation from John P. Young in Mead Township, **Warren County** affecting 5.0 acres. Receiving streams: unnamed tributary to Seaton Creek. Application received: January 31, 2001. Permit Issued: June 7, 2001.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

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), the Environ-

mental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of 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 of 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 for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

Permits Issued and Actions on 401 Certifications:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E54-280. South Manheim Township Board of Supervisors, 3089 Fair Road, Auburn, PA 17922. South Manheim Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a 7.5-foot x 20.0-foot concrete box culvert depressed 0.5 foot in a tributary to Bear Creek. The project is located along Township Road T-701, approximately 100 feet east of the intersection of Township Roads T-701 and T-622 (Freidensburg, PA Quadrangle N: 15.0 inches; W: 0.6 inch).

E54-279. Union Township Board of Supervisors, 113 Zion Grove Road, Ringtown, PA 17967-6702. Union Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a box beam bridge having a clear span of 32.25 feet and an underclearance of 5.51 feet along the Little Catawissa Creek. The project also includes the placement of fill in a de minimus area of wetlands equal to 0.01 acre. The project is located at the intersection of the Little Catawissa Creek and Township Road T974, (Ashland, PA Quadrangle N: 20.75 inches; W: 0.1 inch).

E40-560. James and Dorothy Johns, 54 North Mountain Boulevard, Mountaintop, PA 18707, Wright and Fairview Townships, **Luzerne County**, Army Corps of Engineers Baltimore District.

To maintain an existing 0.21-acre fill in wetlands, within the drainage basin of Bow Creek, for the purpose of constructing a dental office and associated parking. The permittee is required to provide for 0.42 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located on a 1.27-acre parcel on the west side of S. R. 309 (Wilkes-Barre West, PA Quadrangle N: 5.3 inches; W: 2.6 inches).

E52-166. Pennsylvania Department of Conservation and Natural Resources, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552. Milford Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a road crossing of Craft Brook, consisting of three 8.0-foot x 4.0-foot concrete box culverts. The project will impact a de minimis area of wetlands less than or equal to 0.01 acre. The project is located immediately downstream of the Lily Pond Dam, in the Delaware State Forest (Milford, PA-NJ Quadrangle N: 20.0 inches; W: 14.5 inches).

E52-162. Blooming Grove Hunting & Fishing Club, HC 8, Box 8066, Hawley, PA 18428. Blooming Grove Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a road crossing of Shohola Creek, consisting of an 18.6-foot x 5.3-foot open-bottomed aluminum box culvert, for the purpose of providing access to hunting grounds. The project is located approximately 2.5 miles south of Interstate 84 and 0.6 mile west of S. R. 0402 (Promised Land, PA Quadrangle N: 15.2 inches; W: 2.1 inches).

E39-371. Upper Saucon Township, 5500 Camp Meeting Road, Center Valley, PA 18034. Upper Saucon Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To modify and maintain an existing single-span bridge, having a span of 40 feet and an underclearance of 7.9 feet, across Tumble Brook (a tributary to Saucon Creek). Work will include widening of the structure by 14 feet on the upstream side and placement of fill in 0.25 acre of wetlands associated with roadway widening. The project includes the construction of a 12-inch sanitary sewer line crossing of Tumble Brook, located approximately 17 feet upstream of the modified bridge. The permittee is required to provide 0.25 acre of replacement wetlands. The project is located along Preston Lane (T-848), approximately 0.1 mile east of the intersection of T-848 and S. R. 0378 (Allentown East, PA Quadrangle N: 6.6 inches; W: 2.6 inches).

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

E06-537. Quaker Hill Development Company, R. D. 1 Box 1325, Mohnton, PA 19540, in Robeson Township, **Berks County**, ACOE Philadelphia District.

To construct and maintain a minor road crossing and an outfall structure at the channel of an unnamed tributary to Beaver Run (HQ) located at a point at Overlook Road for the purpose of constructing a residential development called Quaker Ridge (Morgantown, PA Quadrangle N: 16.48 inches; W: 1.05 inches).

E67-694. North Codorus Township, R. D. 1 Box 1102, Spring Grove, PA 17362 in North Codorus Township, **York County**, ACOE Baltimore District.

To remove existing twin corrugated metal pipe arch culverts and to construct and maintain a 16-foot span by 5-foot, 8.5-inches rise corrugated pipe-arch culvert on Panther Hill Road crossing tributary No. 2 to the South Branch Codorus Creek (WWF). The purpose of the project

is to reduce flooding over the gravel roadway located (Seven Valleys, PA Quadrangle N: 17.0 inches; W: 6.4 inches).

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

E32-420-A2. Reliant Energy Mid-Atlantic Power Holdings, LLC, 1001 Broad Street, P.O. Box 1050, Johnstown, PA 15907-1050. East Wheatfield Township, **Indiana County**, ACOE Pittsburgh District.

To amend Permit No. E32-420 to include the placement and maintenance of fill in the 100-year flood plain of the Conemaugh River (WWF) in the designated Phase I A area for future expansion of the Seward Power Plant. The project is located off of Power Plant Road approximately 2 miles from its intersection with Route 711 (New Florence, PA Quadrangle N: 5.8 inches; W: 4.6 inches).

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

E10-331. John and Carol Reubi, 1146 West Lancaster Road, Harmony, PA 16037. Reubi Driveway across Yellow Creek. ACOE Pittsburgh District (Evans City PA Quadrangle N: 14.0 inches; W: 14.0 inches) in Lancaster Township, **Butler County**.

To construct and maintain a steel beam bridge having a clear span of 31 feet and an underclearance of 5.5 feet across Yellow Creek on a private driveway extending west from Yellow Creek Road approximately 1.3 miles north of East Lancaster Road.

E20-495, Wesbury United Methodist Retirement Community, 31 North Park Avenue, Meadville, PA 16335. Majestic Oaks, in the City of Meadville, **Crawford County**, ACOE Pittsburgh District (Meadville, PA Quadrangle N: 7.4 inches; W: 2.2 inches).

To impact a total of 0.592 acre of wetland (0.488 acre by filling and 0.104 acre secondary impact) and to construct and maintain twin 24-inch diameter culverts in Bennehof Creek on an access road to the Wesbury United Methodist Retirement Community Expansion Project (Majestic Oaks) between Park Avenue and S.R. 86 (North Main Street Extension) approximately 1.7 miles north of S.R. 27. Project includes creation of 0.965 acre of replacement wetland on site.

E25-628, Lake Erie Arboretum at Frontier Park (LEAF), 1650 Norcross Road, Erie, PA 16510-3865. Frontier Park Trail Bridges Across West Branch Cascade Creek, in City of Erie, **Erie County**, ACOE Pittsburgh District (Erie South, PA Quadrangle N: 21.2 inches; W: 15.8 inches).

To conduct the following activities across/along West Branch Cascade Creek at the City of Erie's Frontier Park located west of the Bayfront Highway north of West 8th Street:

1. Remove an existing bridge and to construct and maintain a prefabricated steel beam bridge having a span of 40 feet and an underclearance of 6.4 feet located approximately 850 feet upstream of the Bayfront Highway.

2. Construct and maintain a prefabricated steel beam bridge having a span of 40 feet and an underclearance of 8 feet located approximately 130 feet upstream of the Bayfront Highway.

3. Construct and maintain multi-use trails within the assumed 50-foot floodway of Cascade Creek beginning at the Bayfront Highway and extending upstream on both

sides of the stream a total distance of approximately 1750 feet and impacting a de minimis amount of wetland.

E37-137. Roger McKissick, 2866 Bob White Drive Duluth GA 30096. McKissick Driveway across tributary to Big Run. ACOE Pittsburgh District (Harlansburg PA. Quadrangle N: 3.52 inches; W: 15.15 inches) in Scott Township, **Lawrence County**. To remove the existing structure and to install and maintain a 60-inch diameter corrugated metal pipe culvert in a tributary to Big Run on a private driveway extending south from Glass Road approximately 0.2 mile west of Grange Hall Road.

ENVIRONMENTAL ASSESSMENTS

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

EA10-015NW, Aquascape Wetland and Environmental Services, 114 Deer Road, Boyers, PA 16020. SR 81 Restoration Project, in Washington Township, **Butler County**, ACOE Pittsburgh District (Hilliards, PA Quadrangle N: 18 inches; W: 14.75 inches).

To fill approximately 1 acre of severely degraded wetland for the reclamation of approximately 2,000 cubic yards of gob/coal refuse and the construction of a passive treatment system consisting of an Anoxic Limestone Drain (1,300 Tons AASHTO #1 limestone), a Settling Pond (0.22 acre) and a Treatment Wetland (0.44 acre) for the remediation of abandoned mine drainage that currently impacts surrounding wetlands and Slippery Rock Creek (CWF) to the north. The project is located in State Game Lands No. 95 approximately 0.4 mile southwest of Higgins Corner.

Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.

D40-047EA Bear Creek Lake Dam. Bear Creek Association, P. O. Box 184, Bear Creek, PA 18602. Bear Creek Township, **Luzerne County**, ACOE Philadelphia District.

Project proposes to replace the existing, timber crib Bear Creek Lake Dam with a roller-compacted concrete (RCC)/fill dam covered with timber facing to maintain the original historical appearance of the dam. The project will directly and indirectly impact approximately 1.8 acres of the reservoir and stream as a result of fill materials placed to construct the dam and temporary dewatering during construction. The project will not change normal pool elevation. The existing dam is located approximately 100 feet upstream from the State Route 115 bridge across Bear Creek (HQ-CWF) (Wilkes-Barre East, PA Quadrangle N: 9.80 inches; W: 0.85 inch).

D38-001EA Rexmont Dam No. 1. PA Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. South Lebanon Township, **Lebanon County**, ACOE Philadelphia District.

To breach and remove the Rexmont Dam No. 1 across Hammer Creek (HQ-CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 3,500 feet southwest of the intersection of Schaeffer Road (S. R. 419) and Rexmont Road (Richland, PA Quadrangle, N: 5.30 inches, W: 15.05 inches).

EA67-013CO. Daniel T. Guthrie, 6224 Hauser School Road, York, PA 17406. Hellam Township, **York County**, ACOE Baltimore District.

Project proposes to construct a nonjurisdictional dam across a tributary to Kreutz Creek (WWF) impacting approximately 350 linear feet of stream channel for

aesthetics and recreation. The proposed dam will be located approximately 900 feet south of the intersection of L.R. 66018 and T-776 (Columbia West, PA Quadrangle, N: 5.50 inches, W: 9.55 inches).

D06-036EA. DEP, Abandoned Mine Reclamation, 5th Floor, RCOB, P. O. Box 8476, Harrisburg, PA 17105-8476. Bern and Muhlenberg Townships, **Berks County**, ACOE Philadelphia District.

To remove the breached remains of the Felix Dam across the Schuylkill River (WWF, MF), remove the remains of a small dam located upstream of the Felix Dam, remove accumulated sediments upstream of the dam, stabilize an eroded section of the stream bank with rock removed from remains of the dams and re-seed disturbed areas along the stream banks at a public park upstream of the Felix Dam. The project is located approximately 1,000 feet downstream of the S. R. 222 Bridge across the river (Temple, PA Quadrangle, N: 2.95 inches, W: 13.20 inches).

EA34-001CO. CRL Holdings, L.P., c/o Apple Hill Business Advisors, Inc., 33 North Second Street, Harrisburg, PA 17101. Walker Township, **Juniata County**, ACOE Baltimore District.

Project proposes to construct a nonjurisdictional dam in the watershed of a tributary to Cedar Spring Run (TSF) directly and indirectly impacting approximately 0.63 acre of wetlands (PEM) for a Supplemental Environmental Project, which includes donating approximately 14 acres of mixed upland/wetland habitat to the Central Pennsylvania Conservancy. The project will result in a net gain of 1.39 acres of wetlands. The proposed nonjurisdictional dam will be located adjacent to the Port Royal Propane Terminal at the intersection of State Route 75 and T-451 (Mexico, PA Quadrangle, N: 9.9 inches, W: 15.9 inches).

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01-65-002	John A. Krystyniak Joyce Oil, LLP 326 Keslar School Rd. Acme, PA 15610-9510	Westmoreland	Mount Pleasant	6 ASTs storing Petroleum Products	12,000 gallons each

SPECIAL NOTICES

Notice of Planning Grant Awards Under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (DEP) hereby announces the following grants to counties under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. § 4000.901) and section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

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

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

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
Northcentral	Lycoming	Lycoming County	Plan Revision	\$49,421
Northcentral	Northumberland	Northumberland County	Plan Revision	\$30,729

Recycling Grant Awards Under the Municipal Waste Planning, Recycling and Waste Reduction Act

The Department of Environmental Protection announces the following grants to municipalities for recycling programs under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (53 P. S. § 4000.902).

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Financial Distressed Communities Act of 1987 (P. L. 246, No. 47), are eligible to receive funding for an additional 10% of approved costs. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of monies in the Recycling Fund.

NOTICES

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Inquiries regarding the grant offerings should be directed to Todd Pejack, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
<i>Southeast Region</i>		
1 Bucks County	Home Composting & Recycling Education	\$ 38,763
2 Lower Makefield Township Bucks County	Yard Waste Composting	\$ 29,250
3 Avondale Borough Chester County	Yard Waste Collection & Composting	\$ 47,950
4 Downingtown Borough Chester County	Yard Waste Composting	\$ 158,518
5 East Pikeland Township Chester County	Yard Waste Composting	\$ 64,803
6 West Brandywine Township Chester County	Yard Waste Collection	\$ 31,815
7 West Grove Borough Chester County	Curbside Recycling	\$ 81,045
8 West Whiteland Township Chester County	Curbside Recycling & Recycling Education	\$ 11,780
9 City of Chester Delaware County	Curbside Recycling & Yard Waste Collection	\$ 211,152
10 Delaware County	Drop-off Recycling & Recycling Education	\$ 32,580
11 Haverford Township Delaware County	Yard Waste Collection	\$ 180,000
12 Swarthmore Borough Delaware County	Drop-off Recycling & Yard Waste Collection	\$ 25,808
13 Upper Chichester Township Delaware County	Curbside Recycling & Yard Waste Collection	\$ 41,220
14 Upper Darby Township Delaware County	Curbside Recycling & Recycling Education	\$ 110,787
15 Abington Township Montgomery County	Curbside Recycling	\$ 564,281
16 Cheltenham Township Montgomery County	Curbside Recycling & Recycling Education	\$ 305,685
17 East Norriton Township Montgomery County	Yard Waste Composting	\$ 105,864
18 Hatfield Township Montgomery County	Yard Waste Collection & Recycling Education	\$ 5,243
19 Horsham Township Montgomery County	Curbside Recycling	\$ 15,417
20 Lower Merion Township Montgomery County	Curbside Recycling	\$ 346,500
21 Lower Moreland Township Montgomery County	Yard Waste Collection	\$ 46,759

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
22 Pottstown Borough Montgomery County	Recycling Education	\$ 32,332
23 Springfield Township Montgomery County	Recycling Center Improvements	\$ 509,621
24 Upper Dublin Township Montgomery County	Curbside Recycling	\$ 234,000
25 Upper Moreland Township Montgomery County	Curbside Recycling & Yard Waste Collection	\$ 86,000
26 City of Philadelphia Philadelphia County <i>Northeast Region</i>	Curbside Recycling & Yard Waste Composting	\$ 1,240,000
27 Bowmanstown Borough Carbon County	Drop-off Recycling	\$ 11,237
28 Carbon County	Drop-off Recycling & Recycling Education	\$ 292,304
29 Weatherly Borough Carbon County	Yard Waste Collection	\$ 19,800
30 Archbald Borough Lackawanna County	Curbside Recycling & Recycling Education	\$ 127,683
31 Blakely Borough Lackawanna County	Curbside Recycling	\$ 148,680
32 City of Carbondale Lackawanna County	Curbside Recycling & Yard Waste Collection	\$ 21,882
33 Covington Township Lackawanna County	Recycling Center & Recycling Education	\$ 202,115
34 Dalton Borough Lackawanna County	Curbside Recycling & Yard Waste Collection	\$ 5,239
35 Dickson City Borough Lackawanna County	Curbside Recycling	\$ 79,895
36 Dunmore Borough Lackawanna County	Curbside Recycling & Recycling Education	\$ 125,744
37 Elmhurst Township Lackawanna County	Drop-off Recycling & Recycling Education	\$ 2,020
38 Greenfield Township Lackawanna County	Drop-off Recycling	\$ 15,721
39 Jermyn Borough Lackawanna County	Curbside Recycling & Recycling Education	\$ 54,540
40 Lackawanna County	Recycling Center Improvements	\$ 1,641,114
41 Madison Township Lackawanna County	Drop-off Recycling	\$ 1,705
42 Moosic Borough Lackawanna County	Curbside Recycling & Recycling Education	\$ 40,003
43 Moscow Borough Lackawanna County	Curbside Recycling & Recycling Education	\$ 59,206

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<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
44 Newton Township Lackawanna County	Drop-off Recycling & Recycling Education	\$ 21,872
45 Old Forge Borough Lackawanna County	Curbside Recycling & Recycling Education	\$ 115,927
46 Olyphant Borough Lackawanna County	Recycling Education	\$ 6,000
47 Scott Township Lackawanna County	Drop-off Recycling	\$ 31,761
48 City of Scranton Lackawanna County	Curbside Recycling	\$ 45,240
49 Taylor Borough Lackawanna County	Curbside Recycling	\$ 45,000
50 Throop Borough Lackawanna County	Curbside Recycling	\$ 4,761
51 City of Allentown Lehigh County	Curbside Recycling & Recycling Education	\$ 519,694
52 Lehigh County	Multi-Municipal Yard Waste Composting	\$ 544,977
53 Lynn Township Lehigh County	Drop-off Recycling	\$ 7,302
54 North Whitehall Township Lehigh County	Yard Waste Collection & Recycling Education	\$ 173,908
55 Upper Macungie Township Lehigh County	Curbside & Multi-Family Recycling	\$ 4,491
56 Upper Saucon Township Lehigh County	Drop-off Recycling & Yard Waste Composting	\$ 93,375
57 Butler Township Luzerne County	Drop-off Recycling & Recycling Education	\$ 135,700
58 Dallas Township Luzerne County	Curbside Recycling & Yard Waste Composting	\$ 82,076
59 Duryea Borough Luzerne County	Curbside Recycling	\$ 16,821
60 Exeter Borough Luzerne County	Curbside & Drop-off Recycling	\$ 375,903
61 Forty Fort Borough Luzerne County	Curbside Recycling & Yard Waste Collection	\$ 37,692
62 Hanover Township Luzerne County	Curbside Recycling	\$ 19,494
63 City of Hazleton Luzerne County	Curbside Recycling & Yard Waste Collection	\$ 140,540
64 Hughestown Borough Luzerne County	Drop-off Recycling & Recycling Education	\$ 56,761
65 Kingston Borough Luzerne County	Curbside Recycling & Yard Waste Composting	\$ 90,567
66 Lake Township Luzerne County	Drop-off Recycling	\$ 30,127

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
67 Luzerne County	Recycling Education	\$ 28,800
68 City of Nanticoke Luzerne County	Curbside Recycling & Recycling Education	\$ 58,332
69 Newport Township Luzerne County	Yard Waste Composting	\$ 319,000
70 Rice Township Luzerne County	Drop-off Recycling	\$ 9,684
71 Swoyersville Borough Luzerne County	Curbside Recycling	\$ 62,370
72 West Hazleton Borough Luzerne County	Curbside Recycling & Recycling Education	\$ 900
73 West Wyoming Borough Luzerne County	Yard Waste Composting & Recycling Education	\$ 152,366
74 Wright Township Luzerne County	Multi-Municipal Yard Waste Composting	\$ 1,082,227
75 Wright Township Luzerne County	Curbside Recycling & Recycling Education	\$ 42,300
76 Coolbaugh Township Monroe County	Curbside Recycling	\$ 7,532
77 Middle Smithfield Township Monroe County	Curbside Recycling	\$ 11,730
78 Monroe County	Drop-off Recycling & Recycling Education	\$ 1,190,795
79 Smithfield Township Monroe County	Curbside Recycling	\$ 5,431
80 Tobyhanna Township Monroe County	Public Area Recycling	\$ 10,745
81 Bangor Borough Northampton County	Public Area Recycling & Recycling Education	\$ 24,592
82 City of Bethlehem Northampton County	Drop-off, Composting & Recycling Education	\$ 1,479,101
83 Bushkill Township Northampton County	Curbside Recycling	\$ 8,404
84 Forks Township Northampton County	Yard Waste Collection	\$ 17,848
85 Lehigh Township Northampton County	Curbside Recycling & Yard Waste Collection	\$ 38,070
86 Lower Nazareth Township Northampton County	Curbside Recycling & Recycling Education	\$ 25,695
87 Palmer Township Northampton County	Curbside Recycling & Yard Waste Composting	\$ 70,913
88 Matamoras Borough Pike County	Curbside Recycling & Recycling Education	\$ 7,702
89 Pike County	Drop-off Recycling & Recycling Education	\$ 127,398

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<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
90 Schuylkill County	Drop-off Recycling & Recycling Education	\$ 678,761
91 Forest City Borough Susquehanna County	Curbside Recycling & Recycling Education	\$ 55,657
92 Silver Lake Township Susquehanna County	Curbside Recycling & Recycling Education	\$ 8,835
93 Honesdale Borough Wayne County	Curbside Recycling & Recycling Education	\$ 3,217
94 Wayne County	Home Composting & Recycling Education	\$ 33,767
95 Tunkhannock Borough Wyoming County	Curbside Recycling	\$ 51,300
<i>Southcentral Region</i>		
96 Adams County	Curbside & Institutional Recycling	\$ 22,590
97 Adams County	Recycling Center Improvements	\$ 261,450
98 Bedford County	Home Composting	\$ 7,862
99 Amity Township Berks County	Curbside Recycling	\$ 2,435
100 Colebrookdale Township Berks County	Curbside & Wood Waste Recycling	\$ 13,284
101 Cumru Township Berks County	Yard Waste Collection	\$ 33,165
102 Exeter Township Berks County	Curbside Recycling & Yard Waste Composting	\$ 76,578
103 Fleetwood Borough Berks County	Yard Waste Collection	\$ 10,274
104 Kutztown Borough Berks County	Drop-off Recycling	\$ 62,088
105 Lower Alsace Township Berks County	Yard Waste Collection	\$ 29,520
106 Lower Heidelberg Township Berks County	Yard Waste Collection & Recycling Education	\$ 24,366
107 Muhlenberg Borough Berks County	Curbside Recycling & Yard Waste Collection	\$ 57,315
108 Spring Township Berks County	Yard Waste Collection & Recycling Education	\$ 32,994
109 West Lawn Borough Berks County	Yard Waste Collection	\$ 12,142
110 Wyomissing Borough Berks County	Yard Waste Collection	\$ 55,539
111 Wyomissing Hills Borough Berks County	Curbside Recycling & Yard Waste Collection	\$ 17,290
112 Blair County	Yard Waste Composting	\$ 225,000

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
113 Camp Hill Borough Cumberland County	Curbside Recycling & Yard Waste Collection	\$ 113,842
114 Cumberland County	Home Composting & Recycling Education	\$ 98,526
115 East Pennsboro Township Cumberland County	Curbside Recycling & Recycling Education	\$ 8,367
116 Hampden Township Cumberland County	Curbside Recycling & Yard Waste Collection	\$ 30,592
117 Lower Allen Township Cumberland County	Yard Waste Composting & Recycling Education	\$ 51,914
118 Mechanicsburg Borough Cumberland County	Yard Waste Collection	\$ 36,000
119 Middlesex Township Cumberland County	Recycling Education	\$ 1,025
120 Wormleysburg Borough Cumberland County	Curbside Recycling & Yard Waste Collection	\$ 5,512
121 Dauphin County	Drop-off Recycling	\$ 818,006
122 Lower Swatara Township Dauphin County	Curbside Recycling & Recycling Education	\$ 7,316
123 Swatara Township Dauphin County	Multi-Municipal Yard Waste Composting	\$ 732,028
124 Montgomery Township Franklin County	Multi-Municipal Yard Waste Composting	\$ 347,078
125 Huntingdon County	Recycling Education	\$ 18,900
126 East Donegal Township Lancaster County	Yard Waste Composting	\$ 227,269
127 Elizabethtown Borough Lancaster County	Home Composting	\$ 6,709
128 Ephrata Borough Lancaster County	Recycling Education	\$ 7,702
129 City of Lancaster Lancaster County	Yard Waste Collection & Recycling Education	\$ 150,149
130 Lancaster County	Curbside Recycling & Recycling Education	\$ 10,668
131 Lancaster Township Lancaster County	Yard Waste Collection & Recycling Education	\$ 6,120
132 Manheim Borough Lancaster County	Recycling Education	\$ 972
133 Manheim Township Lancaster County	Recycling Education	\$ 9,970
134 Lebanon County	Recycling Education & Yard Waste Composting	\$ 91,743
135 North Lebanon Township Lebanon County	Recycling Center	\$ 68,278

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<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
136 South Lebanon Township Lebanon County	Yard Waste Collection & Wood Waste Recycling	\$ 67,068
137 Lewistown Borough Mifflin County	Curbside & Drop-off Recycling	\$ 139,213
138 Liverpool Borough Perry County	Yard Waste Collection	\$ 1,831
139 Fairview Township York County	Yard Waste Collection	\$ 21,060
140 Lower Windsor Township York County	Wood Waste Recycling	\$ 23,630
141 Manchester Township York County	Yard Waste Collection	\$ 13,296
142 West Manchester Township York County	Yard Waste Collection & Curbside Recycling	\$ 15,387
143 City of York York County	Yard Waste Collection	\$ 29,700
144 York County	Recycling Education	\$ 4,573
<i>Northcentral Region</i>		
145 Bradford County	Commercial Recycling & Processing Equipment	\$ 624,771
146 Sayre Borough Bradford County	Curbside Recycling & Recycling Center	\$ 116,280
147 Cameron County	Drop-off Recycling & Recycling Education	\$ 27,630
148 Centre County	Recycling Center Improvements	\$ 2,000,000
149 Philipsburg Borough Centre County	Yard Waste Collection & Composting	\$ 89,296
150 State College Borough Centre County	Public Area Recycling & Yard Waste Composting	\$ 112,941
151 Clearfield County	Recycling Education	\$ 22,920
152 Ferguson Township Clearfield County	Yard Waste Collection	\$ 17,550
153 Clinton County	Curbside & Drop-off Recycling	\$ 408,347
154 City of Lock Haven Clinton County	Curbside & Drop-off Recycling	\$ 52,470
155 Berwick Borough Columbia County	Yard Waste Collection	\$ 178,200
156 Town of Bloomsburg Columbia County	Recycling Center & Curbside Recycling	\$ 657,795
157 Lycoming County	Recycling Center Improvements	\$ 2,000,000
158 Danville Borough Montour County	Curbside Recycling & Recycling Education	\$ 49,752

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
159 Coal Township Northumberland County	Multi-Municipal Yard Waste Composting	\$ 301,790
160 City of Sunbury Northumberland County	Recycling Education & Materials Processing	\$ 72,000
161 Potter County	Drop-off Recycling & Processing Equipment	\$ 21,015
162 Monroe Township Snyder County	Drop-off Recycling & Recycling Education	\$ 29,079
163 Selinsgrove Borough Snyder County	Yard Waste Collection & Recycling Education	\$ 6,904
164 Spring Township Snyder County	Wood Waste & Drop-off Recycling	\$ 5,817
165 East Buffalo Township Union County	Yard Waste Collection & Recycling Education	\$ 18,994
166 New Berlin Borough Union County	Drop-off Recycling	\$ 3,960
167 Union County	Recycling Education	\$ 22,500
168 Union Township Union County	Drop-off Recycling & Recycling Education	\$ 58,632
169 White Deer Township Union County	Drop-off Recycling & Recycling Education	\$ 59,295
<i>Southwest Region</i>		
170 Dormont Borough Allegheny County	Curbside Recycling & Yard Waste Collection	\$ 91,063
171 Etna Borough Allegheny County	Curbside Recycling & Recycling Education	\$ 8,283
172 Fox Chapel Borough Allegheny County	Curbside Recycling & Yard Waste Collection	\$ 63,794
173 Green Tree Borough Allegheny County	Yard Waste Collection & Composting	\$ 56,461
174 Harrison Township Allegheny County	Curbside Recycling & Yard Waste Collection	\$ 155,609
175 Millvale Borough Allegheny County	Curbside Recycling	\$ 7,485
176 Mt. Lebanon Township Allegheny County	Yard Waste Collection & Composting	\$ 279,808
177 Oakmont Borough Allegheny County	Curbside Recycling & Recycling Education	\$ 20,232
178 Plum Borough Allegheny County	Yard Waste Collection	\$ 66,798
179 Richland Township Allegheny County	Curbside & Wood Waste Recycling	\$ 2,605
180 Robinson Township Allegheny County	Curbside Recycling & Yard Waste Collection	\$ 80,110

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<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
181 Sewickley Borough Allegheny County	Yard Waste Collection & Composting	\$ 240,570
182 White Oak Borough Allegheny County	Wood Waste Recycling	\$ 23,548
183 Wilkinsburg Borough Allegheny County	Curbside Recycling & Yard Waste Composting	\$ 34,200
184 Armstrong County	Materials Processing Equipment	\$ 35,236
185 Kittanning Borough Armstrong County	Curbside Recycling & Yard Waste Processing	\$ 67,167
186 Beaver County	Recycling Education & Public Area Recycling	\$ 72,243
187 City of Beaver Falls Beaver County	Yard Waste Composting	\$ 38,079
188 Brighton Township Beaver County	Yard Waste Processing & Recycling Education	\$ 22,032
189 Conway Borough Beaver County	Curbside Recycling	\$ 12,651
190 Midland Borough Beaver County	Curbside Recycling & Wood Waste Recycling	\$ 13,500
191 Patterson Heights Borough Beaver County	Yard Waste Collection & Recycling Education	\$ 12,177
192 Pulaski Township Beaver County	Yard Waste Collection	\$ 39,931
193 Raccoon Township Beaver County	Yard Waste Collection	\$ 28,800
194 West Mayfield Borough Beaver County	Yard Waste Collection	\$ 32,360
195 Cambria County	Drop-off & Municipal Recycling	\$ 160,281
196 Cambria Township Cambria County	Yard Waste Composting	\$ 18,181
197 Ebensburg Borough Cambria County	Yard Waste Collection & Processing	\$ 53,908
198 Northern Cambria Borough Cambria County	Curbside Recycling	\$ 108,675
199 Masontown Borough Fayette County	Recycling Education	\$ 15,735
200 South Connellsville Borough Fayette County	Yard Waste Collection	\$ 18,840
201 City of Uniontown Fayette County	Recycling Education	\$ 27,000
202 Greene County	Recycling Education	\$ 18,960
203 Indiana County	Recycling Center Improvements	\$ 233,468

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
204 Indiana County	Commercial Recycling	\$ 39,600
205 Somerset County	Drop-off Recycling	\$ 56,070
206 East Washington Borough Washington County	Curbside Recycling & Recycling Education	\$ 15,946
207 Delmont Borough Westmoreland County	Drop-off Recycling	\$ 6,621
208 City of Greensburg Westmoreland County	Curbside Recycling & Yard Waste Processing	\$ 138,031
209 City of Latrobe Westmoreland County	Yard Waste Collection & Processing	\$ 23,777
210 Mt. Pleasant Township Westmoreland County	Yard Waste Collection & Composting	\$ 30,800
211 Westmoreland County	Recycling Education	\$ 22,770
212 Youngwood Borough Westmoreland County	Curbside Recycling & Yard Waste Composting	\$ 9,685
<i>Northwest Region</i>		
213 Butler County	Institutional Recycling & Recycling Education	\$ 35,278
214 Clarion County	Yard Waste Composting & Recycling Education	\$ 42,285
215 Farmington Township Clarion County	Recycling Center Equipment	\$ 26,430
216 Crawford County	Food Waste Composting	\$ 142,855
217 West Mead Township Crawford County	Recycling Center	\$ 2,000,000
218 Elk County	Recycling Education	\$ 40,999
219 Edinboro Borough Erie County	Yard Waste Collection	\$ 25,903
220 City of Erie Erie County	Yard Waste Collection & Recycling Education	\$ 407,192
221 Erie County	Recycling Education & Public Area Recycling	\$ 93,592
222 Northeast Borough Erie County	Yard Waste Collection	\$ 19,581
223 Northeast Township Erie County	Curbside Recycling & Processing Equipment	\$ 219,222
224 Summit Township Erie County	Recycling Education	\$ 18,264
225 Waterford Borough Erie County	Yard Waste Collection	\$ 20,417
226 Jefferson County	Drop-off Recycling & Animal Bedding	\$ 68,705
227 Lawrence County	Drop-off Recycling & Recycling Education	\$ 1,053,927

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Recommendation</i>
228 City of Bradford McKean County	Processing Equipment	\$ 31,800
229 McKean County	Recycling Center Equipment	\$ 30,430
230 Greenville Borough Mercer County	Yard Waste Collection & Composting	\$ 20,790
231 Mercer County	Drop-off & Institutional Recycling	\$ 745,260
232 West Middlesex Borough Mercer County	Yard Waste Collection	\$ 21,811
233 Venango County	Public Area Recycling	\$ 4,500
Total		\$ 34,258,127

**Public Meeting followed by Public Hearing
Industrial Waste NPDES PA0112127**

The Department of Environmental Protection (DEP) will be holding a public meeting followed by a public hearing on the following Industrial Waste NPDES PA0112127 permit application:

<i>Mailing Address</i>	<i>Facility Address</i>
Fish and Boat Commission 1601 Elmerton Avenue P. O. Box 67000 Harrisburg, PA 17106-7000	Fish and Boat Commission Tylersville Fish Culture Station R. R. #2 Box 173 Loganton, PA 17747-9734

The meeting is scheduled for Thursday, August 9, 2001, at 6:30 p.m. followed by the public hearing at 8 p.m. at Nittany Valley Volunteer Fire Company, 5101 Nittany Valley Drive, Lamar, PA. The meeting is to solicit pertinent comments on the application.

This proposed action is for reissuance of an NPDES permit for an existing discharge from the fish culture station to Fishing Creek in Logan Township, Clinton County

The receiving stream, Fishing Creek, is in the State Water Plan watershed 9-c (Bald Eagle) and is classified as a High Quality-Cold Water Fishery.

Copies of the application are available for review in the following office of DEP. Those interested in reviewing the application should call to schedule a date to review the files.

Northcentral Region: Environmental Program Manager, Water Management, 208 W. Third Street Suite 101, Williamsport, PA 17701-6510, (717) 327-0530.

Comments received will be considered by DEP in completing its review and prior to taking final action concerning the application.

Anyone intending to make a presentation at the hearing should submit written notice to the Regional Water Management Manager before the address. The notice should include name, address and phone number, whether opposed or in favor of the project and a brief statement about the presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns.

Individuals in need of an accommodation as provides for in the Americans With Disabilities Act should contact Dan Spadoni at (570) 327-3659 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate your needs.

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

Township of North Fayette, 400 North Branch Road, Oakdale PA 15071. North Fayette Township, **Allegheny County**.

The Pennsylvania Infrastructure Investment Authority (PENNVEST), which administers Pennsylvania's State Revolving Fund, is intended to be the funding source for this project. The Township proposes to rehabilitate existing sewers to prevent basement flooding and sewer overflows. DEP's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. DEP hereby categorically excludes this project from the State Environmental Review Process.

Borough of Mt. Oliver, 150 Brownsville Road, Pittsburgh PA 15210. Borough of Mt. Oliver, **Allegheny County**.

PENNVEST, which Administers Pennsylvania's State Revolving Fund, is intended to be the funding source for this project. The Borough proposes to rehabilitate existing sewers to prevent basement flooding. DEP's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. DEP hereby categorically excludes this project from the State Environmental Review Process.

Borough of Baldwin, 3334 Churchview Avenue, Pittsburgh PA 15227. Baldwin Borough, **Allegheny County**.

PENNVEST, which Administers Pennsylvania's State Revolving Fund, is intended to be the funding source for this project. The Borough proposes to rehabilitate existing sewers to prevent basement flooding and sewer overflows. DEP's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. DEP hereby categorically excludes this project from the State Environmental Review Process.

Pittsburgh Water & Sewer Authority, 441 Smithfield Street, Pittsburgh, PA 15222. City of Pittsburgh, **Allegheny County**.

PENNVEST, which administers Pennsylvania's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to rehabilitate existing sewers to prevent basement flooding and sewer overflows. DEP's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. DEP hereby categorically excludes this project from the State Environmental Review Process.

[Pa.B. Doc. No. 01-1171. Filed for public inspection June 29, 2001, 9:00 a.m.]

Air Quality Technical Advisory Committee; Adhoc Monitoring Committee Meeting

The Adhoc Monitoring Committee of the Air Quality Technical Advisory Committee will meet on July 2 and July 18, 2001, in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meetings will begin at 9 a.m. Discussion will focus on data reporting requirements.

For further information, contact Terry Black at (717) 787-2030.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1172. Filed for public inspection June 29, 2001, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on DEP's website (www.dep.state.pa.us) at the public participation center. The "March 2001 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its nonregulatory documents, as necessary, throughout 2001.

Ordering Paper Copies Of DEP Technical Guidance

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

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

Changes To Technical Guidance Documents

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

phone number is listed with the document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

Draft Technical Guidance—Substantive Revision

DEP ID: 012-0700-001 Title: Implementation of the Pennsylvania State History Code Description: The Department is updating this policy and procedures for DEP plan approvals and permit reviews, which are reviewed by the Pennsylvania Historical and Museum Commission (PHMC). PHMC currently reviews activities undertaken with DEP's approval for possible impacts on significant historical and archaeological resources. There are no changes to the cultural resources notice form and instructions. Anticipated Effective Date: August 11, 2001 Comment Period Ends: July 30, 2001 Contact: Steve Taglang at (717) 787-8727 or email: STaglang@state.pa.us.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1173. Filed for public inspection June 29, 2001, 9:00 a.m.]

Dam Safety and Waterway Management

Proposed Water Quality Certification under Section 401 of the Federal Clean Water Act and Coastal Zone Management Consistency under the Coastal Zone Management Act of 1972, as amended, for the Army Corps of Engineers Pennsylvania State Programmatic General Permit (PASPGP-2) and Notice of Revised Chapter 105/PASPGP-2 General Permit Registration and Bog Turtle Screening Processes

On November 21, 2000, the Baltimore, Philadelphia and Pittsburgh Districts of the Army Corps of Engineers, under the authority of section 404(e) of the Federal Clean Water Act (33 U.S.C.A. § 1344(e)), proposed by its Special Public Notice 01-006, to reissue with modifications the State Programmatic General Permit to the Commonwealth (PASPGP-2). Section 401(a) of the Federal Clean Water Act (33 U.S.C.A. § 1341(a)) requires the State to certify that any activity requiring a Federal license or permit, which may result in a discharge into the waters of the United States, will comply with the applicable provisions of the Federal Clean Water Act as well as applicable State law related to water quality protection. In addition, section 307 of the Coastal Zone Management Act of 1972 (33 U.S.C.A. § 1456), requires that any Federal activity that affects a coastal zone should be carried out in a manner consistent with the policy of an approved state Coastal Management Program. On June 11, 2001, the Army Corps of Engineers published Special Public Notice # 01-041, reissuing the Pennsylvania State Programmatic General Permit (PASPGP-1) as PASPGP-2 for a 5-year period with an effective date of July 1, 2001.

This action by the Corps of Engineers continues the present Federal permitting process undertaken jointly with the State process for activities affecting waterways, water bodies and wetlands authorized under the State's Dam Safety and Encroachment Act. PASPGP-2 places the Department of Environmental Protection (Department) Regional Offices and delegated county conservation districts in the lead for the majority of permit actions.

Through the incorporation of Federal and State permitting standards in one process, the PASPGP-2 continues a streamlined process for permit applicants without compromising comprehensive environmental protection.

The Department, by this notice, proposes to certify that the construction, operation and maintenance of an encroachment or water obstruction as proposed in PASPGP-2 complies with the applicable provisions of sections 301—303, 306 and 307 of the Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The Department further proposes to certify that the construction, operation and maintenance of such projects complies with applicable State laws related to water quality protection and that the construction, operation and maintenance of the projects does not violate applicable State water quality standards provided that the construction, operation and maintenance of such projects complies with the criteria and conditions of the permit.

Furthermore, this Federal action, PASPGP-2, is subject to review for consistency with the enforceable policies of the Pennsylvania Coastal Zone Management (CZM) Program. As required under 15 CFR Part 930 Subpart C (Consistency for Federal Agency Activities), the CZM Program is providing the public this opportunity to develop and provide comments on whether or not the PASPGP-2 is consistent with the CZM Program's policies. The CZM Program's policies can be found on the Department's website at <http://www.dep.state.pa.us>. Select Subjects; Select O—Office for River Basin Cooperation; Select Coastal Zone Management Program; Select Technical Guidance Document—Commonwealth of Pennsylvania Coastal Zone Management Program and Final Environmental Impact Statement.

Prior to final action on the proposed 401 Water Quality Certification and CZM Consistency for the PASPGP-2, consideration will be given to any comments, suggestions or objections which are submitted in writing by August 7, 2001. Comments concerning the proposed 401 Water Quality Certification and CZM consistency for PASPGP-2 should be directed to Kenneth R. Reisinger, Chief, Division of Waterways, Wetlands & Erosion Control, Bureau of Watershed Management, P. O. Box 8775, Harrisburg, PA 17105-8775, (717) 787-6827 or through Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted. The Department will consider all relevant and timely comments received. Comments must be submitted by August 7, 2001.

Copies of the PASPGP-2 and the Corps Public Notice may be obtained by contacting Patricia Strong, Pennsylvania Section, Baltimore District, U. S. Army Corps of Engineers, P. O. Box 1715, Baltimore, MD 21203-1715, (410) 962-1847. PASPGP-2 is also on the Army Corps of Engineers website at <http://www.nab.usace.army.mil/regulatory/permit/types.htm>. The PASPGP-2 is also posted on the Department website at www.dep.state.pa.us (directLINK "wetlands").

Revised Chapter 105/PASPGP-2 General Permit Registration Process

With the new PASPGP-2, effective July 1, 2001, the Department will be utilizing a more comprehensive Chapter 105/PASPGP-2 general permit registration process. This registration process incorporates Federal and State

permit application requirements and continues "one stop permitting" by allowing the concurrent issuance of State and Federal permits through one application. This streamlined process eliminates the need for permit applicants to apply for separate permits from State and Federal agencies for a single project. General permit registrations will now require a project sketch plan, project location information, consultant information and results of threatened and endangered species reviews. The registration package also includes a single and complete project screening process developed to assist applicants, county conservation districts and the Department in determining that all environmental impacts related to the project have been evaluated and minimized. This registration process, effective on July 1, 2001, will allow permit applicants as well as the Department and delegated county conservation districts to ensure potential projects meet the requirements of the Chapter 105 General Permits as well as the Federal Section 404 PASPGP-2. The revised General Permit Registration package will be available from local county conservation districts and the Department Regional Offices on July 1, 2001. The revised registration package is posted on the Department website at www.dep.state.pa.us (directLINK "wetlands").

PASPGP-2 Bog Turtle Screening Process

The bog turtle screening process is a preapplication coordination procedure that provides early notice to landowners of the potential presence of bog turtles which are listed as endangered species under both Federal and State law. Bog turtles are found throughout the 14 county area of Adams, Berks, Bucks, Chester, Cumberland, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton and York. This screening process will assist permit applicants in determining whether the associated wetland is potential bog turtle habitat well before the initiation of project plans. The new bog turtle screening process and associated forms will be available from the aforementioned county conservation districts and the Department Regional Offices on July 1, 2001. This screening form is posted on the Department website at www.dep.state.pa.us (directLINK "wetlands").

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1174. Filed for public inspection June 29, 2001, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Testing and Balancing; Request for Proposal

The Department of General Services is seeking interested firms to submit sealed proposals for consideration for the following project:

DGS 1103-48ME5—Commissioning Agent with Testing and Balancing, University of Pittsburgh Campus, Pittsburgh, Allegheny County, PA. A brief description of the project is as follows: all work necessary to complete the testing, balancing and commissioning of mechanical equipment and systems.

RFP Price—\$95 (Includes 6% PA Sales Tax) per RFP. Checks must be made payable to Pitt Center Partners. This price is nonrefundable. Requests for the RFP should be mailed to Pitt Center Partners, 3803 University Drive, Pittsburgh, PA 15213, Attention: Jim Friel, (412) 621-4222, fax (412) 621-3990. Contact Bidders Services at (717) 787-3923 or www.dgs.state.pa.us for the names of those who have secured the RFP.

Preproposal Conference

A preproposal conference has been scheduled for Thursday, June 28, 2001, at 1:30 p.m., at the Pitt Center Partners Field Office, 3803 University Drive, University of Pittsburgh, Pittsburgh, PA, contact Jim Friel, (412) 621-4222. All proposers who have secured the RFP are invited and urged to attend this preproposal conference.

All questions regarding the RFP or to clarify matters concerning the proposers responsibilities must be submitted in writing to Roger M. Courchesne, fax (717) 772-2036, by no later than 5 p.m., Wednesday, July 18, 2001. Only firms requesting the RFP will receive a copy of all submitted questions and answers.

All proposals are due Tuesday, July 24, 2001, no later than 2 p.m., in Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Responses received after this due date and time will be returned unopened.

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 01-1175. Filed for public inspection June 29, 2001, 9:00 a.m.]

DEPARTMENT OF HEALTH

Request for Exception; Long-Term Care Nursing Facilities

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

ManorCare Health Services-Lansdale
640 Bethlehem Pike
Montgomeryville, PA 18936

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, e-mail address: PAEXCEPT@HEALTH.STATE.PA.US.

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

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

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department

and require an auxiliary aide service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1176. Filed for public inspection June 29, 2001, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Notice of Change in Methods and Standards of Setting Payment Rates to Nursing Facilities

On October 30, 1999, the Department of Public Welfare (Department) announced its intention to make changes to its methods and standards for payment to Medical Assistance (MA) nursing facility services relating to the purchase or rental of certain medically necessary exceptional Durable Medical Equipment (DME) (See 29 Pa.B. 5657). The purpose of this announcement is to describe the additional changes the Department intends to make to its payment methodology as a result of the public comments it received following its October 30, 1999, notice.

Currently the Department pays MA nursing facility providers on a per diem rate basis for services provided to MA residents. These per diem rates include a capital component that is based upon the fair rental value of the nursing facilities' allowable fixed and movable property. The facilities' fair rental value is subject to the capital component payment limitation contained in 55 Pa. Code § 1187.113 (relating to capital component payment limitation) commonly known as "the moratorium."

Under the new payment policy, the Department will remove allowable movable property costs from the fair rental value calculation. Movable property will be divided into two classes based on acquisition cost: minor movable property (items with an acquisition cost of less than \$500) and major movable property (items with an acquisition cost of \$500 or more). Allowable minor movable property costs will be included in the appropriate cost center of the net operating portion of the nursing facilities' per diem rates. Allowable major movable property costs will be included in a new movable property component in the capital portion of the nursing facilities' per diem rates. In addition, allowable movable property costs will not be subject to the capital component payment limitation contained in 55 Pa. Code § 1187.113. Nursing facilities' movable property capital rate component will be based upon their most recent audited cost report in the NIS database.

The primary purpose of these additional changes in payment methodology is to remove perceived disincentives for nursing facilities to purchase movable property items necessary to serve their MA residents. These changes are part of the Department's continuing efforts to assure that MA nursing facility residents receive their care and services allowing them to attain and maintain their highest practicable physical, mental and psychosocial well being in accordance with applicable law, including the Nursing Home Reform Law (42 U.S.C.A. § 1396r) and Title II of the Americans with Disabilities Act (42 U.S.C.A. §§ 12131-12134). These additional

changes to the Department's movable property payment methodology will begin to take effect starting with the July 1, 2001, rate setting cycle.

The Department discussed and solicited input on the proposed additional changes in payment methodology at the Long Term Care Subcommittee meeting of the Medical Assistance Advisory Committee (MAAC) on October 11, 2000, and the MAAC meeting on October 26, 2000. These meetings were open to the public.

Following those public meetings, the Department mailed copies of draft regulations incorporating the changes to its payment methodology to members of the MAAC and the Long Term Care (LTC) Subcommittee and Consumer Subcommittee of the MAAC on November 9, 2000, and asked interested persons to comment on the proposed changes. The Department received 80 comments in response. In addition, the Department discussed and solicited input on these changes at the MAAC meeting held on March 22, 2001, the LTC Subcommittee meeting held on April 11, 2001, and the Consumer Subcommittee meeting held on April 25, 2001. All of these meetings were open to the public.

The Department intends to publish final regulations under section 204(1)(iv) and (3) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(1)(iv) and (3)) known as the Commonwealth Documents Law and 1 Pa. Code § 7.4(1)(iv) and (3) (relating to omission of notice of proposal rulemaking) and to submit a State Plan Amendment incorporating the final regulations into the Commonwealth's approved Medicaid State Plan. Payment under these changes is conditioned upon publication of the final omit regulations and the Health Care Financing Administration's approval of the State Plan Amendment.

A copy of this notice and the draft regulations setting forth the intended changes to the Department's payment methodology is available for review at the local County Assistance Offices throughout this Commonwealth, on the Office of Medical Assistance Programs' website at www.dpw.state.pa.us/omap or by contacting Gail Weidman in the Program Analysis and Review Section at (717) 705-3705. Although the Department intends to adopt these changes as final regulations, notice of proposed rulemaking omitted, the Department invites interested persons to submit written comments regarding these changes to the Department within 30 days of the date of publication of this notice in the *Pennsylvania Bulletin*. Comments should be addressed to Department of Public Welfare, Office of Medical Assistance Programs, Attention: Program Analysis and Review Section, P. O. Box 2675, 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 another alternative should contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-297. (1) General Fund; (2) Implementing Year 2001-02 is \$2,007,000; (3) 1st Succeeding Year 2002-03 is \$2,177,000; 2nd Succeeding Year 2003-04 is \$8,314,000; 3rd Succeeding Year 2004-05 is \$18,631,000; 4th Succeeding Year 2005-06 is \$19,501,000; 5th Succeeding Year 2006-07 is \$19,501,000; (4) 1999-00 Program—\$693,625,000; 1998-99 Program—\$721,631,000;

1997-98 Program—\$617,252,000; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funds are included in the budget for this purpose.

[Pa.B. Doc. No. 01-1177. Filed for public inspection June 29, 2001, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cash Blast Instant Lottery Game

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

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

2. *Price:* The price of a Pennsylvania Cash Blast instant lottery game ticket is \$2.00.

3. *Play Symbols:*

(a) Each Pennsylvania Cash Blast instant lottery game ticket will contain two play areas known as "Game 1" and "Game 2." Each "Game" has a different game play method and is played separately.

(b) The play symbols and their captions located in the play area for "Game 1" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE) and \$\$ (DOLSN).

(c) The play area for "Game 2" will contain a "Lucky Numbers" area and a "Your Numbers" area. The play symbols and their captions located in the "Lucky Numbers" area and the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN) and 16 (SIXTN).

4. *Prize Play Symbols:*

(a) The play area for "Game 1" will contain a "Prize" area. The prize play symbols and their captions located in the "Prize" area for "Game 1" are: \$2⁰⁰ (TWO DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$25,000 (TWYFIVTHO).

(b) The prize play symbols and their captions located in the "Your Numbers" area for "Game 2" are: \$2⁰⁰ (TWO DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in "Game 1" and "Game 2" are \$2, \$5, \$10, \$15, \$20, \$25, \$50, \$100, \$500 and \$25,000. The player can win up to nine times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,440,000 tickets will be printed for the Pennsylvania Cash Blast instant lottery game.

7. *Determination of Prize Winners:*

(a) Determination of prize winners for "Game 1" are:

(1) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$25,000 (TWYFIVTHO) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$25,000.

(2) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$500 (FIV HUN) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$500.

(3) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$100 (ONE HUN) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$50\$ (FIFTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$25\$ (TWY FIV) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$25.

(6) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$20\$ (TWENTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$20.

(7) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$15\$ (FIFTN) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$15.

(8) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$10⁰⁰ (TEN DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$10.

(9) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$5⁰⁰ (FIV DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$5.

(10) Holders of tickets with three matching \$\$ (DOLSN) play symbols in the same row, column or diagonal, and a prize play symbol of \$2⁰⁰ (TWO DOL) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$2.

(b) Determination of prize winners for "Game 2" are:

(1) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$25,000 (TWYFIVTHO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

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

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

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

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

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

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

(8) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(9) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$5⁰⁰ (FIV DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(10) Holders of tickets where any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$2⁰⁰ (TWO DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

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

<i>Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 7,440,000 Tickets</i>
G1-\$2	\$2	1:8.33	892,800
G2-\$2	\$2	1:18.75	396,800
G1-\$5	\$5	1:50	148,800
G2-\$5	\$5	1:50	148,800
G1-\$2 + G2-\$2 x 4	\$10	1:150	49,600
G2-\$2 x 5	\$10	1:150	49,600
G1-\$5 + G2-\$5	\$10	1:250	29,760
G1-\$10	\$10	1:750	9,920
G2-\$10	\$10	1:750	9,920
G1-\$5 + G2 -\$10	\$15	1:150	49,600
G2-\$5 x 3	\$15	1:375	19,840
G1-\$10 + G2-\$5	\$15	1:375	19,840
G1-\$5 + G2-\$5 x 2	\$15	1:375	19,840
G1-\$5 + G2-\$2 x 5	\$15	1:375	19,840
G1-\$15	\$15	1:750	9,920
G2-\$15	\$15	1:750	9,920
G1-\$10 + G2-\$2 x 5	\$20	1:750	9,920
G1-\$5 + G2-\$5 x 3	\$20	1:750	9,920
G1-\$10 + G2-\$5 x 2	\$20	1:1,500	4,960
G1-\$10 + G2-\$10	\$20	1:1,500	4,960
G1-\$5 + G2-\$15	\$20	1:1,500	4,960
G1-\$15 + G2-\$5	\$20	1:1,500	4,960
G1-\$20	\$20	1:1,500	4,960
G2-\$20	\$20	1:1,500	4,960
G1-\$15 + G2-\$2 x 5	\$25	1:1,714	4,340
G1-\$10 + G2-\$10 + \$5	\$25	1:3,000	2,480
G2-\$5 x 5	\$25	1:2,308	3,224
G1-\$5 + G2-\$10 x 2	\$25	1:6,000	1,240
G1-\$25	\$25	1:13,333	558
G2-\$25	\$25	1:13,333	558
G2-\$20 x 5	\$100	1:120,000	62
G2-\$50 x 2	\$100	1:248,000	30
G1-\$50 + G2-\$50	\$100	1:248,000	30
G1-\$25 + G2-\$25 x 3	\$100	1:120,000	62
G1-\$100	\$100	1:744,000	10
G2-\$100	\$100	1:744,000	10
G1-\$100 + G2-\$50 x 8	\$500	1:496,000	15
G2-\$100 x 5	\$500	1:1,488,000	5
G1-\$500	\$500	1:1,860,000	4
G2-\$500	\$500	1:1,860,000	4
G1-\$25,000	\$25,000	1:3,720,000	2
G2-\$25,000	\$25,000	1:3,720,000	2

G1 = Get 3 "\$\$" (Dollar Symbols) in any Row, Column, or Diagonal, win prize shown.

G2 = When any of "Your Numbers" match either "Lucky Number," win prize shown for that matching number.

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

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

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

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

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-1178. Filed for public inspection June 29, 2001, 9:00 a.m.]

Pennsylvania Hot 7's 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 Hot 7's.

2. *Price:* The price of a Pennsylvania Hot 7's instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Hot 7's instant lottery game ticket will contain four play areas known as "Game 1," "Game 2," "Game 3" and "Game 4." Each "Game" is played separately. The play symbols printed in either red or black ink, and their captions printed in black ink, located in the four play areas are: 1 (ONE), 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT) and 9 (NIN).

4. *Prize Play Symbols:* The prize play symbols and their captions, printed in black ink, located in the four "Prize" areas are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$7⁰⁰ (SVN DOL), \$14\$ (FORTN), \$21\$ (TWY ONE), \$77\$ (SVY SVN) and \$7,000 (SVN THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$7, \$14, \$21, \$77 and \$7,000. The player can win up to four times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 14,160,000 tickets will be printed for the Pennsylvania Hot 7's instant lottery game.

7. Determination of Prize Winners.

(a) Holders of tickets with a play symbol of 7 (SVN) printed in black ink in any "Game," and a prize play symbol of \$7,000 (SVN THO) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$7,000.

(b) Holders of tickets with a play symbol of 7 (SVN) printed in black ink in any "Game," and a prize play symbol of \$77\$ (SVY SVN) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$77.

(c) Holders of tickets with a play symbol of 7 (SVN) printed in black ink in any "Game," and a prize play symbol of \$21\$ (TWY ONE) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$21.

(d) Holders of tickets with a play symbol of 7 (SVN) printed in black ink in any "Game," and a prize play symbol of \$14\$ (FORTN) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$14.

(e) Holders of tickets with a play symbol of 7 (SVN) printed in red ink in any "Game," and a prize play symbol of \$7⁰⁰ (SVN DOL) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$14.

(f) Holders of tickets with a play symbol of 7 (SVN) printed in black ink in any "Game," and a prize play symbol of \$7⁰⁰ (SVN DOL) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$7.

(g) Holders of tickets with a play symbol of 7 (SVN) printed in black ink in any "Game," and a prize play symbol of \$4⁰⁰ (FOR DOL) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$4.

(h) Holders of tickets with a play symbol of 7 (SVN) printed in red ink in any "Game," and a prize play symbol of \$2⁰⁰ (TWO DOL) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$4.

(i) Holders of tickets with a play symbol of 7 (SVN) printed in black ink in any "Game," and a prize play symbol of \$2⁰⁰ (TWO DOL) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with a play symbol of 7 (SVN) printed in red ink in any "Game," and a prize play symbol of \$1⁰⁰ (ONE DOL) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets with a play symbol of 7 (SVN) printed in black ink in any "Game," and a prize play symbol of \$1⁰⁰ (ONE DOL) appearing in the "Prize" area for that "Game," on a single ticket, shall be entitled to a prize of \$1.

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

*Find a "7"
In Any Game
Win With
Prize(s) Of:*

<i>Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 14,160,000 Tickets</i>
\$1	\$1	1:8.75	1,618,960
\$1 x 2	\$2	1:75	188,800
\$1 (RED 7)	\$2	1:37.50	377,600
\$2	\$2	1:50	283,200
\$1 x 4	\$4	1:375	37,760
\$1 x 2 + \$2	\$4	1:375	37,760
\$1 (RED 7) + \$2	\$4	1:1,500	9,440
\$2 (RED 7)	\$4	1:300	47,200
\$4	\$4	1:1,500	9,440
\$4 + \$2 + \$1	\$7	1:300	47,200
\$2 x 3 + \$1	\$7	1:300	47,200
\$2 (RED 7) + \$1 x 3	\$7	1:150	94,400
\$7	\$7	1:300	47,200
\$7 + \$4 + \$2 + \$1	\$14	1:750	18,880
\$4 x 3 + \$2	\$14	1:300	47,200
\$7 x 2	\$14	1:750	18,880
\$7 (RED 7)	\$14	1:500	28,320
\$14	\$14	1:1,000	14,160
\$14 + \$7	\$21	1:1,500	9,440
\$7 x 3	\$21	1:1,500	9,440
\$7 (RED 7) + \$7	\$21	1:750	18,880
\$21	\$21	1:3,000	4,720
\$77	\$77	1:6,000	2,360
\$7,000	\$7,000	1:1,180,000	12

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Hot 7's instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Hot 7's, prize money from winning Pennsylvania Hot 7's 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 Hot 7's instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Hot 7's or through normal communications methods.

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-1179. Filed for public inspection June 29, 2001, 9:00 a.m.]

Pennsylvania Instant Battleship 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 Instant Battleship™ II.

2. *Price:* The price of a Pennsylvania Instant Battleship II instant lottery game ticket is \$3.00.

3. *Play Symbols:* Each Pennsylvania Instant Battleship II instant lottery game ticket will feature a "Your Shots" area and a "Target Grid" area. The play symbols and their captions located in the "Your Shots" area are the letters A through J, each with the numbers 1 through 10. The play symbols and their captions located in the "Target Grid" area are an Aircraft Carrier Symbol (AC) consisting of five parts; a Battleship Symbol (BS) consisting of four parts; a Cruiser Symbol (CR) consisting of three parts; a Submarine Symbol (SB) consisting of three parts; a Destroyer Symbol (DS) consisting of two parts; and a Mine Symbol (MN).

4. *Prizes:* The prizes that can be won in this game are \$3, \$5, \$6, \$50, \$500, \$6,000 and \$30,000. The player can win up to six times on each ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania Instant Battleship II instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets where the player completely uncovers (sinks) an Aircraft Carrier Symbol (AC), a Battleship Symbol (BS), a Cruiser Symbol (CR), a Submarine Symbol (SB) and a Destroyer Symbol (DS), using only the letter-number combinations found in the "Your Shots" area, on a single ticket, shall be entitled to a prize of \$30,000. Winners of the \$30,000 prize do not receive the individual prizes which correspond to the uncovering (sinking) of each individual ship.

(b) Holders of tickets where the player completely uncovers (sinks) an Aircraft Carrier Symbol (AC), using only the letter-number combinations found in the "Your Shots" area, on a single ticket, shall be entitled to a prize of \$6,000.

(c) Holders of tickets where the player completely uncovers (sinks) a Battleship Symbol (BS), using only the letter-number combinations found in the "Your Shots" area, on single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets where the player completely uncovers (sinks) a Cruiser Symbol (CR), using only the

letter-number combinations found in the "Your Shots" area, on single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets where the player completely uncovers (sinks) a Submarine Symbol (SB), using only the letter-number combinations found in the "Your Shots" area, on single ticket, shall be entitled to a prize of \$6.

(f) Holders of tickets where the player completely uncovers (sinks) a Destroyer Symbol (DS), using only the letter-number combinations found in the "Your Shots" area, on single ticket, shall be entitled to a prize of \$5.

(g) Holders of tickets where the player uncovers a Mine Symbol (MN), using only the letter-number combinations found in the "Your Shots" area, on single ticket, shall be entitled to a prize of \$3.

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
Hit a MN	\$3	1:5.71	1,050,000
Sink a 2 Hit Ship (DS)	\$5	1:16.67	360,000
Hit a MN x 2	\$6	1:66.67	90,000
Sink a 3 Hit Ship (SB)	\$6	1:100	60,000
Hit a MN + Sink a 2 Hit Ship (DS)	\$8	1:100	60,000
Hit a MN + Sink a 3 Hit Ship (SB)	\$9	1:100	60,000
Hit a MN x 3	\$9	1:100	60,000
Hit a MN x 4	\$12	1:200	30,000
Hit a MN x 2 + Sink a 3 Hit Ship (SB)	\$12	1:200	30,000
Hit a MN x 3 + Sink a 3 Hit Ship (SB)	\$15	1:200	30,000
Hit a MN x 5	\$15	1:200	30,000
Hit a MN x 4 + Sink a 2 Hit Ship (DS) + Sink a 3 Hit Ship (SB)	\$23	1:200	30,000
Sink a 3 Hit Ship (CR)	\$50	1:300	20,000
Sink a 4 Hit Ship (BS)	\$500	1:24,000	250
Sink a 5 Hit Ship (AC)	\$6,000	1:120,000	50
Sink all 5 Ships	\$30,000	1:1,000,000	6

AC = Aircraft Carrier
 BS = Battleship
 CR = Cruiser
 SB = Submarine
 DS = Destroyer
 MN = Mine

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Instant Battleship 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 Instant Battleship II, prize money from winning Pennsylvania Instant Battleship 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 Instant Battleship 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 Instant Battleship II or through normal communications methods.

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-1180. Filed for public inspection June 29, 2001, 9:00 a.m.]

Pennsylvania Monopoly 2 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 Monopoly® 2.

2. *Price:* The price of a Pennsylvania Monopoly 2 instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Monopoly 2 instant lottery game ticket will feature one "Your Hotel Numbers" area and one "House Numbers" area. The play symbols and their captions located in the "Your Hotel Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "House Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a Pennsylvania Railroad Symbol (PA-RR).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "House Numbers" area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY),

\$50\$ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$2,000 (TWO THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$10, \$20, \$50, \$100, \$200, \$2,000 and \$20,000. The player can win up to ten times on each ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,080,000 tickets will be printed for the Pennsylvania Monopoly 2 instant lottery game.

7. Determination of Prize Winners:

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

(b) Holders of tickets upon which any one of the "House Numbers" play symbols matches either of the "Your Hotel Numbers" play symbols and a prize play symbol of \$2,000 (TWO THO) appears under the matching "House Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2,000.

(c) Holders of tickets upon which any one of the "House Numbers" play symbols matches either of the "Your Hotel Numbers" play symbols and a prize play symbol of \$200 (TWO HUN) appears under the matching "House Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$200.

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

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

(f) Holders of tickets upon which any one of the "House Numbers" play symbols is a Pennsylvania Railroad Symbol (PA-RR), and a prize play symbol of \$20\$ (TWENTY) appears under the Pennsylvania Railroad Symbol (PA-RR) on a single ticket, shall be entitled to a prize of \$20.

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

(h) Holders of tickets upon which any one of the "House Numbers" play symbols matches either of the "Your Hotel Numbers" play symbols and a prize play symbol of \$10⁰⁰ (TEN DOL) appears under the matching "House Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which any one of the "House Numbers" play symbols matches either of the "Your Hotel Numbers" play symbols and a prize play symbol of \$5⁰⁰ (FIV DOL) appears under the matching "House Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets upon which any one of the "House Numbers" play symbols matches either of the "Your Hotel

Numbers” play symbols and a prize play symbol of \$4⁰⁰ (FOR DOL) appears under the matching “House Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(k) Holders of tickets upon which any one of the “House Numbers” play symbols matches either of the “Your Hotel Numbers” play symbols and a prize play symbol of \$2⁰⁰ (TWO DOL) appears under the matching “House Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets upon which any one of the “House Numbers” play symbols matches either of the “Your Hotel Numbers” play symbols and a prize play symbol of \$1⁰⁰ (ONE DOL) appears under the matching “House Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

When Any Of Your House Numbers Match Either Of Your Hotel Numbers, Win With Prize(s) Of:

<i>Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 10,080,000 Tickets</i>
\$1 x 2	\$2	1:7.14	1,411,200
\$2	\$2	1:16.67	604,800
\$2 x 2	\$4	1:37.50	268,800
\$4	\$4	1:75	134,400
\$1 x 5	\$5	1:107.14	94,080
\$5	\$5	1:375	26,880
\$2 x 3 + \$2 x 2	\$10	1:375	26,880
\$4 x 2 + \$2	\$10	1:750	13,440
\$5 x 2	\$10	1:1,500	6,720
\$1 x 10	\$10	1:750	13,440
\$10	\$10	1:1,500	6,720
\$2 x 10	\$20	1:750	13,440
\$5 x 4	\$20	1:1,500	6,720
\$10 x 2	\$20	1:1,500	6,720
\$20	\$20	1:1,500	6,720
PA Railroad Symbol	\$20	1:50	201,600
\$5 x 10	\$50	1:4,000	2,520
\$10 x 4 + \$5 x 2	\$50	1:4,000	2,520
\$10 x 5	\$50	1:6,000	1,680
\$50	\$50	1:6,000	1,680
\$10 x 10	\$100	1:24,000	420
\$20 x 5	\$100	1:24,000	420
\$50 x 2	\$100	1:24,000	420
\$100	\$100	1:24,000	420
\$50 x 4	\$200	1:120,000	84
\$20 x 10	\$200	1:40,000	252
\$100 x 2	\$200	1:120,000	84
\$200	\$200	1:120,000	84
\$200 x 10	\$2,000	1:1,260,000	8
\$2,000	\$2,000	1:2,520,000	4
\$2,000 x 10	\$20,000	1:2,520,000	4
\$20,000	\$20,000	1:2,520,000	4

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Monopoly 2 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Monopoly 2, prize money from winning Pennsylvania Monopoly 2 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 Monopoly 2 instant lottery game, the right of a ticket holder to claim the prize represented by the

ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Monopoly 2 or through normal communications methods.

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-1181. Filed for public inspection June 29, 2001, 9:00 a.m.]

Pennsylvania One-Eyed Jack 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 One-Eyed Jack.

2. *Price:* The price of a Pennsylvania One-Eyed Jack instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania One-Eyed Jack instant lottery game ticket will contain eight play areas known as "Hand 1," "Hand 2," "Hand 3," "Hand 4," "Hand 5," "Hand 6," "Hand 7" and "Hand 8." Each "Hand" is played separately. Each "Hand" will feature a "Your Card" area and a "House Card" area. The play symbols and their captions located in the "Your Card" area are: 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), One-Eyed Jack Symbol (JCK), Q (QUN), K (KNG) and A (ACE). Aces are high. The play symbols and their captions located in the "House Card" area are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Q (QUN) and K (KNG).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the eight "Prize" areas are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$8⁰⁰ (EGT DOL), \$16\$ (SIXTN), \$24\$ (TWY FOR), \$32\$ (TRY TWO), \$64\$ (SXY FOR), \$256 (TWOFTYSIX) and \$21,000 (TWYONETHO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$8, \$16, \$24, \$32, \$64, \$256 and \$21,000. The player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,000,000 tickets will be printed for the Pennsylvania One-Eyed Jack instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play symbol of \$21,000 (TWYONETHO) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$21,000.

(b) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play symbol of \$256 (TWOFTYSIX) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$256.

(c) Holders of tickets where any of the "Your Card" play symbols is a One-Eyed Jack Symbol (JCK) and a prize play symbol of \$32\$ (TRY TWO) appears in each of the eight "Prize" areas, on a single ticket, shall be entitled to a prize of \$256.

(d) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play

symbol of \$64\$ (SXY FOR) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$64.

(e) Holders of tickets where any of the "Your Card" play symbols is a One-Eyed Jack Symbol (JCK) and a prize play symbol of \$8⁰⁰ (EGT DOL) appears in each of the eight "Prize" areas, on a single ticket, shall be entitled to a prize of \$64.

(f) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play symbol of \$32\$ (TRY TWO) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$32.

(g) Holders of tickets where any of the "Your Card" play symbols is a One-Eyed Jack Symbol (JCK) and a prize play symbol of \$4⁰⁰ (FOR DOL) appears in each of the eight "Prize" areas, on a single ticket, shall be entitled to a prize of \$32.

(h) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play symbol of \$24\$ (TWY FOR) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$24.

(i) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play symbol of \$16\$ (SIXTN) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$16.

(j) Holders of tickets where any of the "Your Card" play symbols is a One-Eyed Jack Symbol (JCK) and a prize play symbol of \$2⁰⁰ (TWO DOL) appears in each of the eight "Prize" areas, on a single ticket, shall be entitled to a prize of \$16.

(k) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play symbol of \$8⁰⁰ (EGT DOL) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$8.

(l) Holders of tickets where any of the "Your Card" play symbols is a One-Eyed Jack Symbol (JCK) and a prize play symbol of \$1⁰⁰ (ONE DOL) appears in each of the eight "Prize" areas, on a single ticket, shall be entitled to a prize of \$8.

(m) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets where "Your Card" beats the "House Card" in the same "Hand," and a prize play symbol of \$1⁰⁰ (ONE DOL) appears in the "Prize" area for that "Hand," on a single ticket, shall be entitled to a prize of \$1.

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

*When Any Of
Your Cards
Beats the House
Card Win With
Prize(s) Of:*

	<i>Approximate Win</i>	<i>Odds</i>	<i>Approximate No. of Winners Per 6,000,000 Tickets</i>
\$1 x 2	\$2	1:12.50	480,000
\$2	\$2	1:18.75	320,000
\$1 x 4	\$4	1:25	240,000
\$2 x 2	\$4	1:37.50	160,000
\$4	\$4	1:75	80,000
\$1 x 8 (OEJ)	\$8	1:83.33	72,000
\$2 x 4	\$8	1:187.50	32,000
\$4 x 2	\$8	1:750	8,000
\$8	\$8	1:750	8,000
\$2 x 8 (OEJ)	\$16	1:88.24	68,000
\$4 x 4	\$16	1:1,500	4,000
\$8 x 2	\$16	1:1,500	4,000
\$16	\$16	1:1,500	4,000
\$4 x 6	\$24	1:300	20,000
\$8 x 3	\$24	1:750	8,000
\$16 + \$8	\$24	1:750	8,000
\$24	\$24	1:1,500	4,000
\$4 x 8 (OEJ)	\$32	1:1,600	3,750
\$4 x 4 + \$8 x 2	\$32	1:4,000	1,500
\$16 x 2	\$32	1:4,800	1,250
\$8 x 4	\$32	1:4,000	1,500
\$32	\$32	1:12,000	500
\$8 x 8 (OEJ)	\$64	1:5,217	1,150
\$16 x 4	\$64	1:12,000	500
\$8 x 4 + \$16 x 2	\$64	1:12,000	500
\$24 x 2 + \$8 x 2	\$64	1:12,000	500
\$4 x 4 + \$16 x 3	\$64	1:12,000	500
\$8 x 6 + \$16	\$64	1:12,000	500
\$64	\$64	1:60,000	100
\$32 x 8 (OEJ)	\$256	1:30,000	200
\$64 x 4	\$256	1:60,000	100
\$256	\$256	1:60,000	100
\$21,000 (OEJ) = One-Eyed Jack wins all 8 prizes	\$21,000	1:1,200,000	5

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania One-Eyed Jack, prize money from winning Pennsylvania One-Eyed Jack 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 One-Eyed Jack instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

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

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-1182. Filed for public inspection June 29, 2001, 9:00 a.m.]

Pennsylvania Ten Grand 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 Ten Grand.

2. *Price:* The price of a Pennsylvania Ten Grand instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Ten Grand instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$10,000 (TEN THO).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$10, \$20, \$50, \$100, \$500 and \$10,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 12,480,000 tickets will be printed for the Pennsylvania Ten Grand instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$10,000 (TEN THO) in the play area on a single ticket, shall be entitled to a prize of \$10,000.

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

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

(d) Holders of tickets with three matching play symbols of \$50\$ (FIFTY) in the play area on a single ticket, shall be entitled to a prize of \$50.

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

(f) Holders of tickets with three matching play symbols of \$10.⁰⁰ (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(g) Holders of tickets with three matching play symbols of \$5.⁰⁰ (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(h) Holders of tickets with three matching play symbols of \$4.⁰⁰ (FOR DOL) in the play area on a single ticket, shall be entitled to a prize of \$4.

(i) Holders of tickets with three matching play symbols of \$2.⁰⁰ (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with three matching play symbols of \$1.⁰⁰ (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 12,480,000 Tickets</i>
3-\$1	\$1	1:8.33	1,497,600
3-\$2	\$2	1:16.67	748,800
3-\$4	\$4	1:60	208,000
3-\$5	\$5	1:100	124,800
3-\$10	\$10	1:60	208,000
3-\$20	\$20	1:600	20,800
3-\$50	\$50	1:2,400	5,200
3-\$100	\$100	1:16,000	780
3-\$500	\$500	1:60,000	208
3-\$10,000	\$10,000	1:1,248,000	10

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Ten Grand 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 Ten Grand, prize money from winning Pennsylvania Ten Grand 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 Ten Grand 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 Ten Grand or through normal communications methods.

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 01-1183. Filed for public inspection June 29, 2001, 9:00 a.m.]

DEPARTMENT OF STATE

Uniform Commercial Code Fee Schedule

In accordance with section 3.1 of the act of June 20, 2001 (P. L. __, No. 34) the Department of State prescribes the following fee schedule to implement 13 Pa.C.S. § 9525:

(1) The fee for filing a financing statement with the Department of State under 13 Pa.C.S. (relating to the Uniform Commercial Code) is \$84 regardless of the number of debtors or pages.

(2) The fee for filing a financing statement with the county recorder of deeds offices under 13 Pa.C.S. (relating to Uniform Commercial Code) is \$95 regardless of the number of debtors or pages.

KIM PIZZINGRILLI,
Secretary of the Commonwealth

[Pa.B. Doc. No. 01-1184. Filed for public inspection June 29, 2001, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Chester County

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

The Department of Transportation plans to reconstruct the intersection of SR 0926 and Parkersville Road in the Village of Parkersville, Pennsbury Township, Chester County.

The intersection consists of east-west route SR 0926, Street Road; and north-south routes SR 3021 and Pennsbury Township road T-440, both of which retain the name of Parkersville Road. The Project involves intersection safety improvements, minor roadway realignment through the intersection, and lowering of SR 0926 to improve sight distance on the east approach and through the intersection.

This Project will use two Section 2002 resources located within the 8.94 acre Parkersville Historic District, a resource determined eligible for the National Register of Historic Places: 1) A triangular sliver of land measuring 365 s.f. will be used from Tax Parcel No. 3 on the northwest corner of the intersection for permanent slope easement, and 2) A temporary easement on Tax Parcel No. 5 on the southwest corner of the intersection containing approximately 130 s.f. will be utilized throughout the life of the Project.

Impacts will be minimized by reducing lane widths to the minimums allowed by Design Manual 2, and by reducing shoulder widths to 2 feet through the approval of a Design Exception. Roadway embankment that has been affected by roadway reconstruction will be reseeded in indigenous grasses. The Project is being designed to be aesthetically compatible with the adjacent Parkersville Historic Districts, and it will not substantially impair protected attributes or contributing elements of these adjacent cultural resources.

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 con-

cluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-1185. Filed for public inspection June 29, 2001, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

At its June 19, 2001, meeting, the Environmental Quality Board (EQB) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy).

The petition was submitted by Mr. and Mrs. Radu Gherghel of Orwigsburg, Schuylkill County, and requests adoption of regulations governing recreational shooting activities at gun clubs to address land and water contamination resulting from lead shot and clay pigeons. The petitioners propose that the EQB adopt regulations that address:

- Limits in soil and water for toxic metals generated by shot and solvents resulting from clay pigeons;
- Requirements for the cleanup of contaminated sites (shooting ranges); and
- Active contamination monitoring of gun clubs (shooting ranges), such as sampling and cleanup requirements.

Under 25 Pa. Code § 23.6(1) (relating to notice of acceptance and Department report), the Department of Environmental Protection (DEP) will evaluate the petition further and report to the EQB within 60 days on whether to approve the action requested in the petition. If a regulatory change is recommended, the report will specify an anticipated date for development of a proposed rulemaking.

Copies of the petition are available from the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and on DEP's website at <http://www.dep.state.pa.us/dep/subject/eqb/2001/June/petition.pdf>.

DAVID E. HESS,
Chairperson

[Pa.B. Doc. No. 01-1186. Filed for public inspection June 29, 2001, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(d) and (g) of the Regulatory Review Act (71 P. S. § 745.5(d) and (g)) provide that the designated standing committees may issue comments within 20 days

of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committees' comment period. The Commission's Comments are based upon the criteria contained in subsections 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
6-272	State Board of Private Licensed Schools Definitions; Fees	06/14/01	05/14/03

(31 Pa.B. 2017 (April 14, 2001))

State Board of Private Licensed Schools No. 6-272

Definitions; Fees

June 14, 2001

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 Private Licensed Schools (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by May 14, 2003, the regulation will be deemed withdrawn.

1. General.—Clarity.

The fiscal analysis submitted by the Board for the individual fee changes proposed, indicates how, in the aggregate, the prescribed fees will cover the costs of the services provided by the Board. However, it does not include a breakdown of the Board staff time, salaries, associated costs and administrative overhead costs for each fee. This fiscal information should be submitted with the final-form regulation.

2. Definitions.—Clarity.

Seminar

The Board is adding "seminar" as a new term and assigning a fee to correspond with the licensing of private schools that only conduct seminars. The definition of "private licensed school" in 24 P. S. § 6502 does not specifically state that the Board has the authority to regulate seminars. How do seminars as defined in this regulation fit into the definition of "private licensed school" in 24 P. S. § 6502?

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-1187. Filed for public inspection June 29, 2001, 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.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-206	Insurance Department Privacy of Consumer Financial Information	06-14-01
11-186	Insurance Department Discounting Workers' Compensation Loss Reserves	06-14-01
31-1	Pennsylvania State Employees' Retirement Board Retirement Contribution	06-15-01

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-1188. Filed for public inspection June 29, 2001, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Domestic Certificate of Authority

Builders Direct Insurance Company has applied for a Certificate of Authority to operate as a domestic stock property insurance company in this Commonwealth. The filing was made under the requirements set forth under The Insurance Company Law. Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557 or by e-mail to rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1189. Filed for public inspection June 29, 2001, 9:00 a.m.]

Deregulation of Life Insurance Forms; Notice 2001-07

On September 1, 1996, the Insurance Commissioner (Commissioner), by notice at 26 Pa.B. 4147 (August 24, 1996), deregulated certain life insurance and annuity forms. Changes to that notice are now necessary. Under section 354 of The Insurance Company Law of 1921 (act) (40 P. S. § 477b) and to sections 404(f) and 615 of the Fraternal Benefit Societies Code (code) (40 P. S. §§ 1142-404(f) and 1142-615), the Commissioner is modifying and expanding the types of deregulated life insurance and annuity forms to include those listed in Annex A.

Statutory Authority

Section 354 of the act requires that all policy forms for life insurance and annuities, as well as other lines of business, be submitted to the Commissioner for prior approval before issuance to any consumer in this Commonwealth. However, that law gives the Commissioner express authority to exempt forms from the prior approval requirement. The review and approval of the forms used by fraternal benefit societies is governed by section 404(f) of the act, which provides that the forms shall be filed in the manner provided for like policies issued by life, accident and health insurers under section 354 of the act. Accordingly, the Commissioner hereby exempts from prior approval the types of forms listed in Annex A.

Insurers Subject to the Filing Requirements

Section 354 of the act applies to insurance companies, associations and exchanges, as defined in section 101 of the act (40 P. S. § 361). Additionally, section 404(f) of the code incorporates by reference the general provision laws, including section 354 of the act, that relate to the review and approval of policy forms. Therefore, this notice of deregulation of life and annuity forms also applies to fraternal benefit societies. Section 354 of the act does not regulate the approval of credit insurance forms, as defined in section 1007.2 of the Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance (40 P. S. § 1007.2) and, therefore, these are not affected by the deregulation herein.

Forms That are Not Deregulated

The Commissioner's action to deregulate certain group forms does not extend to the following:

Previous Forms Included as Nonderegulated

Individual retirement annuity (IRA) group annuity policies and certificates and all riders, amendments, endorsements and applications used with them.

Synthetic guaranteed investment contracts and certificates and all riders, amendments, endorsements and applications used with them.

Forms that include both regulated and deregulated lines of business must continue to be submitted for prior approval.

Previous Forms Included as Nonderegulated But Modified

Group Universal or Group Variable Life policies other than those newly deregulated in section 5 of Annex A, and all certificates, riders, amendments, endorsements and applications used with them.

Additional Forms Included as Nonderegulated

Forms that include long-term care benefits or that meet the definition of "long-term care insurance" in section 1103 of the Long-Term Care Act (40 P. S. § 991.1103) must continue to be submitted for prior approval.

Continuing Authority of the Commissioner

Notwithstanding the implementation of this notice, the Commissioner shall retain complete authority to request and be provided a copy of any form being used in this Commonwealth, as provided by section 903(d) of the act (40 P. S. § 933(d)).

The Commissioner shall also retain complete discretionary authority to reassume regulatory authority over the types of forms deregulated hereunder.

Section 354 of the act does not regulate guaranteed investment contracts without annuity provisions and funding agreement contracts without annuity provisions.

However, section 202 of the act (40 P. S. § 382) does not authorize life insurance companies to issue the contracts in this Commonwealth.

Notwithstanding the deregulation of the forms specified herein, all forms must continue to comply with applicable State law including, but not limited to:

Uniform Policy Provisions (40 P. S. § 510)

Standard Nonforfeiture Law for Life Insurance (40 P. S. § 510.1)

Group Life Insurance (40 P. S. § 532.1 et seq.)

Fraternal Benefit Societies Code (40 P. S. §§ 1142-401 and 1142-405).

Effective Date

This revised deregulation action is effective as of July 2, 2001.

Questions

Questions concerning this notice may be directed to Paul Makurath, Supervisor, Bureau of Life Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-4253 or pmakurath@state.pa.us.

Annex A*Deregulated Life Insurance and Annuity Forms*

The Commissioner, by this notice, hereby deregulates the following lines of business under the authority of section 354 of The Insurance Company Law of 1921 (40 P. S. § 477b).

Previously Deregulated—No Modification

1) Individual Traditional Term Life policies (not including indeterminate premium, limited benefit¹, modified premium² or single premium term life policies)

2) Individual Traditional Whole Life policies (not including interest sensitive, indeterminate premium, limited benefit or modified premium² whole life policies)

3) Individual Traditional Endowment policies (not including interest sensitive, indeterminate premium or modified premium² endowment policies)

4) Individual Traditional Term Life riders (not including indeterminate premium, limited benefit¹ or modified premium² term life riders)

5) Individual Fixed Immediate Annuity policies, not including policies with market value adjustment or providing payments of interest only, and all riders, amendments and endorsements used with them.

6) Individual Annuity applications, except individual variable annuity applications.

7) Group Term Life policies and certificates. All riders, amendments, endorsements and applications used with them.

Previously Deregulated—Modification

1) Individual Cost of Living, Guaranteed Purchase Option, Spouse Term, Children's Term, Family Term, Other Insured, Dividend Additions, Business Exchange and Substitute Insured riders.

¹ Limited life insurance policies are defined at 31 Pa. Code § 87.12.

² Modified premium life insurance policies are defined at 31 Pa. Code § 87.13.

2) Group Whole life policies and certificates (not including Universal Life policies and certificates other than those newly deregulated in section 5). All riders, amendments, endorsements and applications used with them.

3) Group Annuity policies and certificates (not including IRA Group Annuity policies and certificates, or synthetic guaranteed investment contracts and certificates). All riders, amendments, endorsements and applications used with them.

Newly Deregulated

1) Unisex riders, except those that change cost of insurance rates or cash values under Universal Life or Variable Life policies.

2) Avocational or Vocational Questionnaires.

3) Individual Private Placement Variable Life insurance policies issued only to "accredited investors" as defined in Rule 501(a) of Regulation D of the Securities Act of 1933 (17 CFR 230.501(a)), or to "qualified purchasers" as defined in section 2(a)(51) of the Investment Company Act of 1940 (15 U.S.C.A. § 80a-2(a)(51)). All riders, amendments, endorsements and applications used exclusively with such policies.

4) Individual Corporate Owned or Bank Owned Universal or Variable Life insurance policies, where the corporation or bank pays the entire premium and is the beneficiary of the insurance. All riders, amendments, endorsements and applications used exclusively with such policies.

5) Group Corporate Owned, Bank Owned or Trust Owned Universal or Variable Life insurance policies, where the corporation, bank or trust pays the entire premium and the beneficiary of the insurance is an employee health, welfare or retirement benefit plan trust. All certificates, riders, amendments, endorsements and application used exclusively with the policies. *Note:* Under sections 532.1(1) and 532.2, pertaining to group life insurance (40 P. S. §§ 532.1(1) and 532.2), an employer may not be the beneficiary of group life insurance.

6) Group Accidental Death and Group Accidental Death and Dismemberment Riders.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1190. Filed for public inspection June 29, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Special Care Provider Contract Addendum; PBS-SPC-HOS-TRA-01; Rate Filing

On June 14, 2001, Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200128 for a Special Care Provider Contract Addendum to attach to the Hospital Facility Agreement-Traditional Products Only, Form # PBS-HOS-TRA-01, as submitted in Filing No. 200110. In this filing and the previous filing submitted under section 9 of the Accident and Health Filing Reform Act (40 P. S. §§ 3801—3815), Highmark seeks approval of Hospital Facility Agreements in order to operate as a Hospital Plan Corporation and a Professional Health Plan Corporation under the trade name Pennsylvania Blue Shield in the 21 counties of the Capital region in South Central Pennsylvania.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's office at 1311 Strawberry Square, Harrisburg, PA 17120.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1191. Filed for public inspection June 29, 2001, 9:00 a.m.]

Independence Blue Cross; Blue Cross Community Rated Group Rate Increase; Filing No. 2-P-01

Independence Blue Cross requests the Insurance Department's (Department) approval for a 30.7% premium rate increase effective October 1, 2001, for the community rated Basic Blue Cross hospitalization program.

The proposed rate increase would impact approximately 5,868 contracts and produce additional annual premium income of \$6.8 million.

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

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1192. Filed for public inspection June 29, 2001, 9:00 a.m.]

Princeton Insurance Company; Physicians and Surgeons Professional Liability Rate Filing

On June 18, 2001, the Insurance Department (Department) received from the Princeton Insurance Company a filing for a rate level change in physicians and surgeons liability rates.

Princeton Insurance Company requests an overall 22.3% increase, amounting to \$2.2 million annually, to be effective September 1, 2001.

Unless formal administrative action is taken prior to August 2, 2001, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Bureau of Regulation of Rates and Policies, 1311 Strawberry Square, Harrisburg, PA

17120, e-mail at kcreighton@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1193. Filed for public inspection June 29, 2001, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). These administrative hearings will be held in the Insurance Department's Regional Offices in Harrisburg, or Philadelphia, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Lawrence Vance; file no. 01-181-02817; Progressive Insurance Company; doc. no. P01-06-015; July 25, 2001, at 1 p.m.

Appeal of William J. and Marsha V. Rostek, Jr.; file no. 01-181-03327; State Farm Mutual Automobile Insurance Co.; doc. no. P01-06-013; July 26, 2001, at 1 p.m.

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

Appeal of Erin E. Connor, file no. 01-278-01604; Erie Insurance Exchange; doc. no. PH01-06-019; September 14, 2001 at 10:15 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The

Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend 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. 01-1194. Filed for public inspection June 29, 2001, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurer has requested a hearing, as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with their company's termination of the insured's automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held in the Insurance Department's Regional Office in Philadelphia, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Leader Insurance Company; file no. 01-278-00636; Prince Peaks; doc. no. PH01-06-020; September 14, 2001 at 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearings, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1195. Filed for public inspection June 29, 2001, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies. This administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Marc Stein; file no. 01-308-70805; Westfield Insurance Company; doc. no. PI01-06-011; August 9, 2001, at 12:30 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 (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. 01-1196. Filed for public inspection June 29, 2001, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Westmoreland County, Wine and Spirits Shoppe # 6518, Norwin Hills Shopping Center, 8775 Norwin Avenue, North Huntingdon, PA 15642-2744.

Lease Expiration Date: January 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space in a shopping center environment near the intersection of Route 30 and the PA Turnpike (Interstate 76).

Proposals due: July 20, 2001 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: George Danis, (412) 565-5130

Berks County, Wine and Spirits Shoppe # 0620, 2207 Lancaster Pike, Shillington, PA 19607-2435.

Lease Expiration Date: June 30, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,751 to 7,500 net useable square feet of new or existing retail commercial space within approximately one (1) mile of the intersection of Shillington Road (Route 724) and Lancaster Pike West (Route 222), Cumru Township.

Proposals due: July 20, 2001 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110
Contact: Willard J. Rhodes, (717) 657-4228

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 01-1197. Filed for public inspection June 29, 2001, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Rural Incumbent Local Exchange Carriers (Yukon Waltz, et al.) for Action under Sections 251(f)(2) and 253(b) of the Telecommunications Act of 1996; Doc. No. P-00971177

A prior notice in the *Pennsylvania Bulletin* set forth the list of companies currently seeking a 1-year extension of the suspension from interconnection granted at the previously captioned docket number. The list omitted two companies, 1) Laurel Highland Telephone Company and 2) the Bentleyville Telephone Company.

On March 1, 2001, Yukon Waltz, et al. filed a request for a 1-year extension of the suspension, to July 10, 2002. The Pennsylvania Public Utility Commission (Commission) has determined that publication and comment on this petition is appropriate. Interested parties must submit comments on the Yukon Waltz, et al. petition within 7 days of publication in the *Pennsylvania Bulletin*.

Copies of the petition may be obtained from the Commission, Secretary's Bureau, upon request. The con-

tact person at the Commission is Elizabeth A. Lion Januzzi, Assistant Counsel, Law Bureau, (717) 772-0696.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1198. Filed for public inspection June 29, 2001, 9:00 a.m.]

**Railroad
With Hearing**

A-00117607. New Freedom Borough Council. Application of the New Freedom Borough Council for approval of the construction of a new crossing, at-grade, across a track of Stewartstown Railroad Company and the tracks owned by county of York, operated on by Northern Central Railway Company, located in the borough of New Freedom in York County.

An initial hearing on this matter will be held Tuesday, August 28, 2001, at 10 a.m. in Hearing Room 2, Plaza Level, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1199. Filed for public inspection June 29, 2001, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority application for the right to render service as a common carrier or contract carrier in this Commonwealth has been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before July 23, 2001, 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.

Application of the following for approval to *begin operating as common carrier for transportation of persons as described under the application.*

A-00117946. Care First Transportation, Inc. (203 Morgan Drive, Royersford, Montgomery County, PA 19468), a corporation of the State of Delaware—Persons in paratransit service, between points in the townships of Douglass, Limerick, Lower Frederick, Lower Pottsgrove, Marlboro, New Hanover, Perkiomen, Skippack, Upper Frederick, Upper Hanover, Upper Pottsgrove, Upper Providence and West Pottsgrove, the boroughs of Collegeville, East Greenville, Green Lane, Pennsburg, Pottstown, Red Hill, Royersford, Schwenksville and Trappe, all in Montgomery County, the city of Allentown,

Lehigh County, the city of Bethlehem, Lehigh and Northampton Counties and the city of Easton, Northampton County.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1200. Filed for public inspection June 29, 2001, 9:00 a.m.]

Telecommunications

A-310513F0002. Focal Communications Corporation of Pennsylvania and Sprint Spectrum, L.P. Joint petition of Focal Communications Corporation of Pennsylvania and Sprint Spectrum, L.P. for approval of an indirect interconnection agreement and reciprocal compensation agreement under section 252(e) of the Telecommunications Act of 1996.

Focal Communications Corporation of Pennsylvania and Sprint Spectrum, L.P. filed on June 12, 2001, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Focal Communications Corporation of Pennsylvania and Sprint Spectrum, L.P. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1201. Filed for public inspection June 29, 2001, 9:00 a.m.]

Telecommunications

A-310518. Verizon North Inc. and AT&T Wireless Services, Inc. Joint application of Verizon North Inc. and AT&T Wireless Services, Inc. for approval of amendment no. 1 to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and AT&T Wireless Services, Inc. filed on June 14, 2001, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 1 to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and AT&T Wireless Services, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director,
Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1202. Filed for public inspection June 29, 2001, 9:00 a.m.]

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**Water Service
Without Hearing**

A-210099. Aldick Associates, Inc., d/b/a Swatara Village. Application of Aldick Associates, Inc., d/b/a Swatara Village, for approval to offer, render, furnish or supply water service to the public in that part of Pine Grove Township, Schuylkill County, comprised of the community of Swatara Village and adjacent properties in the eastern quadrants of the intersection of I81 and PA 443.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before July 16, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Aldick Associates, Inc. d/b/a Swatara Village.

Through and By Counsel: Joseph H. Jones, Esquire, Williamson, Freidberg and Jones, 10 Westwood Road, Pottsville, PA 17901.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1203. Filed for public inspection June 29, 2001, 9:00 a.m.]

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**PUBLIC SCHOOL
EMPLOYEES' RETIREMENT
BOARD**

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

August 8, 2001	Carolyn D. Wray (Mandatory Membership) Mary Kathleen Burns (Mandatory Membership)	1 p.m. 2:30 p.m.
August 20, 2001	Phillip H. Oskowski (D) (Change of Option)	1:30 p.m.
August 22, 2001	Sandra G. Rimbey (Membership Eligibility) Daniel W. Lehman (Premium Assistants)	1 p.m. 2:30 p.m.
September 26, 2001	Tina Amoroso (Purchase of Maternity Leave) Dana E. Wallace (Change of Option)	1 p.m. 2:30 p.m.
October 10, 2001	Thomas J. Sturm (Retirement Credit) Wynona W. Bonomi (Retirement Contribu- tions)	1 p.m. 2:30 p.m.

Persons with a disability who wish to attend the previously listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Marilyn Fuller-Smith, Assistant Executive Director, at (717) 720-4921 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II, unless specific exemption is granted.

DALE H. EVERHART,
Secretary

[Pa.B. Doc. No. 01-1204. Filed for public inspection June 29, 2001, 9:00 a.m.]

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STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

- The payment date specified in the contract.
- 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
- The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)
 Vendor Services Section
 717-787-2199 or 717-787-4705

REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

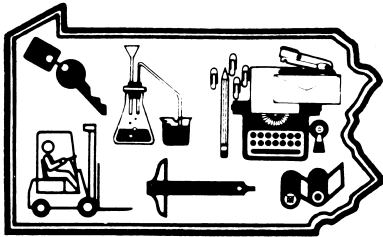
(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer



Commodities

1026151 Excavator.

Department: Conservation and Natural Resources
Location: Austin, PA
Duration: FY 2001-02
Contact: Vendor Services, (717) 787-2199

1043211 Toner Lexmark/Unisys. No Substitute. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: Public Welfare
Location: Harrisburg, PA
Duration: FY 2001-02
Contact: Vendor Services, (717) 787-2199

1036381 Lumber.

Department: Conservation and Natural Resources
Location: Spring Mills, PA
Duration: FY 2001-02
Contact: Vendor Services, (717) 787-2199

4009-72900-01 Upholstery material; F.R. Collection, Trevira, weight 23 oz. per linear yard, 54" wide. To be bid as needed.

Department: Corrections
Location: Correctional Industries, State Correctional Inst., Route 119S, Greensburg, PA.
Duration: FY-01
Contact: Joseph P. Kanjorski, (570) 773-2158

S-2918 Vendor to supply to the State Correctional Inst. Graterford styrofoam food services trays, 3 compartment, hinged. And any other related product required.

Department: Corrections
Location: STATE CORRECTIONAL INST. GRATERFORD, BOX 246, OFF RT. 29, GRATERFORD, PA 19426
Duration: 1 YEAR (AS REQUIRED)
Contact: Kelly Richardson, (610) 489-4151

5850-01 Microcomputer, LAN Hardware & Peripherals. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Hardware & Peripherals, 5850-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5850-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

Department: General Services
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

6350-01 Security System Services. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Security System Services, 6350-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

Department: General Services
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

6350-03 Surveillance & Security Equipment & Supplies. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Surveillance & Security Equipment & Supplies, 6350-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

Department: General Services
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

BCI-37 1 each—Lens, Electrophysics #9350XL-NV. No substitute. 1 each—Lens, Electrophysics #9350EOS-NV. No substitute. 1 each—Central Identify Unit, Electrophysics #9350CIU3-IV. No substitute.

Department: State Police
Location: Bur. of Criminal Investigation, 1800 Elmerton Avenue, Harrisburg, PA 17110
Duration: July 31, 2001
Contact: Robert D. Stare, (717) 705-5921

2509-73100-06 Novalof fiber pad; a uniform pliable felt pad composed of 60 percent polyester and 40 percent cotton non-woven fibers. This pad shall be heat bonded. This pad shall be generally uniform in thickness and be free of thin spots. Various sizes. To be bid as needed.

Department: Corrections
Location: Correctional Industries, State Correctional Inst., Dallas, PA 18612
Duration: FY-01
Contact: Joseph P. Kanjorski, (570) 773-2158 EXT. 560

4809-72900-01 Panel upholstery fabric, 100% polyester, width 66", weight 18.6 oz. per linear yard. To be bid as needed.

Department: Corrections
Location: Correctional Industries, SCI Mahanoy, 301 Morea Rd., Frackville, PA 17932
Duration: FY-01
Contact: Joseph P. Kanjorski, (570) 773-2158 EXT. 560

2509-73100-07 Vinyl coated non skid taffeta embossed finish ACA stripped ticking. 39 1/2" wide; To be bid as needed.

Department: Corrections
Location: Correctional Industries, State Correctional Inst., Dallas, PA 18612
Duration: FY-01
Contact: Joseph P. Kanjorski, (570) 773-2158 EXT. 560

FL - 260131 Bag, gift, metalized, polypropylene, silver, .0008 mil thickness, 250/pkg. Quart size: 6-1/2"W X 18"H 2,500 pkg. 1/2 gallon size: 9-1/2"W X 18"H 1,500 pkg.

Department: Liquor Control Board
Location: Delivery to 3525 North Sixth Street, Harrisburg, PA 17110-1425
Duration: Single Purchase
Contact: Jim Hanks, (717) 787-1893

5810-03 Microcomputer & Local Area Network (LAN) Software. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Software, 5810-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5810-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

Department: General Services
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services, (717) 787-2199

0029-03 Welfare Data Mailers. For a copy of the bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Various
Duration: 09/01/01—08/31/03
Contact: Vendor Services, (717) 787-2199

2310-02 Vehicles, Commercial Medium Duty Trucks. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Various
Duration: 10/01/01—08/31/02
Contact: Vendor Services, (717) 787-2199

2420-01 Power Equipment. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Various
Duration: 09/01/01—08/31/02
Contact: Vendor Services, (717) 787-2199

6330-01 Fuses. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: General Services
Location: Various
Duration: 08/01/01—07/31/02
Contact: Vendor Services, (717) 787-2199

7350-07 Serviceware/Flatware, Disposable & Reusable. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: General Services
Location: Various
Duration: 09/01/01—08/31/02
Contact: Vendor Services, (717) 787-2199

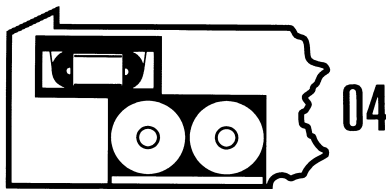
9140-01 Fuel Oil #2. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Various
Duration: 09/01/01—08/31/02
Contact: Vendor Services, (717) 787-2199

9140-04 Fuel, Diesel. For a copy of the bid package fax request to (717) 787-0725.

Department: General Services
Location: Various
Duration: 09/01/01—08/31/02
Contact: Vendor Services, (717) 787-2199

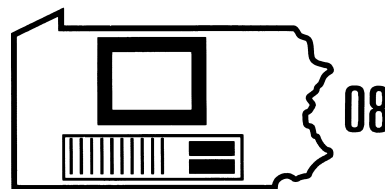
SERVICES



Audio/Video

1801814225 The Department of Revenue is seeking bids for videotaping and editing seminar for duplication and distribution as an instructional aid of recent changes in PA tax laws and new programs.

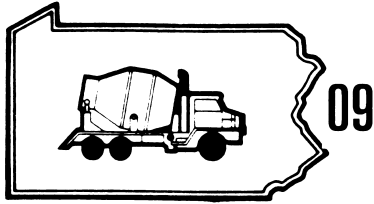
Department: Revenue
Location: Department of Revenue, Press Office, 11th Floor, Strawberry Square, Harrisburg, PA 17128
Duration: September 1, 2001 through September 30, 2003 with two one-year options to renew by mutual agreement.
Contact: Deborah Snyder, (717) 787-6960



Computer Related Services

Request for Information The Public School Employees' Retirement System (PSERS) is issuing a Request for Information for a Pension Administration Solution. PSERS has a membership of over 300,000, reporting units over 664 and net assets of \$53 billion. This Request for Information (RFI) is being released to all interested vendors who believe they have the ability to deliver a new Pension Administration Solution to PSERS. Request for Information proposal responses are due by July 27, 2001—ten (10) CD responses and two (2) hard copy are required.

Department: Public School Employees' Retirement System
Contact: Rebecca A. Snead, (717) 720-4607



Construction & Construction Maintenance

DGS A 375-5 PROJECT TITLE: Warehouse Roof Replacement. BRIEF DESCRIPTION: Removal of rubber roofing and insulation and installation of new single ply membrane roofing and insulation. Remove and reinstall sprinkler piping as required to install new steel joist. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. General and Fire Protection Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: 717/787-3923. Bid Date: WEDNESDAY, July 18, 2001 at 2:00 P.M.

Department: General Services
Location: State Correctional Institution, Coal Township, Northumberland County, PA
Duration: 150 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit, (717) 787-6556

MI-800A Project Name: Dilworth Hall—Renovations Phases 5 & 6 Scope of Work: Demolition of existing partitions. Installation of new walls, electric and certain HVAC items for the renovations of Dilworth Hall Phases 5 & 6. Estimate: MI-800A.G General Construction \$46,517—\$68,225; MI-800A.E Electrical Construction \$18,923—\$27,753; MBE/WBE; MI-800A.G General Construction \$5,000; MI-800A.E Electrical Construction \$2,200. Plans Cost: \$15.00 nonrefundable

Department: State System of Higher Education
Location: Millersville University of PA, Dilworth Hall, North George Street, Millersville, PA 17551
Duration: 60 calendar days from the date of the Notice to Proceed
Contact: Jill M. Coleman, (717) 872-3730

FDC-422-796.1 General Construction work associated with the rehabilitation of the swimming pool complex in Nockamixon State Park, Bucks County. Demolition, excavation, trenching, water supply systems, fencing, carpentry, concrete work, roofing, site drainage, water slides, pool deck, pavilion, membrane liner, pool accessories, all pumping and filtration equipment and landscaping. NOTE: Requests for Bid Documents may be made ON or AFTER July 2, 2001. Cost of documents is \$63.60.

Department: Conservation and Natural Resources
Location: Haycock Township
Duration: 365 days
Contact: Construction Management Section, (717) 787-5055

FDC-422-796.2 All Mechanical work associated with the rehabilitation of the swimming pool complex in Nockamixon State Park, Bucks County. Work includes water, sanitary waste and vent piping, all plumbing fixtures and accessories, exhaust grills, hot water heaters and duct work. NOTE: Requests for Bid Documents may be made ON or AFTER July 2, 2001. Cost of documents is \$63.60.

Department: Conservation and Natural Resources
Location: Haycock Township
Duration: 365 days
Contact: Construction Management Section, (717) 787-5055

FDC-422-796.4 All Electrical work associated with the rehabilitation of the swimming pool complex in Nockamixon State Park, Bucks County. Work includes modifying existing and installing new electric services to various buildings, wire and cables, panel boards, circuits, grounding and lighting devices. NOTE: Requests for Bid Documents may be made ON or AFTER July 2, 2001. Cost of documents is \$63.60.

Department: Conservation and Natural Resources
Location: Haycock Township
Duration: 365 days
Contact: Construction Management Section, (717) 787-5055

FDC-15-0019 Replace Bridge No. 15-0019 on Twelve Mile Road over Left Branch, Young Womens Creek in Potter County. Work includes removing existing bridge, excavating, dewatering, rock lining, E&S measures, temporary stream crossing, paving, traffic signs, guide rail, landscaping, reinforced concrete, architectural surface treatment, and precast reinforced arch culvert. NOTE: Requests for Bid Documents may be made ON or AFTER July 2, 2001. Cost for documents is \$15.90.

Department: Conservation and Natural Resources
Location: Stewardson Township
Duration: Complete all work by October 31, 2002
Contact: Construction Management Section, (717) 787-5055

FBP-001-0021 Replace Bridge No. 01-0021 on Linsay Lot Road over Furnace Run in Michaux State Forest near the Shippensburg reservoir in Franklin County. Work includes removal of existing bridge, excavation, rock lining, E&S measures, drainage, traffic signs, gate relocation, guide rail, landscaping, reinforced concrete, architectural surface treatment, and precast reinforced concrete box culvert. NOTE: Requests for Bid Documents may be made ON or AFTER July 2, 2001.

Department: Conservation and Natural Resources
Location: Southampton Township
Duration: Complete all work by July 31, 2002
Contact: Construction Management Section, (717) 787-5055

IN-838 Asbestos and Lead Paint Abatement; Boiler Plant. Work covered by this section includes the handling and control of asbestos containing materials and describes some of the resultant procedures and equipment required to protect workers, the environment and occupants of the building or area, or both, from contact with airborne asbestos fibers. The work also includes the disposal of any asbestos containing materials generated by the work. More specific procedures shall be outlined in the Asbestos Hazard Abatement Plan. Phone: (724) 357-2289, Fax: (724) 357-6480 and Internet: <http://www.iup.edu/engcons>.

Department: State System of Higher Education
Location: Indiana University of Pennsylvania, Indiana, PA 15705-1087
Duration: Six (6) Months
Contact: Ronald E. Wolf, Procurement Specialist, (724) 357-4851

ESU 405-677 East Stroudsburg University is accepting bids on ESU 405-677, Roof Replacements, Linden and Laurel Residence Halls. \$350K Gen Const. FOR BID PACKAGE CALL (610) 865-2621 or send non-refundable check to Spillman Farmer Shoemaker Pell Whilden Architects, One Bethlehem Plaza Suite 100 Bethlehem, PA 18018-5763. Pre-bid July 10, 2001. Bids Open July 25, 2001. For special accommodations and meeting locations call Ann Zaffuto at (570) 422-3595. All responsible bidders are invited to participate including MBE/WBE firms.

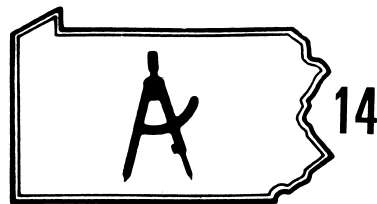
Department: State System of Higher Education
Location: East Stroudsburg University, 200 Prospect St., East Stroudsburg, PA 18301-2999
Duration: 60 day ANP
Contact: Spillman Farmer SPW Architects, (610) 865-2621

DGS 700-41SW2 PROJECT TITLE: Pennsylvania Farm Show Complex, On-Site Sitework #1. BRIEF DESCRIPTION: The work for this project will generally include asphalt paving removal, site grading, above and below grade utility relocations, site fencing in addition to other general site preparation items. Estimated Range: \$1,500,000.00 to \$2,000,000.00. General Sitework/Utility and Electrical Construction. Plans Deposit: \$75.00 per set. Payable to: Reynolds Construction Management, Inc. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of plans and specifications. Mail a separate check for \$25.00 or provide your express mail account number. Mail requests to: Reynolds Construction Management, Inc., 3300 North Third Street, Harrisburg, PA 17110, Attn: Deb Snyder, (717) 238-5737, Ext. 3325. Bid Date: Wednesday, July 18, 2001 at 2:00 PM.

Department: General Services
Location: Pennsylvania Farm Show Complex, Harrisburg, PA
Duration: 138 Calendar Days from the Date of Initial Job Conference
Contact: Contract and Bidding Section, (717) 787-6556

350R18 The purpose of this project is to provide an anti-icing/de-icing bridge deck-mounted spraying system using liquid chemical freeze point depressants. The system is to be totally automatic and include a manual override that will allow for remote anti/de-icing operations. Two variable (dynamic) message signs will be integrated into this system to display speed reduction messages when anti/de-icing is in progress.

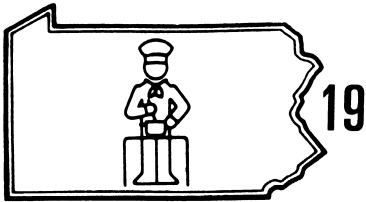
Department: Transportation
Location: Engineering District 2-0, Anderson Creek Bridge, Interstate 80
Duration: Anticipated length of the original contract is sixty (60) days.
Contact: Kathy Joy, (717) 705-4665



Engineering Services

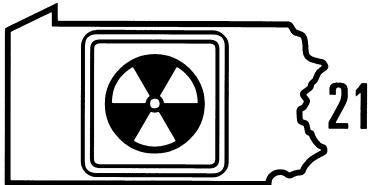
PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us.

Department: Transportation
Location: Various
Contact: www.dot2.state.pa.us



Food

20067 Milk—2%, Vitamin Enriched, 1/2 pints—Milk—skim 1/2 pints.
Department: Corrections
Location: SCI Chester, 500 E. 4th St., Chester, PA 19013
Duration: 7-1-01 through 6-30-02
Contact: Ben Jarrett, (610) 490-5412 EXT 2030

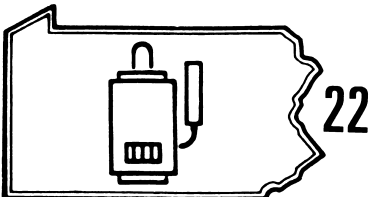


Hazardous Material Services

SP3510018762 Collect and dispose of various radium sources located throughout Pennsylvania. Contact Sharon Peterson at (717) 787-2471 or shapeterso@state.pa.us for a bid package.

Department: Environmental Protection
Location: Throughout Pennsylvania
Duration: Upon execution through June 30, 2002
Contact: Sharon Peterson, (717) 787-2471

1310380002 Remove and properly dispose of 18 bags of Asbestos.
Department: Military Affairs
Location: Scotland School for Veterans' Children, 3583 Scotland Rd., Scotland, PA 17254-0900
Duration: July 16, 2001—August 17, 2001
Contact: Marion E. Jones, (717) 264-7187, x661



HVAC Services

640 Parts for boiler system.
Department: Public Welfare
Location: Polk Center, P. O. Box 94, Polk, PA 16342
Contact: Patty Frank, Purchasing Agent, (814) 432-0229

SP1375017001 Rental of Bucket Truck.
Department: Military Affairs
Location: Building 11-64, Fort Indiantown Gap
Duration: 1 October 2001—30 September 2002
Contact: Vicky Lengel, (717) 861-8579

SP1310380003 Contractor shall perform scheduled preventive maintenance and emergency repairs for heating, ventilation, air conditioning (HVAC) systems, (including refrigerator) control equipment and systems in various buildings on campus.

Department: Military Affairs
Location: Scotland School for Veterans' Children, 3583 Scotland Rd., Scotland, PA 17254-0900
Duration: October 1, 2001—September 30, 2004
Contact: Marion E. Jones, (717) 264-7187, x661



Janitorial Services

8298 Furnish all materials, equipment, and labor to perform janitorial services three (3) visits per week at the PA State Police, Ebensburg Station. Detailed work schedule and bid specifications must be obtained from the Facility Management Division.

Department: State Police
Location: Pennsylvania State Police, Troop A, Ebensburg Station, 100 Casale Court, Ebensburg, PA 15931
Duration: September 1, 2001, through June 30, 2004
Contact: Stacey Logan-Kent, (717) 705-5952



Laundry/Dry Cleaning & Linen/Uniform Rental

06051 Laundry Service for Resident's Personal items.

Department: Military Affairs
Location: PA Soldiers & Sailors Home, 560 East 3rd Street, Erie, PA 16507
Duration: August 1, 2001 Through June 30, 2002
Contact: Jenny Nowacinski, (814) 878-4930

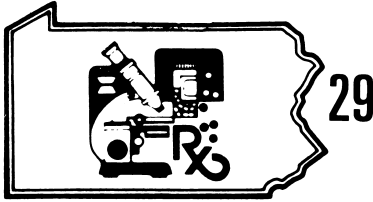
918181 Uniforms for equipment maintenance staff.
Department: Transportation
Location: Cambria County Maintenance, 4595 Admiral Peary Highway, Ebensburg, PA 15931
Duration: 3 years
Contact: Donald Godish, (814) 472-7100 ext 218



Lodging/Meeting Facilities

SP3510019066 Provide lodging, meeting rooms and meals for the Department of Environmental Protection, Office of Air, Recycling and Radiation Protection. Proposed meeting dates are Aug. 14—15, 2001, Aug. 20—21, 2001, Aug. 21—22, 2001, Aug. 22—23, 2001, Aug. 27—28, 2001, Aug. 28—29, 2001 or Aug. 29—30, 2001.

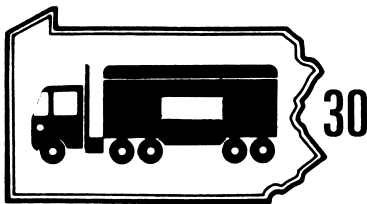
Department: Environmental Protection
Location: Within a 15-mile radius of the Capitol Complex, Harrisburg, PA
Duration: Through 12/31/01.
Contact: Sharon Peterson, (717) 787-2471



Medical Services

SP1345011009 - RE-BID Vendor to supply rehabilitative services (including O.T., P.T., speech therapy, etc.) to residents of the Southeastern Veterans' Center. Services to be performed on-site. Please fax or e-mail all requests for bids. Fax number is (610) 948-2461.

Department: Military Affairs
Location: Southeastern Veterans' Center, One Veterans' Drive, Spring City, PA 19475
Duration: July 1, 2001 through June 30, 2002
Contact: Theresa Barthel, P.A., (610) 948-2493



Moving Services

06-H-01 Region No. 1: The Department of Labor & Industry is soliciting bids from Furniture Moving & Storage companies for the Relocation of Job Centers or Offices/Programs within the Job Centers.

Department: Labor and Industry
Location: Region 1 consists of 11 centers specifically: Chester County—Coatesville; Delaware County—Chester & Landsdowne; Montgomery County—Hatboro & Norristown; Bucks County—Bristol; Philadelphia County—Germantown, Northeast, West, Uptown & Downtown. Up to 6 Months
Contact: Cherianita Thomas/BF, (717) 787-2877

06-C-01 Region No. 5, The Department of Labor and Industry, Office of Procurement is soliciting bids for Furniture Moving and Storage Companies for the Relocation of job centers or offices/programs within the job centers.

Department: Labor and Industry
Location: Region 5 consists of seven centers specifically: Bedford County—Bedford; Somerset County—Somerset; Huntingdon County—Huntingdon; Cambria County—Johnstown; Blair County—Altoona; Clearfield County—Clearfield and DuBois
Duration: Up to 6 months
Contact: Cherianita Thomas/BF, (717) 787-2877

06-D-01 Region No. 6: The Department of Labor & Industry Office of Procurement is soliciting bids for Furniture Moving & Storage Companies for the Relocation of Job Centers or Offices/Programs within Job Centers.

Department: Labor and Industry
Location: Region 6 consists of 15 centers specifically: Greene County—Waynesburg; Fayette County—Uniontown & Connellsville; Washington County—Washington & Charlo; Beaver County—Beaver Falls & Ambridge; Butler County—Butler; Armstrong County—Kittanning; Indiana County—Indiana; Allegheny County—Pittsburgh North, South, East, Liberty and McKeesport.
Duration: Up to 6 Months
Contact: Cherianita Thomas/BF, (717) 787-2877

06-E-01 Region No. 4: The Department of Labor & Industry, Office of Procurement is soliciting bids for Furniture Moving & Storage Companies for the relocation of Job Centers or Offices/Programs within the Job Centers.

Department: Labor and Industry
Location: Region 4 consists of 8 centers specifically: Mifflin County—Yeagertown; Centre County—Phillipsburg & State College; Northumberland County—Shamokin & Sunbury; Cambria County—Berwick; Clinton County—Lock Haven; Lycoming County—Williamsport.
Duration: Up to 6 Months
Contact: Cherianita Thomas/BF, (717) 787-2877

06-F-01 Region No. 3: The Department of Labor & Industry, Office of Procurement is soliciting bids for Furniture Moving & Storage companies for the Relocation of Job Centers or Offices/Programs within the Job Centers.

Department: Labor and Industry
Location: Region 3 consists of 6 centers specifically: Franklin County—Chambersburg; Adams County—Gettysburg; York County—York; Cumberland County—Carlisle; Dauphin County—Harrisburg; Lebanon County—Lebanon.
Duration: Up to 6 Months
Contact: Cherianita Thomas/BF, (717) 787-2877

06-G-01 Region No. 2: The Department of Labor & Industry is soliciting bids for Furniture Moving & Storage Companies for the relocation of Job Centers or Offices/Programs within the Job Centers.

Department: Labor and Industry
Location: Region 2 consists of 5 centers specifically: Lehigh County—Allentown; Northampton County—Bethlehem and Easton; Carbon County—Jim Thorpe; Monroe County—Tannersville.
Duration: Up to 6 Months
Contact: Cherianita Thomas/BF, (717) 787-2877

06-I-01 Region No. 7: The Department of Labor & Industry, Office of Procurement is soliciting bids for Furniture Moving & Storage Companies for the Relocation of Job Centers or Offices/Programs within the Job Centers.

Department: Labor and Industry
Location: Region 7 consists of 10 centers specifically: Lawrence County—New Castle; Mercer County—Sharon; Jefferson County—Punxsutawney; Crawford County—Meadville; Elk County—St. Mary's; Potter County—Coudersport; McKean County—Bradford; Warren County—Warren; Crawford County—Meadville; Erie County—Erie
Duration: Up to 6 Months
Contact: Cherianita Thomas/BF, (717) 787-2877

06-B-01 Region No. 8, The Department of Labor and Industry, Office of Procurement is soliciting bids for Furniture Moving and Storage Companies for the Relocation

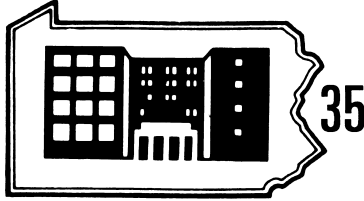
Department: Labor and Industry
Location: Region 8 consists of eight centers specifically: Luzerne County—Hazleton, Nanticoke, Wilkes-Barre and Pittston; Lackawanna County—Carbondale and Scranton; Tioga County—Wellsboro; Bradford County—Towanda
Duration: Up to 6 months
Contact: Cherianita Thomas/BF, (717) 787-2877



Personnel, Temporary

0231 1. Laborers shall be capable of understanding and following written and oral directions in English. Laborers shall be able to carry and transport 40-pound boxes up to 20-foot high ladders and perform light industrial duties such as, but not limited to, lifting boxes, furniture and equipment. All tools and equipment necessary to perform the duties shall be provided by PHMC. 2. Contractor shall be able to provide requested laborer within a 24-hour notice and shall be able to provide replacements within two hours if scheduled individuals do not show up or meet contract specifications. 3. Laborers shall be scheduled on an as-needed basis. 4. PHMC reserves the right to require the Contractor to replace or reassign any and all laborers deemed by PHMC to be unqualified, incompetent, careless, insubordinate or otherwise objectionable, or whose actions are not in the best interest of PHMC.

Department: Historical and Museum Commission
Location: Pennsylvania Historical & Museum Commission, State Records Center Building, 1825 Stanley Drive, Harrisburg, PA 17103
Duration: Contract will commence upon execution and end 06/30/02
Contact: Steve Musser, (717) 873-2836



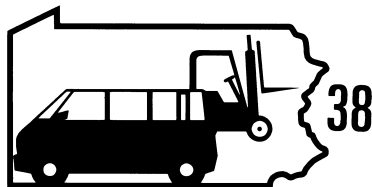
Real Estate Services

91611 The Commonwealth of Pennsylvania, Department of Labor and Industry is interested in Subleasing an office within Allegheny County. Office name and location is Pittsburgh North Job Center, 1122 Western Avenue, Pittsburgh, PA 15233. There are 11,180 usable square feet at the cost of \$14.72 per square foot. Parking also available for 45 vehicles on site plus 10 spaces in the rear parking lot.

Department: Labor and Industry
Location: Department of Labor and Industry, Property Management Division, Room 221, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120
Duration: From present to 02/28/05 with one (1) five (5) year renewal option.
Contact: Michael Peterson/Kay Wealand, (717) 787-2787

92166 The Commonwealth of Pennsylvania, Department of Labor and Industry is interested in Subleasing an office within Mifflin County. Office name and location is Juanita Valley Job Center, 25 Rothermel Drive, Yeagertown, PA 17099. There are 6,825 usable square feet at the cost of \$14.34 per square foot. Parking also available for 84 vehicles on site.

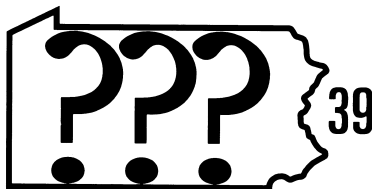
Department: Labor and Industry
Location: Department of Labor and Industry, Property Management Division, Room 221, Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120
Duration: July 1, 2001 through June 30, 2007 with one (1) five (5) year renewal option.
Contact: Michael Peterson/Kay Wealand, (717) 787-2787



Vehicle, Heavy Equipment and Powered Machinery Services

088s06 Tire repair contract to include repairs, mounts, dismounts, and balancing.

Department: Transportation
Location: 1445 Cumberland St., Lebanon, PA 17042
Duration: 3 year contract
Contact: Jodi Lerch, (717) 272-6636 ext. 322



Miscellaneous

496 Dental chair equipment and accessories. Interested vendors may fax their request to (570) 443-4177. Please include company name, mailing address, phone number and bid number requested.

Department: Public Welfare
Location: White Haven Center, RR 2, Box 2195, White Haven, PA 18661
Contact: Sandra A. Repak, PA, (570) 443-4232

2010010034 Scheduled and Unscheduled Veterinary services for thirty-one (31) dogs to include: annual comprehensive physical exam; annual vaccinations; senior profile, for dogs over 7 yrs. old; pre-selection examination; and other exams and miscellaneous medications and supplies.

Department: State Police
Location: State Police Academy, Hershey, PA
Duration: Upon award through 6-30-03
Contact: Diane Bolden, Procurement & Supply Division, (717) 705-5923

Peroxide2001 Chemicals—Hydrogen Peroxide, 35%, to be furnished in non-returnable 55 gallon drums, approx. 76 drums.

Department: Fish and Boat Commission
Location: Statewide delivery locations
Duration: Delivery to be by mid-August 2001
Contact: Kathi Tibbott, Purchasing Agent, (814) 359-5130

8000-04390 Contractor to provide chaplaincy services for the inmates of the Muslim faith at SCI-Waynesburg. Chaplain to provide approximately 18 hours a week with the exception of an additional 5 hours per week for the month of Ramadhan.

Department: Corrections
Location: SCI-Waynesburg, 373 Prison Road, Waynesburg, PA 15370
Duration: Contract to run from 8/1/01 through 6/30/03
Contact: Judith Cook, (724) 852-5609

PGC-2721 Agency is seeking contractor(s) to erect high tensile electrified fencing in six regions of the State. Fencing will be done in various counties and the Pennsylvania Game Commission will supply all materials. Deer/Elk fencing must be constructed in accordance with agency specifications, included with bid package. Award(s) will be made on a "per region" basis. Contract(s) will be one year in length with an option to renew two additional years, one year at a time.

Department: Game Commission
Location: Pennsylvania Game Commission, Bureau of Administrative Services, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Duration: From award through June 30, 2002 with option to renew two additional years, one year at a time.
Contact: Diane Shultz or Linda Beaver, (717) 787-6594

6301660004 Boiler Plant Equipment Testing: West Chester University of Pennsylvania of the State System of Higher Education seeks firms specializing in non-destructive testing to perform non-destructive examination of (4) boilers and (1) deaerating tank in the Central Heating Plant of the University. On-site testing must be complete before September 1, 2001. A pre-bid conference and site visit will be held on June 26, 2001 beginning at 10:00, meeting in Sykes Student Union Room 257 (located on W. Rosedale Avenue). For directions to the University, please log onto http://www.wcupa.edu/_admissions/sch_adm/directs.htm. For campus maps, please log onto <http://www.wcupa.edu/CAMPUSMAP>. E-mail requests may be sent to jmarthinsen@wcupa.edu

Department: State System of Higher Education
Location: West Chester University, West Chester, PA
Duration: Completed by September 1, 2001
Contact: Jacki Marthinsen, Contracts Manager, (610) 436-2705

SP3510018163 The Department of Environmental Protection requires a contractor, on an as-needed basis, to identify and notify land owners of pending field aquatic surveys to be conducted by the DEP throughout Pennsylvania. Contact Sharon Peterson at (717) 787-2471 or shapeterso@state.pa.us for a bid package.

Department: Environmental Protection
Location: Throughout PA
Duration: Through June 30, 2002, with renewal options.
Contact: Sharon Peterson, (717) 787-2471

SP3510018759 Provide microfilming and imaging services on an as-needed basis throughout Pennsylvania for the Department of Environmental Protection. Contact Sharon Peterson at (717) 787-2471 or shapeterso@state.pa.us for a bid package.

Department: Environmental Protection
Location: Throughout Pennsylvania
Duration: Through June 30, 2002 with four renewal options
Contact: Sharon Peterson, (717) 787-2471

Formalin2001 Formalin, also known as Paracide-F or Paracide-S, containing 9 to 12.5 percent methanol for stabilization, supplied in 55 gallon drums, approx. 88 drums. NOTE: MUST BE APPROVED BY THE U.S. FOOD & DRUG ADMINISTRATION AND THE U.S. FISH & WILDLIFE SERVICE FOR USE IN FISHERIES.

Department: Fish and Boat Commission
Location: Central Warehouse, Robinson Lane, Pleasant Gap, PA 16823
Duration: To be delivered July/August 2001
Contact: Kathi Tibbott, Purchasing Agent, (814) 359-5130

ITQ 0A-07 "Transportation Research, Education, and Technology Transfer—Invitation to Qualify"—The Pennsylvania Department of Transportation desires to provide pre-qualification for a pool of consultants to do Transportation Research, Education, and Technology Transfer. To obtain information about this Invitation to Qualify, including a list of category descriptions, FAX the following information to Roberta Cooper at (717) 783-7971: Your name, your organization's name, address, phone number, FAX number, and E-Mail address. Please be sure to reference ITQ 0A-07.

Department: Transportation
Location: Statewide
Duration: Five (5) Years
Contact: Roberta Cooper, (717) 787-4006

[Pa.B. Doc. No. 01-1205. Filed for public inspection June 29, 2001, 9:00 a.m.]

DESCRIPTION OF LEGEND

- | | |
|--|---|
| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
1296350-01	06/18/01	P C McKenzie	33,510.00
1316110-01	06/18/01	Barbour Corp.	52,320.00
1420380-01	06/18/01	Overbilt Trailer	34,864.00
1427380-01	06/18/01	Plasterer Equipment	26,620.00
1430110-01	06/18/01	Tom Haire Inc.	45,000.00
1431110-01	06/18/01	Medtronic Physio- Control	39,680.00
1433110-01	06/18/01	Central Penn Sewing Ma- chine Co.	17,527.00
1433110-02	06/18/01	G & G Sew- ing Ma- chine Co.	4,647.00
1433110-03	06/18/01	Pennsylvania Sewing Ma- chine Co.	14,434.00
1433110-04	06/18/01	Westpointe Corp.	15,300.00
1462210-01	06/18/01	Bognet Inc.	53,488.00
1469210-01	06/18/01	Mobility Works	35,574.00
1500150-01	06/18/01	Von Hoffman Graphics	142,019.68
1502130-01	06/18/01	Apollo Corp.	30,886.00

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
1510110-01	06/18/01	Weinstein Supply/ Willow Grove Branch	41,949.00
1530340-01	06/18/01	Pixelmetrix Corp. PTE LTD	67,375.00
1535380-01	06/18/01	Country Log Cabins	42,224.00
1538230-01	06/18/01	Maguire's Ford of Hershey	135,652.00
1545110-01	06/18/01	Aspen Licens- ing Intern'l	249,000.00
1549110-01	06/18/01	Fibre Process- ing	62,775.00
1567110-01	06/18/01	John R. Wald	19,982.00
7314610-01	06/18/01	Northeast Plastic Sup- ply	34,200.00
8141530-01	06/18/01	IA Construc- tion	370,667.68
8187050-01	06/18/01	Gancom/div Gannett Fleming	38,200.00
8247480-01	06/18/01	Sun Lab Technology	44,000.00
8251040-01	06/18/01	Mack Trucks	322,827.00
8252560-01	06/18/01	Furnival Ma- chinery Co.	55,653.00

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 01-1206. Filed for public inspection June 29, 2001, 9:00 a.m.]