

# PENNSYLVANIA BULLETIN

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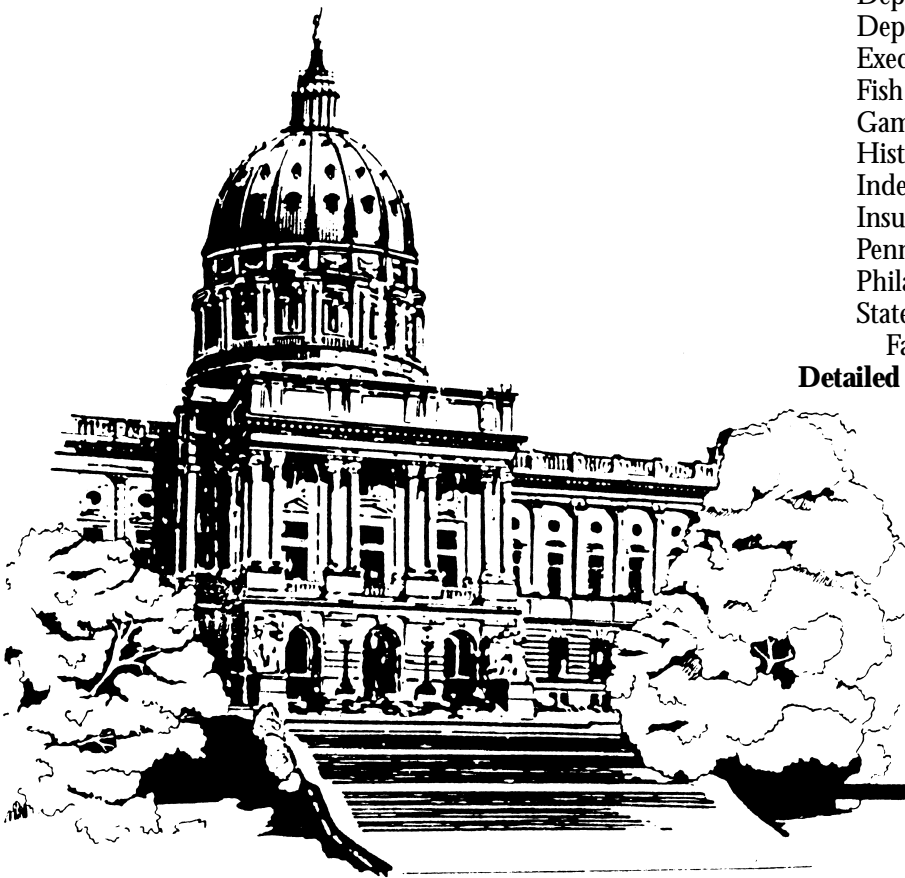
See Part II page 4723 for  
the Department of State, Corporation  
Bureau's proposed Official Forms

## Part I

### Agencies in this issue:

The Courts  
Department of Banking  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Revenue  
Department of State  
Executive Board  
Fish and Boat Commission  
Game Commission  
Historical and Museum Commission  
Independent Regulatory Review Commission  
Insurance Department  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
State Board of Social Workers, Marriage and  
Family Therapists and Professional Counselors

**Detailed list of contents appears inside.**



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**No. 321, August 2001**

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# CONTENTS

## THE COURTS

### ALLEGHENY COUNTY RULES

Addendum to Administrative Order No. C.A.D. 5 May 1996; consolidation of cases for purposes of a plea of guilty or nolo contendere; administrative order no. C.A.D. 3, 2001..... 4641

### LOCAL COURT RULES

#### Carbon County

Amendment of "Addendum 1" of the administrative criminal case management plan as referenced in local rules of criminal procedure; no. 103 MI 00 ..... 4641

#### Dauphin County

Promulgation of Dauph.R.Crim.P. 573; no. 461 M.D. 2001 ..... 4642

#### Lehigh County

Adoption of local rule 1940.3 for mediation and custody/visitation disputes; no. 2001-J-23..... 4643

#### Northampton County

Administrative order 2001-3—intermediate punishment sentences by the minor judiciary; misc. 7-2001 ..... 4644

#### Sullivan County

2002 court calendar; no. 2001-850..... 4645

#### Westmoreland County

Summary A.R.D.; Rule WC300; no. 3 of 2001 ..... 4644

#### Wyoming County

2002 court calendar; no. 2001-850..... 4645

#### York County

Rescission, adoption and promulgation of the criminal rules of the court of common pleas; no. M.A. 2001 ..... 4646

### RULES OF CIVIL PROCEDURE

Amendments of rules governing deficiency judgments; no. 359; civil procedural rules doc. no. 5..... 4639

## EXECUTIVE AGENCIES

### DEPARTMENT OF BANKING

#### Notices

Action on applications..... 4658  
Election by Citizens Bank of Pennsylvania to exercise conditional powers ..... 4660  
Maximum lawful rate of interest for residential mortgages for the month of September 2001..... 4660

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices..... 4661  
Availability of technical guidance ..... 4698  
Plan approval and operating permit exemptions .... 4699

### DEPARTMENT OF GENERAL SERVICES

#### Notices

State contracts information..... 4712  
State Surplus Property Program..... 4700

### DEPARTMENT OF HEALTH

#### Notices

Availability of draft Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 2002..... 4700  
Notice of quick response service program recognition requirements ..... 4701

### DEPARTMENT OF REVENUE

#### Notices

Pennsylvania Wheel of Fortune instant lottery game ..... 4702

### DEPARTMENT OF STATE

#### Notices

Credit cards for payment..... 4704  
Official forms (Part II) ..... 4723

### EXECUTIVE BOARD

#### Statements of Policy

Reorganization of the Liquor Control Board ..... 4656

### FISH AND BOAT COMMISSION

#### Proposed Rulemaking

Administration and fishing ..... 4652

### GAME COMMISSION

#### Rules and Regulations

Deer damage areas; deer control..... 4650

#### Proposed Rulemaking

Possession of live wildlife..... 4654

### HISTORICAL AND MUSEUM COMMISSION

#### Notices

State Surplus Property Program; deaccession auction..... 4705

### INDEPENDENT REGULATORY REVIEW COMMISSION

#### Notices

Actions taken by the Commission..... 4705  
Notice of filing of final rulemakings..... 4705

### INSURANCE DEPARTMENT

#### Notices

Highmark Inc. d/b/a Pennsylvania Blue Shield; Direct Pay Hospital Program; filing no. 200140 ..... 4705  
Highmark Inc. d/b/a Pennsylvania Blue Shield; Direct Pay Individual Comprehensive Major Medical Program; filing no. 200139 ..... 4706  
Highmark Inc. d/b/a Pennsylvania Blue Shield; Direct Pay Major Medical Program; filing no. 200138..... 4706  
Highmark Inc. d/b/a Pennsylvania Blue Shield; Pennsylvania Blue Shield Direct Pay Medicare Supplement subscription agreements plans A, B, C and H; filing no. 200141 ..... 4706

---

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Highmark Inc. d/b/a Pennsylvania Blue Shield; Special Care—Limited Benefit Individual Direct Pay Hospital Contract; filing no. 200142 ..... 4706  
 Review procedure hearings; cancellation or refusal of insurance (2 documents) ..... 4706, 4707  
 Review procedure hearings under the Unfair Insurance Practices Act ..... 4707  
 Ronald Woods; prehearing..... 4708

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Notices**

Rescission order ..... 4708  
 Service of notice of motor carrier applications..... 4709  
 Tentative order ..... 4710  
 2002 schedule of filing dates for recovery of purchased gas costs; doc. no. L-840102 ..... 4711

**PHILADELPHIA REGIONAL PORT AUTHORITY**

**Notices**

Request for bids (2 documents) ..... 4711

**STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS**

**Proposed Rulemaking**

Fees ..... 4651

# 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.

## 4 Pa. Code (Administration)

### Adopted Rules

1	1455
6	2546
7	1456, 3516
118	3520
119	3529
119a	3534
120	3534
243	4170
245	4170

### Proposed Rulemaking

243	1587
245	1587
259	2124

### Statements of Policy

9	11, 648, 948, 1862, 2382, 3554, 3957, 4542, 4656
---	---

## 7 Pa. Code (Agriculture)

### Adopted Rules

21	1682
130c	1691
137	1701
137a	1701
137b	1701
138g	2110
138i	1729
138j	2116
138k	2110

### Statements of Policy

150	2384
-----	------

## 10 Pa. Code (Banks and Banking)

### Proposed Rulemaking

44	1236, 1564
----	------------

## 17 Pa. Code (Conservation and Natural Resources)

### Statements of Policy

44	650
----	-----

## 19 Pa. Code (Corporations and Business Associations)

### Adopted Rules

3	4405
---	------

## 22 Pa. Code (Education)

### Adopted Rules

14	3021
342	3021
711	3033

### Proposed Rulemaking

4	2136
73	2017

## 25 Pa. Code (Environmental Protection)

### Adopted Rules

78	1736
86	145
88	3735
90	3735
93	3893, 3894

109	3895, 3938
121	4171
210	3751
211	3751
240	1742
250	235
260a	2873
261a	2873
266a	2873
270a	2873
284	3942
287	235, 2873
288	235
289	235
291	235
293	235
295	235
297	235
298	2873
299	235
1021	428

### Proposed Rulemaking

86	4538
87	4538
88	4538
90	4538
93	2375, 3956
218	943
221	792
227	792
228	792
261a	796
271	796
272	796
901	1233
977 (correction)	158

## 28 Pa. Code (Health)

### Adopted Rules

4	4064
9	3043
25	2373

### Proposed Rulemaking

27	2126, 2271
28	2271
501	2271
701	2124
703	2124

## 31 Pa. Code (Insurance)

### Adopted Rules

3	2000
11	2001
25	4406
89 (correction)	145
118	3190
116	4423
146a	4426
147	2002

**Proposed Rulemaking**

146a ..... 1748, 1858

**34 Pa. Code (Labor and Industry)**

**Adopted Rules**

123 ..... 3841  
 125 ..... 3841  
 129 ..... 3841  
 143 ..... 3841  
 231 ..... 3765

**Proposed Rulemaking**

65 ..... 1564  
 401 ..... 3543

**37 Pa. Code (Law)**

**Adopted Rules**

31 ..... 1145  
 33 ..... 1145  
 58 ..... 3312  
 59 ..... 3312  
 199 ..... 3191  
 303 ..... 2685

**Proposed Rulemaking**

91 ..... 2476  
 93 ..... 2476  
 421 ..... 788

**40 Pa. Code (Liquor)**

**Adopted Rules**

5 ..... 430  
 7 ..... 430  
 9 ..... 430  
 11 ..... 430  
 13 ..... 430

**49 Pa. Code (Professional and Vocational Standards)**

**Adopted Rules**

3 ..... 1225  
 9 ..... 1744  
 11 ..... 147, 151, 1154  
 39 ..... 1362  
 40 ..... 537  
 43b ..... 1227

**Proposed Rulemaking**

3 (with correction) ..... 2686, 2808  
 13 ..... 1468  
 16 ..... 2181  
 18 ..... 2181  
 19 (with correction) ..... 822, 2691, 2808  
 21 ..... 809  
 27 ..... 2480  
 29 ..... 1858  
 40 ..... 1470, 2379  
 41 ..... 2380  
 47 ..... 1571, 4651  
 48 ..... 1571, 4651  
 49 ..... 1571, 4651

**Statements of Policy**

63 ..... 4189

**51 Pa. Code (Public Officers)**

**Adopted Rules**

17 ..... 2925  
 21 ..... 2925

**52 Pa. Code (Public Utilities)**

**Adopted Rules**

3 (with correction) ..... 3943, 4088  
 62 (with correction) ..... 2005, 3943, 4088  
 63 ..... 3402  
 64 ..... 641

**Proposed Rulemaking**

59 ..... 805  
 63 ..... 809

**Statements of Policy**

41 ..... 2385  
 69 ..... 951

**Proposed Statements of Policy**

41 ..... 2389  
 69 ..... 2933

**55 Pa. Code (Public Welfare)**

**Adopted Rules**

140 ..... 3196  
 178 ..... 3196  
 181 ..... 3200  
 255 ..... 3538  
 275 ..... 3538  
 501 ..... 3538  
 3800 ..... 4536

**Proposed Rulemaking**

183 ..... 4172  
 3490 ..... 2799

**58 Pa. Code (Recreation)**

**Adopted Rules**

53 ..... 3202  
 61 ..... 3205  
 65 ..... 1368  
 69 ..... 3205  
 91 ..... 3206  
 105 ..... 3208  
 111 ..... 1369, 3206  
 131 ..... 2791  
 139 ..... 2791, 2793, 4536, 4650  
 141 ..... 1370, 2577, 4536  
 143 ..... 1460, 2926, 4088  
 147 ..... 2798, 2926, 4650

**Proposed Rulemaking**

51 ..... 4652  
 53 ..... 1461  
 61 ..... 1373  
 63 ..... 3411, 4652  
 69 ..... 1373  
 71 ..... 3412  
 73 ..... 3412  
 91 ..... 1375  
 93 ..... 1377  
 105 ..... 1379  
 111 ..... 1375  
 131 ..... 1746  
 137 ..... 1746, 4654  
 139 ..... 1463, 1746, 2806, 2931, 4536  
 141 ..... 2019, 2931, 4536  
 143 ..... 1566  
 147 ..... 1566, 2806

**Statements of Policy**

57 ..... 3415



**61 Pa. Code (Revenue)**  
**Adopted Rules**  
 899 ..... 2474

**Proposed Rulemaking**  
 71 ..... 2582

**Statements of Policy**  
 85 ..... 2585

**64 Pa. Code (Securities)**  
**Proposed Rulemaking**  
 202 ..... 4174  
 203 ..... 4174  
 301 ..... 4174  
 302 ..... 4174  
 303 ..... 4174  
 304 ..... 4174  
 606 ..... 4174

**Statements of Policy**  
 604 ..... 4451

**67 Pa. Code (Transportation)**  
**Adopted Rules**  
 445 ..... 4089  
 491 ..... 4089

**201 Pa. Code (Judicial Administration)**  
**Adopted Rules**  
 1 ..... 1319  
 3 ..... 1555

**204 Pa. Code (Judicial System General Provisions)**  
**Adopted Rules**  
 71 ..... 2788  
 81 ..... 3728  
 82 ..... 1319, 3305  
 83 ..... 2108, 2788, 3728  
 85 ..... 3731  
 89 ..... 3731  
 91 ..... 2361, 3731  
 93 ..... 3731  
 215 ..... 4528

**207 Pa. Code (Judicial Conduct)**  
**Adopted Rules**  
 21 ..... 2364  
 51 ..... 1556

**210 Pa. Code (Appellate Procedure)**  
**Adopted Rules**  
 3 ..... 7, 2469  
 9 ..... 2469  
 11 ..... 2469  
 13 ..... 2469  
 17 ..... 2469  
 19 ..... 2469  
 25 ..... 627, 2469  
 35 ..... 2108, 3518  
 65 ..... 2108  
 67 ..... 1458

**Proposed Rulemaking**  
 31 ..... 2470  
 37 ..... 2470

**225 Pa. Code (Rules of Evidence)**  
**Adopted Rules**  
 Article I ..... 1993  
 Article IV ..... 1993

Article V ..... 1993  
 Article VIII ..... 1993, 2788  
 Article X ..... 1993

**Proposed Rulemaking**  
 Article I ..... 405  
 Article VII ..... 406  
 Article VIII ..... 406  
 Article IX ..... 407

**231 Pa. Code (Rules of Civil Procedure)**  
**Adopted Rules**  
 100 ..... 137  
 200 ..... 410, 627, 3184, 3305  
 1500 ..... 629  
 1910 ..... 3306  
 1930 ..... 3306  
 2120 ..... 137  
 2150 ..... 137  
 2170 ..... 137  
 2220 ..... 3184  
 3000 ..... 4639  
 Part II ..... 7, 3872

**Proposed Rulemaking**  
 200 ..... 411, 415  
 1000 ..... 411, 415  
 1300 ..... 2364, 2669  
 1910 ..... 1843  
 1930 ..... 1843  
 2170 ..... 2365  
 2950 ..... 2669  
 3000 ..... 416, 2669

**234 Pa. Code (Rules of Criminal Procedure)**  
**Adopted Rules**  
 1 ..... 3310

**Proposed Rulemaking**  
 5 ..... 2549, 2554  
 11 ..... 2549

**237 Pa. Code (Juvenile Rules)**  
 Unclassified ..... 630

**246 Pa. Code (Minor Court Rules)**  
**Adopted Rules**  
 100 ..... 1556, 4391  
 200 ..... 4055, 4166  
 300 ..... 926, 4055, 4166  
 400 ..... 4055, 4166  
 500 ..... 4055, 4166  
 800 ..... 4055, 4166

**Proposed Rulemaking**  
 200 ..... 1319, 4528  
 300 ..... 1319, 4528  
 400 ..... 1319, 2920, 4392, 4528  
 500 ..... 1319, 4392, 4528  
 1000 ..... 1319, 4528

**249 Pa. Code (Philadelphia Rules)**  
 Unclassified ..... 534, 1139, 1223, 1325,  
 1677, 1996, 2471, 2921, 3186, 3311, 3733, 4057

**252 Pa. Code (Allegheny County Rules)**  
 Unclassified ..... 630, 3186, 4641

**255 Pa. Code (Local Court Rules)**

Unclassified ..... 9, 139, 418, 423, 424,  
534, 535, 536, 638, 639, 640,  
780, 785, 786, 926, 941, 942, 1139,  
1142, 1143, 1223, 1326, 1360, 1458, 1459,  
1557, 1562, 1677, 1678, 1846, 1855, 1856, 1857,  
1996, 1999, 2270, 2366, 2369, 2370, 2472, 2558, 2567,  
2568, 2572, 2575, 2576, 2683, 2789, 2922, 2923, 3188,  
3311, 3518, 3519, 3734, 3872, 3873, 4062, 4396, 4641,  
4642, 4643, 4644, 4645, 4646

# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### [231 PA. CODE CH. 3000]

Amendment of Rules Governing Deficiency Judgments; No. 359; Civil Procedural Rules Doc. No. 5

#### Order

*Per Curiam:*

And Now, this 7th day of August, 2001, the Pennsylvania Rules of Civil Procedure are amended as follows:

I. Rules 3277, 3282, 3284 and 3285 are amended to read as follows hereto.

II. Rule 3286 is rescinded.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective September 4, 2001.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURES

#### PART I. GENERAL

#### CHAPTER 3000. JUDGMENTS

#### Subchapter E. ENFORCEMENT OF JUDGMENTS IN SPECIAL ACTIONS

#### DEFICIENCY JUDGMENTS

#### GENERAL PROVISIONS

#### Rule 3277. Definitions.

As used in this chapter,

[“judgment” means any judgment which is subject to the provisions of Section 8103 of the Judicial Code and includes a judgment de terris, a judgment in rem and a judgment in personam.

*Official Note:* The inclusion of judgments de terris, in rem, and in personam is intended to implement Section 8103(a) of the Deficiency Judgment Law which provides that the “petition shall be filed as a supplementary proceeding in the matter in which the judgment was entered.” This changes the practice under prior case law which did not permit the filing of the proceeding supplementary to a matter in which the judgment obtained was not in personam.

The bringing of a deficiency judgment proceeding supplementary to an action in rem or de terris such as mortgage foreclosure does not change the character of the action as in rem or de terris. See Rule 3286.

“judgment creditor” means the holder of a judgment as defined by this rule; ]

(1) “prior lien amounts” means the amounts of any prior liens, costs, taxes and municipal claims not discharged by the sale, and the amounts of any such items paid at distribution on the sale[ . ];

(2) “special allocations” means the special allocations required by Section 8103(f) of the Judicial Code;

*Official Note:* Section 8103(f) of the Judicial Code provides for certain special allocations when judgment has been entered with respect to a partial recourse obligation or an obligation of which only a portion is guaranteed.

(3) the following words shall have the meanings set forth in Section 8103(g) of the Judicial Code: “judgment,” “judgment creditor,” and “nonconsumer judgment creditor.”

*Official Note:* Section 8103(g) of the Judicial Code contains several definitions relating to deficiency judgments. The words set forth in paragraph (3) are common to both the rules and the Code.

“Judgment” is defined by Section 8103(g) as “[t]he judgment which was enforced by the execution proceedings referred to in subsection (a), whether that judgment is a judgment in personam such as a judgment requiring the payment of money or a judgment de terris or in rem such as a judgment entered in an action of mortgage foreclosure or a judgment entered in an action or proceeding upon a mechanic’s lien, a municipal claim, a tax lien or a charge on land.”

“Judgment creditor” is defined by Section 8103(g) as “[t]he holder of the judgment which was enforced by the execution proceedings.”

“Nonconsumer judgment creditor” is defined by Section 8103(g) as “[a]ny judgment creditor except a judgment creditor whose judgment was entered with respect to a consumer credit transaction.”

#### PROCEEDINGS UNDER SECTION 8103(A) TO FIX FAIR MARKET VALUE OF REAL PROPERTY SOLD

#### Rule 3282. Petition. Averments. Notice to Defend.

(a) The petition shall set forth:

\* \* \* \* \*

(5) the date [ that ] the property was [ sold by the sheriff ] struck down to the successful bidder and the date [ that ] the sheriff’s deed was [ executed and acknowledged ] delivered,

\* \* \* \* \*

(8) a description of all prior lien amounts if the petitioner desires credit for such amounts, [ and ]

*Official Note:* For the definition of prior lien amounts, see Rule 3277.

(9) if the petition requests a special allocation, a statement that the judgment creditor is a nonconsumer judgment creditor;

(10) any special allocation required by Section 8103(f) of the Judicial Code, and

[ (9) ] (11) a request that the court fix the fair market value of the real property at the value set forth in the petition and that the court determine any prior lien amounts and any special allocation as set forth in the petition.

\* \* \* \* \*

#### Rule 3284. Order Upon Default or Admission.

The court shall, without further notice or hearing, enter an order determining the fair market value of the real

property to be the value alleged in the petition, [ and ] determining the prior lien amounts to be in the amounts alleged in the petition and making any special allocation requested by the petition if

\* \* \* \* \*

(2) an answer is filed which does not deny the allegations in the petition as to the fair market value, [ or ] the prior lien amounts or any special allocation.

**Rule 3285. Trial.**

If an answer is filed which denies the allegations in the petition as to the fair market value, [ or ] the prior lien amounts or the entitlement of the petitioner to any special allocation, the trial shall be limited to such of those [ two ] issues as are raised by the answer, which shall be heard by a judge sitting without a jury in accordance with Rule 1038.

\* \* \* \* \*

**Rule 3286. Order. Effect.**

[ (a) The order of the court, whether upon default, admission or after trial, determining the fair market value of the real property and of the prior lien amounts shall release the respondents named and served to the extent of the fair market value so determined less the prior lien amounts.

*Official Note:* Section 8103(c)(2) of the Judicial Code provides for a decree to be entered "directing the judgment creditor to file release of the debtors, obligors, guarantors or any other persons directly or indirectly liable for the debts, to the extent of the fair value so fixed."

(b) No order entered in a proceeding pursuant to these rules shall determine or be deemed to have determined whether any respondent is personally liable to the petitioner. ]

**Rescinded.**

**Explanatory Comment**

These amendments to the rules of civil procedure governing deficiency judgments are prompted by the passage of Act No. 144 of 1998 which amended provisions of the Judicial Code relating to the Statute of Limitations, 42 Pa.C.S. § 5522(b)(2), and the Deficiency Judgment Act, 42 Pa.C.S. § 8103.

*Statute of Limitations*

Section 5522(b)(2) of the Judicial Code provides that a petition for the establishment of a deficiency judgment must be commenced within six-months. Act No. 144 of 1998 revised the language specifying the date from which the six month period is calculated. Prior to amendment, the section used the language that the period commenced "following sale of the collateral of the debtor under the provisions of section 8103 (relating to deficiency judgments)." Act No. 144 deleted the words "sale of the collateral of the debtor under" and revised the provision to read:

(b) *Commencement of action required.*—The following actions and proceedings must be commenced within six months

\* \* \* \* \*

(2) A petition for the establishment of a deficiency judgment following execution and delivery of the sheriff's deed for the property sold in connection with the execution proceedings referenced in the provisions of section 8103 (relating to deficiency judgments).

\* \* \* \* \*

Prior to the present amendment, Rule 3282(a)(5) required the petition to fix the fair market value under the Code to set forth "the date that the property was sold by the sheriff and the date that the sheriff's deed was executed and acknowledged". In light of the revision to the Judicial Code, the rule is revised to require the petition to set forth:

(5) the date the property was struck down to the successful bidder and the date the sheriff's deed was delivered,

*Deficiency Judgment Act*

*Definitions*

The Deficiency Judgment Act contained no provision defining terms until Act No. 144 of 1998 amended Section 8103 of the Judicial Code by adding new subsection (g). However, the rules of civil procedure governing deficiency judgments did contain Rule 3277 defining three terms: judgment, judgment creditor and prior lien amounts.

New Section 8103(g) includes definitions of the terms "judgment" and "judgment creditor" which are substantially identical to the definitions of those terms formerly found in Pa.R.C.P. 3277. The definitions of those terms in Rule 3277 are deleted by the present amendments and the duplication of definitions thus eliminated. The statutory definitions have been incorporated into the rules by Rule 3277(3).

The definition of the term "prior lien amounts" found in Rule 3277 remains unchanged.

At the same time, Act No. 144 introduced the concept of "special allocations" into the Deficiency Judgment Act. To alert the bench and bar to this concept, a definition has been added to Rule 3277:

(2) "special allocations" means the special allocations required by Section 8103(f) of the Judicial Code.

Section 8103(g) of the Code defines terms relating to special allocations including "nonconsumer judgment creditor". That term is used in Rule 3282(a)(9) and the statutory definition is incorporated by reference in Rule 3277(3).

*Special Allocations*

Act No. 144 also amended Section 8103 by adding new subsection (f) entitled "Certain special allocations" which is specific in its application. The subsection applies only if the judgment creditor is a nonconsumer judgment creditor. Further, it applies to two particular types of obligations: a partial recourse obligation and an obligation of which only a portion is guaranteed. The term "partial recourse obligation" is defined by Section 8103(g) the Code as "[a]n obligation which includes both a nonrecourse portion and a recourse portion."

Rule 3282(a) has been revised to accommodate the new provisions of Section 8103(f). The text of paragraph (9) has been transferred to new paragraph (11) with the addition of a reference to "any special allocation." New text has been added to paragraph (9) and new paragraph (10) has been added to provide that, if a special allocation is requested, the petition contain averments that the judgment creditor is a nonconsumer judgment creditor and that a special allocation is required by Section 8103(f) of the Code.

Rule 3284 governing the order to be entered upon default or admission and Rule 3285 governing the trial if an answer denies the allegations of the petition are also amended to accommodate the new Code provision requiring "certain special allocations".

*Order and Its Effect*

Rule 3286 governing the order of the court and its effect has been rescinded. Subdivision (a) relating to the effect of the order determining the fair market value of the real property was based upon language in Section 8103(c)(2) of the Deficiency Judgment Act which has been deleted by Act No. 144. Subdivision (b) relating to the order as affecting personal liability of the respondent is no longer necessary in view of the Act as amended.

*By the Civil Procedural Rules Committee*

REA BOYLAN THOMAS,  
*Chair*

[Pa.B. Doc. No. 01-1551. Filed for public inspection August 24, 2001, 9:00 a.m.]

## Title 252—ALLEGHENY COUNTY RULES

### ALLEGHENY COUNTY

**Addendum to Administrative Order No. C.A.D. 5  
May 1996; Consolidation of Cases for Purposes  
of a Plea of Guilty or Nolo Contendere; Adminis-  
trative Order No. C.A.D. 3, 2001**

*Order*

*And Now*, to-wit, this 1st day of August, 2001, it is hereby *Ordered* that Administrative Order No. C.A.D. 5 May 1996 is hereby amended as follows:

*C. Consolidation of Cases for the Purpose of an Expedited Plea Disposition*

1. When a defendant is tendered and accepts an expedited plea offer, which encompasses pending criminal cases previously assigned to a judge, then the following procedure shall be observed to effectuate consolidation for the purpose of entering the negotiated plea(s).

2. An expedited plea is defined as a tendered and accepted plea offer, which occurs at the time of a defendant's preliminary hearing. When such a defendant also has pending criminal case(s) assigned to a judge and the Commonwealth's plea offer regarding said criminal case(s) (is) (are) accepted, then for the purpose of judicial economy said criminal case(s) shall be consolidated and transferred to the presiding PDQ judge for the entry of a negotiated guilty plea for all such pending criminal matters. The plea shall be entered on a regular assigned PDQ hearing date.

3. The consolidation petition shall contain a copy of the negotiated plea terms and shall possess signatures of the Commonwealth and the defendant.

4. If, after the granting of a petition to consolidate, the defendant fails to plead as set forth in the petition, each information shall be promptly scheduled for trial before the judge originally assigned to the case. Furthermore, the PDQ designated case shall be assigned as per the normal course of judge assignment procedure.

*By the Court*

GERARD M. BIGLEY,  
*Administrative Judge  
Criminal Division*

[Pa.B. Doc. No. 01-1552. Filed for public inspection August 24, 2001, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CARBON COUNTY

**Amendment of "Addendum 1" of the Administra-  
tive Criminal Case Management Plan as Refer-  
enced in Local Rules of Criminal Procedure; No.  
103 MI 00**

### Administrative Order 19 - 2001

*And Now*, this 13th day of August, 2001, it is hereby

*Ordered and Decried* that, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Carbon County Court of Common Pleas hereby *Amends* "Addendum 1" of the Administrative Criminal Case Management Plan referenced in Carbon County's Local Rules of Criminal Procedure.

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

1. File seven (7) certified copies of this Administrative Order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Pennsylvania Criminal Procedural Rules Committee.

4. Forward one (1) copy for publication in the *Carbon County Law Journal*.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Order and Rule in the Clerk of Court's Office.

*By the Court*

RICHARD W. WEBB,  
*President Judge*

**ADMINISTRATIVE CRIMINAL CASE  
MANAGEMENT PLAN  
ALTERNATIVES FOR DRIVING UNDER THE  
INFLUENCE OFFENDERS  
CARBON COUNTY**

JIM THORPE, PENNSYLVANIA

NOTICE: THERE ARE ALTERNATIVES TO TRIAL OR  
GUILTY PLEA IF YOU ARE A FIRST TIME OFFENDER

**ACCELERATED REHABILITATIVE DISPOSITION**

*What is ARD?*

ARD is a ONE-TIME alternative to trial, conviction, and the mandatory jail sentence.

Upon application and completion of a probation period, which is established at a minimum of one year by the Court, the criminal charges are dismissed.

*Who Qualifies for ARD?*

You may be eligible for ARD if you meet the following required standards for the program:

1. You have no prior DUI offenses.
2. NO serious injury, if an accident was involved.
3. Good Driving Record—An absence of excessive moving violations.
4. No extensive prior criminal history.
5. If applicant pleads guilty to any summary offense, he/she must sign a Waiver of Double Jeopardy Rights.

*How Do I Get Into the ARD Program?*

1. You must complete the application for the ARD program and send or bring it with you to the Preliminary Hearing at the District Justice's Office. Upon approval of the application, the matter is referred to the ARD Program Director for investigation. You will receive a notice to appear for an appointment with the ARD Director.

2. The District Justice's secretary will call and obtain an appointment for a CRN evaluation at the Carbon-Monroe-Pike Drug and Alcohol Office, First Street, Lehighton, Pennsylvania. If the ARD applicant is found to meet all of the criteria for qualification which have been established by the ARD/DUI Program, the applicant may then be recommended by the District Attorney to the Court for placement into the ARD Program and will receive notice to appear for an ARD Hearing.

*What Does Placement into the Standard ARD Program Require You to Do?*

1. Serve ONE YEAR probationary period.
2. SIX-MONTH SUSPENSION of driving privileges.
3. ATTENDANCE AND COMPLETION of an ALCOHOL SAFE DRIVING PROGRAM at the Carbon-Monroe-Pike Drug and Alcohol Office.
4. COMPLETE a counseling program, if deemed necessary, and pay for same.
5. PAY ALL the ARD Program costs as may be set from time to time by Administrative Order.
6. COMPLIANCE with such rules and regulations as may be set forth by the Carbon County Courts and DUI Program.

NO JAIL TERM, IF ACCEPTED FOR ACCELERATED REHABILITATIVE DISPOSITION AND IT IS COMPLETED SATISFACTORILY.

**Fast Track Accelerated Rehabilitative Disposition**

*What Is Fast Track ARD?*

Like ARD, FAST TRACK is a ONE-TIME alternative to trial, conviction and mandatory jail sentencing.

Unlike Standard ARD, FAST TRACK ARD offers an incentive program for you to have your case handled in an accelerated manner.

*Are There any Additional Requirements for Fast Track ARD?*

Yes. There are additional requirements for you to become a candidate for FAST TRACK ARD.

You Must:

1. Complete the enclosed application and have it notarized.
2. SIGN an ARD written Waiver of your Preliminary Hearing and Arraignment.

FAILURE TO ATTEND ANY APPOINTMENTS OR SCHEDULED COURT APPEARANCES WILL RESULT IN DENYING YOUR ACCEPTANCE IN FAST TRACK ARD!

*What Does Placement into the ARD Fast Track Program Involve?*

1. ONE YEAR probationary period.
2. TWO-MONTH SUSPENSION of your operating privileges on the day of placement on the FAST TRACK ARD PROGRAM if you have a valid Pennsylvania license.
3. ATTENDANCE AND COMPLETION of an ALCOHOL SAFE DRIVING PROGRAM at the Carbon-Monroe-Pike Drug and Alcohol Office.
4. COMPLETION of a counseling program, if deemed necessary, and payment for same.
5. COMPLIANCE with such rules and regulations as may be set forth by the Carbon County Courts and the DUI Program.
7. PAY ALL the FAST TRACK ARD program costs as may be set from time to time by Administrative Order.

NO JAIL TERM, IF ACCEPTED, FOR THE FAST TRACK ACCELERATED REHABILITATIVE DISPOSITION AND THE PROGRAM IS COMPLETED SATISFACTORILY.

[Pa.B. Doc. No. 01-1553. Filed for public inspection August 24, 2001, 9:00 a.m.]

**DAUPHIN COUNTY**

**Promulgation of Dauph.R.Crim.P. 573; No. 461 M.D. 2001**

**Order**

*And Now*, this 7th day of August, 2001, Dauphin County Local Rule of Criminal Procedure 573 is promulgated as follows:

*Discovery in Child Abuse/Assault Cases*

Pursuant to the Juvenile Act, 42 Pa.C.S. § 6307, and the Child Protective Services Law, 23 Pa.C.S. § 6840, any

party to litigation seeking discovery of confidential reports and records of Dauphin County Social Services for Children and Youth (Child Protective Service Agency) shall file a petition for a Show Cause Order stating with particularity the scope, necessity and authority for the discovery sought.

The petition and rule shall be served on any adverse party, on the Dauphin County Children and Youth Agency, and on the guardian ad litem (if any) for the child.

Any objection must identify that portion of the reports or records sought to be withheld and state with particularity any privilege asserted thereto.

Thereafter, the court shall either a) schedule a hearing on the motion; or b) schedule an in-camera conference; or c) issue an order based on the averments in the motion and in any response filed thereto.

*Comments:*

Nothing in this rule shall preclude a party from filing a motion for a protective order.

Certain privileges are absolute and are not overcome by a defendant's Sixth Amendment right to cross-examine a witness or to due process of law. Examples of the foregoing are:

- Domestic Violence Advocate/Counselor  
23 Pa.C.S. § 6116; *V.B.T. v. Family Services of Western Pa.*, 705 A.2d 1325 (Pa. Super. 1998).
- Sexual Assault Counselor Privilege  
42 Pa.C.S. § 5945; *Commonwealth v. Wilson*, 602 A.2d 1290 (Pa. 1992).
- Psychotherapist Privilege  
42 Pa.C.S. § 5944; *Commonwealth v. Counterman*, 719 A.2d 284 (Pa. 1998).

This amendment shall be effective 30 days after publication in the *Pennsylvania Bulletin*.

*By the Court*

JOSEPH H. KLEINFELTER,  
*President Judge*

[Pa.B. Doc. No. 01-1554. Filed for public inspection August 24, 2001, 9:00 a.m.]

**LEHIGH COUNTY**

**Adoption of Local Rule 1940.3 for Mediation and Custody/Visitation Disputes; No. 2001-J-23**

**Order**

*And Now*, this 4th day of June, 2001, *It Is Ordered* that the following Lehigh County Rule of Civil Procedure 1940.3 pertaining to mediation in custody/visitation disputes in the 31st Judicial District composed of Lehigh County be, and the same is, promulgated herewith, to become effective thirty (30) days after publication of the rules in the *Pennsylvania Bulletin*; and that the present Lehigh County Rule of Civil Procedure 1940.3 is revoked, effective at the same time.

The Court Administrator of Lehigh County is directed to:

1. File seven (7) certified copies of this Order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one disk copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Domestic Relations Procedural Rules Committee.

4. File one (1) copy with the Clerk of Courts of the Lehigh County Court of Common Pleas.

5. Forward one (1) copy for publication in the *Lehigh County Law Journal*.

*By the Court*

JAMES KNOLL GARDNER,  
*President Judge*

**Lehigh County Rule 1940.3**

(a) Upon commencement of an action for custody, partial custody or visitation of minor children, or the filing of a petition seeking modification of an existing order for same, or the filing of a request for a custody mediation or conference in a divorce action containing a count for same, the case will be scheduled for a mediation orientation session unless:

(1) The case meets the domestic violence or child abuse standard of Pa. R.C.P. No. 1940.3(b), in which event an affidavit in appropriate form shall be filed with the child custody office; or

(2) The assigned judge or, if none, the family court motions judge, upon good cause shown, grants a petition to bypass the requirement to attend the mediation orientation session. Notwithstanding the foregoing, cases not assigned to a judge may be exempted from the mediation orientation session if the administrative judge of the civil/family division, upon recommendation of the custody conference/hearing officer, determines that the history of the case or the parties' circumstances render the case unsuitable for mediation.

(b) Cases that are not scheduled for mediation orientation sessions in accordance with the foregoing shall be scheduled for conference or hearing before the custody conference/hearing officer.

(c) Any request to continue a scheduled mediation or conference shall be presented to the custody conference/hearing officer. Any party aggrieved by such officer's decision may appeal to the assigned judge or, if none, to the family court motions judge.

(d) All cases referred to mediation by the child custody office or by the court shall be scheduled for an initial orientation session that, with the parties' agreement, may be immediately followed by a mediation session. This initial mediation orientation session shall be scheduled for one to one and one-half hours. Upon agreement of the parties, additional mediation sessions may be scheduled. The parties' attorneys shall not attend the orientation or any mediation sessions.

(e) A copy of the mediation orientation scheduling notice and/or the custody conference scheduling notice must be served upon the responding party at least ten (10) working days prior to the date of the scheduled mediation orientation session or the custody conference.

[Pa.B. Doc. No. 01-1555. Filed for public inspection August 24, 2001, 9:00 a.m.]

## NORTHAMPTON COUNTY

## Administrative Order 2001-3—Intermediate Punishment Sentences by the Minor Judiciary; Misc. 7-2001

## Administrative Order of Court

And Now, this 7th day of August, 2001, it is hereby Ordered that the District Justices of the Third Judicial District are authorized to order partial confinement consisting of work release eligibility combined with drug and alcohol treatment as intermediate punishment for a violation of 75 Pa.C.S.A. § 1543(b).

By the Court

ROBERT A. FREEDBERG,  
President Judge

[Pa.B. Doc. No. 01-1556. Filed for public inspection August 24, 2001, 9:00 a.m.]

## WESTMORELAND COUNTY

## Summary A.R.D.; Rule WC300; No. 3 of 2001

## Order

And Now, this 7th day of August, 2001, pursuant to the August 7, 2001 Certification of Westmoreland County District Attorney John W. Peck, Westmoreland County Rule of Criminal Procedure WC300 is rescinded and new Rule WC300 is adopted. This rule will be effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

CHARLES H. LOUGHRAN,  
President Judge

**Rule WC300. Accelerated Rehabilitative Disposition in Summary Cases.**

(a) The District Attorney of Westmoreland County has filed a certification, and has elected that ARD in summary cases proceed before the Minor Judiciary pursuant to Pa.R.Crim.P. 300 and 301. The following summary charges are certified eligible for Summary A.R.D.

- (1) Retail theft. 18 Pa.C.S.A. § 3929(a), (b)(1)(i).
  - (2) Purchase, consumption, possession or transportation of intoxicating beverages by one less than 21 year of age. 18 Pa.C.S.A. § 6308.
  - (3) Misrepresentation of age to secure liquor or malt or brewed beverages by one less than 21 years of age. 18 Pa.C.S.A. § 6307.
  - (4) Carrying a false identification card. 18 Pa.C.S.A. § 6310.3
- (b) Admission shall be requested within ten (10) days of receipt of the citation or summons. The District Justice for good cause may grant extensions of the application period. The District Justice shall determine eligibility for summary A.R.D. within seventy-two (72) hours of the submission of the application.
- (c) No defendant who has previously been placed in an A.R.D. program in any court shall be admitted to A.R.D. in a summary matter.
- (d) Prior to placing a defendant in the Summary A.R.D. Program, the District Justice shall determine that the

defendant has not previously been placed in A.R.D. in a summary matter in this judicial district by contacting the Court Administrator.

(e) A defendant who applies for A.R.D. in a summary matter shall execute the following:

## AFFIDAVIT

I have not previously been placed in an A.R.D. program in any court at either the Common Pleas or District Justice level. I make this statement subject to the penalties of 18 Pa.C.S.A. 4904, relating to unsworn falsification to authorities.

Date

Name

(f) Costs of supervision and restitution must be paid in full before admission to the Summary A.R.D. program. These costs include court costs incident to a non-traffic summary offense and any costs incident to the program to which the defendant is referred.

(g) The defendant shall be notified in writing of acceptance or rejection from A.R.D.

(1) If accepted, the defendant shall appear at a time designated by the District Justice to complete all program documentation.

(2) If rejected, the District Justice shall notify the defendant that he/she has ten days to enter a plea and that the case will proceed under Chapter 4 of the Pennsylvania Rules of Criminal Procedure.

(h) The District Justice shall schedule and notify the defendant at the time of admission to A.R.D. of a hearing date to determine if all A.R.D. requirements have been met. The hearing shall be held within ninety days of the entry into A.R.D. Requests for continuance of said hearing shall be denied, except in compelling circumstances. No continuance shall be for more than seven days.

(i) A defendant accepted into A.R.D. for retail theft shall be referred to the Allegheny Institute's Retail Theft Alternative Program. A defendant accepted for the alcohol-related offenses shall be referred to the Comprehensive Substance Abuse Services' Underage Drinking Program. Successful completion of the program shall be required.

(j) The following are the reporting and record keeping requirements under this Rule:

(1) The district Justice shall make every effort to assure that the defendant has not previously participated in the Summary ARD program.

(2) Each District Justice shall file a report on a monthly basis setting forth the disposition and completion or non-completion of all program requirements with the Court Administrator. If a defendant eligible for A.R.D. is not admitted, the District Justice shall include the reasons therefore in the report.

(k) Upon successful completion of all requirements, the defendant's case shall be dismissed and the defendant discharged.

(l) If the defendant declines A.R.D. or fails to successfully complete the program, the case shall proceed in accord with Chapter 50 of the Pennsylvania Rules of Criminal Procedure.

(m) No summary case shall remain "active" for purposes of A.R.D. supervision in excess of ninety days.



(n) The following shall be displayed in each District Justice office:

**NOTICE TO THOSE CHARGED WITH  
SUMMARY RETAIL THEFT OF UNDERAGE  
ALCOHOL-RELATED OFFENSES**

You may be eligible to participate in a program (A.R.D.) which will result in dismissal of the charge against you. The A.R.D. program is available for defendants who have not previously been placed into an A.R.D. program. You must pay all costs and restitution before admission to the A.R.D. program. You will be required to attend a counseling program for up to ninety (90) days. If you successfully complete the program, the charge against you will be dismissed. If you want to apply for the A.R.D. program, notify the District Justice immediately.

*By the Court*

\_\_\_\_\_  
PJ

[Pa.B. Doc. No. 01-1557. Filed for public inspection August 24, 2001, 9:00 a.m.]

**WYOMING AND SULLIVAN COUNTIES  
2002 Court Calendar; No. 2001-850**

**Order of Court**

*And Now*, the 14th day of August, 2001,

*It Is Ordered* that the Court Calendar of the Court of Common Pleas of the 44th Judicial District of Pennsylvania for the Year 2002, be and the same is hereby established in accordance with the schedule hereto and made a part hereof.

*By the Court*

BRENDAN J. VANSTON,  
*President Judge*

**2002—Wyoming County Court Calendar**

*Account Confirmation*

January 8	July 2
February 5	August 6
March 5	September 3
April 2	October 1
May 7	November 5
June 4	December 3

*Arraignments*

January 9	July 10
February 13	August 14
March 13	September 11
April 10	October 9
May 8	November 13
June 12	December 11

*Domestic Relations*

*De Novos*

January 15
February 12
March 12
April 9
May 14
June 11
July 9
August 13

*Contempts*

10
14
14
11
9
13
1
1

September 10	12
October 8	10
November 12	14
December 10	12

*General Call*

September 3

*Juveniles*

January 2	July 1
February 6	August 7
March 6	September 4
April 3	October 2
May 1	November 6
June 5	December 4

*Criminal Trial Weeks*

February 15	August 19
April 15	October 21
June 24	December 16

*Guilty Pleas and Status Call*

January 4	July 12
February 8	August 9
March 8	September 6
April 5	October 4
May 3	November 8
June 7	December 6

*Dependency*

January 10	July 11
February 14	August 1
March 14	September 12
April 11	October 10
May 9	November 14
June 13	December 12

*Civil Trial Weeks*

January 21, 2002	July 15, 2002
March 18, 2002	September 16, 2001
May 20, 2002	November 18, 2002

*Close Civil Trial List*

October 5, 2001 (Jan., 2002)  
December 7, 2001 (March, 2002)  
February 1, 2002 (May, 2002)  
April 5, 2002 (July, 2002)  
June 7, 2002 (September, 2002)  
August 2, 2002 (November, 2002)  
October 4, 2002 (January, 2003)  
December 6, 2002 (March, 2003)

*Sentences and ARD Hearings*

January 9	July 10
February 13	August 14
March 13	September 11
April 10	October 9
May 8	November 13
June 13	December 11

*Prison Board*

January 8	October 1
February 5	November 5
March 5	December 3
April 2	
May 7	
June 4	
July 2	
August 6	
September 3	

**2002—Court Calendar  
for Sullivan County**

*Miscellaneous, Arraignments and Account Confirmations*

January 3  
February 7  
March 7  
April 4

May 2  
June 6  
July 3  
August 8  
September 5  
October 3  
November 7  
December 5

*Civil and Criminal Trial Weeks*

January 28, 2002                      September 23, 2002  
March 25, 2002                      October 28, 2002  
May 28, 2002

*Close Civil Trial List*

October 5, 2001                      (January, 2002 Trial Term)  
December 7, 2001                      (March, 2002 Trial Term)  
March 1, 2002                      (May, 2002 Trial Term)  
June 7, 2002                      (September, 2002 Trial Term)  
August 2, 2002                      (October, 2002 Trial Term)  
October 4, 2002                      (January, 2003 Trial Term)  
December 6, 2002                      (March, 2003 Trial Term)

*General Call*

September 5, 2002

[Pa.B. Doc. No. 01-1558. Filed for public inspection August 24, 2001, 9:00 a.m.]

**YORK COUNTY****Rescission, Adoption and Promulgation of the  
Criminal Rules of the Court of Common Pleas;  
No. M.A. 2001****Administrative Order**

*And Now, To Wit*, this 1st day of August, 2001, *It Is Ordered* that the following Rules of this Court are hereby *Rescinded, Adopted and Promulgated* in accordance with the draft and recommendation prepared and submitted by the Committee on Local Rules of Court of the York County Bar Association based upon the renumbered Pennsylvania Rules of Criminal Procedure adopted March 1, 2001, effective April 1, 2001, and provisions of Pa.R.Crim.P.105(2), as follows:

(1) Rule 1 (A)(B), Rule 3 (A)(B)(C)(D), Rule 20, Rule 20.1 (A)(B), Rule 20.2, Rule 86, Rule 88 (A)(B)(C)(D)(E), Rule 303 (A)(B)(C), Rule 303.1 (A)(B)(C), Rule 306, Rule 307 (A)(B)(C), Rule 308, Rule 570 (A)(B), Rule 1100, Rule 1130 (A)(B)(C), Rule 1410 (A)(B)(C)(D), Rule 4007, Rule 4016 (A)(B), inclusive, are hereby rescinded.

(2) Rule 102 to Rule 526 are hereby adopted and promulgated as set forth in the following text filed herein.

*It Is Ordered* that this Administrative Order shall be effective thirty (30) days after the publication thereof in the *Pennsylvania Bulletin* and shall govern all matters then pending.

*It Is Further Ordered* that in accordance with Pa.R.Crim.P. 105 (C), the District Court Administrator shall:

(a) furnish seven (7) certified copies hereto with the Administrative Office of Pennsylvania Courts

(b) distribute two (2) certified copies hereof with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) file one (1) certified copy hereof with the Criminal Procedure Rules Committee;

(d) cause to be printed an adequate supply of the Rules hereby adopted and promulgated for distribution to the Judges and the Members of the Bar of this Court, and for sale at cost to any other interested parties, such printing to be done at the expense of the County of York in accordance with the provisions of the Act of July 9, 1976, P. L. 586, Sec. 2, 42 Pa.C.S.A. § 3722.

(e) supervise the distribution hereof to all Judges and all Members of the Bar of this Court.

*By the Court*

JOHN H. CHRONISTER,  
*President Judge*

**CHAPTER 1—GENERAL PROVISIONS***Rule 102—Citation and Application:*

(A) These Rules may be cited and referred to as “York Rules of Criminal Procedure”, or abbreviated as “York R.Crim.P.”

(B) These Rules shall apply to all proceedings of a criminal nature, including summary proceedings and court cases, pending before the Court of Common Pleas of York County.

(Effective \_\_\_\_\_, 2001/Former Rule 1)

*Rule 103—Definitions:*

(A) Unless otherwise indicated, reference to “Judge” shall mean the Judge of the Court of Common Pleas of York County to whom the case is assigned, or in his absence, any other Judge of the Court.

(B) Unless otherwise indicated, reference to the “District Attorney” shall also mean an assistant district attorney, deputy district attorney or prosecutor, assistant attorney general, or other special attorney assigned to prosecute a case.

(C) In the cases where a defendant proceeds pro se, reference to a defendant’s attorney shall mean the defendant.

(D) The singular shall include the plural, and the plural the singular. Words used in their masculine gender shall include the feminine and neuter. Words used in the past or present tense shall include the future.

(Effective \_\_\_\_\_, 2001/Formerly Rule 3)

*Part A—Business of the Court**Rule 111—Release of Information:*

All Court House personnel, including, among others, Sheriffs, Sheriff’s deputies, court clerks, law clerks, tipstaves, court reporters, secretaries and other support staff, are prohibited from disclosing any information relating to a pending criminal case that is not part of the public record of the case, unless authorized by the Court. This rule also precludes disclosure of any information whether acquired at a formal or informal judicial proceeding.

(Effective \_\_\_\_\_, 2001/Formerly Rule 20)

*Rule 111.1—Restriction on Removal of Records and Files:*

(A) No file containing original documents, nor any original documents contained therein, may be removed from the Office of the Clerk of Courts, except by special order of the Court, by anyone other than the following:

(1) A Judge of the Court or his authorized representative;

(2) The District Court Administrator;

(3) The Clerk of Courts and regularly employed and duly authorized employees of that office.

(B) Every person authorized to remove a file or document shall, at the time of removal, give to the Clerk of Courts a written receipt for same, identifying the person by whom, or in whose behalf, the same is removed, and such person shall be personally responsible for the custody and return of the [same] file or document.

(Effective \_\_\_\_\_, 2001/Formerly Rule 20.1)

*Part C—Venue, Location, and Recording of Proceedings Before Issuing Authority*

*Rule 135—Transmittal of Records to the District Attorney:*

Upon receipt and filing of the records from District Justices, the Clerk of Courts shall forthwith cause to be made a copy of each complaint, citation, transcript, and other documents relevant and material to the cause of action, and shall forthwith transmit copies to the District Attorney, and, if an appeal is taken from a violation of a municipal ordinance, then also to the solicitor of the municipality or municipal agency involved.

(Effective \_\_\_\_\_, 2001/Formerly Rule 20.2)

**Chapter 4—Procedure in Summary Cases**

*Part F—Procedures in Summary Cases for Appealing to Court of Common Pleas for a Trial De Novo*

*Rule 461—Appeal as Supersedeas:*

An appeal filed with the Clerk of Courts shall operate as a supersedeas to the sentence imposed by the District Justice.

(Effective \_\_\_\_\_, 2001/Formerly Rule 86)

*Rule 462—Pre-Trial Summary Motions:*

(A) The Court shall hear and dispose of all pre-trial motions directly prior to the summary appeal trial.

(B) Only motions to dismiss a case for technical defects that are evident from an inspection of the record, or motions upon a stipulated set of facts may be considered prior to the summary appeal trial.

(C) The motions shall be made, in writing, and filed with the Clerk of Courts at least five (5) days prior to the date set for trial. The motions shall contain a specific averment of the defect, with reference to the record and a citation to any authorities relied upon. A brief need not accompany any motion.

(D) A copy of all motions shall be forthwith served upon the District Attorney, or if applicable, the opposing attorney or to the solicitor of the municipality or municipal agency involved. An answer is not required.

(E) No case will be continued unless application, by motion or on a form approved by the Court, is made to the Court at the time set for the summary appeal trial, except for cause arising subsequent to that date.

(Effective \_\_\_\_\_, 2001/Formerly Rule 88)

**Chapter 5—Pretrial Procedures in Court Cases**

*Part C(1)—Release Procedures*

*Rule 526—Notification to Bondsmen:*

(A) During the period of time that any defendant shall be released from custody by the posting of bail, notices of the requirement of the defendant's appearance before the Court, pursuant to the terms and conditions of said bail, shall be given by the District Attorney and/or Clerk of

Courts, both to the defendant and to his surety. Such notice shall be sufficient if the same shall be placed in the mail, post-paid, ordinary mail, and addressed to the address given in the bail document for the defendant and the surety, unless a newer address is provided.

(Effective \_\_\_\_\_, 2001/Formerly Rule 4016)

*Part C(2)—General Procedures in All Bail Cases*

*Rule 531—Supervision of Bondsmen:*

(A) Subject to the approval of the Court, the District Attorney shall supervise the professional bondsmen. A list of all duly licensed bondsmen shall be maintained by the District Attorney, who shall provide copies to the District Justices. The District Attorney may promulgate such regulations as are deemed reasonably necessary to insure that the bondsmen are financially responsible and able to meet all bail bonding requirements.

(Effective \_\_\_\_\_, 2001/Formerly Rule 4007)

*Part F—Procedures Following Filing of Information*

*Rule 570—Pre-Trial Conference*

(A) Notice of Judge assignment and a pre-trial conference date shall be handed to defendant or defense counsel at arraignment. Notice may be mailed in the case of a written waiver of formal arraignment.

(B) Defendant and defense counsel shall attend a pre-trial status conference with the intention of discussing the disposition of the case with the Judge and the assigned District Attorney.

(Effective \_\_\_\_\_, 2001/Formerly Rule 311)

*Rule 571—Arraignments:*

(A) Arraignments shall be conducted at such time and place as shall be determined by Order of Court. The Court shall provide notice of such times and places with as much advance notice as is practical, to allow adequate notice of arraignment to be given to the defendant.

(B) Unless otherwise provided, a defendant may waive, in writing, formal arraignment by the Court, provided, however, that:

(1) The defendant shall be advised of the charges against him and shall receive a copy of any information filed against him.

(2) The defendant shall be advised, in writing, of the following rights:

(a) The right to pre-trial discovery and to file pre-trial motions, and the time periods to initiate pre-trial discovery and requests for particulars, and the time within which to file pre-trial motions;

(b) The earliest date that the case could be called for trial;

(c) That the defendant is entering a plea of not guilty and requesting a trial by jury.

(C) A waiver of formal arraignment can be made by a defendant without appearing in court provided:

(1) The waiver is in writing, on a form prescribed by the District Attorney which contains the disclosures set forth in subsection (B)(2) of this rule, and which is signed by the defendants; and

(2) The waiver is accompanied by a written entry of appearance by counsel for the defendant; and

(3) The waiver form and appearance form specifically identify the case to which the waiver and appearance apply, either by case number or other unique identifier; and

(4) The completed waiver form and entry of appearance form is received in the Office of the District Attorney at least three (3) business days prior to the date scheduled for arraignment. The District Attorney shall forthwith file the completed waiver form with the Office of the Clerk of Courts. In the event it is not so completed and received, the defendant shall appear in Court as scheduled; and

(5) For purposes of time limitations for pre-trial matters, the date of arraignment shall be deemed the date on which the defendant was originally scheduled to appear in Court for arraignment or waiver of arraignment; and

(6) In cases in which the defendant waives arraignment without appearing, it shall be the responsibility of the defendant or his counsel to obtain a copy of the information or indictment; and

(7) A waiver of formal arraignment is not available to defendants who are without counsel.

(Effective \_\_\_\_\_, 2001/Formerly Rule 303)

*Rule 571.1—Arraignment of Pro Se Defendant:*

(A) If a defendant appears without counsel at the time set for arraignment or waiver of arraignment, and the defendant indicates a desire to proceed without counsel, the defendant shall not be permitted to waive arraignment, but shall be given a return with counsel date. At that date, if the defendant is again without counsel, he shall be informed of his right to secure counsel by the presiding Judge. That Judge shall formally arraign the defendant.

(B) If the defendant appears without counsel at the time set for arraignment or waiver of arraignment, and the defendant indicates a desire to proceed without counsel, and chooses to proceed with a disposition such as a plea of guilt at that time, the defendant shall be scheduled for disposition forthwith, formally arraigned, and informed of his right to counsel. A plea may be taken at that time.

(C) If the defendant appears on the return of counsel date and indicates his desire to proceed without counsel, and chooses a disposition such as a plea of guilt at that time, the defendant shall be formally arraigned and a plea may be taken at that time.

(Effective \_\_\_\_\_, 2001/Formerly Rule 303.1)

*Part F(1)—Motion Procedure*

*Rule 578—Content of Pre-Trial Motions:*

All pre-trial motions **[for pretrial discovery and inspection under Pa.R.Crim.P. 305, and all omnibus pretrial motions for relief under Pa.R.Crim.P. 306,]** shall set forth the specific date on which the defendant was arraigned, or waived arraignment, or if the defendant has not yet been arraigned or waived arraignment, the motion shall so state. **[Any such motion not complying with this requirement shall be summarily refused without prejudice.]**

(Effective \_\_\_\_\_, 2001/Formerly Rule 306)

*Rule 579—Filing of Pre-Trial Motions:*

(A) The original of any pre-trial motion requiring a Court order, rule, or other Court action, shall first be filed

with the Clerk of Courts, who shall time-stamp the original and any copies which may also be presented.

(1) A party shall, concurrently with filing the motion, serve the attorney for the Commonwealth and all parties, or their counsel, with a copy of the motion.

(2) The Clerk of Courts shall note the filing of the motion on the docket, and cause to be transmitted to the appropriate Judge any original motion which requests or requires Court action. A courtesy copy shall be served on the assigned Judge by the moving party.

(B) When action by the Court is taken on the motion, or the action requested in the motion is denied, the Clerk of Courts shall time-stamp the order, rule, or other Court action, and shall note the filing upon the docket. The Clerk of Courts shall forthwith furnish a copy of the order, rule or other Court action to all parties, or their counsel, by personal delivery, first class mail, or any other means authorized by the Court.

(C) A motion is deemed filed when the original motion is filed with the Clerk of Courts.

(Effective \_\_\_\_\_, 2001/Formerly Rule 307)

*Rule 580—Assignment of Pre-Trial Motions:*

All pre-trial motions requiring court action prior to trial shall be assigned to the Judge assigned to the case. Notice of such assignment shall be given at the time of the arraignment. Early assignment shall be made through the District Court Administrator.

(Effective \_\_\_\_\_, 2001/Formerly Rule 308)

**Chapter 6—Trial Procedure in Court Cases**

*Part C(2)—Conduct in Jury Trial*

*Rule 642—Contact With Jurors:*

Before or during the trial of a case, no attorney, party or witness, shall communicate, or cause another to communicate, with any member of the jury, or anyone known to be a member of the venire from which the jury is selected for the trial of a case.

(Effective \_\_\_\_\_, 2001/Formerly Rule 1111)

*Rule 647—Admission and Custody of [Tangible] Exhibits:*

(A) Counsel for the respective parties shall retain possession, and shall be responsible for, the care and custody of all tangible exhibits used at hearings and trials, whether or not they have been presented, marked, identified and used, until such time as they have been formally offered into evidence.

(B) From and after an order of admission, or if admission is denied, if the Court should so order, the Clerk of Courts shall take possession, and shall be responsible for the care and custody of all such tangible exhibits during the remainder of the hearing or trial, and thereafter, until further order of the Court.

Immediately upon the termination of the hearing or trial, the Clerk of Courts shall assemble and identify all such exhibits to the particular case, and shall be responsible for their secure care, custody and maintenance, and no such exhibits shall thereafter be removed or destroyed except upon order of the Court.]

(C) At any time after final disposition of the case, including the expiration of any applicable appeal period, the Clerk of Court may, after notice to counsel for all parties, petition the Court for an order authorizing the removal and disposition by destruction, or otherwise, of

any tangible exhibit of a size or weight precluding its enclosure in a regular case file.

(Effective \_\_\_\_\_, 2001/Formerly Rule 1130)

**Chapter 7—Post-Trial Procedures in Court Cases**

*Part B—Post-Sentence Procedures*

*Rule 720—Post-Sentence Motions:*

(A) Filing

(1) Post-sentence motions shall be filed with the Clerk of Courts in accordance with Pennsylvania Rule of Criminal Procedure No. 720, and copies thereof shall forthwith be served upon the District Attorney.

(B) Procedure

(1) Briefing Schedule.

(a) Within ten (10) days after a post-sentence motion is filed, if the judge determines that briefs or memoranda of law are required for a resolution of the motion, the judge shall schedule a date certain for the submission of briefs or memoranda of law by the defendant and the Commonwealth.

(2) Hearing; Argument.

(a) If the Judge determines that a hearing is required, seven (7) days before the date fixed for argument of any post-sentence motions, the defendant and counsel shall file with the Clerk of Courts two (2) copies of a brief in support of all issues raised, and shall forthwith serve a copy thereof upon the District Attorney.

(3) Three (3) days before the date fixed for argument of any post-sentence motions, the District Attorney shall file with the Clerk of Courts two (2) copies of a brief in opposition, and at the same time shall serve a copy of thereof on the defendant or counsel, who may at or before the case is called for argument, file and serve a reply brief. No brief may be filed thereafter without leave of Court.

(4) Failure of either party or counsel to file a brief in support of, or in opposition to, any issue in the case may be considered by the court to constitute a waiver of the position of such party as to such issue.

(C) Briefs

(1) All briefs shall be typewritten, and shall contain complete and accurate citations of all authorities. Briefs shall contain a procedural history of the case, a statement of the questions involved, and argument. All briefs more than ten (10) pages in length shall contain an index.

(D) Trial Transcripts

(1) Argument on and briefing of such motion shall be had without a transcript of the trial or other proceedings, unless grounds for the necessity of such transcription are detailed in the motion.

(Effective \_\_\_\_\_, 2001/Formerly Rule 1410)

[Pa.B. Doc. No. 01-1559. Filed for public inspection August 24, 2001, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

[58 PA. CODE CHS. 139 AND 147]

#### Deer Damage Areas; Deer Control

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its June 12, 2001, meeting, adopted the following changes:

Deleted § 139.16 (relating to deer damage areas). Since the antlered and antlerless deer seasons will run concurrently, this program is no longer needed.

Amended §§ 147.552—147.554 (relating to application; permit; and subpermit), by removing reference to the Deer Damage Area.

These amendments are adopted under the authority of 34 Pa.C.S. (relating to the Game and Wildlife Code).

*Amendments to §§ 139.16 and 147.552—147.554*

#### 1. Introduction

To deal with damage being done by deer on farmland in this Commonwealth, the Commission promulgated regulations providing for the designation of deer damage areas and allowing antlerless deer to be taken with the appropriate antlerless license on those areas during the antlered deer season. The primary provisions providing for these areas are contained in § 139.16. At its meeting on April 10, 2001, the Commission finally adopted seasons and bag limits which provide for concurrent antlered and antlerless deer seasons. As a result, the Deer Damage Area designation becomes meaningless. The Commission adopted, at its June 12, 2001, meeting, the elimination of provisions relating to Deer Damage Areas. These changes were adopted under section 2102 of the code (relating to regulations).

#### 2. Purpose and Authority

As was indicated in the Introduction, the Commission has established concurrent antlered and antlerless deer seasons throughout this Commonwealth for 2001. As a result, the provision contained § 139.16 for the killing of antlerless deer during the antlered deer season has become meaningless. The Commission has therefore adopted changing sections referring to Deer Damage Areas to eliminate those references.

Section 2102 of the code authorizes the Commission to promulgate regulations relating to seasons and bag limits and game and wildlife. This section provides the authority for the adopted changes.

#### 3. Regulatory Requirements

The adopted changes would eliminate a program that has become obsolete so there would be no additional requirements.

#### 4. Persons Affected

Since deer hunters will be able to take antlerless deer during the antlered seasons throughout this Commonwealth, the adopted changes should have no impact.

#### 5. Comment and Response Summary

No official comments were received regarding these adopted changes.

#### 6. Cost and Paperwork Requirements

The adopted changes would not result in any additional cost or paperwork, either to the Commonwealth or to hunters.

#### 7. Effective Date

The adopted changes will be effective on final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by Commission.

#### 8. Contact Person

For further information regarding these changes, contact David E. Overcash, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 469, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### Order

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 139 and 147, are amended by deleting § 139.16 and by amending §§ 147.552—147.554 to read as set forth at 31 Pa.B. 2806 (June 2, 2001).

(b) The Executive Director of the Commission shall submit this order and 31 Pa.B. 2806 to with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final publication in the *Pennsylvania Bulletin*.

VERNON R. ROSS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-132 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 01-1560. Filed for public inspection August 24, 2001, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

[49 PA. CODE CHS. 47—49]

### Fees

The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) proposes to amend §§ 47.4 and 47.34 (relating to licensure fees; and registration of continuing education providers, courses and programs); and add §§ 48.4 and 49.3 (relating to applicability of general provisions in Chapter 47) to read as set forth in Annex A.

#### A. *Effective date*

The proposed rulemaking will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

#### B. *Statutory Authority*

The proposed rulemaking is authorized under section 6(2) of the Social Workers, Marriage and Family Therapists and Professional Counselors Act (act) (63 P. S. § 1906(2)).

#### C. *Background and Purpose*

The act requires the Board to set fees by regulation so that revenues meet or exceed expenditures over a biennial period. General operating expenses of the Board are funded through biennial license renewal fees. Expenses related to applications or services which are provided directly to individual licensees or applicants are excluded from general operating revenues and are funded through fees in which the cost of providing the service forms the basis for the fee.

Three licensure groups were added to the Board under the enactment of the act of December 21, 1998 (P. L. 1017, No. 136) (Act 136), which necessitated a determination of fees for services to the new licensees and applicants. Additionally, existing fees for services to licensees and applicants were analyzed to determine if the fees reflected the actual cost of providing the services. Actual cost calculations are based upon the following formula:

$$\begin{array}{r} \text{Number of minutes to perform the function} \\ \times \\ \text{pay rate for the classification of personnel} \\ \text{performing the function} \\ + \\ \text{a proportionate share of administrative overhead.} \end{array}$$

The analysis determined that the existing fees for applications for licensure and original license issuance as a licensed social worker, and approval as a continuing education provider or program, did not accurately reflect the actual cost involved of providing the services. Fees for the Board in these categories fell short of the cost to provide the service. The analysis also determined the actual cost for application fees for licensure and original

license issuance for clinical social workers, marriage and family therapists and professional counselors.

Biennial renewal fees for the three new licensure groups were determined by applying the existing biennial renewal fee for licensed social workers.

In this proposal, fees for the services identified will allocate costs to those who use the service or application. The Board would continue to apportion the enforcement and operating costs to the general licensing population when the Board makes its biennial reconciliation of revenue and expenditures.

#### D. *Compliance with Executive Order 1996-1*

In accordance with the requirements of Executive Order 1996-1, in drafting and promulgating the proposed rulemaking, the Board considered the least restrictive alternative to regulate costs for services requested by licensees and applicants. The Board also extended the invitation to the following boards, associations and interested licensees and educators to preliminarily review and comment on the Board's draft regulatory proposal: James Gavin, National Association of Social Workers; Association of Social Work Boards; Morgan Plant/PA Alliance of Counseling; Council on Social Work Education; Donna F. Derr, Ph.D., LSW, Director of Family and Comm. Ed.; Pennsylvania Society for Clinical Social Work; Edward Beck, Ed.D., CCMHC, NCC/Susquehanna Institute/East Shore Med. Ctr.; David W. Hall, Ph.D. Associate Professor/Counseling/University of Scranton; John M. Sutton, Jr.; Robert C. Nielsen, President, American Assoc. of State Counseling Bds.; Sally J. Tice, Ph.D./The Marriage & Family Life Ctr.; and Donald B. Kaveny, Director/American Association of Marriage and Family Therapists.

#### E. *Fiscal Impact and Paperwork Requirements*

The proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a modest fiscal impact on those members of the private sector who apply for services from the Board. The proposed rulemaking will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

#### F. *Sunset Date*

The Board continuously monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

#### G. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 9, 2001, the Board submitted a copy of these proposed amendments to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee. In addition to submitting the proposed amendments, the Board has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendments, it will notify the Board within 10 days of the close of the Committees' review period. The notifica-

tion shall specify the regulatory review criteria which have not been met by the portion of the proposed amendments to which an objection is made. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the amendments, by the Board, the General Assembly and the Governor of objections raised.

H. Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to Eva Cheney, State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking. Reference No. 16A-695 (Fees), when submitting comments.

THOMAS F. MATTA, Ph.D.,  
Chairperson

**Fiscal Note:** 16A-695. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 47. STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS—LICENSURE OF SOCIAL WORKERS

GENERAL PROVISIONS

§ 47.4. Licensure fees.

(a) The fee schedule for licensure as a licensed social worker [ or for a ], provisional license, licensed clinical social worker, licensed marriage and family therapist or licensed professional counselor shall be as follows:

(1) Application fee for licensure and original license issuance as a licensed social worker ..... \$[ 15 ] 25

(2) Biennial renewal for licensed social worker, clinical social worker, marriage and family therapist or professional counselor ..... \$45

\* \* \* \* \*

(7) Application fee for licensure and original license issuance as a clinical social worker, marriage and family therapist or professional counselor ..... \$45

\* \* \* \* \*

CONTINUING EDUCATION

§ 47.34. Registration of continuing education providers, courses and programs.

\* \* \* \* \*

(b) An applicant for Board approval as a provider of a course or program shall submit an application, along with a fee of [ \$25 ] \$40, at least 90 days before the date of the course or program commences.

\* \* \* \* \*

CHAPTER 48. STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS—LICENSURE OF MARRIAGE AND FAMILY THERAPISTS

GENERAL PROVISIONS

§ 48.4. Applicability of general provisions in Chapter 47.

Sections 47.2—47.4 and 47.34 apply to this chapter.

CHAPTER 49. STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS—LICENSURE OF PROFESSIONAL COUNSELORS

GENERAL PROVISIONS

§ 49.3. Applicability of general provisions in Chapter 47.

Sections 47.2—47.4 and 47.34 apply to this chapter.

[Pa.B. Doc. No. 01-1561. Filed for public inspection August 24, 2001, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 51 AND 63]

Administration and Fishing

The Fish and Boat Commission (Commission) proposes to amend Chapters 51 and 63 (relating to administrative provisions; and general fishing regulations). 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 administration and 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, P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7815. This proposal is available electronically through the Commission's website (<http://www.fish.state.pa.us>).

C. Statutory Authority

The proposed amendments to § 51.25 (relating to demand for or waiver of hearing) are published under the statutory authority of section 928 of the code (relating to revocation, suspension or denial of license, permit or registration). The proposed amendments to § 51.41 (relating to general) are published under the statutory authority of sections 928, 2102, 2305, 2711, 2903 and 2904 of the code. The proposed amendments to §§ 51.89, 63.5, 63.11, 63.15 and 63.21 are published under the statutory authority of section 2102 of the code (relating to rules and regulations).



D. Purpose and Background

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

E. Summary of Proposal

(1) *Section 51.25.* The Commission's regulations provide that before the Commission may suspend, deny or revoke an individual's license, permit, special license or boat registration issued under the authority of the code, the Commission must give that individual an opportunity to be heard. The individual must submit a timely demand for a hearing, and the demand must be in writing. After an individual requests a hearing, the Executive Director appoints a presiding officer to conduct the hearing on the Commission's behalf. Although the Game Commission's regulations provide for a nonrefundable filing fee of \$35, the Commission currently does not charge a fee. The Commission accordingly proposes to amend this section to provide for a \$35 nonrefundable filing fee. The Commission also proposes to amend this section to provide that if an individual demands a hearing and subsequently fails to appear, the individual waives the right to a hearing, and a hearing will not be conducted.

(2) *Sections 51.41, 51.89, 63.11 and 63.15.* When the General Assembly amended the law to transfer administrative responsibility related to commercial artificial propagation from the Commission to the Department of Agriculture, it repealed Chapter 33 of the code (relating to propagation and sale of fish). Therefore, any references to this chapter or any of the sections contained in the chapter must be removed from the Commission's regulations. Accordingly, the Commission proposes to amend these sections as set forth in Annex A.

(3) *Sections 63.5 and 63.21 (relating to methods of fishing; and designation of fishing regulations).* The code provides that if a person violates a regulation promulgated under section 2102(a), the Commission has designated as being for the protection of fish or fish habitat or for the health and safety of persons who fish, that person commits a summary offense of the second degree. The penalty is a \$100 fine or imprisonment not exceeding 20 days. If a person violates a regulation promulgated under section 2102(b), that person commits a summary offense of the third degree. The penalty is a \$50 fine. As such, an individual who is caught intentionally snagging steelhead, for example, pays a \$100 fine, whereas an individual who is caught netting steelhead pays only a \$50 fine. This disparity occurs because the Commission promulgated § 63.9 (relating to snatch fishing, foul hooking and snag fishing) under section 2102(a) of the code and designated it as being for the protection of fish or fish habitat or for the health and safety of persons who fish. The Commission, on the other hand, promulgated § 63.5 (relating to fishing devices) under section 2102(b) of the code.

To correct the inconsistency in the current fine structure for using various illegal methods of taking fish from Commonwealth waters, the Commission proposes the amendments 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. Currently, no more than 20 individuals per year request administrative hearings regarding the proposed suspension, denial or revocation of their licenses, permits, special licenses or boat registrations issued under the authority of the code. Therefore, the fiscal impact of the amendments to § 51.25 will be minimal. With the exception of the proposed changes to § 51.25, the proposed amendments will impose no new costs on the private sector or the general public. The proposed amendments to § 51.25, as previously stated, will impose a \$35 nonrefundable filing fee.

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-118. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 51. ADMINISTRATIVE PROVISIONS

Subchapter A. PRELIMINARY PROVISIONS

§ 51.25. Demand for or waiver of hearing.

(a) A respondent shall submit a timely demand for hearing with the answer to the order to show cause. The demand shall be in writing **and shall be accompanied by a nonrefundable filing fee of \$35 in the form of a money order, certified check or bank cashier's check made payable to "Pennsylvania Fish and Boat Commission."** A hearing will not be conducted nor a demand deemed filed until the complete filing fee is received by the Commission in the form specified and within the time frame designated. Failure to file a demand for a hearing or to submit the filing fee in the amount and form specified within the time limit set for filing an answer will be deemed a waiver of the right to hearing. **The Commission will return to the respondent any filing fee that it receives that does not comply with this subsection.**

\* \* \* \* \*

(c) If a respondent demands a hearing and subsequently fails to appear at the hearing after being given written notice of the date and time, the respondent's failure to appear will be deemed a

waiver of the right to a hearing, and a hearing will not be conducted and the filing fee will not be refunded.

(d) Subsection (a) supplements 1 Pa. Code §§ 33.21 and 33.22 (relating to filing fees; and mode of payment of fees).

Subchapter E. PERMIT PROCEDURES

§ 51.41. General.

This subchapter establishes the [ agencies ] agency practices and procedures to be followed in consideration and disposition of applications for permits the granting or denial of which is discretionary, including permits issued under sections 2902, 2903, 2905, 2906, 3106[ , 3301, 3309 ] and 3509 of the code and including permits issued under provisions of the code which contain the word, "may."

Subchapter I. PERMITS TO DRAW OFF IMPOUNDED WATERS

§ 51.89. General permits.

\* \* \* \* \*

(b) Notwithstanding the other provisions of this subchapter, this section constitutes a general permit for the Commission[ , ] and cooperative nurseries recognized by the Commission [ and holders of artificial propagation licenses under section 3301 of the code (relating to artificial propagation licenses) ] to draw down impounded waters without applying for an individual permit when the waters to be drawn down are located on hatchery property and the draw down is in connection with hatchery operations. The general permit authorized by this subsection does not waive a requirement for a permittee to apply for and obtain other necessary permits.

Subpart B. FISHING

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.5. [ Fishing devices ] Methods of fishing.

It is unlawful to use a method for taking fish from the waters of this Commonwealth, including boundary lakes and rivers, unless the use of the method is specifically authorized by this part.

§ 63.11. Eel chutes.

It is unlawful to operate an eel chute except in compliance with the following terms and conditions:

\* \* \* \* \*

(13) The Commission hereby determines under section [ 3311 ] 2507 of the code (relating to sale of certain fish, reptiles and amphibians prohibited) that eels caught lawfully under this section may not be sold or offered for sale.

\* \* \* \* \*

§ 63.15. Field dressing of fish.

\* \* \* \* \*

(c) This section does not apply to fish caught or sold in compliance with [ Chapters ] Chapter 31 [ and 33 ] of the code (relating to regulated fishing lakes[ ; and propagation and sale of fish ]). This section applies to catches of fish caught under a Lake Erie commercial

license under Chapter 29 of the code (relating to special licenses and permits) only until the fish reach established retail or wholesale markets.

\* \* \* \* \*

§ 63.21. Designation of fishing regulations.

(a) The following regulations are designated under section 2102(a) of the code (relating to rules and regulations) as being for the protection of fish or fish habitat or for the health and safety of persons who fish:

\* \* \* \* \*

(4) Section 63.5 (relating to methods of fishing).

\* \* \* \* \*

[Pa.B. Doc. No. 01-1562. Filed for public inspection August 24, 2001, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 137]

Possession of Live Wildlife

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its June 12, 2001, meeting, proposed the following amendments:

Amend § 137.31 (relating to possession of live wildlife) by limiting the number of live foxes that may be taken from the wild for the purpose of collecting fox urine, and establishing guidelines relating to same.

This amendment will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposal is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposal was made public at the June 12, 2001, meeting of the Commission, and comments on this proposal can be sent to the Director of Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until September 21, 2001.

1. Introduction

To better manage the number of live foxes being collected and held from the wild, the Commission at its June 12, 2001, meeting proposed placing a limit on the number of foxes that can be held for urine collection purposes. The possession of live foxes for urine collection by a permittee under § 137.31(a)(1), is an exception to § 137.31(a), which makes it unlawful to take or possess live wildlife taken from the wild. The proposal would limit the number of live foxes that can be held for urine collection to five. This change is proposed under authority contained in section 2901(b) of the code (relating to authority to issue permits).

2. Purpose and Authority

As indicated in the Introduction, § 137.31(a) makes it unlawful to possess game or wildlife unlawfully taken from the wild. Section 137.31(a)(1) currently makes an exception for a person to possess live foxes taken from a wild state in this Commonwealth, under a permit issued for the collection of fox urine. The proposed change would limit this exception to five foxes.

Section 2901(b) of the code permits the Commission to adopt regulations to properly manage game and wildlife

and control activities performed under to a permit. This section provides the authority for the proposed change.

3. *Regulatory Requirements*

The proposed change would limit the number of live foxes a permittee may keep under the current exception provision in § 137.31.

4. *Persons Affected*

Persons wishing to keep live foxes may be affected by the proposed change.

5. *Cost and Paperwork Requirements*

The proposed change should not result in any additional cost or paperwork.

6. *Effective Date*

The proposed change will be effective on final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. *Contact Person*

For further information regarding this change, contact David E. Overcash, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

VERNON R. ROSS,  
*Executive Director*

**Fiscal Note:** 48-133. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 137. WILDLIFE**

**§ 137.31. Possession of live wildlife.**

(a) It is unlawful for a person to possess live wildlife taken from a wild state within this Commonwealth [ . ] **except:**

(1) **[ A permit issued to a person for the collection of fox urine is excepted from this section. A permittee may possess live fox only. ] A permit to possess no more than five live foxes may be issued to a person for the sole purpose of collecting fox urine. The permit to possess live fox will expire on the last day of the fox-trapping season. Any foxes held under the authority of this permit shall be euthanized and may be pelted and the pelt may be sold. No fox held under the authority of this permit may be released into the wild.**

(2) A person **lawfully** operating under the authority of a permit issued in accordance with the act is excepted from this section.

\* \* \* \* \*

[Pa.B. Doc. No. 01-1563. Filed for public inspection August 24, 2001, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [4 PA. CODE CH. 9]

#### Reorganization of the Liquor Control Board

The Executive Board approved a reorganization of the Liquor Control Board effective August 7, 2001.

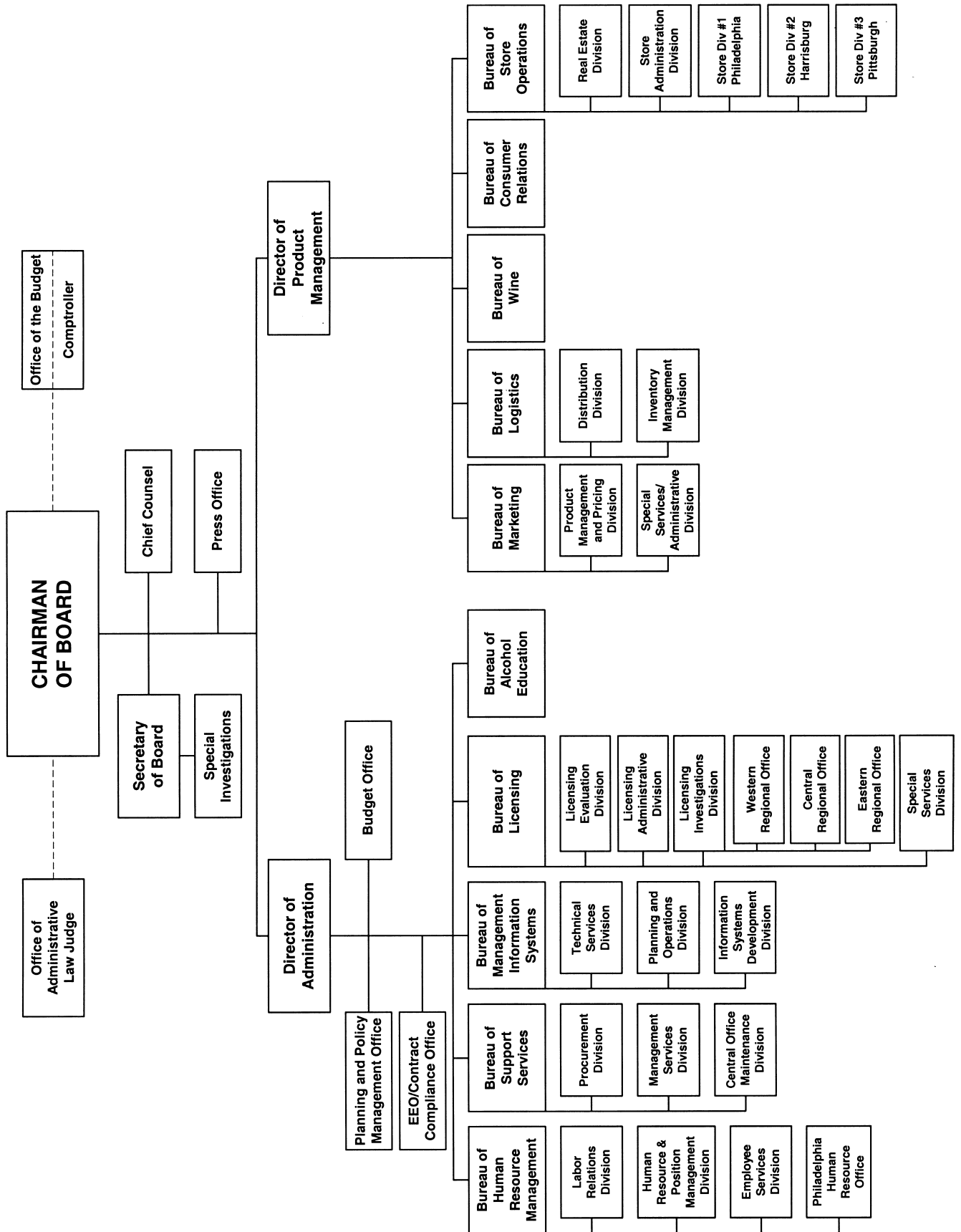
The organization chart at 31 Pa.B. 4657 (August 25, 2001) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 01-1564. Filed for public inspection August 24, 2001, 9:00 a.m.]

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PENNSYLVANIA LIQUOR CONTROL BOARD



# NOTICES

## DEPARTMENT OF BANKING

### Action on Applications

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

#### BANKING INSTITUTIONS

##### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
8-14-01	Promistar Financial Corporation, Johnstown, to acquire 100% of the voting shares of FNH Corporation, Irwin	Johnstown	Effective
8-14-01	Citizens Financial Group, Inc., Providence, Rhode Island, to acquire 100% of the voting shares of Citizens Bank of Pennsylvania, Philadelphia	Providence, RI	Approved

##### New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-8-01	Sterling Financial Trust Company Lancaster Lancaster County	101 N. Point Blvd. Lancaster Lancaster County	Approved
8-14-01	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1735 Market St. Philadelphia Philadelphia County	Approved

##### Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-13-01	Susquehanna Bancshares, Inc. Lititz Lancaster County	Lititz	Filed

Applications filed on behalf of four National banking associations wholly-owned by Susquehanna Bancshares, Inc., to convert to Pennsylvania State-chartered bank and trust companies as follows:

First National Trust Bank  
Sunbury  
Northumberland County

*To:*

The First Susquehanna Bank & Trust  
Sunbury  
Northumberland County

First American National Bank of  
Pennsylvania  
Everett  
Bedford County

*To:*

First American Bank of Pennsylvania  
Everett  
Bedford County

Williamsport National Bank  
Williamsport  
Lycoming County

*To:*

WNB Bank  
Williamsport  
Lycoming County

Citizens National Bank of Southern  
Pennsylvania  
Greencastle  
Franklin County

*To:*

Citizens Bank of Southern  
Pennsylvania  
Greencastle  
Franklin County

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-9-01	Northwest Savings Bank Warren Warren County	Warren	Filed
	Purchase of assets/assumption of liabilities of one (1) branch office of Prestige Bank, F.S.B., Pittsburgh, Located at: 125 West Beau Street Washington Washington County		
8-14-01	Promistar Bank, Johnstown, and First National Bank of Herminie, Herminie Surviving Institution—Promistar Bank, Johnstown <i>Branch Offices Acquired Via Merger:</i> 600 Willowbrook Plaza Belle Vernon Westmoreland County  730 East Pittsburgh Street Greensburg Westmoreland County West Point Drive & Route 130 Greensburg Westmoreland County 990 North Main Street Greensburg Westmoreland County 6 Garden Center Drive Greensburg Westmoreland County	Johnstown   Hempfield Industrial Park Route 136 Greensburg Westmoreland County  Wendel and Arona Roads Hempfield Township Westmoreland County 314 Sewickley Avenue Herminie Westmoreland County 11361 Route 30 North Huntingdon Westmoreland County 200 Clay Pike North Huntingdon Westmoreland County	Effective
8-14-01	Citizens Bank of Pennsylvania Philadelphia Philadelphia County Purchase of Assets/Assumption of Liabilities of 315 Branch Offices of Mellon Bank, N.A., Pittsburgh, Located in Pennsylvania (315); New Jersey (4); and Maryland (2)	Philadelphia	Approved

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-9-01	Northwest Savings Bank Warren Warren County	720 North Main St. Meadville Crawford County (Drive-Up Facility)	Filed
8-10-01	Iron Workers Savings Bank Aston Delaware County	Olde Ridge Village Wilmington Pike and Ridge Road Chadds Ford Delaware County	Approved
8-10-01	Farmers First Bank Lititz Lancaster County	24 N. Cedar Street Lititz Lancaster County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
3-31-01	Standard Bank Monroeville Allegheny County	Shop 'N Save Supermarket 418 Latrobe Thirty Shopping Center Latrobe Westmoreland County	Effective
3-31-01	Standard Bank Monroeville Allegheny County	Giant Eagle Supermarket Eastgate Shopping Center 1120B E. Pittsburgh St. Greensburg Westmoreland County	Effective
8-10-01	Main Street Bank Reading Berks County	100 Progress Drive Doylestown Bucks County	Approved
8-10-01	Main Street Bank Reading Berks County	39 Bridge Street Lambertville Hunterdon County New Jersey	Approved

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1565. Filed for public inspection August 24, 2001, 9:00 a.m.]

**Election by Citizens Bank of Pennsylvania to Exercise Conditional Powers**

Effective on the date of this publication in the *Pennsylvania Bulletin*, under an election by Citizens Bank of Pennsylvania, authorized by section 513(b) of the Banking Code of 1965 (7 P. S. § 513(b)), Citizens Bank of Pennsylvania is hereby granted the following conditional powers as described by sections 504(b)(xiii), 506(a)(iv)(B) and (vi) of the Banking Code of 1965 (7 P. S. §§ 504(b)(xiii) and 506(a)(iv)(B) and (vi)), to be exercised only with the prior written approval of the Department of Banking.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1566. Filed for public inspection August 24, 2001, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of September 2001**

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of September, 2001, is 8%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. 96-221). Further preemption was instituted with the signing of Pub.L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as a principal residence.

Each month the Department of Banking is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.53 to which was added 2.50 percentage points for a total of 8.03 that by law is rounded off to the nearest quarter at 8%.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1567. Filed for public inspection August 24, 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 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. 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 before 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 before 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0053775	Thomas and Maureen Scheuerman 321 N. Feathering Road Media, PA 19063	Delaware County Upper Providence Township	UNT of Ridley Creek	Renewal
PA0055671	Worcester Township 1721 Valley Forge Road P. O. Box 767	Montgomery County Worcester Township	UNT to Skippack Creek	Renewal

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0087033	Rachel Esh 6352 McClays Mill Rd. Newburg, PA 17240	Franklin County Lurgan Township	UNT Conodoguinet Creek/7B	Yes
PA0084751	Doubling Gap Center, Inc. 1550 Doubling Gap Rd. Newville, PA 17241	Cumberland County Lower Mifflin Township	Doubling Gap Creek/7B	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0082392	Derry Township Municipal Authority 670 Clearwater Road Hershey, PA 17033-2453	Dauphin County Londonderry Township	Swatara Creek/7D	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0114936	BCI Municipal Authority Box 388 Irvona, PA	Clearfield County Irvona Borough	Clearfield Creek SWP 8-C	Y

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

**PA0104493**, Industrial Waste. **Piney Creek Limited Partnership, Piney Creek Project**, 428 Power Lane, Clarion, PA 16214.

This proposed facility is located in Piney Township, **Clarion County**.

Description of Proposed discharge of industrial wastewater, sewage and stormwater to a 32 Mw Steam Electric Co-Generation facility, is in watershed 17B and classified for: cold water fishery and is acid mine drainage affected, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>—NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Parker City Water System on the Allegheny River located at Parker City, approximately 27.06 miles below point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.18 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			30.0	97.0	
Oil and Grease			4.5	6.0	30.0
Total Aluminum			1.0	2.0	2.5
Total Iron			0.5	1.0	1.25
Total Manganese			1.0	2.0	2.5
Total Residual Chlorine			0.5		1.2
Free Available Chlorine				0.13	0.34
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 101 are based on a design flow of 0.00055 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				
CBOD			25		50
TSS			30		60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100ml 100,000/100ml		
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 201 are 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>
Flow	XX				
TSS					50
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 301 are based on a design flow of 0.0864 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	21.6	72.0	30.0	100.0	100.0
Oil and Grease	10.8	21.6	15.0	20.0	30.0
Total Chromium			0.2	0.2	0.2
Total Zinc			1.0	1.0	1.0
Free Available Chlorine			0.2	0.5	0.5
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 401 are based on a design flow of 0.045 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			30.0	60.0	75.0
Total Aluminum			4.0	8.0	10.0
Total Iron			2.0	4.0	5.0
Total Manganese			1.0	2.0	2.5
Total Chromium			0.2	0.2	0.2
Total Zinc			1.0	1.0	1.0
Free Available Chlorine			0.2	0.5	0.5
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 501 are 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					50
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 601 are 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					50
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 701 are 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					50
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall Sedimentation Trap A are 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>
Flow	XX				
TSS					50
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall Sedimentation Trap B are 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>
Flow	XX				
TSS					50

## NOTICES

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

The proposed effluent limits for Outfall Sedimentation Trap C are 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>
Flow	XX				
TSS					50
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.

The EPA Waiver is in effect.

**PA0005029**, Industrial Waste. **Reliant Energy Mid-Atlantic Power Holdings, LLC—Piney Hydro Power Plant**, 2000 River Road, Clarion, PA 16214.

This proposed facility is located in Piney Township, **Clarion County**.

Description of Proposed discharge of treated sewage, noncontact cooling water, stormwater and floor drain water, is in watershed 17B and classified for: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>—NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the New Kensington Municipal Water Company on the Allegheny River located at New Kensington, approximately 70 miles below point of discharge.

The proposed effluent limits for Outfall 005 are based on a design flow of 0.000422 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				
CBOD <sub>5</sub>			25		50
TSS			30		60
Fecal Coliform (5-1 to 9-30)			200/100 ml		
(10-1 to 4-30)			100,000/100 ml		
Total Residual Chlorine			1.2		2.8
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 006 are based on a design flow of 0.000445 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				
Oil and Grease			15		30
TSS			30		100
pH	Within limits of 6.0 to 9.0 standard units at all times.				

The proposed effluent limits for Outfall 008 are based on a design flow of 0.286 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 009 are based on a design flow of 0.286 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 010 are based on a design flow of 0.286 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 011 are 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 stormwater runoff only.				

The proposed effluent limits for Outfall 012 are 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 stormwater runoff only.				

The proposed effluent limits for Outfall 013 are 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 stormwater runoff only.				

XX—Monitor and report.

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

The EPA Waiver is in effect.

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

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

**No. PA0058360**, Industrial Waste, **Main Street at Exton II, L.P.**, 1250 Germantown Pike, Suite 305, Plymouth Meeting, PA 19462.

This application is for issuance of an NPDES permit to discharge treated groundwater from Main Street at Exton, Ground Water Cleanup site in West Whiteland Township, **Chester County**. This is a new discharge to unnamed tributary of Valley Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 12,000 GPD are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	45	60
Total Dissolved Solids	Monitor/Report	Monitor/Report	Monitor/Report
pH	Within limits of 6.0—9.0 Standard Units at all times		
Iron, Total	5.0	10.0	12.5
Iron, Dissolved	0.5	1.0	1.2
Magnesium, Total	Monitor/Report	Monitor/Report	Monitor/Report
Benzene	0.001	0.002	0.0025
Tetrachloroethylene	Monitor/Report	Monitor/Report	Monitor/Report
Trichloroethylene	0.004	0.008	0.01
Vinyl Chloride	Monitor/Report	Monitor/Report	Monitor/Report

Other Conditions:

The EPA Waiver is in effect.

Conditions for future permit modification.

Special Test Methods for certain pollutants.

**No. PA0056910**, Sewage, **Hugh Sharp**, 5236 Valley Park Road, Doylestown, PA 18901.

This application is for renewal of an NPDES permit to discharge treated sewage from a single family home in Plumstead Township, **Bucks County**. This is existing discharge to unnamed tributary to North Branch Neshaminy Creek.

The receiving stream is classified for the following uses: warm water fishery.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Suspended Solids	20	40
Total Residual Chlorine	Monitor/Report	Monitor/Report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	Within limits of 6.0—9.0 Standard Units at all times	

The EPA Waiver is in effect.

**No. PA0026531**, Sewage, **Downingtown Area Regional Authority**, P. O. Box 8, Exton, PA 19341.

This application is for renewal of an NPDES permit to discharge treated sewage from the Downingtown Area Regional Authority's STP in East Caln Township, **Chester County**. This is an existing discharge to the East Branch Brandywine Creek.

The proposed effluent limits for Outfall 001, based on an average flow of 7.134 mgd are as follows:

<i>Parameter</i>	<i>Mass Loading (lbs/day)</i>		<i>Concentrations (mg/l)</i>		
	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>					
(5-1 to 10-31)	336*	504*	10	15	20
(11-1 to 4-30)	672*	1,008*	20	30	40
Suspended Solids	1,751	2,627	30	45	60
Ammonia (as N)					
(5-1 to 10-31)	67*		2.0		4.0
(11-1 to 4-30)	200*		6.0		12.0
Phosphorus (as P)					
(4-1 to 10-30)	53*		2.0		4.0
Total Residual Chlorine			0.5		1.6
Fecal Coliform			200 colonies/100 ml as a geometric average		
Dissolved Oxygen			minimum of 6.0 mg/l at all times		
pH			Within limits of 6.0—9.0 Standard Units at all times		

\* These are the mass load allocations based on Christina River Basin TMDL dated January 19, 2001.

The EPA Waiver is not in effect.

Other Conditions:

Conditions for Future Permit Modification  
Implementation of Industrial Pre-treatment Program Requirements  
Effective Disinfection

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

**PA#0064149**, Sewage, **Lehigh Valley Water Co., LLC**, (Arcadia West Industrial Park), 54 South Commerce Way, Suite 175, Bethlehem, PA 18017-8966.

This proposed facility is located in Weisenberg Township, **Lehigh County**.

Description of Proposed Activity: Issuance of a new NPDES permit to discharge treated sewage.

The receiving stream, unnamed tributary to Mill Creek, is in the State Water Plan Watershed #3B and is classified for: trout stocking fishery. The nearest downstream public water supply intake for Pottsville Borough Water Authority is located on Schuylkill River, approximately 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.012 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	25.0		50.0
Total Suspended Solids	30.0		60.0
NH <sub>3</sub> -N			
(5-1 to 10-31)	4.4		8.8
(11-1 to 4-30)	13.2		
Dissolved Oxygen			A minimum of 4.0 mg/l at all times.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH		6.0 to 9.0 standard units at all times.	
Total Residual Chlorine	0.4		1.0

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

**Application No. PA 0007552**, Industrial Waste, SIC Code 2015, **Empire Kosher Poultry, Inc.**, R. R. 5, Box 228, Mifflintown, PA 17059-9803.

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

Description of activity: The application is for renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, Juniata River, is in Watershed 12-A and classified for warm water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Dauphin Consolidated is located on Susquehanna River, approximately 40 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 2.2 MGD are:

<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	XXX	XXX	0.5	1	1.63
Total Suspended Solids	Monitor & Report		25	50	75
BOD <sub>5</sub>	Monitor & Report		20	40	50
NH <sub>3</sub> -N (5-1 to 10-31)	678	1,357	37	74	80
(11-1 to 4-30)	Monitor & Report			Monitor & Report	
Oil and Grease	XXX	XXX	15	XXX	30

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

The EPA waiver is not in effect.

**Application No. PA 0088781**, Industrial Waste, **Conectiv Mid-Merit, Inc.**, 113 Pencader Drive, Suite 100, P. O. Box 6066, Newark, DE 19714-6066.

The proposed facility will be located in Peach Bottom Township, **York County**.

Description of activity: The application is for issuance of an NPDES permit for a new discharge of cooling tower blowdown.

The receiving stream, Susquehanna River, is in Watershed 7-I and classified for warm water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake is the City of Baltimore, located on the Susquehanna River approximately nine miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a maximum discharge rate of 6.01 MGD are:

<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>
pH	XXX	XXX		6.0 to 9.0 inclusive	
Oil and Grease	XXX	XXX	15	20	30
Total Suspended Solids	XXX	XXX	30	100	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5
Discharge Temperature	XXX	XXX	XXX	110°F	XXX
Heat Rejection Rate	XXX	XXX	XXX	Monitor & Report	XXX
Total Aluminum	XXX	XXX	XXX	Monitor & Report	XXX
Total Copper	XXX	XXX	XXX	Monitor & Report	XXX

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

- Instream temperature monitoring
- Development of a Preparedness, Prevention and Contingency (PPC) Plan.

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

The EPA waiver is in effect.

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

**PA0229460**, Sewage, SIC Code 4952, **Abbott Township**, 1431 Germania Road, Galeton, PA 16922.

This proposed facility is located in Abbott Township, **Potter County**.

Description of Proposed Activity: Discharge of treated sewage from the Village of Germania.

The receiving stream, Germania Branch of Kettle Creek, is in the State Water Plan watershed 9-B (Kettle Creek) and is classified for: Exceptional Value-Cold Water Fishery. The nearest proposed downstream public water supply intake, for the City of Lock Haven, is to be located on the West Branch Susquehanna River, 75 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.015 MGD.

<i>Discharge Parameter</i>	<i>Minimum</i>	<i>mg/l Average Monthly</i>	<i>mg/l Average Weekly</i>	<i>mg/l Daily Maximum</i>	<i>mg/l Instantaneous Maximum</i>
pH (Std Units)	6.0				9.0
CBOD <sub>5</sub> (6-1 to 10-31)		15	23		30
(11-1 to 5-31)		25	40		50
TSS		20	30		40
NH <sub>3</sub> -N		monitor	monitor		monitor
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			

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

1. Provide ultraviolet disinfection and sand filtration prior to discharge.

**PA 02284 51**, CAFO 0291, **Barry Parthemer**, R. D. 2, Box 1025, McClure, PA 17841.

This existing facility is located in West Beaver Township, **Snyder County**.

Description of existing activity: This farm operation raises dairy animals, swine and poultry. Manure is utilized on a corn and rye rotation, as well as application on hay and pasture ground. A total of 1,172.9 acres is available for nutrient application from 1,915 Animal Equivalent Units (AEUs).

The receiving stream, Ulsh Gap Run, is in the State Water Plan watershed 6A and is classified for: High Quality-Cold Water Fishes.

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.

**PA 0008451**, Industrial Waste SIC, 4911, **Sunbury Generation, LLC**, 1088 Springhurst Drive, Green Bay, WI 54304-5495.

This facility is located in Monroe Township, **Snyder County**.

This proposed action is for renewal of the NPDES permit for the industrial waste discharges from this Steam Electric Generating Facility.

The receiving streams, Susquehanna River and Rolling Green Run, are in the State Water Plan watershed # 6-A and are classified for: warm water fishes, aquatic life, water supply and recreation. The nearest downstream public water supply intake is for Dauphin Consolidated Water Company located on the Susquehanna River approximately 50 miles below the points of discharge.

The proposed effluent limits for Outfall 030 to the Susquehanna River are based on a design flow of 318 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Maximum mg/l</i>
Total Cl <sub>2</sub> Residual					0.20
<i>Heat:</i>	<i>MBTU/Day Maximum Daily</i>		<i>Heat:</i>		<i>MBTU/Day Maximum Daily</i>
1-1 to 1-31	246,400		7-1 to 7-31		134,100
2-1 to 2-29	266,900		8-1 to 8-31		233,900
3-1 to 3-31	394,900		9-1 to 9-15		280,800
4-1 to 4-15	156,200		9-16 to 9-30		175,500
4-16 to 4-30	625,000		10-1 to 10-15		297,100
5-1 to 5-15	210,400		10-16 to 10-31		178,200
5-16 to 5-31	631,200		11-1 to 11-15		385,600
6-1 to 6-15	359,300		11-16 to 11-30		148,300
6-16 to 6-30	489,900		12-1 to 12-31		208,400



The proposed effluent limits for Internal Monitoring Point 130 for treated process water are based on a design flow of 1.29 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Maximum mg/l
TSS			30	100	130
Oil & Grease			15	20	30
Total PCBs			Report	Report	
pH			6.0—9.0 at all times		

The proposed effluent limits for Outfall 031 to Rolling Green Run are based on a design flow of 318 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Maximum mg/l
TSS			30	100	130
Oil & Grease			15	20	30
Total Zinc			Report	Report	
Total Aluminum			Report	Report	
Total Iron			Report	Report	
Total Dissolved Iron			Report	Report	
Total PCBs			Report	Report	
pH			6.0—9.0 at all times		

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

There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid.

Special requirements for pH monitoring at Outfall 031

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

**PA0020346**, Sewage. **Borough of Punxsutawney**, Mahoning East Civic Center, 301 East Mahoning Street, Punxsutawney, PA 15767.

This proposed facility is located in Borough of Punxsutawney, **Jefferson County**.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>—NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Western PA Water Company and the Allegheny River located at Kittanning approximately 53 miles below point of discharge.

Description of Proposed Activity: renewal of an NPDES permit for the discharge of sewage domestic.

The receiving stream, Mahoning Creek, is in watershed 17C and classified for: warm water fishes, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 1.6.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Maximum
CBOD <sub>5</sub>	334		25	40	50
Total Suspended Solids	400		30	45	60
NH <sub>3</sub> -N					
(05-01 to 10-31)	127		9.5		19
(11-01 to 04-30)	334		25		50
Total Residual Chlorine			.5		1.6
Fecal Coliform			200/100 ml as a geometric average		
(5-1 to 9-30)			21,000/100 ml as a geometric average		
(10-1 to 4-30)					
Toxicity Unit (Interim)					XX
Toxicity Unit (Final)					2.1
pH			Within limits of 6.0 to 9.0 standard units at all times		

The proposed effluent limits for Outfall 001 based on a design flow of 2.4.

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Maximum
CBOD <sub>5</sub>	400		20	30	40
Total Suspended Solids	600		30	45	60
NH <sub>3</sub> -N					
(5-1 to 10-31)	140		7		14
(11-1 to 4-30)	420		21		42
Total Residual Chlorine			0.36		1.2

Parameter	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a geometric average 14,000/100 ml as a geometric average		
Toxicity Unit (Interim)					XX
Toxicity Unit (Final)					1.6
pH	Within limits of 6.0 to 9.0 standard units at all times				

The EPA Waiver is not in effect.

**WATER QUALITY MANAGEMENT PERMITS  
CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER APPLICATIONS UNDER THE 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 before 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).**

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

**WQM Permit No. 0901412**, Sewerage, **Geoffrey and Deborah Herring**, 3275 Belgrade Street, Philadelphia, PA 19134.

This proposed facility is located in New Britain Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a single residence sewage treatment plant.

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

**WQM Permit No. 4501406**, Sewerage, **International Sports Camp**, 1100 Twin Lake Road, Stroudsburg, PA 18360.

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

Description of Proposed Action/Activity: International Sports Camp in Jackson Township, Monroe County is proposing to expand the existing septic system to serve the proposed Retreat Center, additional five camper cabins, cafeteria expansion, gymnasium bathrooms and Kara's lot dwelling. The proposed retreat center will have an estimated flow of 740 GPD, proposed five camper cabins an estimated flow of 3,700 GPD, cafeteria expansion for a total of 1,440 GPD and Kara's Lot dwelling a flow of 800 GPD.

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

**WQM Permit No. 3801406**, Sewerage, **Jackson Township Authority**, 60 N. Ramona Road, Myerstown, PA 17067.

This proposed facility is located in Jackson Township, **Lebanon County**.

Description of Proposed Action/Activity: Construction/Installation of the Fairlane Avenue-Conrail Railroad Overpass sewer line to serve the Whitmoyer Laboratories Superfund site.

**WQM Permit No. 2297403**, Amendment 01-1, Sewerage, **GSP Management Company**, P. O. Box 278, King of Prussia, PA 19406.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Upgrade of existing 3000 GPD wastewater treatment facility by addition of intermittent sand filters and dechlorination/post aeration.

**WQM Permit No. 2201405**, **South Hanover Township Sewer Authority**, 111 West 3rd Street, Hershey, PA 17033-2498.

The proposed facility is located in South Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction of sewer extension and pump station to serve Meadows of Hanover & Hanover Hunt.

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

**WQM Permit No. 4101407**, Sewerage, SIC Code 4952, **Muncy Borough Municipal Authority**, 14 North Washington Street, Muncy, PA 17756.

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

Description of Proposed Action/Activity: Digester Improvement Project Application received on August 1, 2001.

**WQM Permit No. 1701406**, Sewerage SIC 4952, **Christopher Ivicic**, 700 Pauline Drive, Philipsburg, PA 16866.

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

Description of Proposed Action/Activity: Construction and operation of residential sewage treatment plant application received on July 26, 2001.

**WQM Permit No. 1401407**, Sewerage SIC 4952, **Dolly Weaver**, 650 Ammerman Road, Julian, PA 16844.

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

Description of Proposed Action/Activity: Construction and operation of residential sewage treatment plant application received on August 8, 2001.

## PUBLIC WATER SUPPLY (PWS) PERMIT

### APPLICATIONS

Under the Pennsylvania Safe Drinking Water Act, the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on the permit application are invited to submit a statement to the office listed before the application within 30 days 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. Comment responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. 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 permit application and any related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

## SAFE DRINKING WATER

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

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

#### Permit No. 0901512, Public Water Supply.

Applicant	<b>New Hope Senior Housing, L.P.</b>
Borough	New Hope
Responsible Official	Michael L. Quinn 7321 New Falls Road Levittown, PA 19055
Type of Facility	Public Water Supply System
Consulting Engineer	Mercuri and Associates, Inc. 627 Hampton Avenue Southampton, PA 18966
Application Received Date	July 10, 2001
Description of Action	Construction of a new public water supply system. Project will include one well, a 31,000 gallon standpipe, two booster pumps, two pre-pressurized tanks and a sodium hypochlorite solution feed system.

#### Permit No. 1501505, Public Water Supply.

Applicant	<b>Superior Water Company</b>
Township	North Coventry
Responsible Official	David J. Milan 2960 Skippack Pike Worcester, PA 19490
Type of Facility	Public Water Supply System
Consulting Engineer	Superior Environmental Management Corporation P. O. Box 127 Worcester, PA 19490
Application Received Date	August 9, 2001
Description of Action	Construction of a new well, a 300,000 gallon storage tank, a booster pumping station and a distribution system to serve the Suburbia Shopping Center

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

#### Application No. 5401506, Public Water Supply.

Applicant	<b>Tuscan/Lehigh Dairies, L.P.</b> 110 Manheim Road Schuylkill Haven, PA 17972
Township or Borough	North Manheim Township
Responsible Official	James Macri Senior Director of Operations 880 Allentown Road Lansdale, PA 19446
Type of Facility	Public Water Supply

Consulting Engineer Gerald L. Shell, P.E.  
GSEE, Inc.  
599 Waldron Road  
LaVergne, TN 37086

Application Received Date July 16, 2001

Description of Action Proposed action consists of hauling previously permitted finished spring water to an existing site where it will be filtered, disinfected with UV and bottled in one gallon containers.

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

**Permit No. 3601515**, Public Water Supply.

Applicant **Two Stewards d.b.a. Cameron Estate Inn**

Municipality East Donegal Township

County **Lancaster**

Responsible Official Jan Tretter, President  
1855 Mansion Lane  
Mount Joy, PA 17552

Type of Facility Public Water Supply

Consulting Engineer Mark Hilson, P.E.  
ARRO Consulting  
270 Granite Run Drive  
Lancaster, PA 17601

Application Received Date August 2, 2001

Description of Action Addition of a nitrate treatment system, softening and UV disinfection treatment to serve the Inn.

#### 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. Minor Amendment**, Minor Amendment.

Applicant **Renovo Borough**

Borough Renovo Borough

Responsible Official Paul Fantaskey  
Renovo Borough  
128 Fifth Street  
Renovo, PA 17764

Type of Facility Public Water Supply

Consulting Engineer Kerry A. Uhler & Associates  
140 W High Street  
Bellefonte, PA 16823

Application Received Date August 8, 2001

Description of Action Conversion of gas chlorination system in the Renovo Borough Water Treatment Facility to a sodium hypochlorite feed system.

**Application No. Minor Amendment**, Minor Amendment.

Applicant **United Water Pennsylvania**

Township Hemlock Township

Responsible Official Nancy J. Trushell, P.E.  
United Water PA  
4211 East Park Circle  
Harrisburg, PA 17111

Type of Facility Public Water Supply

Consulting Engineer R. Michael Gephart  
United Water PA  
4211 East Park Circle  
Harrisburg, PA 17111

Application Received Date August 10, 2001

Description of Action Install a replacement carbon feeder at the Irondale Water Treatment Plant.

## 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:

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

**Former ExxonMobil Allentown Terminal**, City of Allentown, **Lehigh County**. Frank J. Messina, Project Manager, ExxonMobil Refining & Supply Company, 1900 East Linden Avenue, P. O. Box 728, Linden, NJ 07036 has submitted a Notice of Intent to Remediate concerning the remediation of site soils and groundwater found or suspected to have been contaminated with BTEX compounds. The applicant proposes to remediate the site to meet the site-specific standard. A Summary of the Notice of Intent to Remediate was reportedly published in Allentown's *The Morning Call* during the week of August 13, 2001.

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

**Former Conrail South Altoona Material Distribution Center (Lot 1 of Parcel 1)**, City of Altoona, **Blair County**. Mountain Research, Inc., 825 25th Street, Altoona, PA 16601 (on behalf of Altoona-Blair County Development Corporation, 4500 Sixth Avenue, Altoona, PA 16602) has submitted a revised Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, lead, heavy metals, solvents, BTEX and PAHs. The applicant proposes to remediate the site as a Special Industrial Area. A summary of the Notice of Intent to Remediate was reported to have been published in the *Altoona Mirror* on August 2, 2001.

**Lancaster Scrap Facility**, City of Lancaster, **Lancaster County**. PSC, 550 Pinetown Road, Suite 166, Fort Washington, PA 19034 (on behalf of Redevelopment Authority of the City of Lancaster, 120 North Duke Street, P. O. Box 1599, Lancaster, PA 17608-1599) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, lead and heavy metals. The applicant proposes to remediate the site as a Special Industrial Area. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer Journal* and *New Era* on July 18, 2001.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Former Region Oil**, Sunbury, **Northumberland County**. Delta Environmental Consultants, Inc., on be-

half of Damark, Inc Liquidating Trust, 5007 East Mount Washington, Christiansted, USVI 00820-4265 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with BTEX, PHCs, MTBE, cumene and naphthalene. The applicant proposes to remediate the site to meet the Site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Daily Item* on May 17, 2001.

## INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

**Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations 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

**Med-Trac, Inc.**, 715 William Pitt Way, Pittsburgh, PA 15238. License No. **PA-HC 0086**. Received on August 1, 2001.

**Clean Harbors Environmental Services, Inc.**, P. O. Box 859048, Braintree, MA 02185-9048. License No. **PA-HC 0053**. Received on August 1, 2001.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Permit Application No. 101427. Pine Grove Landfill**, Pine Grove Landfill, Inc., P. O. Box 307, Pine Grove, PA 17963. A major permit modification for the installation of a 2.4 acre lined disposal pad (Pad 12) adjacent to Pads 2, 6 and 9 with its liner system tying into the liner systems of said previously constructed cells at this municipal waste landfill located in Pine Grove Township, **Schuylkill County**. The application was received on January 22, 2001 and was found to be administratively complete as of July 13, 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.*

**39-312-048: Sunoco, Inc.** (Ten Penn Center, 3rd Floor, 1801 Market Street, Philadelphia, PA 19103) for installation of an air-cleaning device in Whitehall Township, **Lehigh County**.

**40-312-039: Sunoco, Inc.** (Ten Penn Center, 3rd Floor, 1801 Market Street, Philadelphia, PA 19103) for installation of an air-cleaning device in Edwardsville Borough, **Luzerne County**.

**48-303-006A: A B E Materials—Easton** (Division of Haines & Kibblehouse, Inc., 5137 Lower Mud Run Road, Easton, PA 18040) for modification of batch asphalt plant to utilize waste derived liquid fuel and the installation of an air cleaning device in Lower Mount Bethel Township, **Northampton County**.

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

**07-05025A: Atlantic Refining and Marketing Corp.—Eldorado Terminal** (R. D. 2, Sugar Run Road, Altoona, PA 16603) for installation of a vapor control unit for controlling emissions from a truck loading rack in Allegheny Township, **Blair County**.

**22-03048: Reiff and Nestor Co.** (P. O. Box 147, Lykens, PA 17048) for installation of a mist eliminator to control emissions from chrome electroplating tanks in the Borough of Lykens, **Dauphin County**. This modification is subject to 40 CFR Part 63, Subpart N,—National Emission Standards for Chromium Emissions from Hard and Decorative Chrome Electroplating and Chromium Anodizing Tanks.

**67-05064A: York Building Products Co. Inc.** (P. O. Box 1708, York, PA 17405) for modification to an existing asphalt plant controlled by a baghouse and cyclone in Spring Garden Township, **York County**.

**67-05092B: Starbucks Corp. d/b/a Starbucks Coffee Co.** (3000 Espresso Way, York, PA 17402) for construction of a hot chaff collection system controlled by a cyclone at the York Roasting Plant in Manchester Township, **York County**.

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

**04-00084A: Anchor Hocking Specialty Glass Co.** (400 Ninth Street, Monaca, PA 15061) for construction of the #2 Glass Melting Furnace at Phoenix Glass Plant in Monaca Borough, **Beaver County**.

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

**10-281C: II-VI, Inc.** (375 Saxonburg Blvd., Saxonburg PA 16056) for construction of three furnace cabinets, acid hood and drying box and installation of scrubber to control HF emissions in Clinton Township, **Butler 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.*

**15-0112: Merck and Co., Inc.** (466 Devon Park Drive, Wayne, PA 19087) for modification of a Detroit Diesel Diesel-Fired Emergency Generator, rated for 250 kW, in Tredyffrin Township, **Chester County**. This facility is a non-Title V facility. The emergency generator shall only be used as a backup power source to provide continuous electrical power for lab equipment. Potential emissions of nitrogen oxides from the emergency generator shall be less than 2.54 tons per year. Potential emissions of carbon monoxide shall be less than 2 tons per year. Potential emissions of volatile organic compounds, particulate matter and sulfur oxides will each be less than 1 ton per year. The emergency generator will be restricted to 500 hours of operation per year. The Plan Approval will contain recordkeeping and further operating restrictions

designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

**46-0037H: Cabot Performance Materials** (P. O. Box 1608, County Line Road, Boyertown, PA 19512-1608) for modification of its existing processes in Building 74 in Douglass Township, **Montgomery County**. This company is a Title V facility. This modification of the processes will result in hydrogen fluoric acid (HF) emissions increase of 0.31 ton per year and volatile organic compound (VOC) emissions decrease of 63.9 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**46-0037D: Cabot Performance Materials** (P. O. Box 1608, County Line Road, Boyertown, PA 19512-1608) for modification of its existing processes in Building 19 in Douglass Township, **Montgomery County**. This company is a Title V facility. This modification of the processes will result in hydrogen fluoric acid (HF) emissions increase of 1.67 tons per year, hydrogen chloride acid emissions increase of 0.41 ton per year, particulate matter emissions increase of 1.07 tons per year and volatile organic compound (VOC) emissions decrease of 116 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**46-0218: Elan Pharmaceutical Research Corp.** (3500 Horizon Drive, King of Prussia, PA 19406) for installation of a 200-kilowatt (kW) Katolight Emergency Generator in Upper Merion Township, **Montgomery County**. The source is limited to 500 hours of operation on a 12-month rolling basis. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**15-0027E: American Inks and Coatings Corp.** (P. O. Box 803, Valley Forge, PA 19482) to incorporate a plan approval into the Title V Operating Permit for the facility in Schuylkill Township, **Chester County**. The facility is major for volatile organic compound (VOC) emissions and currently is in a process of obtaining its Title V Operating Permit under No. 15-0026. Plan Approval No. 15-0026 was issued for the installation of a specialty clear coat manufacturing process, which is a source of volatile organic compound emissions at the facility. The provisions of this Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code Section 127.450. The Operating Permit will contain recordkeeping and operating restrictions designed to keep the facility operating in compliance with the emission limitations and within all other 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.*

**67-05004B: PH Glatfelter Co.** (228 South Main Street, Spring Grove, PA 17362) for modification of a Low Volume, High Concentration (LVHC) Noncondensable Gas (NCG) collection system. The LVHC NCGs are currently being burned in the No. 1 or No. 4 Power Boiler. The primary pollutants of interest in the NCGs are total reduced sulfur and hazardous air pollutants, primarily methanol. The No. 5 Power Boiler is proposed as the primary control device and the No. 1 and No. 4 Power

Boilers will become back-up control devices. The No. 5 Power Boiler is equipped with limestone injection for sulfur dioxide (SO<sub>2</sub>) control, so that this project will result in a net decrease of SO<sub>2</sub> emissions at the facility. No increase in emissions at the facility is expected from the use of the No. 5 Power Boiler as the primary control device for the LVHC NCGs. The collection, transport and control of the LVHC NCGs are subject to 40 CFR Part 63 Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.

The PH Glatfelter Co. is a pulp and paper mill in Spring Grove Borough, **York County**. The facility currently has a Title V Operating Permit No. 67-05004. The plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating permit through an administrative amendment at a later date.

The following special conditions will be included in the plan approval:

1. The permittee shall comply with all provisions of the facility's Title V Operating Permit No. 67-05004 in the execution of the modifications authorized under this plan approval.

2. The facility is subject to 40 CFR Part 63 Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry and shall comply with all applicable provisions of the Subpart.

The Title V Operating Permit contains emission limitations, record keeping, monitoring reporting and operating restrictions designed to keep the facility operating within all applicable air quality requirements including 40 CFR Part 63 Subpart S. The Title V Operating Permit will be modified to include the use of the No. 5 Power Boiler as a control device.

**67-05004C: PH Glatfelter Co.** (228 South Main Street, Spring Grove, PA 17362) for installation of a High Volume, Low Concentration (HVLC) NCG collection system. The NCGs from the softwood pulping system vents will be collected and transported to the facility's No. 3 Recovery Boiler for combustion. The HVLC NCGs will be collected and combusted as required by 40 CFR Part 63 Subpart S. The No. 3 Recovery Boiler is expected to provide efficient control of hazardous air pollutants from the burning of the HVLC NCGs. No net increase of nitrogen oxides or sulfur dioxide is expected from this project at the No. 3 Recovery Boiler.

The PH Glatfelter Co. is a pulp and paper mill in Spring Grove Borough, **York County**. The facility currently has a Title V Operating Permit No. 67-05004. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating permit through an administrative amendment at a later date.

The following special conditions will be included in the plan approval:

3. The permittee shall comply with all provisions of the facility's Title V Operating Permit No. 67-05004 in the execution of the modifications authorized under this plan approval.

4. The facility is subject to 40 CFR Part 63 Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry and shall comply with all applicable provisions of the Subpart.

The Title V Operating Permit contains emission limitations, record keeping, monitoring reporting and operating

restrictions designed to keep the facility operating within all applicable air quality requirements including 40 CFR Part 63 Subpart S. The Title V Operating Permit will be modified to include the use of the No. 3 Recovery Boiler as a control device.

**67-05092B: Starbucks Corp. d/b/a Starbucks Coffee Co.** (3000 Espresso Way, York, PA 17402) for construction of a hot chaff collection system controlled by a cyclone at the York Roasting Plant in Manchester Township, **York County**. This coffee roasting plant is a non-Title V (State only) facility. This system will result in about 0.8 ton per year of PM-10 emissions. The plan approval will include emission restrictions, work practice standards, monitoring, record keeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

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

**37-243B: The International Metals Reclamation Company, Inc.—INMETCO** (245 Portersville, Road, Ellwood City, PA 16117) for installation of low NOx burners and modification to existing control systems on the rotary hearth furnace in Ellwood City, **Lawrence County**. The facility currently has a Title V Operating Permit (37-00243). This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. This installation will result in no increase in air emissions.

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

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

**40-320-011: SLC Graphics LP** (50 Rock Street, Pittston, PA 18640) for operation of a regenerative thermal oxidizer as an air cleaning device on a printing operation in Hughestown Borough, **Luzerne County**.

**54-310-014C: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17107) for operation of a stone crushing plant and associated air cleaning device in Wayne Township,

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

**22-03022: Wenger's Feed Mill, Inc.** (101 West Harrisburg Avenue, Rheems, PA 17570-0026) for operation of an animal feed mill in Lykens Township, **Dauphin County**. There is a potential to emit 17 tons per year of particulate matter, 1.4 tons per year of carbon monoxide and 7 tons per year of nitrogen oxides. The operating permit shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**28-03001: AMETEK Specialty Motors** (1051 Sheffler Drive, Chambersburg, PA 17201) for operation of an electric motor manufacturing plant in the borough of Chambersburg, **Franklin County**. Annual styrene emissions will be less than three tons per year. The Natural Minor permit will contain monitoring, record keeping and reporting requirements designed to keep the facility operating within applicable requirements

**67-05070: Graham Packaging Company, L.P.** (2401 Pleasant Valley Road, York, PA 17402) for operation of a plastic bottle production facility in Manchester Township, **York County**. Emissions of nitrogen oxides (NOx) and volatile organic compounds (VOC) will be less than 10 tons per year for each pollutant. The Synthetic Minor permit will contain emission limits, monitoring, record keeping and reporting requirements designed to keep the facility operating within applicable requirements.

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

**33-00144: National Fuel Gas Supply Corp.—Heath Station** (R. D. 1 Box 155, Summit Township, Sigel, PA 15860) for a Synthetic Minor Operating Permit to operate a natural gas compressor station in Heath Township, **Jefferson County**.

**24-00135: National Fuel Gas Supply Corp.—Island Run Compressor Station** (R. D. 2, St. Marys, PA 15857) for a Synthetic Minor Operating Permit to operate a natural gas compressor station in Ridgeway Township, **Elk County**.

**25-00197: Erie Bronze and Aluminum Co.** (6300 West Ridge Road; Erie, PA 16505) for a Natural Minor Operating Permit for air emissions from bronze and aluminum foundry operations in Fairview Township, **Erie County**.

**25-00006: Russell Standard Corporation—Waterford Plant** (Wheelertown Road, Waterford, PA 16438) for a Synthetic Minor Operating Permit for operation of the facility's air contamination sources consisting of a 240-tph-asphalt batch plant in LeBoeuf Township, **Erie County**.

**37-00308: Glacial Sand and Gravel Co.** (1043 New Castle Road, Slippery Rock, PA 16057) for a Natural Minor Operating Permit to operate a nonmetallic mineral processing plant in Plain Grove and Scott Townships, **Lawrence County**. This facility is subject to New Source Performance Standards for nonmetallic mineral processing plants.

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

**97-008: Delaware Valley Recycling, Inc.** (3107 South 61st Street, Philadelphia, PA 19153) for processing and recycling of construction/demolition waste materials in the City of Philadelphia, **Philadelphia County**. The natural minor facility's air emission sources include a wood shredder, a discharge conveyor, two trommel screens, a wood feed conveyor, a wood stacking conveyor, a beast recycler, a screen for primary crusher fines and a portable crushing and screening plant. Building demolition material includes: wood, brick, block, concrete with rebar and stone. Scrap building material/ grubbing material includes: stumps, logs, tree branches. All emissions are fugitive.

## 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 appli-



cable 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 before 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 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. 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 previous, 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 previously-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*

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

**26910110. Patterson Coal Company** (20 Elizabeth Drive, Smithfield, PA 15478). Permit renewal received for reclamation only of a bituminous surface mine located in Georges Township, **Fayette County** affecting 46 acres. Receiving streams: unnamed tributaries to York Run, to York Run. Renewal application received: August 8, 2001.

**26970101. Patterson Coal Company** (20 Elizabeth Drive, Smithfield, PA 15478). Permit renewal received for

reclamation only of a bituminous surface mine located in German Township, **Fayette County** affecting 32 acres. Receiving streams: unnamed tributary to North Branch of Browns Run, to Browns Run, to Monongahela River. Renewal application received: August 8, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.*

**56950801. Permit Revision, Three S Coal Company** (P. O. Box 337, Stoystown, PA 15563), to change the land use from forestry to unmanaged natural habitat in Southampton Township, **Somerset County**, affecting 10.0 acres, receiving stream Rush Run. Application received: August 8, 2001.

**32960105. Permit Renewal for reclamation only, M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717-7961) for continued restoration of a bituminous surface mine in Pine Township, **Indiana County**, affecting 12.8 acres, receiving stream unnamed tributary to Yellow Creek and Yellow Creek. Application received: August 9, 2001.

**11960108. Permit Renewal for reclamation only, Laurel Land Development, Inc.** (P. O. Box 629, Carrolltown, PA 15722) for continued restoration of a bituminous surface mine in Blacklick Township, **Cambria County**, affecting 66.2 acres, receiving stream Coalpit Run and South Branch Blacklick Creek. Application received: August 10, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.*

**32951301. Penn American Coal L. P.** (R. D. 1, Box 119A, Avonmore, PA 15618), to revise the permit for the Burrell Mine in Burrell Township, **Indiana County** to add 19.0 acre surface activity site, Blacklick Creek. Application received: June 25, 2001.

**30841314. Eberhart Coal Co.** (258 Woodside-Old Frame Rd., Smithfield, PA 15478), to revise the permit for the Titus Mine in Dunkard Township, **Greene County** to add underground permit and subsidence control plan acres, no additional discharges. Application received: July 2, 2001.

**30743705. Duquesne Light Company** (P. O. Box 457, Greensburg, PA 15338), to renew the permit for the Warwick #3 CRDA in Dunkard Township, **Greene County** to renew permit, no additional discharges. Application received: August 1, 2001.

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

**33010103. Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849). Commencement, operation and restoration of a bituminous surface strip operation in Winslow Township, **Jefferson County** affecting 103.0 acres. Receiving streams: unnamed tributary to Sandy Lick Creek. Application received: July 31, 2001.

**1370-33010103-E-1. Sky Haven Coal, Inc.** (R. D. 1, Box 180, Penfield, PA 15849). Application for a stream encroachment to utilize an existing stream crossing on unnamed tributary B to Sandy Lick Creek in Winslow Township, **Jefferson County**. Receiving streams: unnamed tributary to Sandy Lick Creek. Application received: July 31, 2001.

*Coal Applications Withdrawn*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.*

**56010102. PBS Coals, Inc.** (P. O. Box 260, Friedens, PA 15541), commencement, operation and restoration of a bituminous surface-limestone removal mine in Summit & Brothersvalley Townships, **Somerset County**, affecting 90.5 acres, receiving stream unnamed tributaries (CWF) to Blue Lick Creek (CWF) to Casselman River (CWF). Application received: January 24, 2001. Permit withdrawn: August 6, 2001.

*Noncoal Applications Received*

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

**7973SM3C6. Miller Quarries** (P. O. Box 161, 1371 West Street Road, Warminster, PA 18974), correction to an existing quarry operation in Wrightstown Township, **Bucks County** affecting 60.0 acres, receiving stream—Mill Creek. Application received: August 6, 2001.

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

**4379305. Atlantic States Materials of PA, Inc.** (P. O. Box 269, Mercer, PA 16137). Revision to an existing sand and gravel operation to add 10.8 acres to the mine drainage permit in East Lackawannock Township, **Mercer County**. Total affected acres is 155.4 acres. Receiving streams: Neshannock Creek. Application received: August 6, 2001.

**10010309. Annandale Sandstone** (219 Goff Station Road, Boyers, PA 16020). Commencement, operation and restoration of a sandstone operation in Venango Township, **Butler County** affecting 16.0 acres. Receiving streams: unnamed tributary to Seaton Creek. Application received: August 6, 2001.

**62010302. IA Construction Corporation** (P. O. Box 8, Concordville, PA 19331). Commencement, operation and restoration of a sand, gravel and topsoil operation in Pittsfield Township, **Warren County** affecting 99.5 acres. Receiving streams: Hosmer Run to Gar Run. Application to include a land use change from cropland, unmanaged natural habitat, forestland, industrial/commercial and lands occasionally cut for hay to unmanaged natural habitat and/or unmanaged water impoundment on lands of James F. Scott. Application received: August 7, 2001.

**10010310. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201). Commencement, operation and restoration of a limestone operation in Mercer and Pine Townships, **Butler** and **Mercer Counties** affecting 253.8 acres. Receiving streams: Three unnamed tributaries to Swamp Run. Application received: August 7, 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 before 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 before 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, contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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**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)).**

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### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E45-416. Julio C. Mejia**, 2053 Crow Trail, Long Pond, PA 18334, in Tobyhanna Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in a de minimis area of PFO wetlands equal to 0.05 acre for the purpose of constructing a gravel driveway on Lot 52, Section G of the estates at Emerald Lakes. The project is located on the eastern side of Sioux Court, approximately 0.7 mile north of the intersection of S.R. 4002 and Interstate 80. (Pocono Pines, PA Quadrangle N: 14.8 inches; W: 9.4 inches).

**E40-576. Wilkes-Barre Township**, 150 Watson Street, Wilkes-Barre Township, PA 18707, in Wilkes-Barre Township, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing culvert and to construct and to maintain a stream enclosure of a tributary to Spring Run (CWF), consisting of approximately 570 linear feet of 64-inch by 43-inch steel pipe arch. The project is located in the Georgetown Section, north of S.R. 0081, between Hemlock Street and New Street. (Wilkes-Barre East, PA, Quadrangle N: 19.3 inches; W: 16.4 inches).

**E39-402. Marcus J. Danweber and Jason C. Danweber**, 3659 Schoeneck Road, Macungie, PA 18062, in Lower Macungie Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 48-inch diameter concrete outfall structure and a cable-concrete apron along Little Lehigh Creek (HQ-CWF). (Allentown West, PA, Quadrangle N: 7.3 inches; W: 6.0 inches).

**E48-313. Brian M. Skurski**, 6795 Hanover Street, Bethlehem, PA 18017, in East Allen Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in the floodway of a tributary to Catasaqua Creek (CWF) for the purpose of expanding the back yard of an existing residential dwelling. The project is located on the west side of Township Road T-424 (Hanover Street), approximately 0.1 mile north of Colony Drive. (Catasauqua, PA Quadrangle N: 11.0 inches; W: 7.4 inches).

**E45-417. Tobyhanna Township**, HC 89, Box 289 State Avenue, Pocono Pines, PA 18350, in Tobyhanna Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structures and to construct and maintain an 8-foot by 4-foot concrete box culvert in Goose Run (HQ-CWF). The project is located along Klock Road, approximately 150 feet downstream of S.R. 0115. (Blakeslee, PA Quadrangle N: 14.3 inches; W: 11.4 inches).

**E54-289. Frank J. Krammes**, P. O. Box 130, Spring Glen, PA 17978, in Eldred Township, **Schuylkill County**, U. S. Army Corps of Engineers, Baltimore District.

To construct and maintain a private bridge having a single span of approximately 20 feet and underclearance of 3 feet across Mahantango Creek (CWF). The project is located on the south side of Township Road T-505 (Taylorsville Mountain Road), approximately 1 mile east of Creek Road. (Tremont, PA Quadrangle N: 16.0 inches; W: 13.75 inches).

**E40-577. Luzerne County Board of Commissioners**, Luzerne County Courthouse, 200 North River Street, Wilkes-Barre, PA 18711-1001, in Ross Township, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a road crossing of a tributary to Huntington Creek (CWF), consisting of a single-span concrete bridge, having a clear span of approximately 16 feet and an underclearance of approximately 4 feet. The project, known as County Culvert No. 17007, is located along T-672, approximately 500 feet south of the intersection of T-672 and S.R. 4028. (Sweet Valley, PA Quadrangle N: 13.5 inches; W: 2.0 inches).

**E48-312. Russell F. Meyers**, 496 Willow Road, Walnutport, PA 18088, in Lehigh Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in and eliminate a private pond having a surface area of approximately 0.05 acre for the purpose of constructing a new house. The project is located in the Lehigh River watershed on the southeast side of Laurel Road, approximately 500 feet southwest of S.R. 4001. (Cementon, PA Quadrangle N: 22.0 inches; W: 7.0 inches).

**E48-311. Windgap Borough**, 29 Mechanic Street, Windgap, PA 18091-1320, in Windgap Borough, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stormwater conveyance system in PFO wetlands for the purpose of alleviating flooding on East Wert and Fairview Streets within the Borough. The project is approximately 500 feet long and is located 700 feet east of S.R. 0512 along East Wert Street. (Windgap, PA Quadrangle N: 17.2 inches; W: 75.7 inches).

**E48-310. Reen Development, LLC**, 5303 Cider Press Road, Schnecksville, PA 18078, in Washington Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a road crossing consisting of a 30-inch diameter R.C.P. culvert in a tributary to Martins Creek (CWF) and 0.21 acre of adjacent wetlands for the purpose of constructing an access road within the proposed 71-lot residential subdivision known as Bennis Hill Farms. The project is located west of the intersection of Bennis Hill Road in Ackermanville Road. (Bangor, PA Quadrangle N: 12.5 inches; W: 12.3 inches).

**E48-309. Bushkill Township**, 1114 Bushkill Center Road, Nazareth, PA 18064, in Bushkill Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 10-foot by 5-foot concrete box culvert having a 1-foot culvert depression in a tributary to Bushkill Creek (CWF). The project is located along T.R. T601 (Douglasville Road), west of the intersection with T628 (Muschlitz Road). (Windgap, PA Quadrangle N: 4.7 inches; W: 10.3 inches).

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

**E07-348. Melvin Reese**, R. D. 3 Box 291, Tyrone, PA 16686 in Snyder Township, **Blair County**, ACOE Baltimore District.

To construct a culvert crossing in an unnamed tributary to Bald Eagle Creek (TSF) at a point approximately 2,000 feet upstream of Route 220 (Tyrone, PA Quadrangle N: 22.0 inches; W: 4.1 inches).

**E28-292. Dennis McCans**, JED Associates, 4961 Cumberland Highway, Chambersburg, PA 17201 in Greene Township, **Franklin County**, ACOE Baltimore District.

To construct and maintain two metal box culverts and relocate an existing agricultural field drainage channel along an unnamed tributary to Philaman Run (CWF) (Scotland, PA Quadrangle N: 12.5 inches; W: 8.0 inches).

**E31-174. Wayne Mateer**, Smithfield Township, Mt. Vernon and 13th Street, Huntingdon, PA 16652 in Smithfield Township, **Huntingdon County**, ACOE Baltimore District.

To construct a pedestrian bridge across Crooked Creek (WWF) and to construct a pond within the floodway of the Juniata River (WWF) at a point at the junction of Crooked Creek and the Juniata River (Huntingdon, PA Quadrangle N: 19.7 inches; W: 2.3 inches).

**E44-111. Marlin Harshbarger**, Bratton Township, 460 Mountain Lane, McVeytown, PA 17051 in Bratton Township, **Mifflin County**, ACOE Baltimore District.

To construct and maintain a pump station in the floodplain of an unnamed tributary to Carlisle UNT (HQ-CWF) at a point approximately 1,300 feet downstream of Route 103 (Belleville, PA Quadrangle N: 0.4 inch; W: 8.6 inches).

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

**E12-126. Bennett Branch Watershed Association,** P. O. Box 99, Benezette, PA 15821. Bennett Branch Restoration-Moser/Beers Property, in Gibson Township, **Cameron County**, ACOE Baltimore District (Driftwood, PA Quadrangle N: 18.5 inches; W: 12.7 inches).

To realign the stream channel and construct, operate and maintain six in-stream grade control structures for the restoration of 1,000-feet of Bennett Branch-Sinnemahoning Creek (Cold Water Fishery). The realignment of Bennett Branch shall be conducted to establish a stream channel with a pattern, profile and geometry of a stable form reference reach. The grade control structures shall be constructed with rock in stream flow conditions ample to determine thalweg locations. The project will not impact wetlands while impacting 1,000-feet of waterway that is location along the eastern right-of-way of SR 0555 approximately 1.7-miles east of Hicks Run Road and SR 0555 intersection. This permit also authorizes the construction, operation, maintenance and removal of temporary construction access roads, channel diversions and stockpiles. All temporary facilities used for project construction shall be removed from floodplain areas upon project completion and all areas disturbance shall be restored and/or stabilized.

**E14-364. Centre Regional Recreation Authority,** 131 South Fraser Street, State College, PA 16801. Millbrook Marsh Nature Center Boardwalk and Marsh Nature Center, in College Township, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 12.0 inches; W: 12.0 inches).

To construct and maintain: 1) 1,200 linear feet of wooden boardwalk fill in wetlands that include a wooden bank-to-bank bridge with a 25-foot span and a 4-foot underclearance across Thompson Run, a wooden bank-to-bank bridge with a 25-foot span and a 4-foot underclearance across Slab Cabin Run and a wooden bank-to-bank bridge with a span of 5-foot and a 0.5 foot underclearance across Bathgate Spring Run; 2) 300 linear feet of wooden bikeway fill in wetlands that includes a wooden bank-to-bank bridge with a span of 5-foot and a 0.5 foot underclearance across an unnamed tributary to Bathgate Spring Run; 3) a 2-inch intake structure in the right bank of Bathgate Spring Run for a 0.33 acre shallow marsh with a 4.0 maximum depth to be built outside of the regulated floodway; all of which are located within 600 feet of the confluence of Thompson Run with Slab Cabin Run. This project proposes to permanently impact 1,500 linear feet of wetlands and 8 linear feet of an unnamed tributary of Bathgate Spring Run, 8 linear feet of Bathgate Spring Run, 8 linear feet of Thompson Run and 8 linear feet Slab Cabin Run that are all classified as Warm Water Fisheries.

**E41-483. Brady Township,** 1986 Elimsport Road, Montgomery, PA 17752. Sewer System Upgrade, in Brady Township, **Lycoming County**, ACOE Baltimore District (Montoursville South, PA Quadrangle N: 9.61 inches; W: 8.26 inches).

The applicant proposes to temporarily impact a wetland by constructing 1,400 linear feet of new sewer line and to construct a pump station within the 100-year floodplain of Black Hole Creek. Since the pump station is in the floodplain and a municipal government agency is applying for the permit, authorization is required from the

department. This project is located in the Black Hole Creek watershed, which is designated as Trout Stock Fishery.

**E49-251. Revival Tabernacle,** P. O. Box 118, West Milton, PA 17886. Culvert Crossing, in Delaware Township, **Northumberland County**, ACOE Baltimore District (Milton, PA Quadrangle N: 11.2 inches; W: 12.0 inches).

To construct and maintain a 20 foot by 7.5 foot arch culvert in the main stream and a 6 foot diameter culvert in the tributary to the main stream on private property in unnamed tributaries to Muddy Run on the south side of SR 1007 approximately 400 feet west of the intersection of Rt. 147 with SR 1007 in Delaware Township, Northumberland County. The project will not impact wetlands while impacting approximately 100 feet of waterway. The unnamed tributaries to Muddy Run are Warm Water Fisheries Streams.

**E55-182. Pennsylvania Department of Transportation,** Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 0522 Section 042M unnamed tributary to Middle Creek bridge replacement, in Beaver Township, **Snyder County**, ACOE Susquehanna River Basin District (Beavertown, PA Quadrangle N: 3.1 inches; W: 1.2 inches).

To a) remove two existing structures b) construct and maintain a 20 foot by 6 foot reinforced concrete box culvert on a skew of 55° in a tributary to Middle Creek located 3.5 miles southwest of Middleburg along SR 0522, in Beaver Township, Snyder County. This project proposes to have a minimal impact on the unnamed tributary to Middle Creek, which is designated Cold Water Fishery. This project does not propose to impact any jurisdictional wetlands.

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

**E02-1349. Secon Corporation,** 2559 Washington Road, Pittsburgh, PA 15241. Robinson Township, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a 42" diameter RCCP culvert for a distance of approximately 450 feet with a 17.5 feet diameter stilling basin and 55 feet of R-4 rock lining energy dissipater with a tributary to Chartiers Creek (WWF). The proposed culvert is to provide additional developable area for the Cedar Ridge Business Park. The project is located on the southeast corner of the intersection of SR 60 (Steubenville Pike) and Haddock Drive (Pittsburgh West, PA Quadrangle N: 13.1 inches; W: 14.8 inches).

**E02-1350. Orix Woodmont Deer Creek Venture,** 2100 West 7th Street, Fort Worth, TX 76107. Harmar Township, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a three span curved steel multi-girder bridge having a total span of 376 feet and an underclearance of approximately 30 feet, to construct and maintain a reinforced concrete arch culvert having a span of 42 feet and underclearance of 20 feet for a distance of 330 feet, to construct and maintain a two span continuous composite steel bridge having a total span of 336 feet and an underclearance of approximately 70 feet, to construct and maintain an extension to an existing 7 foot diameter culvert for a distance of 12 feet, to place and maintain fill within the floodway for a distance of approximately 1,850 feet, to construct and maintain various outfall structures in and across Deer Creek (WWF), to place and maintain fill in 5.89 acres of wetlands (PEM/PSS) and to maintain

fill already placed in 0.6 acre of wetlands. This work is being done as part of the construction of a mixed-use commercial center located on the north side of the intersection of State Route 28 and State Route 910 and to the south of the Pennsylvania Turnpike. To meet the wetland replacement requirements the applicant proposes to construct 5.42 acres of wetland replacements on site and 1.75 acres of off site replacement wetlands. To provide for mitigation for the stream encroachments the applicant proposes to construct and maintain bank stabilization in two areas by using native material revetment for a total distance of 575 feet and to plant and maintain 700 feet of riparian zone planting. Note this application was originally submitted under Permit No. E02-1284 that was denied by the Department. (New Kensington West, PA Quadrangle N: 9.0 inches; W: 11.5 inches).

**E02-1351. #1 Cochran Automotive**, 4200 William Penn Highway, Monroeville, PA 15146. Monroeville Borough, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a 48-inch CCP replacement culvert for a distance of approximately 950 feet in a tributary to Thompson Run (TSF) and to place and maintain fill in 0.74 acre of wetlands (PFO/PEM) for the purpose of constructing an automotive and service center. The project is located on the southeast corner of SR 22 and PA Turnpike 76 interchange. To meet the wetland replacement requirement the applicant will construct 0.83 acre of replacement wetlands (PSS/PEM). (Murrysville, PA Quadrangle N: 11.5 inches; W: 14.1 inches).

**E11-292. Cambria County Conservation District**, 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931. Borough of Patton, **Cambria County**, ACOE Baltimore District.

To realign and maintain Chest Creek (CWF) as a meandering stream channel, between existing earthen dikes for approximately 1,645 feet above the Route 36 Bridge (Hastings, PA Quadrangle N: 1.2 inches; W: 3.13 inches).

**E30-201. Waynesburg College**, 51 West College Avenue, Waynesburg, PA 15370. Franklin Township, **Greene County**, ACOE Pittsburgh District.

To construct and maintain (2) 24-inch CMP culverts in Throckmorton Run (HQ-WWF) approximately 55 feet in length, to provide access between parking lots and ball fields that are located along SR 0018/0021, near the confluence of Throckmorton Run and the South Fork Tenmile Creek. (Waynesburg, PA Quadrangle N: 3.82 inches; W: 13.89 inches).

**E32-432. Pennsylvania Department of Transportation**, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701-0429. East Wheatfield Township, **Indiana County**, ACOE Pittsburgh District.

To place and maintain fill in 3.11 acres of wetland, (0.86 acre PEM/PSS; 0.22 acre PEM/PSS/POW; 2.03 acres PSS/PFO) in the Blacklick Creek watershed (CWF) for the purpose of reconstructing and widening approximately 3.5 miles of S.R. 0022 from its interchange with S.R. 0403 to the Indiana-Cambria County line including realignment and widening of S.R. 0022 at the Village of Gas Center. Replacement wetlands will be created at a 1:1 ratio at the AMD and ART Vintondale Demonstration Project. (Begin: New Florence, PA Quadrangle N: 14.3 inches; W: 0.8 inch End: Vintondale, PA Quadrangle N: 12.1 inches; W: 10.1 inches).

**E63-513. Washington County Planning Commission**, 100 West Beau Street, Suite 701, Washington, PA 15301. Chartiers Township, **Washington County**, ACOE Pittsburgh District.

To remove the existing bridge (McConnells Mills Bridge No. 41) and to construct and maintain a new bridge having a span of 64.64 feet with an underclearance of 6.75 feet across the channel of Chartiers Run (WWF) for the purpose of improving highway safety. The bridge is located on McConnells Mills Road, approximately 190.0 feet east from the intersection of McConnells Mills Road and Kings Road (Canonsburg, PA Quadrangle N: 0.4 inch; W: 17.0 inches).

**E65-786. Robert D. Huemme**, 84 Unity Square, Greensburg, PA 15601. North Huntingdon Township, **Westmoreland County**, ACOE Pittsburgh District.

To construct and maintain 285 LF of 48-inch diameter pipe stream enclosure connecting two existing stream enclosures in an unnamed tributary to Tinkers Run (TSF) for the purpose of constructing a multi-use two-story building. The project site formerly known as Norwin Diner is located 2.1 miles west along S.R. 30 from Irwin Interchange of the Pennsylvania Turnpike (Irwin, PA Quadrangle N: 14.2 inches; W: 13.27 inches).

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

**E10-328. Charles J. Betters**, Adams Ridge II, LP, 1150 Brodhead Road, Monaca, PA 15061-2500. Adams Ridge II, Phase VI, in Adams Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 12.0 inches; W: 6.0 inches).

To fill 0.60 acre of wetland (PSS/PFO) associated with the construction of a residential development located approximately 1 mile west of the borough of Mars, adjacent to and south of Route 228. Project includes the creation and monitoring of approximately 1.25 acres of wetland (PSS/PFO) located along Kaufman Run on Adams Ridge Pointe Road (formerly known as Four Seasons Road).

#### ENVIRONMENTAL ASSESSMENT

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

**EA33-007NW, Falls Creek Energy Company, Inc.**, R. D. 6, Box 231, Kittanning, PA 16201. Brown Project—GFCC #33-01-06, in Young Township, **Jefferson County**, ACOE Pittsburgh District (Punxsutawney, PA Quadrangle N: 18.65 inches; W: 14.15 inches).

Restoration plan provided under section 105.12(a)(16). This project is to reclaim abandoned deep mine subsidence areas and drift entries along an 800 ft. segment of an unnamed tributary to Little Elk Run. Restoration activities will encroach no closer than 25 feet to the east bank of the stream along the 800 ft. segment.

#### ACTIONS

### FINAL ACTIONS TAKEN UNDER THE 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 (Department) has taken the following actions on previously

received permit applications and requests for plan approval. The actions are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permits.

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).**

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

**NPDES Permit No. PA0057479 Amendment No. 2**, Industrial Waste, **Metro Machine of PA**, P. O. Box 1860, Norfolk, VA 23501.

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

Description of Proposed Action/Activity: Amendment to existing permit.

**NPDES Permit No. PA0056421**, Sewage, **Warwick Township Water and Sewer Authority**, 1733 Township Green, P. O. Box 315, Jamison, PA 18929.

This proposed facility is located in Warwick Township, **Bucks County**.

Description of Proposed Action/Activity: Renewal to discharge into Neshaminy Creek-2F Watershed.

**NPDES Permit No. PA0028584**, Sewage, **West Goshen Sewer Authority**, 848 South Concord Road, West Chester, PA 19382.

This proposed facility is located in West Goshen Township, **Chester County**.

Description of Proposed Action/Activity: Renewal to discharge into Chester Creek (Goose Creek)-3G Watershed.

**WQM Permit No. 0901405**, Sewerage, **Mr. and Mrs. Thomas Kelso**, 1942 Lower State Road, Doylestown, PA 18901.

This proposed facility is located in Doylestown Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a single residence drip irrigation system.

**WQM Permit No. 1501415**, Sewerage, **New Garden Township Sewer Authority**, 8934 Gap Newport Pike, Landenberg, PA 19350.

This proposed facility is located in New Garden Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a sewage pump station and force main to serve Brittany Hills Development.

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

**NPDES Permit No. PA-0060241**, Industrial Waste, **Laird Technologies, Inc.**, Shielding Way, P. O. Box 650, Delaware Water Gap, PA 18327-0136.

The proposed facility is located in Delaware Water Gap Borough, **Monroe County**.

Description of Activity: to renew an NPDES Permit to discharge from a facility located in to Cherry Creek.

**NPDES Permit No. PA-0062235**, Sewage, **D. C. East, Inc.**, 9023 Annapolis Road, Lanham, MD 20706.

This proposed facility is located in Sugarloaf Township, **Luzerne County**.

Description of Proposed Action/Activity: to renew an NPDES permit to discharge treated sewage to an unnamed tributary to Nescopeck Creek.

**WQM Permit No. 1301402**, Sewerage, **Weissport Municipal Authority**, 406 White Street, Lehigh, PA 18235.

This proposed facility is located in Weissport Borough, **Carbon County**.

Description of Proposed Action/Activity: replacement of an existing gravity sewer system with a low pressure sewer system. The collected sewage will be pumped from an existing pumping station to the Central Carbon Municipal Authority's WWTP.

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

**NPDES Permit No. PA0033553**, Sewage, **Gehman Mennonite School**, 650 Gehman School Road, Denver, PA 17517.

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

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

**NPDES Permit No. PA0082333**, Sewage, **Robert Harnish**, Conestoga Hills Mobile Home Park, 1230 Stony Lane, Conestoga, PA 17516.

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

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Stehman Run in Watershed 7-J.

**NPDES Permit No. PA0081949**, Sewage, **West Earl Sewer Authority**, P. O. Box 725, Brownstown, PA 17508.

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

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

**NPDES Permit No. PA0026808**, Sewage, **Springettsbury Township**, 3501 North Sherman Street, York, PA 17402.

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

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

**NPDES Permit No. PA0026263**, Sewage, **York City Sewer Authority**, c/o Blakey, Yost, Bupp & Hershner, LLP, 17 East Market Street, York, PA 17401.

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

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

**NPDES Permit No. PA0082490**, Sewage, **Stonehenge Restaurant, Inc. & Stonehedge Lodge, Inc.**, Joint Venture T-A, 985 Baltimore Pike, Gettysburg, PA 17325.

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

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Rock Creek in Watershed 13-D.

**NPDES Permit No. PA0080250**, Sewage, **Oak Village Mobile Home Park**, 1191 Latimore Valley Road, York Springs, PA 17372-9728.

This proposed facility is located in Straban Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to Beaverdam Creek in Watershed 7-F. (Conewago Creek)

**NPDES Permit No. PA0022179**, Sewage, **Borough of Mercersburg**, 113 South Main Street, Mercersburg, PA 17236.

This proposed facility is located in Mercersburg Borough, **Franklin County**.

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

**WQM Permit No. 0601407**, Sewage, **Amity Township**, 2004 Weavertown Road, Douglassville, PA 19518.

This proposed facility is located in Amity Township, **Berks County**.

Description of Proposed Action/Activity: Construction/Operation of Pump Station.

**NPDES Permit No. PA0083267**, Industrial Waste, **Butler Manufacturing Company**, 400 North Weaver Street, Annville, PA 17003-1103.

This proposed facility is located in Annville Township, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of Quittapahilla Creek in Watershed 7-D.

**NPDES Permit No. PA0082023**, Industrial Waste, **Upper Leacock Township**, 115 Newport Road, Leola, PA 17540.

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

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to the Conestoga River and Mill Creek in Watershed 7-J.

**NPDES Permit No. 2269201**, Industrial Waste, **Susquehanna Area Airport Authority**, 208 Airport Drive, Middletown, PA 17057.

This proposed facility is located in Lower Swatara Township, **Dauphin County**.

Description of Proposed Action/Activity: Permit transfer from Chloe Eichelberger Textiles, Inc. to Susquehanna Area Airport Authority.

**NPDES Permit No. PA0043672 Amendment No. 1**, Industrial Waste, **General Dynamics OTS (Pennsylvania), Inc.**, 200 East High Street, P. O. Box 127, Red Lion, PA 17356.

This proposed facility is located in Red Lion Borough, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to Fishing Creek.

**NPDES Permit No. PA0011100**, Industrial Waste, **Agere Systems, Inc.**, 2525 North 12th Street, P. O. Box 13396, Reading, PA 19612-3396.

This proposed facility is located in Muhlenberg Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Bernhart Creek in Watershed 3-C.

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

**NPDES Permit No. PA0209562**, Industrial Waste, **Eagle Environmental II, LP**, 9 Logan Blvd., 2nd Floor, Altoona, PA 16602

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

Description of Proposed Action/Activity: Discharge of treated landfill leachate to Chest Creek.

**WQM Permit No. 1798201**, Industrial Waste, **Eagle Environmental II, LP**, 9 Logan Blvd., 2nd Floor, Altoona, PA 16602

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

Description of Proposed Action/Activity: Construction of landfill leachate treatment system.

**WQM Permit No. 5997401**, Sewerage 4952, **Robert N. Dunham**, P. O. Box 91, Wellsboro, PA 16901.

This proposed facility is located in Charleston Township, **Tioga County**.

Description of Proposed Action/Activity: Transfer of existing single residence STP permit.

**WQM Permit No 1795408A12**, Sewerage 4952, **Bradford Township/Joshua Kephart**, P. O. Box 79, Woodland PA 16881.

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

Description of Proposed Action/Activity: Construction of a Bradford Township design 1A—surface water discharge STP. New home to be built as approved in past Planning Modules for Land Development dated 12/14/1995.

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

**NPDES Permit No. PA0223115**, Industrial Waste, **COMOR, Inc.**, 23697 U. S. Highway 322, Cochranon, PA 16314-0241.

This proposed facility is located in East Fairfield Township, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to a private pond.

**NPDES Permit No. 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 Action/Activity: This facility is authorized to discharge to the Shenango River and Neshannock Creek.

**NPDES Permit No. PA0238627**, Sewage, **Timothy J. Herbstritt**, 135 Denise Road, St. Marys, PA 15857.

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

Description of Proposed Action/Activity: This project is to discharge to Elk Creek.

**NPDES Permit No. PA0210668**, Sewage, **Andromeda House II**, Perseus House, Inc., 1511 Peach Street, Erie, PA 16501.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Pine Hollow Run.

**NPDES Permit No. PA0103152**, Sewage, **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 Action/Activity: This facility is authorized to discharge to an unnamed tributary to Brandy Run.

**NPDES Permit No. PA0031461**, Sewage, **Hickory Hill Country Village**, A Division of Thomas Mobile Park, 11962 U. S. Route 19 North, Waterford, PA 16441.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to Trout Run.

**NPDES Permit No. PA0238619**, Sewage, **Cornerstone Manufactured Home Community**, Cornerstone Family Services, 2700 Mount Royal Boulevard, Glenshaw, PA 15116.

This proposed facility is located in Beaver Township, **Clarion County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Canoe Creek.

**NPDES Permit No. PA0102396**, Sewage, **Rainbow Valley Mobile Home Park**, 400 Lord Road, Fairview, PA 16415.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to LeBoeuf Creek.

**NPDES Permit No. PA0003026**, Sewage, **US Bronze Foundry & Machine, Inc.**, R. D. 3, Brake Shoe Road, P. O. Box 458, Meadville, PA 16335.

This proposed facility is located in Woodcock Township, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to French Creek and French Creek.

**WQM Permit No. 1601401**, Sewage, **Living Church International, Inc.**, 1087 Pine Run Road, Fairmont City, PA 16224.

This proposed facility is located in Redbank Township, **Clarion County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility.

**WQM Permit No. 2001412**, Sewage, **Borough of Cambridge Springs**, 161 Carringer Street, Cambridge Springs, PA 16403.

This proposed facility is located in Cambridge Springs Borough, **Crawford County**.

Description of Proposed Action/Activity: This project is for the installation of wastewater treatment plant chemical feed system for phosphorus removal.

**WQM Permit No. 2401402**, Sewerage, **Timothy J. Herbstritt**, 135 Denise Road, St. Marys, PA 15857.

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

Description of Proposed Action/Activity: This project is for a Single Residence.

#### **NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)**

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

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.

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



<i>NPDES Permit</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10A115	Villa De Bona Vita Development, Inc. John A. Marino 2606 Lincoln Way White Oak, PA 15131  John J. Brentzel, Inc. 1070 Morris Avenue North Huntingdon, PA 15642	Allegheny County North Versailles Township	Jacks Run/HQ-TSF
PAS10X096	Alan Latta 5543 Saltsburg Road Murrysville, PA 15668	Westmoreland County Murrysville	UNT to Haymakers Run/HQ-CWF
PAS10X097	Pat DeCesare, Inc. 4241 William Penn Highway Murrysville, PA 15668	Westmoreland County Murrysville	UNT to Haymaker Run/HQ-CWF

#### 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.

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#### List of NPDES and/or Other General Permit Types

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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 &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Exeter Township Berks County	PAR 10C367	Pasquale Mascaro Wood Nursery Corp. FR & S Inc. P. O. Box 264 Birdsboro, PA 19508	UNT Schuylkill River (WWF)	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
S. Londonderry Township Lebanon County	PAR10P162	S. A. & B. Partnership 1106 Cocoa Avenue Hershey, PA 17003	Spring Creek (WWF)	Lebanon County Conservation District 2120 Cornwall Rd Suite 5 Lebanon, PA 17042 (717) 272-3908 Ext. 3
Warrington Township York County	PAR10Y539	Alfred Boegeman 300 Robson Road Dillsburg, PA 17019	Wolf Run (NL)	York County Conservation District 118 Pleasant Acres Rd York, PA 17402 (717) 840-7430
York Township York County	PAR10Y541	Paul Knepper 205 Coventry Road Dallastown, PA 17313	UNT to Mill Creek (WWF)	York County Conservation District 118 Pleasant Acres Rd York, PA 17402 (717) 840-7430
Conewago Township York County	PAR10Y538	Ed Wagman Jr. Monarch Products Inc 385 Sipe Road York Haven, PA 17370	Little Conewago Creek (TSF)	York County Conservation District 118 Pleasant Acres Rd York, PA 17402 (717) 840-7430
Spring Garden Township York County	PAR10Y536	N.M. & G. Partnership Route 422 P. O. Box 67 Robeson, PA 19551- 0067	Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Rd York, PA 17402 (717) 840-7430
East Manchester Township York County	PAR10Y537	Scott R. Wagner & Jerry L. Watson Penn Waste Inc. 30 Marianne Drive York, PA 17402	Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Rd York, PA 17402 (717) 840-7430
Franklin Township York County	PAR10Y489	Ken-Lin Estates Ken Garner 160 Coffeetown Road Dillsburg, PA 17019	UNT Latimore Creek (NL)	York County Conservation District 118 Pleasant Acres Rd York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAR10Y393-1	Harley Davidson Motor Co. 1425 Eden Road York, PA 17402	Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Rd York, PA 17402 (717) 840-7430
Washington Township Franklin County	PAR10M233	David and Marion Wagner 6241 Greenbrick Terrace Fayetteville, PA 17222	Conococheague Creek (CWF)	Franklin County Conservation District 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
Warwick Township Lancaster County	PAR10O503	Wade Hertz 100 Highlands Drive Suite 200 Lititz, PA 17543	Cocalico Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361

## NOTICES

4687

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Clay Township Lancaster County	PAR10o507	Dennis Zimmerman 205 Yummerdale Road Lititz, PA 17543	Middle Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Hollidaysburg Borough Frankstown Township Blair Township Blair County	PAR100723	Hollidaysburg Sewer Autn 401 Blair Street Hollidaysburg, PA 16648	Beaverdam Branch of Juniata River (WWF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Lawrence Township Clearfield County	PAR101766	Lawrence Township Spvrs. P. O. Box 508 George St. Clearfield, PA 16830	W. Br Susquehanna River CWF	Clearfield County Conservation District 650 Leonard St. Clearfield, PA (814) 765-2629

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Erie County, Girard Township	PAR10K181	Cheryl R. Joslin 4220 North Creek Road Girard, PA 16417	UNT to Elk Creek (CWF; MF)	Erie Conservation District (814) 796-6760 Ext. 5

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
York County Penn Township	PAR113541	SKF USA, Inc. 525 Fame Ave. Hanover, PA 17331	UNT Oil Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
East Fairfield Township Crawford County	PAR228316	Custead's Sawmill, Inc. 23708 Sawmill Road Meadville, PA 16335	Unnamed tributary into Little Sugar Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Cumberland County North Middlton Township	PAG043556	Robert and Darlene Gott 2131 Longs Gap Road Carlisle, PA 17013	UNT to Meetinghouse Run/WWF	DEP—SCRO 909 Elmerton Ave Harrisburg, PA 17110 (717) 705-4707
Bedford County Everett Borough	PAG043529	Carl F. Michael	UNT Dunnings Creek WWF	DEP—SCRO 909 Elmerton Ave Harrisburg, PA 17110 (717) 705-4707
Clearfield County Bradford Township	PAG044850	Joshua Kephart R. R.#2 Box 192 Clearfield, PA 16830	Unnamed tributary of West Branch Susquehanna River 8C	Department of Environmental Protection Northcentral Regional Office 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Tioga County Charleston Township	PAG044925	Robert N. Dunham P. O. Box 91 Wellsboro, PA 16901	Unnamed tributary of Catlin Hollow Creek 4A	Department of Environmental Protection Northcentral Regional Office 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Columbia County Montour Township	PAG044920	John P. and Kristene A. Reibsome 240 Tower Drive Danville, PA 17821-8003	Unnamed tributary to Montour Run 5E	Department of Environmental Protection Northcentral Regional Office 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Clearfield County Cooper Township	PAG044878	Harold T. Mann P. O. Box 41 Drifting, PA 16834	Basin Run 8D	Department of Environmental Protection Northcentral Regional Office 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Lycoming County Susquehanna Township	PAG044868	Carol L. Barker 2704 Route 654 Hwy. Williamsport, PA 17702	UNT to West Br Susquehanna River (WWF)	Department of Environmental Protection Northcentral Regional Office 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
<i>General Permit Type—PAG-5</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lower Merion Township Montgomery County	PAG050026	Mulry and Cresswell Environmental Inc. 1691 Horseshoe Pike Manor Professional Bldg. Suite 1 Glenmoore, PA 19343	West Branch Indian Creek	Southeast Region Water Management (610) 832-6130
Newtown Township Delaware County	PAG050027	Sunoco, Inc. 3607 West Chester Pike Newtown Square, PA 19073	UNT to Hunter Run	Southeast Region Water Management (610) 832-6130
Huntingdon County Porter Township	PAG053554	Shaner Energy, Inc. Warrior Ridge Mobil #7 40 Pennsylvania Ave. Huntingdon, PA 16652	Frankstown Branch Juniata River/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Marion Township Tulpehocken Township Berks County	PAG080001 PAG080002 PAG080003 PAG080006 PAG080007 PAG080008 PAG080009 PAG082201 PAG082203 PAG083501 PAG083502 PAG083506 PAG083515 PAG083517 PAG083522 PAG083542 PAG083547 PAG083551 PAG083825	Syna-Gro Mid-Atlantic 1605 Dooley Road P. O. Box B Whiteford, MD 21160	Robert and Jane Sat- tazhn Farm Marion and Tulpehocken Township Berks County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Drumore Township Lancaster County	PAG080004	Philadelphia Water Dept. 1101 Market Street Philadelphia, PA 19153	J McSparron Farm Drumore Township Lancaster County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-9*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Todd Township Fulton County	PAG093536	Jason Ramsey Ramsey's Septic Service 6834 Cito Road McConnellsburg, PA 17233		DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

**PUBLIC WATER SUPPLY PERMITS**

The Department of Environmental Protection (Department) has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act for the construction, substantial modification or operation of a public water system.

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, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days from the date of issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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.

**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	<b>Cedar Manor MHP</b>
Municipality	Londonderry Township
County	<b>Dauphin</b>
Type of Facility	Operation of Nitrate removal treatment system for Well No. 5.
Consulting Engineer	Alex A McIntyre, P.E. Alex A. McIntyre, Consulting Engineer 1297 Wheatland Ave Lancaster, PA 17603
Permit to Operate Issued:	August 10, 2001

**Permit No. 2200509 MA**, Minor Amendment, Public Water Supply.

Applicant **Mountainview Thoroughbred Racing**  
 Municipality East Hanover  
 County **Dauphin**  
 Type of Facility Change in disinfection treatment from chlorine gas to liquid chlorine at Well Nos. 1 and 2.  
 Consulting Engineer George W Ruby, P.E.  
 Ruby Engineering  
 P. O. Box 127  
 Rexmont, PA 17085-0127  
 Permit to Operate August 10, 2001  
 Issued:

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

**Permit No. Minor Amendment Construction**, Public Water Supply.

Applicant **State College Borough Water Authority**  
 Township Harris  
 County **Centre**  
 Type of Facility Public Water Supply  
 Consulting Engineer Gwin, Dobson & Foreman, Inc.  
 Permit to Construct August 10, 2001  
 Issued

**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.**

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

**WA26-539A**, Water Allocations. **Borough of Masontown**, Two Court Street, Masontown, PA 15461, Masontown Borough, **Fayette County**. Right to withdraw up to 1 million gallons of water, as a daily maximum, from the Monongahela River, located in Fayette County.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

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

*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>
Carroll Township	555 Chestnut Grove Rd. Dillsburg, PA 17019	York County

Plan Description: The proposed Official Plan revision, Grantham Crossing (A3-67907-180-2), consists of a 29 lot single-family residential subdivision on 27 acres with total estimated sewage flows of 11,600 gpd to be treated by a combination of individual on-lot sewage disposal systems and small flow treatment facilities. The project site is located on Jennifer Lane and along the north side of Al Pat Drive, east of Chestnut Grove Road in Carroll Township, York County. The plan, as submitted, was disapproved because it fails to document that the short and long term sewage disposal needs of all the lots in the subdivision would be met as required by Chapter 71, Section 71.52. Additionally, the proposal, as submitted, fails to document the technical and administrative feasibility of the chosen method of sewage disposal for all the lots in subdivision as required by Chapter 71, Section 71.52.

**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 of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

**Former Penn Linen and Uniform Services**, City of Bethlehem, **Lehigh County**. Marco M. Odah, P.E., EnviroRemedy International, Inc., 401 S. Clairborne Road, Suite 303, Olathe, KS 66062 has submitted a Final Report (on behalf of his client, John Chen, Environmental Engineer, Cintas Corporation, 1300 Washington Street, Kansas City, MO 64105) concerning site soils found or suspected to have been contaminated with solvents. The report was submitted to document remediation of the site to meet the Statewide health standards.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Charus L. Goss Estate**, Wysox Township, **Bradford County**. Chambers Environmental Group, Inc., on behalf of Charus L. Goss Estate, Route 6 and Sullivan Street, Towanda, PA 18848, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead, BTEX and PHCs. The report is intended to document remediation of the site to meet the Site-specific Standard.

*Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**JSP International (Former Spang Tool Facility)**, 150 East Brook Lane, East Butler, PA, East Butler Township, **Butler County**, has submitted a Cleanup Plan concerning remediation of the site soil, groundwater and surface water contaminated with PCBs, lead, heavy metals, solvents, BTEX, free cyanide and the surface water with total cyanide. The report is intended to document remediation of the site to meet the Site Specific Standard.

**Engelhard Corporation/Mallinckrodt Inc., South Parcel**, 1729 East Avenue, City of Erie, **Erie County**, has submitted a Final Report concerning remediation of the ground water. The site has been found to be contaminated with lead, heavy metals and solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediation Standards Act. Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the

cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

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

**Bethlehem Commerce Center (AKA Conective Mid-Merit, Inc., Project Area)**, City of Bethlehem and Lower Saucon Township, **Northampton County**. Edwin B. Wilson, Director, Environmental Assessment and Remediation, Bethlehem Steel Corporation, 1170 Eighth Avenue, Bethlehem, PA 18016 submitted a Final Report concerning the characterization of soils located on the subject property. The report was submitted to document that site soils meet both the Background and Statewide health standards and was approved on July 30, 2001.

**Turner Residence**, Franklin Township, **Luzerne County**. Gary Marshall, Senior Project Manager, TCI Environmental Services, Inc., 100 North Wilkes-Barre Boulevard, Wilkes-Barre, PA 18701 submitted a Final Report (on behalf of his client, Ray Turner, Jr., Brace and Orange Roads, Orange, PA 18612) concerning the remediation of site soils contaminated with no. 2 fuel oil. The final report demonstrated attainment of the Statewide health standard and was approved on August 10, 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 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.*

## INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE RENEWED

**Med-Trac, Inc.**, 715 William Pitt Way, Pittsburgh, PA 15238. License No. **PA-HC 0086**. Effective August 7, 2001.

**Clean Harbors Environmental Services, Inc.**, P. O. Box 859048, Braintree, MA 02185-9048. License No. **PA-HC 0053**. Effective August 8, 2001.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits approved under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101–4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Permit No. 300913. Westwood Generating Station,** WPS Westwood Generation, LLC, 1088 Springhurst Drive, Green Bay, WI 54304. The reissuing of a permit authorizing the post-closure care and maintenance activities at this residual waste (coal ash) landfill located in Frailey Township, **Schuylkill County**. This residual waste landfill has been certified closed and is now in post-closure status. There has been no other changes in the terms of the approved operations or site design. The permit was issued in the Regional Office on July 19, 2001.

**Permit No. 100265. Grand Central Sanitary Landfill,** Grand Central Sanitary Landfill, Inc., 1963 Pen Argyl Road, Pen Argyl, PA 18072. A major permit modification for the recirculation of treated effluent and side stream discharge from the reverse osmosis system to be used for dust control and litter control at this municipal waste landfill located in Plainfield Township, **Northampton County**. The permit was issued in the Regional Office on July 24, 2001. This approval allows the side stream discharge from the reverse osmosis unit to be placed only on the working face for dust control and litter control. The effluent from the system can be recirculated by tanker truck on the working face or on other areas for dust control that have a composite liner system.

### 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; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**09-0124A: S.W.E.C., LLC** (USX Industrial Park, Fairless Hills, PA 19030) on August 7, 2001, for operation of a 500 MW Power Plant in Falls Township, **Bucks County**.

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

**40-313-029C: Gemark Services Corp.** (99 Stevens Lane, Exeter, PA 18643) on August 8, 2001, for modification of metals recovery systems in Exeter Borough, **Luzerne County**.

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

**36-03122: Allegheny Energy Resources, Inc.** (301 Fifth Avenue, Room 307, McKeesport, PA 15132) on August 7, 2001, for construction of a landfill gas (LG) processing facility controlled by a thermal oxidizer at the

Chester County Solid Waste Authority's Lanchester Landfill in Caernarvon Township, **Lancaster County**.

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; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**15-0026: American Inks and Coatings Corp.** (Pawlings Road, Schuylkill, PA 19460) on August 10, 2001, for operation of a Specialty Clear Coat Manufacturing in Schuylkill Township, **Chester County**.

**15-0058: Martin Limestone, Inc.** (199 Quarry Road, Honey Brook, PA 19344) on August 10, 2001, for operation of a Tertiary Crusher and Sizing Screen in West Brandywine Township, **Chester County**.

**46-0191A: Merck and Co., Inc.** (351 North Sumneytown Pike, North Wales, PA 19454) on August 10, 2001, for operation of a 100 KW Emergency Generator in Upper Gwynedd Township, **Montgomery County**.

**09-0015B: Rohm and Haas Co.** (Old Route 13 and Route 413, Bristol, PA 19007) on August 10, 2001, for operation of a catalytic oxidizer and seven (7) tanks in Bristol Township, **Bucks County**.

**09-0007A: Waste Management Disposal Services of PA** (1513 Bordentown Road, Morrisville, PA 19067) on August 10, 2001, for operation of a Solid Waste Landfill Expansion in Falls Township, **Bucks County**.

**09-0024A: Waste Management of PA, Inc** (200 Bordentown Road, Tullytown, PA 19007) on August 10, 2001, for operation of a permitted landfill in Tullytown Borough, **Bucks County**.

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

**25-069E: Engelhard Corp.** (1729 East Avenue, Erie, PA 16503) on July 31, 2001, for a stearic acid removal oven in Erie, **Erie County**.

**33-002B: Owens-Brockway Glass Container** (Route 219, E and R Building, Plant 19, Brockway, PA 15824) on July 30, 2001, for a glass melting furnace in Snyder Township, **Jefferson County**.

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; Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.*

**46-00001: Moyer Packing Co.** (741 Souder Road, Souderton, PA 18964) on August 7, 2001, for operation of a Facility Title V Operating Permit in Franconia Township, **Montgomery County**.

**15-00046: Sunoco, Inc.** (R&M) (1824 Horseshoe Pike, Honey Brook, PA 19344) on August 8, 2001, for operation of a Facility Title V Operating Permit in West Caln Township, **Chester County**.

**09-00001: Avery Dennison Corp.—Fasson Roll Division** (35 Penn America Drive, Quakertown, PA 18951)



on August 9, 2001, for operation of a Facility Title V Operating Permit in Richland Township, **Bucks County**.

**09-00028: FiberMark, Inc.** (45 North 4th Street, Quakertown, PA 18951) on August 9, 2001, for operation of a Facility Title V Operating Permit in Quakertown Borough, **Bucks 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.**

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

**62-00032: National Forge Company** (Erie Street, Irvine, PA 16329) on August 6, 2001, for a Synthetic Minor Operating Permit in Brokenstraw Township, **Warren County**.

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

**98-002: Ardex Laboratories, Inc.** (2050 Byberry Road, Philadelphia, PA 19116) on July 23, 2001, for operation of manufacturing and distributing automotive cleaning and detailing products in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's significant air emission sources include a mixing tank, 13 mixing vessels, tank truck unloading, drum filling and packaging processes, a 483,000 BTU/hr facility heat natural gas-fired boiler, a 400,000 BTU/hr natural gas-fired air make-up unit and a 600,000 BTU/hr process and facility natural gas-fired hot water boiler.

**96-010: Philadelphia Tramrail Co.** (2201 East Ontario Street, Philadelphia, PA 19134) on July 31, 2001, for the 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.

**00-008: Roto-Die Co., Inc.** (2850 Comly Road, Philadelphia, PA 19154) on July 31, 2001, 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. 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.

**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.**

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

**97-012: Tenet Health System—Hahnemann University Hospital** (Broad and Vine Streets, Philadelphia, PA 19102) administratively amended on July 27, 2001, to correct facility and permit contact information for the facility in the City of Philadelphia, **Philadelphia**

**County**. The Synthetic Minor operating permit was originally issued on July 31, 2000 and initially amended on May 21, 2001.

**De minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

**10-00001: AK Steel Corp.** (Route 8, Butler, PA 16003) for its Butler Works facility in Butler, **Butler County**. This steel production plant is a Title V facility. The de minimis emission increase to the #20 Carlite line (Source #161) will result in the following increases in emissions from the source: Particulate Matter (0.02 ton per year), Nitrogen Oxides (0.24 ton per year), Sulfur Oxides (0.001 ton per year), Volatile Organic Compounds (0.01 ton per year) and Carbon Monoxide (0.2 ton per year). This emission increase is authorized under 25 Pa. Code § 127.449 and in Section B, Condition #017 the facility's Title V Operating Permit.

**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.*

**40663026C9. Pacton Corporation**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to an existing coal refuse disposal operation in Hazle Township, **Luzerne County** affecting 285.0 acres, receiving stream—none. Correction issued: August 6, 2001.

**54851603R3. Pine Creek Coal Company**, (P. O. Box 100, Spring Glen, PA 17987), renewal of an existing coal preparation plant operation in Hublely Township, **Schuylkill County** affecting 23.6 acres, receiving stream—Pine Creek. Renewal issued: August 7, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.*

**11960107. Permit Renewal, T. J. Mining, Inc.** (P. O. Box 370, Carrolltown, PA 15722), for continued operation of a bituminous surface and auger mine in Cresson Township, **Cambria County**, affecting 62.0 acres, receiving stream unnamed tributary to Burgoon Run. Application received: April 23, 2001. Permit issued: August 9, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.*

**03991301. Rosebud Mining Company**, (R. D. 9, Box 379A, Kittanning, PA 16201), to operate the Logansport Mine in Bethel Township, **Armstrong County**, unnamed tributary "A" and the Allegheny River. Permit issued: August 9, 2001.

*Noncoal Permits Issued*

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

**58000843. Rodney R. Foote**, (78 River Street, Susquehanna, PA 18847), commencement, operation and restoration of a small bluestone quarry operation in Jackson Township, **Susquehanna County**, affecting 1.0 acre, receiving stream—none. Permit issued: August 6, 2001.

**58010826. Paul R. Wells**, (R. R. 1, Box 362, Montrose, PA 18801), commencement, operation and restoration of a small noncoal quarry operation in Bridgewater Township, **Susquehanna County**, affecting 1.0 acre, receiving stream—Meshoppen Creek. Permit issued: August 6, 2001.

**58000850. Daryl Jay Cook**, (R. R. 5, Box 203C, Montrose, PA 18801), commencement, operation and restoration of a small bluestone quarry operation in Rush Township, **Susquehanna County**, affecting 1.0 acre, receiving stream—none. Permit issued: August 6, 2001.

**58010806. Thomas R. Honeyford**, (R. R. 3, Box 81A, Montrose, PA 18801), commencement, operation and restoration of a small bluestone quarry operation in Franklin Township, **Susquehanna County**, affecting 1.0 acre, receiving stream—unnamed tributary to Snake Creek. Permit issued: August 6, 2001.

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

**14000301. Glenn O. Hawbaker, Inc.** (325 West Aaron Drive, State College, PA 16804), commencement, operation and restoration of a Large Industrial Minerals (Sandstone) permit in Halfmoon and Worth Townships, **Centre County** affecting 169.58 acres. Receiving stream—Bald Eagle Creek to the West Branch of the Susquehanna River. Application received: February 25, 2000. Permit issued: August 3, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.*

**4273SM4A. Permit Transfer from Sproul Lime & Stone Company** (R. D. 1, Claysburg, PA 16625) to New Enterprise Stone & Lime Company, Inc. (P. O. Box 77, Church Street, New Enterprise, PA 16664), for continued operation of a noncoal surface mine in Greenfield Township, **Blair County**, affecting 37.3 acres, receiving stream Beaverdam Creek. Application received: June 7, 2001. Permit issued: August 9, 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), 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.

**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

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

**E46-883. Department of General Services**, Bureau of Engineering and Architecture, 18th and Herr Streets, Harrisburg, PA 17125, Conshohocken Borough, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with the construction of a flood control project in and along approximately 660 linear feet of Plymouth Creek (WWF):

1. To construct and maintain approximately 250 linear feet of cast-in-place concrete channel and associate upstream wingwalls, low flow weir structure and grouted riprap scour protection. The downstream end of the channel will connect to an existing SEPTA culvert.

2. To modify an existing SEPTA railroad arch culvert by removing a portion to improve alignment and facilitate connections with the proposed upstream concrete channel and the proposed downstream box stream enclosure. Work will include excavating the upstream invert of the SEPTA culvert to create a larger hydraulic cross section.

3. To remove the existing conduits and to construct and maintain approximately 300 linear feet of cast-in-place 18-foot by 8.5 box stream enclosure, including the outlet structure and grouted riprap scour protection. The enclosure extends from the SEPTA culvert and terminates at the confluence with the Schuylkill River.

The project commences approximately 400 feet downstream of Elm Street (Norristown PA Quadrangle N: 13.55 inches, W: 8.70 inches) and terminates just upstream of the confluence of Plymouth Creek and the Schuylkill River (Norristown PA Quadrangle N: 13.30 inches, W: 8.80 inches).

**E15-610. PennDOT**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, East Bradford Township, **Chester County**, ACOE Philadelphia District.

To perform the following activities associated with roadway improvements near the interchange of Downingtown Pike (S. R. 3072) and Route 322 Bypass:

1. To extend and maintain the downstream side of an existing reinforced concrete T-beam bridge that spans Taylor Run (TSF-MF). This bridge has a single clear span of approximately 24 feet and minimum underclearance of approximately 6.1 feet. The existing structure measures approximately 52.5 in width and the extension will measure an additional 39.4 feet. The modified structure will have equivalent hydraulic dimensions as the existing structure.

2. To extend and maintain the downstream end of an 8-foot by 5.74-foot pipe arch culvert along an unnamed tributary to Taylor Run (TSF-MF). The existing structure consists of an original concrete arch culvert and pipe arch segment from a previous extension. The total length of the existing structure is approximately 73.8 feet. The proposed structure will consist of an additional 42.9 feet of equivalently sized pipe. The total length of the proposed structure will be approximately 116.7 feet.

The project's total wetland impact will be 0.22 acre (PEM). The site is located in the vicinity of the aforementioned intersection (Unionville USGS Quadrangle N: 16.6 inches, W: 1.1 inches). The project has met the wetland replacement requirement of the regulations by making a monetary contribution to the wetland replacement fund for 0.22 acre of wetland.

**E09-819. Doylestown Township**, 425 Wells Road, Doylestown, PA 18901, Doylestown Township, **Bucks County**, ACOE Philadelphia District.

To remove the existing Iron Hill road single span bridge and to install and maintain a precast concrete twin box culvert having a clear span of 12 feet and an underclearance of four feet in and along Cooks Run (WWF-MF) and impacting 0.02 acre of adjacent wetlands. The project will include: widening of Iron Hill Road; construction of a new bike path along the eastern side of the southbound travel lane; modifying approximately 130 linear feet of Cooks Creek and the installation of stormwater facilities associated with bridge and roadway construction (Doylestown Quadrangle N: 9.75 inches; W: 4.9 inches). The amount of wetland impact is considered a de minimis impact of 0.02 acre and wetland mitigation is not required.

**E09-806. PennDOT**, 7000 Geerdes Boulevard, King of Prussia, Milford Township, **Bucks County**, ACOE Philadelphia District.

To replace and maintain an existing bridge with either a two-span steel plate girder or prestressed concrete adjacent box beam bridge shifted upstream about 20 feet with a clear span of 120 feet and an underclearance of 11 feet. The work also includes the placement of riprap protection at the abutments and the use of a cofferdam during construction. The proposed bridge spans Unami Creek (HQ, TSF) and is located along S.R. 4027 (Allentown Road) Section 75S, located approximately 300 feet

northwest of the intersection of Allentown Road and Mill Road (Milford Square, PA Quadrangle N: 9.70 inches; W: 3.05 inches).

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

**E40-567. Thomas S. Czerniakowski**, R. R. 3, Box 121, Harveys Lake, PA 18618-9789. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To modify and maintain an existing pile-supported dock in Harveys Lake, increasing the dock area from approximately 630 square feet to approximately 1,770 square feet. The structure, as modified, has overall dimensions of 50 feet (lakeward) x 55 feet. The project includes the placement of 4 inches of washed AASHTO #10 stone, with an areal coverage of approximately 1,180 square feet, to provide fish spawning beds. The project is located at Pole 257 along Lakeside Drive (Harveys Lake, PA Quadrangle N: 19.4 inches; W: 5.35 inches).

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

**E06-550. Leesport Borough Authority**, 10 East Wall Street, P. O. Box 201, Leesport, PA 19533 in Leesport Borough, **Berks County**, Philadelphia District.

To remove the existing control building and to construct and maintain a new control and equipment building and treatment facilities within the left bank's 100-year floodway of the Schuylkill River (WWF) located downstream of East Wall Street bridge (Temple, PA Quadrangle N: 12.65 inches; W: 12.6 inches).

**E31-172. Huntingdon Borough**, 530 Washington Street, Huntingdon, PA 16652 in Huntingdon Borough, **Huntingdon County**, ACOE Baltimore District.

To make repairs to approximately 1,300 feet of an existing stream enclosure including replacing existing concrete channel lining, cleaning litter, debris and silt deposits from the channel and underpinning existing culvert footings in the channel of an unnamed tributary to the Juniata River (WWF) at a point from the intersection of Moore and 14th Street to its mouth at the Juniata River (Huntingdon, PA Quadrangle N: 21.4 inches; W: 2.2 inches).

**E36-706. PPL Utilities**, GENN-4, 2 North 9th Street, Allentown, PA 18101 in Brecknock and Caernarvon Townships, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a ford crossing across the channel of Black Creek (HQ-WWF) located about 1,500 feet east from the intersection of PA 625 and T-823 (Terre Hill, PA Quadrangle N: 8.25 inches; W: 0.5 inch).

**E36-709. C. M. Industries**, P. O. Box 487, Adamstown, PA 19501 in Adamstown Borough, **Lancaster County**, ACOE Baltimore District.

To demolish the remains of a two story, 14,098 square foot, brick factory and to construct a new 14,098 square foot building in the same location along the south bank and in the floodway of Little Muddy Creek (TSF) located at the intersection of Willow Street and Lancaster Avenue (Terre Hill, PA Quadrangle N: 21.1 inches; W: 7.9 inches).

**E36-713. Lancaster City, Bureau of Parks & Public Safety**, 120 North Duke Street, Lancaster, PA 17608 in Lancaster City and Lancaster Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain (1) two existing parking areas (2) a 12-foot wide walking/biking trail (3) a waived 15-foot single span timber foot bridge in the floodway/floodplain of the Conestoga River (WWF) located beginning immediately upstream of the Duke Street bridge and continuing about 7,000 linear feet north along the west side of the river (Lancaster, PA Quadrangle N: 4.3 inches; W: 4.9 inches).

**E44-107. Pennsylvania Electric Company**, GPU Energy, 2800 Pottsville Pike, Reading, PA 19640 in Granville Township, **Mifflin County**, ACOE Baltimore District.

To install and maintain a fiber optic cable on an existing aerial electric transmission line across the channel of the Juniata River (WWF) at a point approximately 3,900 feet downstream of the Penn Central Railroad crossing (Lewistown, PA Quadrangle N: 14.3 inches; W: 13.7 inches).

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

**E08-371. Pennsylvania Department of Transportation**, Engineering District 3-0, 715 Jordan Avenue, Montoursville, PA 17754. Bridge Work, in Wilmot Township, **Bradford County**, ACOE Baltimore District (Jenningsville, PA Quadrangle N: 14.25 inches; W: 13.5 inches).

To construct and maintain approximately 15 linear feet of streambed paving embedded with natural streambed stone and to construct and maintain a temporary dam upstream for the purpose of impounding and pumping water around the bridge during construction. The project is located in Sugar Run Creek on SR 0187 at the intersection of Coyle Road with SR 0187 in Wilmot Township, Bradford County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E08-378. Troy Area School District**, P. O. Box 67, Troy, PA 16497. Water Obstruction and Encroachment Permit application, in Troy Township, **Bradford County**, ACOE Susquehanna River Basin District (East Troy, PA Quadrangle N: 3.9 inches; W: 15.0 inches).

To place and maintain 400 cubic yards of topsoil in the floodway for a youth soccer field, which is located along the confluence Sugar and Leonard Creeks. This permit was issued under Section 105.13(e) "Small Projects."

**E12-123. Ronald A. Luckenbill**, R. R. 1, Box 330A, Emporium, PA 15834-9714. Luckenbill Water Intake Structure, in Shippen Township, **Cameron County**, ACOE Baltimore River Basin District (Rich Valley, PA Quadrangle N: 6.6 inches; W: 6.6 inches).

To construct, operate and maintain a water intake structure in Johns Run; to construct, operate and maintain 300-feet of 4-inch diameter pipe in the floodway of Johns Run; and to construct, operate and maintain 50-feet of natural rock stream bank protection along Driftwood Branch-Sinnemahoning Creek to supply water to a private, recreational pond. The project is located the northern right-of-way of SR 4004 approximately 1.3-miles west of SR 0046 and SR 4004 intersection. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E14-387. College Township**, 1481 East College Avenue, State College, PA 16801. Storm Water Outfall, in College Township, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 12.7 inches; W: 10.5 inches).

To construct, operate and maintain a stormwater outfall and 40 linear feet of R-7 riprap on Spring Creek. This project is located SR 26, 0.9 mile north east of the intersection of SR 322 and SR 26 to Houserville Road, .25 mile northwest to site (State College, PA Quadrangle, N: 12.7 inches, W: 10.5 inches) in the College Township, Centre County. This permit was issued under Section 105.13(e) "Small Projects."

**E14-395. Robert C. Hall**, 966 Ulrich Road, Julian, PA 16844. New secondary driveway culvert and streambank retaining walls in Huston Township, **Centre County**, ACOE Baltimore District (Julian, PA Quadrangle N: 2.7 inches; W: 11.2 inches).

1) to place and maintain a 48-inch diameter by 20-foot long plastic culvert pipe with 1.5 to 3-foot of earthen cover and 10-foot long by 5-foot deep field stone wingwalls; 2) to construct and maintain 5-foot deep fieldstone retaining walls located for the first 75 feet downstream of the proposed culvert and a 15-foot long by 3-foot deep fieldstone wall on the right bank located 200 feet downstream from the culvert in an unnamed tributary to Laurel Run located 0.8 mile east-northeast from the intersection of SR 3030 and SR 3032 in Huston Township, Centre County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-320. Hope F. and Karen F. Foulkrod**, 162 River Road, Jersey Shore, PA 17740. Floodway fill in Avis Borough, **Clinton County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle N: 11.0 inches; W: 9.25 inches).

To construct and maintain a 66-foot by 28 foot three bedroom ranch style home in the floodway of Grove Run at the corner of Park and Brady Streets (Jersey Shore, PA Quadrangle N: 11.0 inches; W: 9.25 inches) in Avis Borough, Clinton County. This permit was issued under Section 105.13(e) "Small Projects."

**E41-482. McIntyre Township Supervisors**, P. O. Box 171, Ralston, PA 17763. Rock Run Bridge Replacement, in McIntyre Township, **Lycoming County**, ACOE Baltimore District (Ralston, PA Quadrangle N: 1.05 inches; W: 11 inches).

This permit authorizes removal of the existing bridge structure and the construction, operation and maintenance of a reinforced concrete adjacent box beam bridge, with a clear span equal to 122 feet, a skew of 87 degrees and a minimum under clear of 13.1 feet. This permit also authorizes the construction of two new reinforced concrete abutments to support the structure in addition to a temporary work causeway. This project is located .3 mile east on Thompson Street from the intersection with SR 14 in the Town of Ralston. This project shall impact 200 linear feet of Lycoming Creek, which is designated as Trout Stocked Fishery and is on the Pa. Fish and Boat Commissions Wild Trout List. This Project does not impact any wetlands. This permit also includes 401 Water Quality Certification.

**E49-245. Masser's Farm Market**, R. R. 1, Box 1038, Paxinos, PA 17860-9639. Floodway Fill, in Shamokin Township, **Northumberland County**, ACOE Baltimore District (Shamokin, PA Quadrangle N: 13.4 inches; W: 11.95 inches).

To construct and maintain fill in an area approximately 150 feet by 33 feet in the floodway of Bennys Run on the north side of Route 61 approximately 300 feet east of the intersection of Route 61 with SR 4026 in Shamokin

Township, Northumberland County. This permit was issued under Section 105.13(e) "Small Projects."

**E49-247. John Ferrara**, PA DCNR, Shikellamy State Park, Bridge Avenue, Sunbury, PA 17801. Floodway Construction, in Upper Augusta Township, **Northumberland County**, ACOE Baltimore District (Northumberland, PA Quadrangle N: 2.0 inches; W: 12.0 inches).

1) To remove 900 feet of an existing park entrance road; 2) to reconstruct and maintain 900 feet of an existing park entrance road with a low point elevation of 432.77 feet; 3) to construct and maintain a 392-foot long vinyl floodwall with a maximum elevation of 437.3 feet; 4) to reconstruct and maintain a 12-inch, 18-inch and 24-inch storm pipes with their respective inlets and outfalls, relocate and maintain an existing underground electrical line, replace and maintain a portion of a sanitary sewer force main pipe and to construct and maintain a small stormwater pump station; all of which are in the left floodway of the Susquehanna River located on the Main Entrance Road to Shikellamy State Park 1,000 feet from SR 0147 intersection. The project should have no direct impacts to the Susquehanna River that is classified as a Warm Water Fishery. This permit was issued under Section 105.13(e) "Small Projects."

**E53-359. Christopher A. Beaver**, PA DCNR, Bureau of Forestry, P. O. Box 673, Coudersport, PA 16915-0673. Replacing two Forestry culverts and installing a new cross drain outfall in Eulalia Township, **Potter County**, ACOE Baltimore District (Short Run, PA Quadrangle N: 18.6 inches; W: 10.6 inches).

1) To remove an existing culvert and then to construct and maintain a 60-inch diameter 40-foot long metal culvert, with end sections and R-7 inlet/outlet riprapping, that would have a waterway opening of 18.61 square feet after being depressed 6 inches into the stream bed of Little Lyman Run located 0.8 mile south on Horton Run Road from Junction Road; 2) to remove an existing culvert and then to construct and maintain a 57-inch by 36-inch by 40-foot long metal arch culvert, with end sections and R-7 inlet/outlet riprapping, that would have a waterway opening of approximately 10 square feet after being depressed 6 inches into the stream bed of Little Lyman Run located 1.0 mile south on Horton Run Road from Junction Road; 3) to construct and maintain a R-4 limestone riprap outlet apron for a 18-inch diameter cross-drain culvert located 50 feet upstream of the 57-inch by 36-inch proposed arch culvert. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E02-1336. Pennsylvania Department of Transportation**, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. Findlay Township, **Allegheny County**, ACOE Pittsburgh District.

To remove the existing bridge and to construct and maintain a new bridge having a clear span of 8.23 meters (27.0 feet) with an underclearance of 2.83 meters (7.28 feet) across Raredon Run (WWF), to relocate and maintain approximately 328.0 feet of the channel of an unnamed tributary to Raredon Run (WWF) located just west of said bridge, to relocate and maintain approximately 393.6 feet of an unnamed tributary to Raredon Run (WWF) located just east of said bridge and to place and maintain fill in a de minimis area of PEM/PSS wetland equal to 0.03 acre for the purpose of improving highway safety. The project is located on S.R. 3088 Sect

A01, Station 0+241.570, Offset 0000, Segment 0010 (Aliquippa, PA Quadrangle N: 3.5 inches; W: 7.4 inches).

**E02-1338. County of Allegheny**, Department of Public Works, Room 501, County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-5386. West Deer Township, **Allegheny County**, ACOE Pittsburgh District.

To remove approximately 600 cy of accumulated sedimentation from three locations, to construct and maintain two fish mounds, to construct and maintain two fishing pods, to construct and maintain three aeration diffusers, to repair and maintain a concrete retaining wall and two concrete bridge piers, to repair an undercut end wall and to construct and maintain a handicap access path around the lake with a stream crossing consisting of four 18 inch diameter CPE culvert pipes and an approximately 17 feet long concrete transition channel on the upstream end of the culvert pipes in a tributary to Little Deer Creek (TSF). The project is located in the southeast corner of the intersection of Mehaffey Road and Park Road (New Kensington West, PA Quadrangle N: 22.1 inches; W: 10.2 inches).

**E03-195. Greene County Commissioners**, 93 East High Street, Waynesburg, PA 15370. Aleppo Township, **Greene County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a single span bridge having a normal span of 16.05 meters and an underclearance of 1.419 meters across Harts Run (WWF) for the purpose of improving transportation safety and roadway standards. The project is located on T-417 (Cameron, W. VA-PA Quadrangle N: 7.9 inches; W: 1.8 inches).

**E03-397. Lincroft, Inc.**, 207 Iron Bridge Road, Freeport, PA 16229. South Buffalo Township, **Armstrong County**, ACOE Pittsburgh District.

To construct and maintain a dual 8-inch pipe intake structure, gabion basket headwall and concrete manhole pump station in the left bank of Buffalo Creek (HQ-TSF) located approximately 1.5 miles west of intersection of S.R. 28 and Furnace Run Road for the purpose of irrigation of the proposed Birdsfoot Golf Course (Freeport, PA Quadrangle N: 20.8 inches; W: 6.67 inches).

**E04-276. Municipal Authority of the Borough of Zelienople**, 1857 Route 588, Zelienople, PA 16063. Franklin Township, **Beaver County**, ACOE Pittsburgh District.

To place and maintain fill and three 30 inch culverts in 0.28 acre of wetlands (PFO) located within the flood plain of the Connoquenessing Creek (WWF) and to excavate material from the flood plain for the purpose of constructing a new access road from Route 588 to the Zelienople Municipal Airport in order to meet FAA requirements. To meet the wetland requirements, the applicant will construct 0.28 acre of replacement wetlands. (Zelienople, PA Quadrangle N: 8.2 inches; W: 4.8 inches).

**E26-283. Pennsylvania Department of Transportation**, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. Springhill and Nicholson Townships, **Fayette County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a bridge having a normal clear span of 28 m and an underclearance of 3.47 m across Georges Creek

(WWF) located on S.R. 3003, Section B10 (Tom Cat Hollow Road) at a point approximately 145 m north of its intersection with T-360 (Masontown, PA Quadrangle N: 4.6 inches; W: 2.8 inches).

**E56-299. Somerset County Conservation District**, 1590 North Center Avenue, Suite 103, Somerset, PA 15501. Borough of Jennerstown, **Somerset County**, ACOE Pittsburgh District.

To relocate and maintain approximately 1250 LF of Beaverdam Creek (HQ-CWF) between its confluence with Quemahoning Creek and S.R. 4023. The project includes the construction and maintenance of a 200-foot long, 10-foot wide, 6-foot deep open box culvert in the relocated channel and impacts to 2.34 acres of wetlands. The purpose of the project is to separate the stream flow from an acid mine discharge in order to improve the water quality in the relocated portion of the watercourse. The project will result in the loss of approximately 420 LF of watercourse. The permittee will restore and reconstruct 1.69 acres of wetlands and will construct another 0.65 acre of replacement wetland in a future phase of construction (Boswell, PA Quadrangle N: 5.95 inches; W: 6.05 inches).

**E63-506. Washington County Commissioners**, 100 West Beau Street, Washington, PA 15301. West Pike Run Township, **Washington County**, ACOE Pittsburgh District.

To remove the existing bridge (Washington County Bridge 18 - Walker Bridge) and to construct and maintain a new bridge having a clear span of 60.54 feet with an underclearance of 5.2 feet across the channel of Pike Run (TSF) for the purpose of improving highway safety. The bridge is located at the intersection of Pike Run Drive (S.R. 2036) and T-395 (Woods Run Road) approximately 170.0 feet upstream from the intersection of Walnut Road and T-395 (Woods Run Road) (California, PA Quadrangle N: 9.9 inches; W: 12.0 inches).

**E65-773. North Huntingdon Township Municipal Authority**, 11265 Center Highway, North Huntingdon, PA 15642-2018. North Huntingdon Township, **Westmoreland County**, ACOE Pittsburgh District.

To construct and maintain a 40-foot diameter tank to process flows from an existing sanitary sewage pump station in the 100-year floodplain of Long Run (HQ-TSF). Also to place and maintain 150 LF of fill along the right bank of said stream in accordance with revised plan sheet S-4 dated July 16, 2001. The project is located along Lincoln Way (S.R. 3022) approximately 170 feet west of its intersection with Five Pines Road (McKeesport, PA Quadrangle N: 13.3 inches; W: 3.7 inches).

**E65-775. Ligonier Township**, 18 Old Highway West, Ligonier, PA 15658. Ligonier Township, **Westmoreland County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a 32-foot long arch pipe culvert having a span of 10.7 feet and an underclearance of 6.9 feet in an unnamed tributary to Loyalhanna Creek (CWF). Also to construct and maintain rock riprap at the culvert's outlet. The culvert will be depressed 6 inches below the natural streambed to facilitate fish passage. The project is located on T-950 (Old Lincoln Highway East) at a point approximately 100 feet east of East Main Street Extension

(Ligonier, PA Quadrangle N: 20.65 inches; W: 14.7 inches).

**E65-777. Pennsylvania Department of Transportation**, P. O. Box 459, Uniontown, PA 15401. Oklahoma Borough, **Westmoreland County** and Apollo Borough, **Armstrong County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a five span bridge having three normal spans of 42.8 meters, one normal span of 42.33 meters and one normal span of 42.13 meters with an average underclearance of 5.5 meters across the Kiskiminetas River (WWF) for the purpose of improving transportation safety and roadway standards. This permit also authorizes the construction and maintenance of four temporary causeways in the Kiskiminetas River (WWF) during the removal of the existing structure and the construction of the proposed bridge and the construction and maintenance of one 450 mm corrugated metal outfall pipe and (1) 750 corrugated metal outfall pipe with a 9.0-meter long rock-lined outfall channel along the Kiskiminetas River (WWF). The project is located on S.R. 0066, Section 10R (Vandergrift, PA Quadrangle N: 14.5 inches; W: 9.5 inches).

## ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.*

**EA25-003CO. BBKC, Inc.**, 11340 Pont Road, Albion, PA 16401. Elk Creek Township, **Erie County**, ACOE Pittsburgh District.

Project proposes to construct a nonjurisdictional dam across a tributary to Temple Creek (CWF; MF) directly and indirectly impacting approximately 500 linear feet of stream channel for the purpose of stormwater management at the proposed Motorplex Raceway Park. The dam will be located approximately 1,700 feet west of the intersection of Pont Road and Whittaker Road (Conneautville, PA Quadrangle N: 20.3 inches; W: 10.7 inches).

[Pa.B. Doc. No. 01-1568. Filed for public inspection August 24, 2001, 9:00 a.m.]

## Availability of Technical Guidance

Technical guidance documents are on DEP's website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center page. The "July 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, per-

sons 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 each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

*Final Technical Guidance*

DEP ID: 381-5511-111 Title: Guidelines for the Uniform Environmental Review Process For Proposed Drinking Water and Wastewater Infrastructure Projects Description: The guidelines for the Uniform Environmental Review Process are intended to standardize the process for documenting the environmental effects of proposed drinking water and wastewater infrastructure projects. The guidelines include those projects receiving or requesting financial assistance from various State and Federal agency funding sources. Effective Date: August 25, 2001 Contact: Trudy Troutman at (717) 783-3795.

*Final Technical Guidance—Substantive Revision*

DEP ID: 274-3100-001 Title: Policy for Stage II Vapor Recovery Testing Requirements Description: This revised guidance document identifies testing requirements to verify the Stage II vapor recovery system is operating properly. All testing is outlined in EPA's Stage II Enforcement and Technical Guidance Document, which were adopted by the Pennsylvania Air Pollution Control Act. Effective Date: August 25, 2001 Contact: Jon Harwick (717) 772-3994.

*Draft Technical Guidance*

DEP ID: 550-5600-001 Title: Waste Minimization in the Oil and Gas Exploration and Production Industry Description: This guidance provides information to oil and gas operators about developing an environmental management system to reduce the quantity of waste generated during their daily operations. It will also provide persons and companies operating in the oil and gas exploration and production industry with information about reducing the amount of waste they generate. Anticipated Effective Date: December 21, 2001 Comment Period Ends: September 24, 2001 Contact: John Wetherell at (717) 772-2199 or e-mail at [jwetherell@state.pa.us](mailto:jwetherell@state.pa.us).

DAVID E. HESS,  
Secretary

[Pa.B. Doc. No. 01-1569. Filed for public inspection August 24, 2001, 9:00 a.m.]

## Plan Approval and Operating Permit Exemptions

Under the authority contained in 25 Pa. Code § 127.14, the Department of Environmental Protection (Department) may determine sources or classes of sources which may be exempt from the plan approval and permitting requirements of 25 Pa. Code Chapter 127. In accordance with § 127.14(d), the listing of these determinations is being revised and a draft is now available. After a 30-day comment period, the listings will be revised, as appropriate, and published in final-form in the *Pennsylvania Bulletin*.

The following changes are proposed to the listing as last published on April 29, 2000 (30 Pa.B. 2165).

1. A plan approval exemption has been added for portable, temporary generators used for 14 days or less at special events (such as county fairs, circuses and concerts).
2. A plan approval exemption has been added for one or more generators regardless of size, with combined NO<sub>x</sub> emissions less than 100 lbs/hr, 1,000 lbs/day, 2.75 tons per ozone season and 6.6 tons per year on a 12-month rolling basis for all exempt generators at the site.
3. A plan approval exemption has been revised to include storage vessels containing nonVOC, nonmalodorous or nonhazardous air pollutant materials.

A complete copy of the Plan Approval and Operating Permit Exemptions with draft revisions may be obtained by contacting Kimberly Maneval, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. TDD users may telephone the Department through the AT&T Relay Service, (800) 654-5984. Internet users can access a copy of the exemption listing with draft revisions at <http://www.dep.state.pa.us>.

The Department requests written comments on the proposed revisions to the permit exemption listings. Interested persons may submit written comments, suggestions or objections to Douglas L. Leshner, Chief, New Source Review/Title V Section, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. Public comments must be submitted to the Department within 30 days of the date of this notice in the *Pennsylvania Bulletin*. Comments received by facsimile will not be accepted.

DAVID E. HESS,  
Secretary

[Pa.B. Doc. No. 01-1570. Filed for public inspection August 24, 2001, 9:00 a.m.]

# DEPARTMENT OF GENERAL SERVICES

## State Surplus Property Program

Under the provisions of Act 57 of 1998, the Department of General Services, State Surplus Property Program is offering for sale to counties, boroughs, incorporated towns, cities and townships the following items:

<i>Item</i>	<i>Make</i>	<i>Eq. No.</i>	<i>Location</i>
1. Rubber Tire Loader	Case	249-2056	PA Dot, St. Marys, PA
2. Belt Loader	Etnyr	106-5369	PA Dot, Laporte, PA
3. Towed Patcher	Rosco	011-3610	PA Dot, Lehighton, PA
4. Static Roller	Gallion	894-9435	PA Dot, Lehighton, PA
5. Front End Loader	John Deere	128-2040	PA Dot, Allentown, PA
6. Earth Moving Eq./Excavator	Gradall	111-6365	PA Dot, Stroudsburg, PA
7. Chip Spreader	Etnyre	061-5808	PA Dot, Schuylkill, PA
8. Tandem Static Roller	Gallion	806-9435	PA Dot, Schuylkill, PA
9. Loader	John Deere	118-2040	PA Dot, Schuylkill, PA
10. Tandem Static Roller	Huber	257-6432	PA Dot, Hollidaysburg, PA
11. Backhoe	John Deere	187-6040	PA Dot, Ebensburg, PA
12. Backhoe	Case	343-6056	PA Dot, Kittanning, PA
13. Loader	John Deere	049-2040	PA Dot, Kittanning, PA
14. Backhoe	John Deere	145-6040	PA Dot, Butler, PA
15. Loader	John Deere	052-2040	PA Dot, Butler, PA
16. Front End Loader	John Deere	106-2040	PA Dot, Pittsburgh, PA
17. Front End Loader	John Deere	114-2040	PA Dot, Pittsburgh, PA
18. Front End Loader	John Deere	115-2040	PA Dot, Pittsburgh, PA
19. Rubber Tire Loader	Bros.	156-2440	PA Dot, Pittsburgh, PA
20. Grader	John Deere	005-1678	PA Dot, Uniontown, PA
21. Road Grader	Champion	013-1682	PA Dot, Greensburg, PA

The previous items will be sold to the highest responsible bidder by sealed bid sale. Those political subdivisions interested in procuring one or more of these items should contact the Department of General Services, State Surplus Property Division, P. O. Box 1365, Harrisburg, PA 17105, (717) 787-4085. Bid packets can be printed from our website [www.dgs.state.pa.us](http://www.dgs.state.pa.us) under State Surplus Property "Attention Municipalities Only." Requests for bid proposals need to be made prior to the bid opening on September 14, 2001, at 1 p.m.

KELLY LOGAN,  
*Acting Secretary*

[Pa.B. Doc. No. 01-1571. Filed for public inspection August 24, 2001, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Availability of Draft Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 2002

The Department of Health (Department) is making copies available of the draft Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 2002, under 42 U.S.C.A. § 300 w-4. This application is the Commonwealth's draft request to the United States Department of Health and Human Services (HHS) for block grant funding to address the Healthy People 2010 Health Status Objectives.

The block grant application (the Commonwealth's funding request to HHS) describing proposed services, program goals, objectives and activities will be available on or after August 20, 2001, and can be obtained by calling the Bureau of Chronic Diseases and Injury Prevention (Bureau) at (717) 787-6214. A public hearing will be conducted by the Department for the purpose of receiving testimony on the application in accordance with 42 U.S.C.A. § 300 w-4. Comments and suggestions from the public should relate to the priorities and program plans included in the application.

The hearing will be held from 10 a.m. until 1 p.m., September 17, 2001, in Conference Room 1000, Health

and Welfare Building, 7th and Forster Streets, Harrisburg, PA. Persons wishing to testify are requested to preregister by contacting the Bureau at (717) 787-6214. Registration will be accepted on the day of the hearing. Persons will be allotted a maximum of 15 minutes to testify. Testifiers should provide the Department with two copies of their testimony at the time of the hearing.

Written comments will be accepted and should be sent to the Bureau of Chronic Diseases and Injury Prevention, Room 1000, Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108, and should be received no later than 4 p.m., September 17, 2001.

Persons with a disability who desire to comment in alternative format (that is, large print, audio tape or Braille) or who wish to attend the hearing, submit comments or give testimony and require an auxiliary aid, service or other accommodation to do so, should contact the Bureau at (717) 787-6214. Speech or hearing impaired persons may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984[TT] to arrange for aids and accommodations.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1572. Filed for public inspection August 24, 2001, 9:00 a.m.]



## Notice of Quick Response Service Program Recognition Requirements

Under 28 Pa. Code § 1015.1(a) (relating to quick response service), the following equipment and supplies shall be maintained and readily available in working order for use by a quick response service (QRS) recognized by the Department of Health under 28 Pa. Code § 1015.1 and by an applicant for QRS recognition.

### A. Vehicle Requirements

Although a vehicle is not a requirement for a QRS, if a QRS does not have a dedicated vehicle, it must provide a statement to the regional emergency medical services council explaining how the personnel will be responding to the scene of emergencies with the required equipment.

### B. Minimum Essential Equipment and Supplies

1. Rechargeable portable electric suction unit with wide-bore tubing with a lumen of at least 7mm. Must achieve a vacuum of 300 mm/Hg or 11.8" of water in 4 seconds.

2. Suction catheters, pharyngeal. Must be sterile:

Rigid (1)

Flexible, Total of 6:

6 and 8 (1 each)

10 or 12 (2)

14 or 16 (2)

Size is FR for each

3. Airways:

Oropharyngeal (6 different sizes including at least one pediatric)

4. Sphygmomanometer:

Child, adult and thigh (large) (1 each) interchangeable cuffs are permitted.

5. Stethoscope (1)

6. Penlight (1)

7. Portable oxygen unit (1):

Cylinder capacity of at least 300-liters/D size/500 psi  
Cylinder must be secured.

Yoke

Nonsparking wrench/tank opening device

Gauge/flow meter not gravity dependent and capable of delivering 0-25 liters per minute

Full spare cylinder with a 300-liter capacity

8. Oxygen delivery devices:

Nasal cannula—adult and pediatric (1 each)

High concentration masks capable of providing 80% or greater concentration

Pediatric, infant and adult—(1 each)

Pocket mask with one-way valve and oxygen port (1)

Bag-valve mask devices, hand operated, adult (1) and pediatric (450-700cc) (1)

Must be capable of 100% oxygen delivery.

9. Dressings:

Multi trauma (10" x 30") (4)

Occlusive (3" x 4") (4)

Sterile gauze pads (3" x 3") (25)

Soft self-adhering (6 rolls)

10. Adhesive tape: 4 rolls, one must be hypoallergenic

11. Immobilization devices:

Rigid/Semi rigid neck immobilizer:

S, M, L and pediatric (1 each)

12. Sterile burn sheet (4' x 4') (2)

13. Cold packs, chemical (4)

14. Triangular bandages (8)

15. Sterile OB kit (1)—The kit must be sealed as a sterile unit, with contents listed on kit.

16. Separate bulb syringe (1)

17. Activated charcoal—50 grams

18. Bandage shears (1)

19. State approved triage tags (25)

20. Blankets (2)—cloth

21. Instant glucose (40% dextrose-d glucose gel) 45 grams

22. Emergency jump kit (1): can be made of metal, fiberglass or canvas and must be capable of holding all supplies and equipment.

23. Splinting devices:

Padded board splints, sizes 4.5 ft., 3 ft. and 15 inches (2 each)

24. Hard hat (1 per responding crewmember).

25. Gloves: palm and fingers should be covered with work grade leather (1 pair per responding crewmember).

26. Emergency response guidebook (1)—current edition

27. Radio communications equipment: Radio equipment for communication with a public safety answering point and ambulance services in the emergency response areas of the QRS. A cellular phone may be used as a backup means of communication.

28. Personal protection equipment:

a. Eye protection, clear, disposable to protect the crewmember from splash or spill of any blood or body fluids. This may be in combination with eye-shield/face mask type combination masks.

b. Face mask, disposable to reasonably protect the crewmember's mouth and nose from airborne and blood-borne pathogens. This may be in combination with eye/shield face mask type combination masks. Must be impervious to body fluids.

c. Gown/coat that is capable of providing a sufficient barrier to keep blood or other body fluids from contacting the crewmember's skin or regular work clothes or uniform. Regular long sleeve shirts or jump suits do not satisfy this requirement unless they are impervious to body fluids.

d. Surgical cap/foot coverings that are impervious to body fluids which will provide protection from gross contamination from blood or body fluids.

e. Double barrier gloves that made of a material specifically designed as a barrier against infection. Nonlatex gloves should be available.

f. Container or disposable bags for storage/disposal of equipment (nonsharp items) or clothes, and the like, that may become contaminated with blood or other body fluids. The container and the bags must be labeled with the appropriate biohazard warnings. If bags are used, there must be three of them and they must be color-coded (red) and constructed of heavy duty plastic.

29. Infection control plan.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Robert H. Gaumer, Department of Health, Emergency Medical Services Office, Room 1032, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-8740. Persons with speech or hearing impairment may telephone V/TT: (717) 783-6154 or use the Pennsylvania AT&T Relay service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
Secretary

[Pa.B. Doc. No. 01-1573. Filed for public inspection August 24, 2001, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Wheel of Fortune 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 Wheel of Fortune.

2. *Price:* The price of a Pennsylvania Wheel of Fortune instant lottery game ticket is \$3.00.

3. *Play Symbols:* Each Pennsylvania Wheel of Fortune instant lottery game ticket will contain a "Your Letters" area and a puzzle grid area. The puzzle grid area will feature "Person," "Place," "Thing" and "Phrase" puzzles. The play symbols located in the "Your Letters" area and the puzzle grid area are the 26 letters of the alphabet, A through Z.

4. *Prize Play Symbols:* The prize play symbols and their captions located in the four "Prize" areas are: \$1<sup>00</sup> (ONE DOL), \$3<sup>00</sup> (THR DOL), \$6<sup>00</sup> (SIX DOL), \$9<sup>00</sup> (NIN DOL), \$12\$ (TWLV), \$18\$ (EGHTN), \$36\$ (TRY SIX), \$72\$ (SVY TWO), \$288 (TWOETYEGT), \$500 (FIV HUN) and \$30,000 (TRY THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$3, \$6, \$9, \$12, \$18, \$36, \$72, \$288, \$500 and \$30,000. The player can win up to four times on a ticket.

6. *Wheel of Fortune Bonus Drawing:* The Pennsylvania Lottery will conduct a separate Wheel of Fortune Bonus Drawing for nonwinning Pennsylvania Wheel of Fortune instant lottery tickets as provided in section 11.

7. *Approximate Number of Tickets Printed For the Game:* Approximately 4,080,000 tickets will be printed for the Pennsylvania Wheel of Fortune instant lottery game.

8. *Determination of Prize Winners:*

(a) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing" or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$30,000 (TRY THO) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$30,000.

(b) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing"

or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$500 (FIV HUN) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing" or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$288 (TWOETYEGT) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$288.

(d) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing" or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$72\$ (SVY TWO) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$72.

(e) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing" or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$36\$ (TRY SIX) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$36.

(f) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing" or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$18\$ (EGHTN) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$18.

(g) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing" or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$12\$ (TWLV) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$12.

(h) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing" or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$9<sup>00</sup> (NIN DOL) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$9.

(i) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing" or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$6<sup>00</sup> (SIX DOL) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$6.

(j) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing" or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$3<sup>00</sup> (THR DOL) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$3.

(k) Holders of tickets where the player completely uncovers all of the letters in the "Person," "Place," "Thing"

or "Phrase" puzzle in the puzzle grid area, using only the letters found in the "Your Letters" area and a prize play symbol of \$1.<sup>00</sup> (ONE DOL) appears in the "Prize" area for that puzzle, on a single ticket, shall be entitled to a prize of \$1.

9. *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 4,080,000 Tickets</i>
\$1 x 3	\$3	1:6.25	652,800
\$3	\$3	1:20	204,000
\$3 x 2	\$6	1:33.33	122,400
\$6	\$6	1:71.43	57,120
\$3 x 3	\$9	1:50	81,600
\$9	\$9	1:71.43	57,120
\$9 + \$3	\$12	1:111.11	36,720
\$3 x 4	\$12	1:200	20,400
\$6 x 2	\$12	1:333.33	12,240
\$12	\$12	1:333.33	12,240
\$12 + \$6	\$18	1:250	16,320
\$6 x 2 + \$3 x 2	\$18	1:333.33	12,240
\$9 x 2	\$18	1:500	8,160
\$18	\$18	1:1,000	4,080
\$18 x 2	\$36	1:1,200	3,400
\$9 x 4	\$36	1:705.88	5,780
\$36	\$36	1:2,400	1,700
\$36 x 2	\$72	1:4,000	1,020
\$18 x 4	\$72	1:2,000	2,040
\$72	\$72	1:12,000	340
\$72 x 4	\$288	1:10,000	408
\$288	\$288	1:20,000	204
\$500	\$500	1:15,000	272
\$30,000	\$30,000	1:1,020,000	4

10. *Wheel of Fortune Bonus Drawing Entry Requirements:*

(a) To enter the Wheel of Fortune Bonus Drawing, a player shall use the back of one nonwinning Wheel of Fortune instant lottery ticket.

(b) The player shall watch the syndicated Wheel of Fortune television game show Monday through Friday as follows:

<i>Market</i>	<i>Station</i>	<i>Channel</i>
Philadelphia	WPVI	6
Pittsburgh	WPXI	11
Scranton/Wilkes-Barre	WBRE	28
Harrisburg	WHP	21
Johnstown/Altoona	WATM	23
Erie	WSEE	35

(c) In the space provided on the back of the ticket, the player shall enter the date and station that the player watched. The player shall circle the position of the winning contestant on the date watched. Incorrect entries selected will be disqualified.

(d) The results of the Wheel of Fortune television game show will not be made available by any means other than the actual broadcast of the show. In the event of a preemption, players should check local listings. Rebroadcasts of the Wheel of Fortune television game show on the Game Show Network are not eligible for this promotion.

(e) The back of the nonwinning Pennsylvania Wheel of Fortune instant lottery ticket must be completed in a

legible manner, including the player's name, complete address, telephone number and signature. Only one name may appear on each ticket.

(f) The player shall place exactly one completed nonwinning Pennsylvania Wheel of Fortune instant lottery ticket in an envelope no larger than 4.5 inches by 9.5 inches addressed to Wheel of Fortune Play-at-Home Bonus, 3863 Union Deposit Road, PMB 188, Harrisburg, PA, 17109.

(g) Envelopes containing more than one completed nonwinning Pennsylvania Wheel of Fortune instant lottery ticket shall be disqualified.

(h) Completed nonwinning Pennsylvania Wheel of Fortune instant lottery tickets received in envelopes larger than 4.5 inches by 9.5 inches shall be disqualified.

(i) Winning Pennsylvania Wheel of Fortune instant lottery tickets submitted to the Wheel of Fortune Play-at-Home Bonus address may not be paid or honored.

(j) Completed nonwinning Pennsylvania Wheel of Fortune instant lottery tickets must be received by the Pennsylvania Lottery no later than December 28, 2001, to be eligible for the Wheel of Fortune Bonus Drawing.

11. *Wheel of Fortune Bonus Drawing Procedures:*

(a) Drawing. The Wheel of Fortune Bonus Drawing will be held at Lottery Headquarters on January 9, 2002, or on a date to be determined by the Secretary.

(b) Eligibility for the Wheel of Fortune Bonus Drawing. To be eligible for the Wheel of Fortune Bonus Drawing, a

player must have complied with the requirements of section 10.

(1) The Lottery will make a reasonable effort to ensure that each entry is entered into the Wheel of Fortune Bonus Drawing. The Lottery assumes no responsibility for a lost or misplaced entry not entered into the Wheel of Fortune Bonus Drawing.

(2) If an entry is rejected during or following the Wheel of Fortune Bonus Drawing, the sole remedy is to select another entry to replace the rejected entry in accordance with Lottery procedure.

(c) Manner of conducting the Wheel of Fortune Bonus Drawing.

(1) Entries will be placed into containers and the containers will be sealed. A mechanical device will be used to randomly select one of the containers.

(2) The contents of the selected container will be placed in a tumbler and one entry envelope will be selected. The envelope will be opened to determine if the entry is valid.

(3) If the selected entry does not meet the requirements of section 10, another entry will be selected and so on, until a qualified entry has been chosen.

(4) Determination of the winner will be made by the Secretary, whose judgment will be final and binding.

(d) The Wheel of Fortune Bonus Drawing winner will be notified of its selection after all validation procedures have been conducted.

(e) The Wheel of Fortune Bonus Drawing winner will be required to furnish their Social Security number to the Lottery.

(f) The odds of winning a trip and cash prize depend upon the number of entries received.

(g) The awarding of a trip and cash prize in the Wheel of Fortune Bonus Drawing to a person who dies before receiving the trip and cash prize or to a person 17 years of age or younger shall be undertaken according to 61 Pa. Code §§ 811.16 and 811.27 (relating to prizes payable after death of prize winner; and payment of prizes to persons under 18 years of age).

12. *Trip to Hollywood, California and Audition for the Wheel of Fortune Television Game Show information and restrictions:*

(a) The trip includes two roundtrip airfares, one hotel accommodation for two for 4 days and 3 nights, an onsite host and an audition for a chance to become a contestant on the Wheel of Fortune television game show and \$30,000 in cash.

(b) If a player is selected as a result of the player's audition to be a contestant on the Wheel of Fortune television game show, the player and a guest will receive a complimentary 3 day and 2 night round trip to California to compete on the Wheel of Fortune television game show.

(c) Trip scheduling is dependent upon the timing of the auditions in Hollywood for the Wheel of Fortune television game show.

(d) Trips must be taken within 1 year of the date of the Wheel of Fortune Bonus Drawing.

(e) There is no cash equivalent for the trip prize.

(f) The winner of a trip will be responsible for any income tax due to the Federal government for the value of the prize.

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

14. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Wheel of Fortune, prize money from winning Pennsylvania Wheel of Fortune 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 Wheel of Fortune 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.

15. *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.

16. *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 Wheel of Fortune or through normal communications methods.

LARRY P. WILLIAMS,  
Secretary

[Pa.B. Doc. No. 01-1574. Filed for public inspection August 24, 2001. 9:00 a.m.]

## DEPARTMENT OF STATE

### Credit Cards for Payment

Under section 133(a)(3) of the Associations Code (code) (15 Pa.C.S. § 133(a)(3)) (relating to powers of Department of State) and 19 Pa. Code § 3.105 (relating to credit card payment of fees), the Department of State (Department), Corporation Bureau (Bureau) authorizes the acceptance of approved credit cards for payment of Bureau fees for filings submitted and processed electronically. Until additional notice is given, credit cards will not be accepted for filings submitted via fax, courier service, mail or in person.

The Department authorizes credit card payment of fees for electronic transactions based upon its determination that the Bureau may process these filings without net cost to the Department. The processing of electronic filings without net cost to the Department satisfies the statutory requirement in section 133(a)(3) of the code. The Department will not currently be accepting credit cards for payment of nonelectronic filings because nonelectronic transactions must be imputed and processed by Bureau personnel and the costs of accepting credit cards would produce additional costs to the Department. These

additional costs prevent the acceptance of credit cards for these transactions based upon the provisions in section 133(a)(3) of the code.

This notice shall be effective immediately.

KIM PIZZINGRILLI,  
*Secretary*

[Pa.B. Doc. No. 01-1575. Filed for public inspection August 24, 2001, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### State Surplus Property Program; Deaccession Auction

The Historical and Museum Commission will be auctioning items from its permanent collection. These items are being auctioned because they are duplicates and/or do not pertain to Pennsylvania history. The public auction will be held on September 19, 2001, by Ziegler's Auction Company, Inc. located in Hummelstown, PA. Items being auctioned include a diversity of objects such as an Oriental rug, costumes, textiles, tables, chairs, dolls, tools and an assortment of 19th century household objects.

BRENT G. GLASS,  
*Executive Director*

[Pa.B. Doc. No. 01-1576. Filed for public inspection August 24, 2001, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, August 9, 2001, and took the following action:

*Regulation Approved:*

Insurance Department #11-207: Assigned Risk Plan—Mandatory Offer to Write Nonsurcharged Private Passenger Nonfleet Risks (adds 31 Pa. Code Chapter 67b)

#### Approval Order

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

Public Meeting held  
August 9, 2001

*Insurance Department—Assigned Risk Plan—Mandatory Offer to Write Nonsurcharged Private Passenger Nonfleet Risks; Regulation No. 11-207*

On July 18, 2001, the Independent Regulatory Review Commission (Commission) received this regulation from the Insurance Department (Department). This rulemaking adds 31 Pa. Code Chapter 67b. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This rulemaking establishes the terms and conditions under which insurers in the Pennsylvania Assigned Risk Plan (Plan) must give notice to participants insured under the Plan that they are eligible for a mandatory offer of coverage in the voluntary market from their assigned carrier.

We have determined this regulation is consistent with the statutory authority of the Department (75 Pa.C.S. § 1741) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-1577. Filed for public inspection August 24, 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](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-615	State Board of Landscape Architects Application Fees	8/14/01

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-1578. Filed for public inspection August 24, 2001, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Highmark Inc. d/b/a Pennsylvania Blue Shield; Direct Pay Hospital Program; Filing No. 200140

On August 10, 2001, Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200140 seeking approval of forms and rates for a Direct Pay Hospital Program to be offered in the 21 counties of the Capital Region of South Central Pennsylvania. Approval is requested for coverage effective March 1, 2002.

Copies of this filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Richard Stoner, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days upon publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1579. Filed for public inspection August 24, 2001, 9:00 a.m.]

**Highmark Inc. d/b/a Pennsylvania Blue Shield;  
Direct Pay Individual Comprehensive Major Medical Program; Filing No. 200139**

On August 10, 2001, Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200139 seeking approval of forms and rates for a Direct Pay Individual Comprehensive Major Medical Program to be offered in the 21 counties of the Capital Region of South Central Pennsylvania. Approval is requested for coverage effective March 1, 2002.

Copies of this filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Richard Stoner, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days upon publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1580. Filed for public inspection August 24, 2001, 9:00 a.m.]

**Highmark Inc. d/b/a Pennsylvania Blue Shield;  
Direct Pay Major Medical Program; Filing No. 200138**

On August 10, 2001, Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200138 seeking approval of forms and rates for a Direct Pay Major Medical Program to be offered in the 21 counties of the Capital Region of South Central Pennsylvania. Approval is requested for coverage effective March 1, 2002.

Copies of this filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Richard Stoner, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days upon publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1581. Filed for public inspection August 24, 2001, 9:00 a.m.]

**Highmark Inc. d/b/a Pennsylvania Blue Shield;  
Pennsylvania Blue Shield Direct Pay Medicare Supplement Subscription Agreements Plans A, B, C and H; Filing No. 200141**

On August 10, 2001, Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200141 seeking approval of Direct Pay Medicare Supplement standardized plans A, B, C and H and rates, to be offered to individuals in the 21 counties of the Capital Region of South Central Pennsylvania, for coverage effective March 1, 2002.

Copies of this filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Jeffrey Russell, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days upon publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1582. Filed for public inspection August 24, 2001, 9:00 a.m.]

**Highmark Inc. d/b/a Pennsylvania Blue Shield;  
Special Care—Limited Benefit Individual Direct Pay Hospital Contract; Filing No. 200142**

On August 10, 2001, Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing No. 200142 seeking approval of forms and rates for a Special Care—Limited Benefit Individual Direct Pay Hospital Benefit Program to be offered in the 21 counties of the Capital Region of South Central Pennsylvania for coverage effective March 1, 2002. This program provides for lower cost coverage to low-income individuals.

Copies of this filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Richard Stoner, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days upon publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1583. Filed for public inspection August 24, 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 hearings 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). The administrative hearings will be held in the Insurance Department's Regional Offices in Harrisburg and Pittsburgh, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Miriam and Merab Katsoabashvili; file no. 01-181-04235; Metropolitan Group P&C Insurance Company; doc. no. P01-08-010; September 19, 2001, at 1:30 p.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Justin McKinney; file no. 01-308-72299; Progressive Northern Insurance Company; doc. no. PI01-08-008; October 11, 2001, at 2:30 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 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. 01-1584. Filed for public inspection August 24, 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 the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held in the Insurance Department's Regional Office in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Erie Insurance Exchange; file no. 01-181-04988; Ryan C. Rhodes; doc. no. P01-08-011; September 25, 2001, at 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's

case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the 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 previously-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. 01-1585. Filed for public inspection August 24, 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 offices in Harrisburg, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Russel R. and Brenda L. Obenstine; file no. 01-181-03326; State Farm Fire and Casualty Insurance Company; doc. no. P01-08-009; September 12, 2001, at 9:30 a.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (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. 01-1586. Filed for public inspection August 24, 2001, 9:00 a.m.]

### Ronald Woods; Prehearing

*Appeal of Ronald Woods; Under The Motor Vehicle Financial Responsibility Law; Catastrophic Loss Benefits Continuation Fund; Doc. No. CF01-08-007*

The proceedings in this matter will be governed by the Administrative Agency Law, 2 Pa.C.S. §§ 501-508, 701.704, the General Rules of Administrative Practice and Procedure, 1 Pa. Code § 31.1 et seq. and the Insurance Department's Special Rules of the Administrative Practice and Procedure, 31 Pa. Code Chapter 56.

A prehearing telephone conference initiated by this office is scheduled for September 11, 2001, at 1:30 p.m. Each party shall provide the Docket Clerk a telephone number to be used for the telephone conference on or before September 7, 2001. A date and place for a hearing shall be determined, if necessary, at the telephone conference. At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter. Pending hearing, parties shall exchange proposed exhibits, the names of witnesses and provide an offer of proof with respect to each witness, and informally attempt to resolve undisputed facts by stipulation. On or before August 28, 2001, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Except as established at the prehearing telephone conference, both parties shall appear at the scheduled hearing prepared to offer all relevant testimony or other evidence. Each party must bring documents, photographs, drawings, claims, files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party. Motions preliminary to those at hearing, protests, petitions to intervene

or notice of intervention, if any, must be filed on or before August 28, 2001, with the Docket Clerk, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before September 25, 2001.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid service or other accommodations to participate in the hearing, contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1587. Filed for public inspection August 24, 2001, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Rescission Order

Public Meeting held  
August 9, 2001

*Commissioners Present:* Glen R. Thomas, Chairperson; Robert K. Bloom, Vice-Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

*Pennsylvania Public Utility Commission Law Bureau  
Prosecutory Staff v. Laurel Highland Telephone Com-  
pany (2000.0333); Doc. No. C-00014921; A-311800*

### Rescission Order

*By the Commission:*

On February 22, 2001, Law Bureau Prosecutory Staff instituted a complaint against Laurel Highland Telephone Company (the Respondent), an IXC reseller certificated at A-311800, for failure to remit payment for its 2000-2001 Annual Assessment. Subsequently, on May 31, 2001, the Commission entered a Default Order which sustained the complaint and cancelled respondent's certificate of public convenience. The Default Order was published on June 16, 2001, at 31 Pa.B. 3270.

Subsequent to the issuance of the Default Order, Respondent paid its outstanding assessment on June 21, 2001, representing that the reason for delinquency was administrative oversight. This is the second year in succession that Respondent has paid its outstanding assessment after Commission action has been taken. However, in recognition of the importance of promoting the availability of viable competitive service providers, we will rescind the Default Order and reinstate Respondent's certificate of public convenience. If Respondent again fails to timely pay its assessment, we may not be so favorably disposed, and may require Respondent file a new application along with the applicable \$350 application fee; *Therefore,*

*It Is Ordered:*

1. That the Default Order entered May 31, 2001, at this docket is hereby rescinded.

2. That the certificate of public convenience held by Laurel Highland Telephone Company at Docket No. A-311800 is hereby reinstated.



3. That a copy of this order be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1588. Filed for public inspection August 24, 2001, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (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 September 17, 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-00118143. R & A Limousine, Inc.** (306 E. Baltimore Pike, Media, Delaware County, Media, PA 19063) a corporation of the Commonwealth of Pennsylvania—persons, in airport transfer service, from points in Pennsylvania to the Philadelphia International Airport, located in the city and county of Philadelphia and the township of Tinicum, Delaware County. *Attorney:* Michael S. Henry, 1163 South 11th Street, Philadelphia, PA 19147.

#### Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carrier for transportation of persons as described under the application.*

**A-00117931, Folder 3. Connections, Inc.** (P. O. Box 288, Essington, Delaware County, PA 19029), a corporation of the Commonwealth of Pennsylvania—persons in group and party service in vehicles seating 15 passengers or less, including the driver, between points in the county of Delaware, and the city and county of Philadelphia, and from points in said counties, to points in Pennsylvania located within an airline distance of 100 statute miles of the limits of the city and county of Philadelphia, and vice versa. Edward Ciemniecki, One Liberty Place, 32 Floor, 1650 Market Street, Philadelphia, PA 19103-7393.

#### Applications of the following for the approval of the *transfer of stock as described under each application.*

**A-00087455, F.5000. M. F. Rockey Moving, Co.** (12398 South Market Street, Mechanicsburg, Cumberland County, PA 17055), a corporation of the State of Delaware—stock transfer—for the approval of the transfer of all of the issued and outstanding stock (501 shares) from Gary L. Henline to Geo. W. Weaver & Sons, Inc. *Attorney:* Lloyd R. Persun, P. O. Box 5950, Harrisburg, PA 17110-0950.

**A-00110771, Folder 5002. Phila. Airport Taxi Service, Inc., t/d/b/a Metro Mobility** (333 Jenkintown Commons, Jenkintown, Montgomery County, PA 19046), a corporation of the Commonwealth of Pennsylvania—for

the approval of the transfer of a total of 1,000 shares of issued and outstanding shares of which Cynthia A. Somerman owns 510 and Brian Somerman owns 490 to Aleph Management Systems, Inc. *Attorney:* Alan N. Escott, Radnor Court, Suite 160, 259 North Radnor-Chester Road, Radnor, PA 19067-5240.

**A-00113748, Folder 5002. Tri-Star Enterprises, Inc., t/d/b/a Car One Shuttlexpress** (333 Jenkintown Commons, Jenkintown, Montgomery County, PA 19046), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of one share of issued and outstanding shares held by Brian Somerman to Aleph Management Systems, Inc. *Attorney:* Alan N. Escott, Radnor Court, Suite 160, 259 North Radnor-Chester Road, Radnor, PA 19067-5240.

### Notice of Motor Carrier Applications— Persons in Limousine Service

The following applications for authority to transport persons in *limousine service between points in Pennsylvania* have been filed with the Commission. The applications will be considered without hearing in the absence of substantive protests limited to the issue of applicant fitness. Protests to these applications are due on or before September 17, 2001.

A-00112359, F. 3 Taylor Paratransit, Inc.  
t/d/b/a CoachMaster Limousine  
Service  
999 South Keyser Avenue  
Taylor, PA 18517

A-00116617, F. 2 Joseph A. Trapuzzano  
t/d/b/a Broadway Limousine  
868 Beaver Grade Road  
Moon Township, PA 15108

A-00118146 John D'Amico  
t/d/b/a First Class Luxury Limos  
P. O. Box 1555  
Delran, NJ 08075

A-00118147 Darrell Greene  
t/d/b/a Greene Limousine Service  
1380 Providence Lane  
Hatfield, PA 19440

### Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Jet Lines, Inc.; Doc. No. A-00110033C0102

### Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Jet Lines, Inc., respondent, maintains a principal place of business at P. O. Box 512, 643 Glenside Avenue, Glenside, PA 19038.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00110033.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Jet Lines, Inc. at Docket No. A-00110033, for failure to maintain evidence of current insurance on file with the Commission.

Respectfully submitted,

George T. Mahan, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
George T. Mahan

#### Notice to Plead

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 PA Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the

Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 01-1589. Filed for public inspection August 24, 2001, 9:00 a.m.]

#### Tentative Order

Public Meeting held  
August 9, 2001

*Commissioners Present:* Glen R. Thomas, Chairperson;  
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;  
Terrance J. Fitzpatrick

*Mercury Marketing Company, Ltd.; Doc. No. A-310734*

#### Tentative Order

*By the Commission:*

Mercury Marketing Company, Ltd. (Mercury) has not paid its monthly Universal Service Fund assessment pursuant to 52 Pa. Code §§ 63.161—63.171 since January 2001. In its efforts to collect payment, Law Bureau Prosecutory Staff was advised by the company's former consultant that Mercury is no longer in business. The former owner passed away, and the company ceased operations during the year 2000.

Mercury, an interexchange reseller, was issued a certificate of public convenience by the Commission on January 14, 1999, at A-310734. Based upon the findings of the Prosecutory Staff, we believe that it is appropriate to revoke Mercury's certificate without the necessity of first filing a formal complaint. Finally, Mercury does not have any current customers in Pennsylvania. For these reasons, we tentatively conclude that revocation of Mercury's certificate pursuant to 66 Pa.C.S. § 1102(a)(2) will not be detrimental to the public interest; *Therefore,*

*It Is Ordered:*

1. That Mercury Marketing Company, Ltd.'s certificate of public convenience is hereby tentatively approved to be revoked as being in the public interest.

2. That a copy of this Tentative Order be published in the *Pennsylvania Bulletin* giving all persons having an interest in this proceeding 30 days from the date of publication to file a written response.

3. That absent the filing of adverse public comment 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further order of this Commission.

4. That upon this order becoming final and without further action by the Commission, the certificate of public convenience held by Mercury Marketing Company, Ltd. at A-310734 shall be cancelled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. That a copy of this Order be served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff and the Attorney General's Bureau of Consumer Protection.

JAMES J. MCNULTY  
*Secretary*

[Pa.B. Doc. No. 01-1590. Filed for public inspection August 24, 2001, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0138.1, Relocate High Mast Light Pole/Security Camera, Pier 98 South Annex, until 2 p.m. on Thursday, September 6, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available August 27, 2001. The cost of the bid document is \$35 (includes 7% PA sales tax) which is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

A mandatory prebid job site meeting will be held Thursday, August 30, 2001, 10 a.m. at the job site, Columbus Blvd. and Oregon Ave., Philadelphia, PA 19148.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 01-1592. Filed for public inspection August 24, 2001, 9:00 a.m.]

### 2002 Schedule of Filing Dates for Recovery of Purchased Gas Costs; Doc. No. L-840102

Regulations promulgated by the Pennsylvania Public Utility Commission (Commission) at 52 Pa. Code § 53.64(a) direct the Commission to annually publish a schedule of filing dates for jurisdictional gas utilities subject to the procedure of 66 Pa.C.S. § 1307(f) (relating to sliding scale of rates; adjustments) for the recovery of purchased gas costs.

The 2002 schedule of filing dates is as follows:

February 1, 2002: National Fuel Gas Distribution Corporation—Pennsylvania Division; T.W. Phillips Gas and Oil Company; Philadelphia Gas Works.

April 1, 2002: Columbia Gas of Pennsylvania, Inc.; Peoples Natural Gas Company; Equitable Gas Company.

June 1, 2002: P.G. Energy, Inc.; PECO-Gas Division; UGI Corporation; PFG Gas, Inc.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1591. Filed for public inspection August 24, 2001, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0139.1, Repairs to Rubber Roof, Pier 80 South Annex and Tioga Marine Terminal Shed 2 (TMT II), until 2 p.m. on Thursday, September 20, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available September 4, 2001. The cost of the bid documents is \$35 (includes 7% PA sales tax) which is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

Mandatory prebid job site meeting will be held Thursday, September 13, 2001, 10 a.m. at Pier 80 S. Annex, Columbus Blvd. and Snyder Ave., Philadelphia, PA 19148 and 11 a.m. at Tioga Marine Terminal Shed 2, Delaware Ave. and Tioga Street, Philadelphia, PA 19134.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 01-1593. Filed for public inspection August 24, 2001, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



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

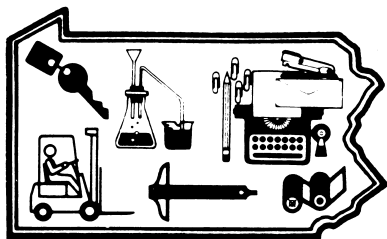
## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

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

**7314700** Safe, money. For a copy of the bid package fax request to (717) 787-0725.

**Department:** Liquor Control Board  
**Location:** Various  
**Duration:** FY 2001-2002  
**Contact:** Vendor Services, (717) 787-2199

**SRM000465** Various sizes of HVAC supplies: capacitor, cap, burner, coupler, gasket, etc. For information or a bid package please fax (717) 861-2932, phone, or e-mail to the purchasing agent listed below. Bid opening date will be held on September 7th @ 2:00 p.m.

**Department:** Military Affairs  
**Location:** State Armory Board, Bldg. 0-47, Ft. Indiantown Gap, Annville, PA 17003-5002  
**Duration:** Fiscal Year 2001  
**Contact:** Anita Sommer, (717) 861-2928, e-mail asommer@state.pa.us

**735-HEELS** The shoe plant at the State Correctional Inst. Graterford is seeking vendors to supply approximately 40,000 pairs of black, nylux, 6/8 heels. Heels will be in assorted sizes and amounts. Delivered FOB C.I. warehouse @ Graterford.

**Department:** Corrections  
**Location:** Correctional Industries, SCI-Graterford, Box 246, Off Rt. 29, Graterford, PA 19426  
**Duration:** 9/1/01 through 6/30/02  
**Contact:** Gerald L. Arasin, Mgr. II, (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

**8105-02** Tote Bags (Recycled Materials). If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** General Services  
**Location:** Various, PA  
**Duration:** 10/01/01—09/30/02  
**Contact:** Vendor Services, (717) 787-2199

**1079141** Firearms and Holsters. For a copy of bid package fax request to (717) 787-0725.

**Department:** Attorney General  
**Location:** Lemoyne, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**1085111** Jersey Knit Material; To Be Domestic 50/50 Poly/Cotton Blend; Medium Weight of 8.2 oz/sq/yd. (Weight Measured Tubular); Bleached white tubular; finish, shrink cured; Shrinkage not to exceed 7% in length or width; construction, 22 cut, 30/32 Wales average count. To be style NP2243 as manufactured by Gurner Industries Inc., New York, NY or approved equal. For a copy of bid package fax request to (717) 787-0725.

**Department:** Corrections  
**Location:** Dallas, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**E-7309** Wildland firefighters fire resistant pants. Must meet NFPA standards and Forest Service Specs 5100-92.

**Department:** Conservation and Natural Resources  
**Location:** Harrisburg, PA  
**Duration:** One time purchase  
**Contact:** Pamela Stouffer, (717) 783-0760

**2201** Steam tunnel repair parts.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, P.O. Box 8837—2500 Lisburn Road, Camp Hill, PA 17001-8837  
**Duration:** Items needed ASAP  
**Contact:** Michelle Ryan, (717) 975-5267

**0376** Furnish & Install Sprinkler System in Clothing Center. Site Visit is required. Please send a fax on your company letterhead that includes your address, telephone and fax numbers and Federal ID Number to 570-587-7108 to request a bid package. Bid packages cannot be faxed.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411  
**Duration:** 09/15/01—12/31/01  
**Contact:** Stanley Rygelski, P.A., (570) 587-7291

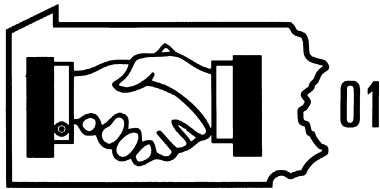
**5810-03** Microcomputer & Local Area Network (LAN) Software. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Software, 5810-03. Also existing qualified contractors may seek to 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

**8251070** Latest model excavator with rubber track/diesel. For a copy of bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

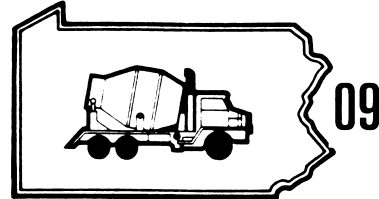
## SERVICES



### Advertising

**1801814648** The Department of Revenue, Pennsylvania Lottery, is contracting to acquire advertising services for the advertising, promotion, and support of its Lottery games. The Lottery sales are currently about 1.8 billion dollars annually.

**Department:** Revenue  
**Location:** Department of Revenue, Pennsylvania Lottery, 2850 Turnpike Industrial Drive, Middletown, PA 17057  
**Duration:** Three (3) to five (5) years.  
**Contact:** Ed Trees, (717) 986-4762



### Construction & Construction Maintenance

**ESU 405-481** East Stroudsburg University is accepting bids on: ESU 405-481, HVAC Renovations, Dansbury Commons. HVAC @ \$500K, Elec @ \$75K. For BID PACKAGE CALL 570-829-4200 or send \$50.00 non-refundable check to: Quad Three Group, 37 N. Washington St., Wilkes-Barre, PA 18701. Pre-Bid and Bid Opening to be held approx September 2001. For exact dates, locations and special accommodations contact 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:** 200 Days ANP  
**Contact:** Quad Three Group, (570) 829-4200

**D21-032-101.1** Good Hope Dam Removal involves approximately 100 c.y. debris removal, 315 c.y. dam removal, 150 c.y. streambank stabilization and 3 c.y. concrete underpinning. A MANDATORY PRE-BID CONFERENCE IS SCHEDULED FOR SEPTEMBER 5, 2001 AT 9:30 AM AT THE PROJECT SITE. FAILURE TO ATTEND THE PRE-BID CONFERENCE WILL BE CAUSE FOR REJECTION OF THE BID. This project issues August 24, 2001. Payment in the amount of \$10.00 must be received before bid documents are sent.

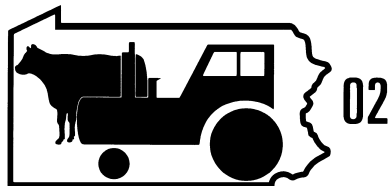
**Department:** Environmental Protection  
**Location:** Hampden Township, Cumberland County  
**Duration:** 55 calendar days after notice to proceed  
**Contact:** Construction Contracts Section, (717) 783-7994

**FDC-320-641.2R** Provide and install a complete geothermal heating or oil fired system with conventional air conditioning system for the new classroom building at Kings Gap Environmental Education and Training Center in Cumberland County. Project estimate is less than \$50,000.00. NOTE: Requests for Bid Documents may be made ON or AFTER August 27, 2001.

**Department:** Conservation and Natural Resources  
**Location:** Dickinson Township  
**Duration:** 90 Days  
**Contact:** Construction Management Section, (717) 787-5055

**FDC-318-2162.1** Sewage Treatment Plant upgrade at Canoe Creek State Park in Blair County. Work includes earthwork, precast concrete vaults, ductile iron pipe, manual valves and specialties and all associated electrical work. Project estimate is less than \$50,000.00. NOTE: Requests for Bid Documents may be made ON or AFTER August 27, 2001.

**Department:** Conservation and Natural Resources  
**Location:** Frankstown Township  
**Duration:** 90 Days  
**Contact:** Construction Management Section, (717) 787-5055



### Agricultural Services

**BSE013022-01** The Office of Administration, Bureau of State Employment will issue an ITQ on August 27, 2001 for clerical staffing services. The ITQ is for use solely by the Office of Administration, Bureau of State Employment. Request for the ITQ should be directed to the contact person listed below.

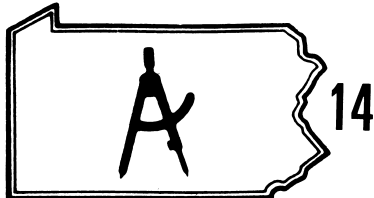
**Department:** Office of Administration/Executive Offices  
**Location:** Bureau of State Employment, Room 110 Finance Building, Harrisburg, Pennsylvania 17120  
**Duration:** Contract shall extend 2 years from execution with the option to renew for up to 3 additional 1 year terms.  
**Contact:** Frances Handley, (717) 783-3917

**DGS 570-27EX4** PROJECT TITLE: Staff Residences. BRIEF DESCRIPTION: All work necessary to furnish and erect one 2-story (2,854 SF) and two 1-story (1,625 SF) modular houses on foundations prepared by others. ESTIMATED RANGE: \$450,000.00 TO \$650,000.00. Staff Residences Construction. PLANS DEPOSIT: \$150.00 per set payable to P. J. DICK INCORPORATED. Refundable upon return of plans and specifications in reusable condition (no marks allowed) as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$50.00 or provide your express mail account number to the office listed below. Mail requests to: P. J. Dick Inc., 421 LaBelle Road, East Millsboro, PA 15433, Attn: Cindy Nichols, Tel: 724/785-2066. Bid Date: WEDNESDAY, August 22, 2001 at 11:00 A.M. A Pre-Bid Conference has been scheduled for Tuesday, August 14, 2001 at 10:00 A.M. at the Field Offices of P. J. Dick, Inc., 421 LaBelle Road, East Millsboro, PA 15433. Contact: Douglas Zaenger, Tel: 724/785-2066. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference. All bidders & other interested parties, that wish to visit the Project Work Site shall schedule appointments to do so with the Construction Manager. Only those with such an appointment shall be permitted access to the site.

**Department:** General Services  
**Location:** SCI, Fayette, 421 LaBelle Rd. (State Route 4020), Luzerne Township, Fayette County, PA  
**Duration:** 270 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**6797-81** PROJECT TITLE: Telephone System. BRIEF DESCRIPTION: The Sports & Exhibition Authority ("Owner") will receive sealed bids for trade packages as identified below for Additions and Renovations to the David L. Lawrence Convention Center (the "Project"). The Architect for the Project is Rafael Vinoly Architects, P.C. The Construction Manager is Turner Construction Company, P.J. Dick Incorporated and ATS, Inc., a joint venture. APPROXIMATE VALUE: \$100,000.00 to \$500,000.00. Bid Packages can be examined and bids will be received by Owner at the field office of the Construction Manager located at 951 Penn Avenue, Pittsburgh, PA 15222. Bid Date: TUESDAY, August 28, 2001 at 2:00 P.M. Inquiries regarding the bidding should be made to the Owner's Representative at its field office located at 425 Sixth Avenue, Suite 1850, Pittsburgh, PA 15219. Attention: Karen Hintz, Tel: 412/201-7342, FAX: 412/201-7346. Bid Packages may be obtained through Accu-Copy. Determination of Responsibility. Bids will be awarded to bidders determined to be "responsible" by the Owner based upon criteria applicable to the particular Bid Package. Bidders must complete and submit a Determination of Responsibility with the bid.

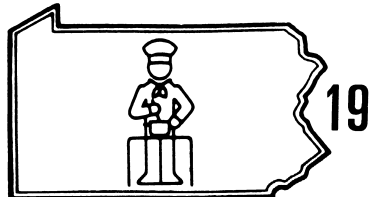
**Department:** General Services  
**Location:** 951 Penn Avenue (Basement Level), Pittsburgh, Allegheny County, PA  
**Contact:** Karen Hintz, (412) 201-7342



### 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](http://www.dot2.state.pa.us).

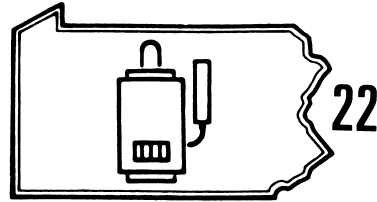
**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)



### Food

**LBP-2001-11** MILK: Whole, 2%, Skim. To be delivered as needed upon request. Quantities and specifications may be obtained from the Northeastern Veterans' Center. Please send fax request to (570) 961-4400.

**Department:** Military Affairs  
**Location:** Northeastern Veterans' Center, 401 Penn Avenue, Scranton, PA 18503-1213  
**Duration:** January 1, 2002 through December 31, 2002  
**Contact:** Barbara Partyka, Purchasing Agent, (570) 961-4354



### HVAC Services

**1601** Replacement or repair of six (6) Singer HVAC PTAC units at the PA National Guard Armory located in Greensburg, PA. For a copy of specifications for this work, please FAX your request to (717) 861-2932, Attn: Aimmee Heffner.

**Department:** Military Affairs  
**Location:** PA National Guard Armory, R.D.#12 Box, 232 Donohue Road, Greensburg, PA 15601-9808  
**Duration:** Bid Date: Wednesday, September 19, 2001 at 2:00 p.m. Work must be completed by June 30, 2002.  
**Contact:** Aimmee Heffner, (717) 861-8519

**1604** Purchase and install a split system air conditioning unit for the Allentown, PA National Guard Armory Classroom. Provide all labor and material, items and devices necessary for a 10 ton air handler and condenser unit, all ductwork and diffusers and temperature controls. For a copy of the bid package fax a request to (717) 861-2932.

**Department:** Military Affairs  
**Location:** PA Army National Guard Armory, 1501 Allen St., Allentown, PA 18102  
**Duration:** DOA—30 June 2002  
**Contact:** Brenda Lower, (717) 861-2118

**1602** Provide all labor, materials, tools, equipment, items and devices for the repair and replacement in kind of 8 Nesbitt PTAC units at the PA Army National Guard Armory at Grove City. For a copy of the bid, fax your request to (717) 861-2932.

**Department:** Military Affairs  
**Location:** PA Army National Guard Armory, 160 George Jr Road, Grove City, PA 16127-9317  
**Duration:** DOA—30 June 2002  
**Contact:** Brenda Lower, (717) 861-2118

**1503** Purchase and install a ductless split system HVAC package for PA National Guard Armory Dining Facility providing all labor and material, items and devices necessary for four (4) split system heat pumps. For a copy of specifications for this work please FAX your request to (717) 861-2932, Attn: Aimmee Heffner.

**Department:** Military Affairs  
**Location:** PA National Guard Armory, 324 Emerson Street, Pittsburgh, PA 15206  
**Duration:** Bid Date: Wednesday, September 19, 2001 Work must be completed by: June 30, 2002  
**Contact:** Aimmee Heffner, (717) 861-8519



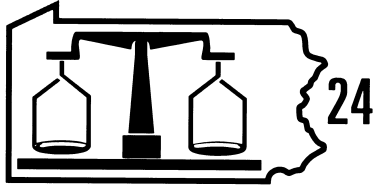
### Janitorial Services

**08-C-01** Janitorial Service: To be provided on a daily basis, Monday through Friday except State Holidays, after 5:00 pm. Involves 8,000 square feet of office space. A pre-bid on-site inspection is mandatory.

**Department:** Labor and Industry  
**Location:** Lehigh Valley Careerlink, 220 Ferry Street, Easton, Pa 18042-3674  
**Duration:** October 1, 2001 through September 30, 2002—With 3 1-year renewal option.  
**Contact:** Cherianita Thomas, (717) 787-2877

**012026** Clean office areas, rest rooms, conference room and any other areas designated by the department.

**Department:** Transportation  
**Location:** Pennsylvania Department of Transportation, 9031 Peach St., Waterford, PA 16441  
**Duration:** One year starting in November with the possibility of up to four 1 year renewals.  
**Contact:** William Sachse, (814) 871-4411

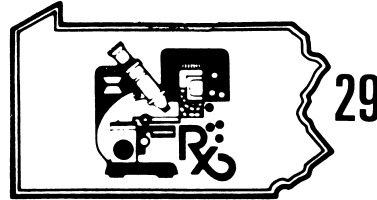


24

### Laboratory Services

**SPC704701** This is a reissuance of SPC703000. Provide all materials, transportation and laboratory interpretations necessary to allow the Sexually Transmitted Disease Program (STD) to perform Papanicolaou (PAP) tests on approximately 7,500 women (15,000 slides) attending STD clinics in Pennsylvania. Provide monthly line existing reports (electronic file) and semi-annual and annual summary reports of work performed.

**Department:** Health  
**Location:** Approximately 80-90 STD clinic sites in PA  
**Duration:** January 1, 2002 through December 31, 2002  
**Contact:** Raegan L. Camuso, (717) 787-3981

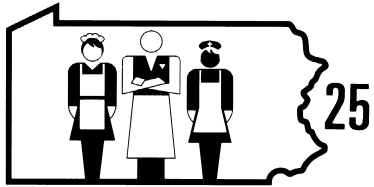


29

### Medical Services

**RFP #2001-07** The State System of Higher Education, Office of the Chancellor, is seeking proposals from qualified vendors to provide a comprehensive medication dispensing system capable of prepackaging and pre-labeling medication for its 14 universities. Interested and qualified vendors may obtain a Request for Proposal (RFP #2001-07) from Linda Venneri at the Dixon University Center, 2986 North Second Street, Duncan Hall, Room 113, Harrisburg, PA 17110. E-mail requests may be sent to lvenneri@sshechan.edu. The RFP is also available at the following Web Address: <http://www.sshechan.edu/Procurement/bids.htm>. Responses to the RFP will be due no later than September 21, 2001.

**Department:** State System of Higher Education  
**Location:** Harrisburg, PA  
**Duration:** Through 6/30/05  
**Contact:** Linda Venneri, (717) 720-4135

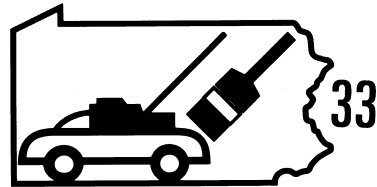


25

### Laundry/Dry Cleaning & Linen/Uniform Rental

**039021** Provide uniforms for maintenance personnel which shall include picking up, cleaning, and returning uniforms to county garage on a weekly basis. Bid package may be obtained by faxing request to Debbie Hunt 570-265-9594. Request must contain company name, address, phone and fax number and contact person.

**Department:** Transportation  
**Location:** Pennsylvania Dept. of Trans., P. O. Box 30, 340 York Avenue, Towanda, PA 18848  
**Duration:** 3 year  
**Contact:** Debbie Hunt, (570) 265-9594 FAX

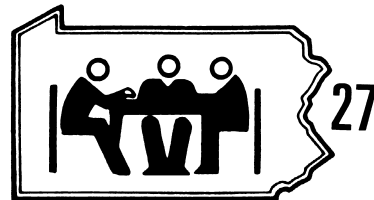


33

### Property Maintenance

**00718-001-01-SMS-1** Project Name: Roof Repairs to Visitor's Center. Scope of work: Repairs and modifications to Gutters and Downspouts, Installation of heat tape, and Installation of snow guards. A pre-bid meeting will be held on Wednesday, September 12, 2001 at 1:00 pm at Somerset Historical Center, Somerset, PA for all firms interested in submitting bids for the project. For directions to the site, contact the Project Manager, Ted Strosser at (717) 772-4992 or the site at (814) 445-6077. All interested bidders should submit a request for a bid package in writing to: PA, Historical & Museum Commission, Division of Architecture, Room N118, Plaza Level, 400 North Street, Harrisburg, PA 17120-0053—ATTENTION: Judi Yingling, (717) 772-2401 OR—FAX: (717) 214-2988 or e-mail: [jyingling@state.pa.us](mailto:jyingling@state.pa.us). All proposals are due on Thursday, September 27, 2001 at 11:45 am. Bid opening will be held in The Commonwealth Keystone Building, Division of Architecture, Room N118, Plaza Level, 400 North Street, Harrisburg, PA 17120-0053.

**Department:** Historical and Museum Commission  
**Location:** Somerset Historical Center, 10649 Somerset Pike, Somerset, PA 15501  
**Duration:** October 1, 2001 to June 30, 2002  
**Contact:** Judi Yingling, (717) 772-2401



27

### Lodging/Meeting Facilities

**461905** A facility in Pennsylvania within 5 miles of Erie, PA, June 3-7, 2002. With "Classroom Style" Room for 100 attendees, two "Breakout" Rooms for 30 attendees each and "Hospitality Style" Room for 50 attendees, as specified. Meeting and Breakout Rooms to be equipped with required A/V Equipment, Telephones, Personal Computers, etc., as specified. Lunch and Breaks (am & pm) for 100 attendees, as specified. One Hundred Single Lodging Rooms June 3, 4, 5 & 6, 2002, with 1:00 pm checkout. "Free" On-site parking for all attendees. Fax request for Bid Package to Wendy Heberlig at (717) 783-4438, include Proper Business Name, Mailing Address with Contract Person and Telephone Number.

**Department:** Transportation  
**Location:** In Pennsylvania—City of Erie, PA  
**Duration:** June 3 through 7, 2002  
**Contact:** Wendy Heberlig, (717) 787-4299

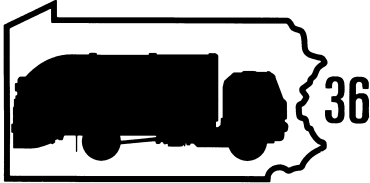
**00718-001-01-SMS-2** Project Name: Roof Repairs to Visitor's Center. Scope of work: Repairs and modifications to Gutters and Downspouts, Installation of heat tape, and Installation of snow guards. A pre-bid meeting will be held on Wednesday, September 12, 2001 at 1:00 pm at Somerset Historical Center, Somerset, PA for all firms interested in submitting bids for the project. For directions to the site, contact the Project Manager, Ted Strosser at (717) 772-4992 or the site at (814) 445-6077. All interested bidders should submit a request for a bid package in writing to: PA, Historical & Museum Commission, Division of Architecture, Room N118, Plaza Level, 400 North Street, Harrisburg, PA 17120-0053—ATTENTION: Judi Yingling, (717) 772-2401 OR—FAX: (717) 214-2988 or e-mail: [jyingling@state.pa.us](mailto:jyingling@state.pa.us). All proposals are due on Thursday, September 27, 2001 at 11:45 am. Bid opening will be held in The Commonwealth Keystone Building, Division of Architecture, Room N118, Plaza Level, 400 North Street, Harrisburg, PA 17120-0053.

**Department:** Historical and Museum Commission  
**Location:** Somerset Historical Center, 10649 Somerset Pike, Somerset, PA 15501  
**Duration:** October 1, 2001 to June 30, 2002  
**Contact:** Judi Yingling, (717) 772-2401



**MI-821** Millersville University of Pennsylvania is issuing a Request for Interest (RFI) for Project MI-821, Tanger House Renovations (President's Campus Residence). The project consists of the renovation of an existing residential structure that houses the University's President and family. This is a prevailing wage project with four primes: General Construction, Plumbing, Mechanical, and Electrical. Anticipated Start and Completion Dates: 01/02/2002—07/03/2002 Project Estimate: \$408,000—\$469,000 The Construction Contracting Office will hold a prebid conference in September 2001. We have not established the prebid and opening dates at this time. Interested contractors should contact Bernadette Boyer, Construction Contracting, by fax or email (717) 872-3846F, Bernadette.Boyer@millersville.edu. Please include the name of the company, trade, POC, address, phone and fax number, and email address (if applicable). Construction Contracting will send those contractors showing interest in the project a Notice to Contractors, summarizing bidding and project requirements. Plans and specifications will be available after August 31, 2001.

**Department:** State System of Higher Education  
**Location:** Tanger House, Millersville University, Millersville, PA 17551  
**Duration:** Approximately 180 calendar days.  
**Contact:** Jill M. Coleman, (717) 872-3730



### Sanitation

**SP386300103** Solid Waste Collection and Disposal.

**Department:** Conservation and Natural Resources  
**Location:** Codorus State Park, 1066 Blooming Grove Road, Hanover, PA 17331-9545  
**Duration:** 1/1/02 through 12/31/06  
**Contact:** Ed Kautz, (717) 637-2816

**SP386300101** Solid Waste collection and disposal.

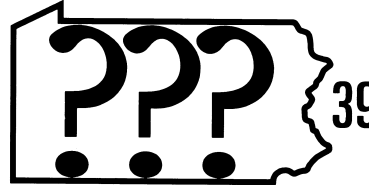
**Department:** Conservation and Natural Resources  
**Location:** Blue Knob State Park, 124 Park Road, Imler, PA 16655-9207  
**Duration:** 1/1/02 through 12/31/06  
**Contact:** James E. Davis, (814) 276-3576



### Security Services

**Alarm01** The exterior door alarm system must be reviewed and evaluated for the use of an alarm system. The current system may be used (and repaired, if necessary), but must be separated from the vault alarm system. The work shall generally consist of all labor, materials, tools, equipment, items and devices to repair or replace the current exterior door system. For copy of the bid, please fax your request to (717) 861-2932.

**Department:** Military Affairs  
**Location:** 2700 Southampton Road, Philadelphia, PA 19154-1299  
**Duration:** DOA—1 Mar 2002  
**Contact:** Gene Ollar, (717) 861-2921



### Miscellaneous

**TP-003** 10,000 GALLON VERTICLE STORAGE TANKS, 4 each - For salt aggregate de-icing operations. Items must be same as or equivalent to a NORWESCO Model #40353, 10,000 Gallon, 1 piece, seamless, polyene, liquid storage tank, heavy duty model. Fittings must be installed.

**Department:** Transportation  
**Location:** To be delivered to various stockpiles throughout Lackawanna County  
**Contact:** Thomas Philbin, (570) 586-2211

**4539** Work included under the project includes the provision of a complete operating emergency generator system to include new generator, time clock with weekly test cycle set to the University's test time and day; new transfer switch, area protection panel (three areas), area monitors, factory authorized start-up, warrantee, training and testing of all system components. Pre-bid meeting to be held 10:00 a.m., August 28, 2001. Bids due 2:00 p.m., September 11, 2001.

**Department:** State System of Higher Education  
**Location:** Cheyney University, Cheyney and Creek Roads, Cheyney, PA 19319  
**Duration:** 60 days  
**Contact:** Antonia Williams, (610) 399-2360

**SP3881040105** Services required for the installation of a woven wire fence in Cook Township, Westmoreland County.

**Department:** Conservation and Natural Resources  
**Location:** Forbes Forest District #4, PO Box 519, Laughlinton, PA 15655-0519  
**Duration:** Upon completion of the contract and terminate 6/30/02. Work must be completed by 11/21/01  
**Contact:** Scott Rimpa, (724) 238-5040

**4534** Work included under project includes the removal of electric boiler and the provision and installation of a natural gas fired steam boiler in the pot and can washing area, ground floor and connection to the existing natural gas connection at the Southeast side of the Ada S. Georges Dining Hall. Pre-bid meeting to be held 11:00 a.m., August 28, 2001. Bids due 2:00 p.m., September 18, 2001.

**Department:** State System of Higher Education  
**Location:** Cheyney University, Cheyney and Creek Roads, Cheyney, PA 19319  
**Duration:** 60 days  
**Contact:** Antonia Williams, (610) 399-2360

**SP3881040103** Services required for the installation of a woven wire fence in Jenner Township, Somerset County.

**Department:** Conservation and Natural Resources  
**Location:** Forbes Forest District #4, P. O. Box 519, Laughlinton, PA 15655-0519  
**Duration:** Upon completion of the contract and terminate 6/30/02. Work must be completed by 11/21/01  
**Contact:** Scott Rimpa, (724) 238-5040

**SP3881040104** Services required for the installation of a woven wire fence in Cook Township, Westmoreland County.

**Department:** Conservation and Natural Resources  
**Location:** Forbes Forest District # 4, P O Box 519, Laughlinton, PA 15655-0519  
**Duration:** Upon completion of the contract and terminate 6/30/02. Work must be completed by 11/21/01  
**Contact:** Scott Rimpa, (724) 238-5040

**SP388120109** Services required to dismantle high tensile-strength electric fences for Forest District #12, Lycoming County.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Forest District #12, 423 East Central Avenue, South Williamsport, PA 17702  
**Duration:** The contract shall commence upon execution and terminate June 20, 2002  
**Contact:** Michael Palko, (570) 327-3450

**SP3881051001** Woven Wire Fence Installation: Site preparation and materials for three woven wire fences at the following locations on Rothrock State Forest land: 1) around a timber sale along Pine Swamp State Forest Road in Jackson Township, Huntingdon County—estimated perimeter 3,400 lin. ft.; 2) around a timber sale along the Laurel Run State Forest Road in Jackson Township, Huntingdon County—estimated perimeter 3,500 lin. ft.; 3) around a future timber sale along the Boal Gap State Forest Road in Potter Township, Centre County—estimated perimeter 11,000 lin. ft.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Rothrock District #5, Rothrock Lane, Huntingdon, PA 16652  
**Duration:** Upon execution and receipt of Notice to Proceed letter and terminate September 30, 2001  
**Contact:** Robert W. Wetzel, (814) 643-2340

**121042** Tire repair and replacement service for various size heavy trucks and off-road equipment at various locations within the confines of Fayette County.

**Department:** Transportation  
**Location:** 825 N. Gallatin Avenue Extension, Uniontown, Pennsylvania 15401  
**Duration:** One Year  
**Contact:** Brent A. Blake, (724) 439-7470

**SP3881040102** Services required for the installation of woven wire fence in Elk Lick & Addison Townships, Somerset County.

**Department:** Conservation and Natural Resources  
**Location:** Forbes Forest District #4, P.O. Box 519, Laughlinton, PA 15655-0519  
**Duration:** Upon completion of the contract and terminate 6/30/02. Work must be completed by 11/21/01.  
**Contact:** Cory Wentzel, (724) 238-5039

**3881061001** The Department of Conservation and Natural Resources, Bureau of Forestry, Forest District #6 requires woven wire fence installation. Services shall include, but not limited to, furnishing of all labor, superintendence, material, tools, and equipment for the installation of woven wire fence. Approximate lineal feet 10,600.

**Department:** Conservation and Natural Resources  
**Location:** Along Buffalo Road on State Forest land in Ogle Township, Somerset County, on Gallitzin State Forest  
**Duration:** Expires on November 21, 2001  
**Contact:** Jim Smith, (814) 472-1862

**SRM000424** Various sizes of plumbing supplies: Adapters, elbows, conduit, caps, cartridges, and hangers etc. For information or a bid package fax (717-861-2928), phone, or e-mail to purchasing agent listed below. Bid opening will be held on September 6th @ 2:00 p.m.

**Department:** Military Affairs  
**Location:** State Army Board, Bldg. 0-47, Ft. Indiantown Gap, Annville, PA 17003-5002  
**Duration:** Fiscal year 2001  
**Contact:** Anita Sommer, (717) 861-2928, e-mail asommer@state.pa.us

**SP3864110002** The Nolde Forest Environmental Education Center, 2910 New Holland Road, Reading, PA 19607 is accepting bids for the supplying and installation of interior magnetic storm windows for the Nolde mansion which serves as the Center Office. Bid documents containing pertinent information can be obtained from the office of the Center Manager, telephone 610-796-3699. Bids will be accepted for 14 days after publication of this notice.

**Department:** Conservation and Natural Resources  
**Location:** Nolde Forest Environmental Education Center, 2910 New Holland Road, Reading, PA 19607  
**Duration:** Work to be completed by December 31, 2001.  
**Contact:** Daniel Hewko, (610) 796-3699

**SP3881131002** Provide materials and installation of Woven Wire Deer Fencing as Follows: Three (3) fences in Elk State Forest, Potter and Cameron County. Mackey Hollow 1—approximately 3500 Lineal Feet Perimeter in Portage Township, Potter County, Two (2) walk-thru gates and One (1) two-part vehicle gate. Mackey Hollow 2—approximately 4400 Lineal Feet Perimeter in Portage Township, Potter County, Two (2) walk-thru gates, Two (2) two-part vehicle gates. Hercules Hollow - approximately 2600 Lineal Feet Perimeter in Shippen Township, Cameron County, Two (2) walk-thru gates, and One (1) two-part vehicle gate. Site inspection will be on September 5, 2001 at 9:00 AM at the District Office. Bid opening will be September 12, 2001 at 2:00 PM at the District Office, RR 4 Box 212, Suite 1, Emporium PA 15834.

**Department:** Conservation and Natural Resources  
**Location:** Portage Township, Potter County and Shippen Township, Cameron County  
**Duration:** June 30, 2002  
**Contact:** John E. Sidelinger, (814) 486-3353

**SU 49104-5** Shippensburg University is seeking vendors who are interested in furnishing and installing two new entry door units in Reinsner Dining Hall (1 Interior and 1 Exterior). A site visit is requested. Bid due date will be September 6, 2001 by 4:30 PM. Vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent at (717) 477-1350. The University encourages responses from small and disadvantaged, minority and women-owned firms.

**Department:** State System of Higher Education  
**Location:** Shippensburg University, Shippensburg Township, Shippensburg, Cumberland County, PA  
**Contact:** Janet Neidigh, (717) 477-1386

**PGC-2780** Dry, White Pine Shavings or equivalent Southern Yellow Pine (clean, no saw dust) Bales weigh approximately 35 to 40 lbs. each and measure approximately 12"x18"x28". Delivery will be made to four (4) locations throughout the State, and each location can accept a full tractor-trailer load (approximately 900-1,000 bales.) Vendor will be paid according to the number of bales received on shipment. Deliveries can be made before October 19, 2001, or after January 31, 2002, and all deliveries must be completed by January 31, 2002.

**Department:** Game Commission  
**Location:** Pennsylvania Game Commission, Bureau of Administrative Services, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797  
**Duration:** From award through January 31, 2002  
**Contact:** Diane Shultz or Linda Beaver, (717) 787-6594

**RFA 01-07-02** The Department of Health is issuing a Request for Application (RFA) 01-07-02 to fund physical activity and healthy eating behavior initiatives. Ten (10) copies of the Application should be submitted to the Pennsylvania Department of Health, Division of Contracts, Room 824, Health and Welfare Building, P.O. Box 90, Commonwealth Avenue and Forster Street, Harrisburg, PA 17108.

**Department:** Health  
**Location:** Statewide  
**Duration:** 6 months  
**Contact:** Brian Wyant or Lisa Bailey-Davis, (717) 787-2957

**TP-001R** Bid announcement published 8/4/01 has been rescinded. TP-001 bid announcement was for purchase of 6 each, 10,000 gallon vertical storage tanks for delivery to various stock piles throughout Lackawanna County. PennDOT Lackawanna County has decided to decrease that requirement to 4 each, 10,000 gallon vertical storage tanks.

**Department:** Transportation  
**Location:** Various stock piles throughout Lackawanna County  
**Contact:** Thomas J. Philbin, (570) 586-2211

**3881071001** Woven wire deer fence installation at three sites in Bald Eagle State Forest, Centre County. Total lineal feet of all three sites is approximately 44,841.

**Department:** Conservation and Natural Resources  
**Location:** Bald Eagle State Forest, Forest District #7, Centre County  
**Duration:** Approx. 10/1/01 to 4/30/02  
**Contact:** Michael Becker, (570) 922-3344

**3881071002** Woven wire deer fence at three different sites in Centre County and two different sites in Clinton County, Bald Eagle State Forest. Total lineal feet of all five sites is approximately 45,678.

**Department:** Conservation and Natural Resources  
**Location:** Bald Eagle State Forest, Forest District #7 Centre/Clinton Counties  
**Duration:** Approx. 10/1/01 to 9/30/02  
**Contact:** Michael Becker, (570) 922-3344

**KURFP-0040** KURFP-0040: Kutztown University is seeking qualified contractors for the leasing of two office modular trailers at Kutztown University. RFP documents are available for a non-refundable fee of \$15.00 from: Barbara Barish, Contracts Specialist, Kutztown University, Office of Planning and Construction, P. O. Box 730, Kutztown, PA 19530, (610) 683-4602. RFP documents are available August 27, 2001 through pre-proposal meeting. A pre-proposal meeting has been scheduled for September 5, 2001 at 2:00 PM in Room OM-26, Old Main Building. Proposals are to be received no later than 3:00 PM on September 26, 2001 in Room 229, Office of Planning and Construction. Non-discrimination and equal opportunity are the policies of the Commonwealth and the State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** Minimum of 18 months with a maximum of two years from date of occupancy  
**Contact:** Barbara Barish, (610) 683-4602

[Pa.B. Doc. No. 01-1594. Filed for public inspection August 24, 2001, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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KELLY LOGAN,  
*Acting Secretary*



# NOTICES

## DEPARTMENT OF STATE

### Official Forms

The Department of State, Corporation Bureau (Bureau) proposes to amend 19 Pa. Code Appx. A (relating to official forms), to read as set forth in the Annex A.

#### A. *Effective Date*

The proposed amendments will be effective upon publication of the final-form in the *Pennsylvania Bulletin*.

#### B. *Statutory Authority*

The Department has the authority to promulgate Bureau forms and instructions under 15 Pa.C.S. § 133 (relating to powers of Department of State) (Associations Code). Section 133(a) of the Associations Code designates that these forms shall not be agency regulations. See section 133(a) of the Associations Code. Therefore, they are explicitly excluded from the requirements of section 612 of The Administrative Code of 1929 (71 P. S. § 232), and review under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506) and the Regulatory Review Act (71 P. S. §§ 745.1—745.15). Section 133 of the Associations Code does, however, require that the forms and instructions be subject to the opportunity for public comments under section 201 of the July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1201) (CDL).

#### C. *Description of Proposed Revisions*

This proposal revises the existing forms and instructions currently published in the *Pennsylvania Code* so that the published forms and instructions are the same as those currently being used by the Bureau. The Department has updated the forms and instructions to eliminate references to executive staff personnel, which will eliminate the need to revise the Bureau's forms whenever there are changes in the executive staff. Some additional changes have also been to improve the appearance of the forms and to clarify the instructions.

The forms and instructions currently published in 19 Pa. Code are being deleted. These outdated forms and

instructions will be replaced by those set forth in Annex A. Even though Rule 2.10(a) of the *Pennsylvania Code and Bulletin Style Manual* recommends that forms be referenced in regulations rather than adopted in regulations, section 133 of the Associations Code requires that the forms and instructions be published in the *Pennsylvania Code*.

#### D. *Fiscal Impact*

While this proposal would have no measurable fiscal impact upon the Commonwealth, its political subdivisions, or the private sector and is actually likely to provide a savings to the Commonwealth by eliminating the situation where the Corporation Bureau's forms become obsolete, a formal fiscal analysis was not conducted because these forms are exempt from the requirements of section 612 of The Administrative Code of 1929.

#### E. *Paperwork Requirements*

This proposal would not create new paperwork.

#### F. *Regulatory Review*

Under section 133(a) of the Association Code, these forms are exempt from the requirements of the Regulatory Review Act, but shall be subject to the opportunity of public comment requirement under section 201 of the CDL.

#### G. *Public Comment*

Under section 133(a) of the Associations Code that requires that publication of these forms be subject to the opportunity for public comment, the Department invites interested persons to submit written comments, suggestions or objections regarding this proposal to Janet Warfield-Warren, Operations Manager, Corporation Bureau, Department of State, 308 North Office Building, Harrisburg, PA 17120, within 30 days following publication of this notice in the *Pennsylvania Bulletin*.

KIM PIZZINGRILLI,  
*Secretary of the Commonwealth*