

PENNSYLVANIA BULLETIN

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Public School Employees' Retirement Board
State Employees' Retirement Board

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**Latest Pennsylvania Code Reporter
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No. 322, September 2001

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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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THE GOVERNOR

Proclamation of Disaster Emergency

September 11, 2001

Whereas, on September 11, 2001, major catastrophic events have occurred in New York City, New York, and Washington, D.C.; and

Whereas, those events may have been intended as acts of terrorism; and

Whereas, a possible terrorist incident has also occurred in Somerset County, Pennsylvania involving the crash of an airplane with a significant loss of life; and

Whereas, there may be a concerted effort by foreign enemies or terrorist groups to inflict serious harm and damage upon the United States, and

Whereas, the emergency situation throughout the United States including Pennsylvania may be of such magnitude and severity as to render essential the Commonwealth's supplementation of emergency resources and mutual aid to other states and to the county and municipal governments of this Commonwealth and to require the activation of all applicable state, county, and municipal emergency response plans;

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

Further, I hereby transfer up to \$1,000,000.00 in unused appropriated funds to the Pennsylvania Emergency Management Agency. The aforementioned funds shall be used for disaster-related expenses incurred by various state agencies and departments. These funds shall be credited to a special account established by the Office of the Budget. All Commonwealth agencies purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in Section 516 of the Commonwealth Procurement Code, 62 Pa.C.S. Section 516. This Proclamation shall serve as the written determination of the basis for the emergency under Section 516; and

Further, I hereby authorize the Commissioner of the Pennsylvania State Police to use all available equipment, resources and personnel of the Department, in whatever manner he deems necessary, to ensure that the public health, safety, and welfare of the Commonwealth's citizens are protected at this time of emergency; and

Further, I hereby approve the activation of the Pennsylvania Urban Search and Rescue Team in the event it is needed in either New York City, Washington, D.C. or some other location; and

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

Further, at the request of the Governor of New York State, I hereby authorize the Adjutant General of Pennsylvania, at his discretion, to provide all available forms of heavy equipment and other resources to the emergency response organizations of New York State; and

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

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

Given under my hand and the Seal of the Governor, at the city of Harrisburg, this 11th day of September in the year of our Lord, two thousand and one and of the Commonwealth, the two hundred and twenty-sixth.



Governor

[Pa.B. Doc. No. 01-1716. Filed for public inspection September 21, 2001, 9:00 a.m.]

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 5]

[EXECUTIVE ORDER NO. 1998-3 AMENDED]

Pennsylvania Greenways Partnership Commission

August 16, 2001

Whereas, under Article I, Section 27 of The Pennsylvania Constitution, the people have the right to the preservation of the natural, scenic, historic and aesthetic value of the environment; and

Whereas, Pennsylvania is blessed with a scenic beauty, a rich cultural heritage, and an environment of waterways, forests, farms, natural areas and open space lands; and

Whereas, a network of greenways across the state will help to preserve environmental values and protect these natural, cultural, historic and scenic assets for future generations; and

Whereas, a network of greenways across the State will enhance outdoor recreation opportunities; provide wildlife corridors and habitat; provide intermodal transportation options; stimulate our tourism industry; contribute to environmentally sensitive growth strategies; and improve the quality of life and livability of our neighborhoods, communities and regions; and

Whereas, developing a network of greenways requires the formulation of partnerships which include government agencies, nonprofit organizations, business interests and property owners; and

Whereas, the concept of creating greenway connections through public and private partnerships was addressed at the Governor's Conference on Greenways and Trails in April 1997 and creation of a Greenways Commission was a high priority of conference attendees; and

Whereas, The Pennsylvania Greenways Partnership Commission, created in 1998, has prepared an action plan that includes recommendations designed to provide a coordinated and strategic approach to the development of greenways in the Commonwealth; and

Whereas, the Commission's recommendation has been endorsed by the Secretaries of the Department of Conservation and Natural Resources (DCNR), the Department of Environmental Protection (DEP) and the Department of Transportation (PennDOT); and

Whereas, the Commission's plan recommends DCNR as the lead agency responsible for the development of Pennsylvania's greenways program.

Now, Therefore, I, Thomas J. Ridge, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby recognize Pennsylvania Greenways: An Action Plan for Creating Connections and do hereby restructure the organization and responsibility of The Pennsylvania Greenways Partnership Commission to read as set forth in Annex A.



Governor

Fiscal Note: GOV 01-5. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 5. COUNCILS AND COMMITTEE

Subchapter QQQ. PENNSYLVANIA GREENWAYS PARTNERSHIP COMMISSION

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5.981.	Purpose and effective date.
5.982.	Composition and appointments.
5.983.	Functions and scope.
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§ 5.981. Purpose and effective date.

(a) The purpose of the Pennsylvania Greenways Partnership Commission is to aid the Secretary of the Department of Conservation and Natural Resources in the promotion of greenways development throughout this Commonwealth.

(b) This subchapter is amended effective September 1, 2001.

§ 5.982. Composition and appointments.

(a) The Pennsylvania Greenways Partnership Commission (Commission) consists of individuals who are appointed by and serve at the pleasure of the Secretary of the Department of Conservation and Natural Resources (DCNR). The membership of the Commission reflects a cross section of greenway interests and the geographic diversity of this Commonwealth.

(1) The Commission is comprised of one representative from each of the following organizations:

- (i) The Pennsylvania Environmental Council.
- (ii) The Pennsylvania Organization for Watersheds and Rivers.
- (iii) The Pennsylvania Rails-to-Trails Conservancy.
- (iv) The Pennsylvania Recreation and Parks Society.
- (v) The Pennsylvania Planning Association.
- (vi) The Pennsylvania Chamber of Business and Industry.
- (vii) The Pennsylvania Land Trust Association.
- (viii) The Pennsylvania Heritage Parks Association.
- (ix) The Pennsylvania Recreational Trails Advisory Board.

(2) The remaining members of the Commission represent a diversity of greenway interests.

(b) The Secretary of DCNR will select a chair or cochairs.

(c) DCNR is the primary State agency for the planning and coordination of a Pennsylvania greenways program and will provide administrative support to the Commission.

(d) Each Commission member may designate an alternate to represent him on the Commission.

§ 5.983. Functions and scope.

The Commission will advise and assist the Secretary of the Department of Conservation and Natural Resources in carrying out the following responsibilities:

(1) Implementing an action plan for advancing a Pennsylvania greenways partnership program in the 21st century.

(2) Pursuing the creation of partnership opportunities to plan, implement, maintain and fund a greenways network for this Commonwealth.

(3) Maintaining an inventory, catalog and map of the network of greenways and trails in this Commonwealth.

(4) Exploring creative financial and technical assistance programs and strategies to benefit the creation and sustainability of State and local greenway efforts.

(5) Researching and identifying "best practices" of existing greenways efforts within this Commonwealth and other states.

(6) Creating a Statewide clearinghouse system for collecting, maintaining and disseminating materials on greenways and trails legal, design and mapping information.

(7) Developing a public education, outreach and coalition building strategy (including local government) for greenways and trails.

(8) Developing strategies for incorporating greenways opportunities into Federal, State and local planning efforts dealing with issues such as land use/smart growth, open space preservation, watershed protection, natural areas protection, heritage conservation, recreation, tourism development, intermodal transportation systems and brownfields development.

(9) Coordinating existing State agency initiatives dealing with the Public Utility Commission's disposition of crossing structures, including related funding programs.

§ 5.984. State agency coordination.

All State agencies shall cooperate with and provide assistance as needed to the Department of Conservation and Natural Resources (DCNR) in performing its mission and functions related to greenways development. The following State agencies shall designate a liaison who will serve as the coordinator of greenway-related activities and primary contact for DCNR:

- (1) The Department of Aging.
- (2) The Department of Agriculture.
- (3) The Department of Community and Economic Development.
- (4) The Department of Education.
- (5) The Department of Environmental Protection.
- (6) The Fish and Boat Commission.
- (7) The Game Commission.
- (8) The Department of Health.
- (9) The Historical and Museum Commission.
- (10) The Pennsylvania Emergency Management Agency.
- (11) The Pennsylvania Public Utility Commission.
- (12) The Department of Transportation.

§ 5.985. Meetings and communication.

The Pennsylvania Greenways Partnership Commission (Commission) members will meet at least once a year during the life of the Commission.

[Pa.B. Doc. No. 01-1717. Filed for public inspection September 21, 2001, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

PIKE COUNTY

Promulgation of Local Rule Civil L.1915; No. 891-2001

Order

And Now, this 29th day of August, 2001, the Court hereby Orders the revision of Civil L.1915 Custody, Partial Custody and Visitation effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Pike County Prothonotary is directed to:

File seven (7) certified copies of the Rule with the Administrative Office of Pennsylvania Courts; Distribute two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and File one (1) certified copy with the Civil Procedural Rules Committee of the Pennsylvania Supreme Court.

By the Court

HAROLD A. THOMSON, Jr.,
President Judge

Local Rule L.1915—Civil. Custody, Partial Custody and Visitation

A. Claims for Custody—Whenever a Divorce Complaint containing a count for custody, a Custody Complaint or a Petition for Modification is filed, it shall contain a Cover Sheet, essentially in the attached format. The Prothonotary shall submit the Cover Sheet to the Court Administrator. Pursuant to the provisions of 23 Pa.C.S.A. § 3902(a), an additional twenty dollar (\$20) filing fee is hereby imposed on Custody Complaints and Divorce Complaints containing a count for custody. After the filing of any of the above pleadings, each of the parties shall be ordered to attend the "Kids First" Program, or other similar program approved by the Court, cost to be borne by the parties. Failure by a party to comply with an Order of Court directing attendance at one of the programs, as set forth above, will result in the initiation of contempt proceedings against said party.

B. Upon the filing of a Divorce Complaint containing a count for custody, a Custody Complaint, or a Petition for Modification of Custody, the parties shall be Ordered to attend an orientation session relative to resolving the dispute through a mediation process, pursuant to the provisions of Pa.R.C.P. § 1940.3 and 23 Pa.C.S.A. § 3901(b). No orientation session shall take place if a party or a child of either party is or has been the subject of domestic violence or child abuse either during the pendency of the action or within twenty-four (24) months preceding the filing of the action, pursuant to Pa.R.C.P. § 1940.3(b), which shall be determined by the domestic violence answers on the Cover Sheet.

C. For internal control and monitoring, all motions and petitions in custody actions shall be filed with the Prothonotary, for submission to the Court Administrator.

Motions requiring immediate action shall be brought directly to the Court Administrator.

D. The Mediator shall encourage and supervise the formulation of settlement agreements between the parties. In the event the parties agree to mediation, each party shall bear the cost equally, in accordance with procedures established by the Court. The mediation shall be conducted in accordance with the provisions of Pa.R.C.P. § 1940.1—1940.8.

E. In the event the parties reach an agreement, the Mediator shall, within fourteen (14) days, prepare a Memorandum of Understanding (MOU), pursuant to the provisions of Pa.R.C.P. § 1940(b). The Mediator shall then provide the parties, and/or their attorneys, the opportunity to meet with the Mediator to finalize the terms of the Memorandum of Understanding. In the event the parties, and/or their attorneys, agree that the MOU can be submitted to the Court, the Mediator will do so and an Order approving the MOU will be entered. In the event the parties, and/or their attorneys, desire to prepare a more formal Settlement Agreement, it must be submitted to the Mediator, signed by each of the parties, within fourteen (14) days of the final mediation session with the parties, and/or their attorney. The Mediator shall then submit the Settlement Agreement to the Court with a recommendation. If a Settlement Agreement is not submitted within fourteen (14) days as aforesaid, and neither of the parties, and/or their attorneys, have objected to the terms of the MOU, said MOU will be submitted by the Mediator to the Court, with a recommendation that it be approved and made an Order of the Court.

In the event the parties, and/or their attorneys, before holding the final mediation session as set forth above, either submit a signed Settlement Agreement, or agree to the terms of the MOU, and agree that it can be submitted to the Court for approval, then the Mediator shall determine whether or not a final mediation session need be held.

F. In the event no agreement is reached at the mediation, the Court shall appoint a Hearing Officer to conduct a hearing, which shall be recorded. The Hearing Officer shall file a Report and Recommendation and proposed Order with fifteen (15) days upon which the trial is concluded, unless extended by Court Order, for good cause shown. The Hearing Officer shall send a copy of the Report and Recommendation and proposed Order to each party or their counsel. If no Exceptions are filed within ten (10) days of the filing of the report, the Prothonotary shall transmit the file for Court approval.

G. Exceptions to the Hearing Officer's Report and Recommendation, and proposed Order, shall be in writing, and shall be filed with the Prothonotary, within ten (10) days of the date of the Hearing Officer's Report. Upon the filing of Exceptions, the Prothonotary shall schedule the matter for argument on the next available argument date. A copy of the Exceptions shall be delivered to the Hearing Officer, and opposing counsel. All costs associated with the filing of Exceptions, including transcription costs, shall be borne by the party filing same.

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 147]

Special Permits

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

Amend § 147.701 (relating to general), by adding paragraph (10) to provide for a permit to be issued to persons who wish to assist persons who are hunting or trapping bobcats. Since bobcat hunting-trapping permits are available on a limited basis by drawing, they are difficult to obtain. A person acting as a guide for or assisting a person with a bobcat permit to take a bobcat would be hunting without a license. The creation of a bobcat guide permit would allow holders of the guide permit to fully assist bobcat hunting-trapping permit holders in the taking of bobcats.

Add Chapter 147, Subchapter T (relating to commercial wildlife pest control). Since the current Game and Wildlife Code (34 Pa.C.S.) became effective in 1987, there have been provisions for a commercial wildlife pest control permit but no corresponding regulations to clearly define the application process and activities of permitholders. These regulations can be established by adding Subchapter T.

These proposed amendments will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for these proposals is the code.

These proposals were made public at the June 12, 2001, meeting of the Commission, and comments on these proposals can be sent to the Director of Information and Education of the Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, until September 29, 2001.

Proposed amendment to § 147.701

1. Introduction

In 2000, the Commission for the first time in 30 years established a season for hunting or trapping bobcats. A limited number of permits have been available in the past, and a larger number of permits will be offered for the 2002 season. To assist a permittee hunting bobcats, the Commission at its June 12, 2001, meeting proposed the establishment of a permit to allow persons to act as guides in the hunting of bobcats. Section 2901(b) of the code (relating to authority to issue permits) authorizes the Commission, as deemed necessary to properly manage the game or wildlife resources, to promulgate regulations for the issuance of any permit and to control the activities which may be performed under authority of any permit issued.

2. Purpose and Authority

As is indicated in the Introduction, the addition of a bobcat guide permit would assist persons holding bobcat hunting permits by allowing them to secure the services of a permitted guide. Section 2901(b) of the code, authorizes the Commission to promulgate regulations for the issuance of any permit, and provides the authority for the proposed change.

3. Regulatory Requirements

The proposed change would establish a permit and fee requirement. The fee shall be \$10 for residents and \$25 for nonresidents.

4. Persons Affected

Persons wishing to guide or assist another permitted person to hunt or take bobcats will be affected by the proposal.

5. Cost and Paperwork Requirements

The proposed change would result in a permit application and fee submission of \$10 for residents and \$25 for nonresidents.

Proposed addition of Chapter 147, Subchapter T

1. Introduction

Section 2904(17) of the code (relating to permit fees) authorizes a fee for a commercial wildlife pest control permit. While section 2904(17) of the code has authorized a permit, no regulations have been promulgated governing wildlife pest control permit issuance. To rectify this, and deal with an increasing nuisance wildlife problem, the Commission proposed at its June 12, 2001, meeting, adding Subchapter T. Section 2901(b) of the code authorizes regulations for permits as deemed necessary to properly manage the game or wildlife resources and to control the activities which may be performed under authority of any permit issued.

2. Purpose and Authority

As is indicated in the Introduction, the proposal would set out conditions upon which a person may obtain a commercial wildlife pest control permit, along with specific regulatory requirements that must be followed by each permit holder. Section 2901(b) of the code, relating to regulations for permits, provides the authority for the proposed changes.

3. Regulatory Requirements

Those wishing to be issued a permit will have to file an application and pay a fee. Conviction of a code violation within 5 years of the date of the application may preclude the issuance of a permit. New agents shall successfully complete a supervised written exam. Additionally, records shall be kept and available for inspection, along with a report sent to the district wildlife conservation office each month. This proposal also outlines the method and manner of humane dispatch of nuisance wildlife along with approved methods, devices and disposal. This proposal also sets out unlawful acts under the wildlife pest control permit.

4. Persons Affected

Persons holding, or wishing to obtain, a commercial wildlife pest control permit may be affected.

5. Cost and Paperwork Requirements

The proposed changes would require completion and submission of a permit application and payment of a \$25 application fee, an additional fee of \$50 will be required if the applicant passes the examination. There are also recordkeeping and reporting requirements.

Effective Date

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

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.

VERNON R. ROSS,
Executive Director

Fiscal Note: 48-135. No fiscal impact; (8) recommends adoption.

Annex A**TITLE 58. RECREATION****PART III. GAME COMMISSION****CHAPTER 147. SPECIAL PERMITS****Subchapter S. BOBCAT HUNTING-TRAPPING PERMIT****§ 147.701. General.**

This section provides for permits to be issued for the hunting and trapping of bobcat during the season established and in areas designated under § 139.4 (relating to seasons and bag limits for the license year).

* * * * *

(10) A bobcat guide permit will be issued as follows:

(i) A person who assists another person to hunt or take bobcats in any manner shall first secure a bobcat guide permit from the Commission.

(ii) The fee for a bobcat guide permit is \$10 for residents and \$25 for nonresidents.

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

Subchapter T. COMMERCIAL WILDLIFE PEST CONTROL

Sec.

- 147.721. General.
- 147.722. Definitions.
- 147.723. Application.
- 147.724. Commercial wildlife pest control examination.
- 147.725. Records and reports.
- 147.726. Operation.
- 147.727. Unlawful acts.

§ 147.721. General.

A commercial wildlife pest control permit is required for a person to take, harass, transport, release or dispatch designated wildlife, for another person for a fee or other consideration, that is creating a nuisance, causing damage to property or is a risk to human health or safety. This permit authorizes the agent to control designated wildlife for another at any time of the year.

§ 147.722. Definitions.

In addition to the definitions contained in the act and § 131.2 (relating to definitions), the following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

Agent—A holder of a valid commercial wildlife pest control permit or a legitimate employee.

Humane manner—When dispatching an animal, death shall be induced as quickly and painlessly as possible by any of the methods in § 147.727(5) (relating to unlawful acts).

Legitimate employee—An employee of record, one for which the employer deducts or pays taxes or other fees required by any local, state or the Federal government and is listed on the permit.

§ 147.723. Application.

(a) An application for examination shall be submitted on a form supplied by the Commission. A nonrefundable fee of \$25 shall be submitted with the application for new agents only. An additional \$50 shall be submitted for the permit if the examination is passed.

(b) Experience and qualifications shall be listed on the application. If applicable, the business name shall also be included.

(c) Conviction of a violation of the act within 5 years of the date of application may preclude the issuance of a permit.

§ 147.724. Commercial wildlife pest control examination.

(a) New agents shall be required to obtain a minimum score of 80% on a supervised written examination approved by the Director.

(b) The examination shall include the following subject matter:

- (1) Biology, life history and habits of pertinent wildlife.
- (2) Control methods, care and handling and euthanasia.
- (3) Laws and regulations.
- (4) Diseases and parasites.

§ 147.725. Records and reports.

(a) A record of all activities conducted under authority of the permit shall be kept on a form supplied by the Commission according to instructions on the form. The records shall be kept for 3 years and shall be the basis of any reports required by the Commission.

(b) Records shall be available for inspection during normal business hours at the request of a wildlife conservation officer.

(c) A report of activities shall be submitted, on a form supplied by the Commission, to the district wildlife conservation officer by the tenth day of each month. The report shall list the number of each species taken and the disposition of the wildlife.

§ 147.726. Operation.

(a) Approved methods and devices are as follows:

- (1) Foot hold traps, body gripping traps, box traps, cage traps, nets and snares.
- (2) Agents who are certified pesticide applicators may take vertebrate species with pesticides in accordance with the regulations of the Department of Agriculture. See 7 Pa. Code Chapter 128 (relating to pesticides).
- (3) Shooting with a firearm that will induce death as quickly and painlessly as possible.

(b) The agent shall have the approval of the property owner or lessee and confine all activities to that property.

(c) The permit shall be carried at all times and presented upon the request of any officer whose duty it is to enforce this part.

(d) Except as otherwise provided, it is unlawful to sell, trade, barter or transfer to another person any live or dead animal or parts taken under authority of this

permit. Furbearer pelts are excepted from this provision provided the particular species is taken during the hunting or trapping season by the holder of a valid hunting or furtaking license as required.

(e) Devices shall be tagged or labeled with the permit number, or trapper I.D. number.

(f) Devices shall be checked by the agent or property owner at least once each calendar day, but only the agent may remove an animal from a trap.

(g) Nuisance wildlife captured alive shall within 24 hours be dispatched in a humane manner or released in an area open to hunting or trapping. Nontarget animals may be released at the site of capture.

(h) Carcasses shall be disposed of by incineration or in an approved landfill in a manner consistent with the solid waste laws of the Commonwealth.

§ 147.727. Unlawful acts.

It is unlawful to:

(1) Control any white-tailed deer, black bear, elk, wild turkey, beaver, fisher, otter or bobcat without prior approval of the district wildlife conservation officer.

(2) Control any migratory birds unless the agent has the appropriate valid United States Fish and Wildlife Service depredation permit.

(3) Control any threatened or endangered species without proper permits and approval of the Commission.

(4) Fail to list or delete an employe from the permit.

(5) Dispatch any animal by any method not defined as humane. Death shall be induced as quickly and painlessly as possible by any of the following methods:

(i) Birds shall be dispatched through the use of: inhalant anesthetics, carbon monoxide, carbon dioxide, barbiturates, gunshot, cervical dislocation or decapitation.

(ii) Furbears, small game and other small mammals shall be dispatched through the use of: inhalant anesthetics, carbon monoxide, carbon dioxide, barbiturates, gunshot or penetrating captive bolt.

(iii) Big game shall be dispatched through the use of: barbiturates, gunshot, penetrating captive bolt or chloral hydrate.

(6) Violate any other provisions of this subchapter.

[Pa.B. Doc. No. 01-1720. Filed for public inspection September 21, 2001, 9:00 a.m.]

MILK MARKETING BOARD

**[7 PA. CODE CH. 148]
Over-Order Premium Pool**

The Milk Marketing Board (Board) proposes to add Chapter 148 (relating to establishment of an over-order premium pool) to read as set forth in Annex A.

Purpose of Proposed Rulemaking

This proposed rulemaking creates a partial pool of 45% of the over-order premium. This 45% will be distributed to all qualified producers, as defined in § 148.1 (relating to definitions), regardless of whether or not their milk is used as Class I fluid milk. The current over-order pre-

mium is only paid to those producers whose milk is produced, processed and sold as Class I fluid milk in this Commonwealth.

Summary of Proposed Rulemaking

Currently, the Board places a premium above the Federal order price of Class I fluid milk that is produced, processed and sold within this Commonwealth. This premium is designated as an over-order premium and is currently at a level of \$1.40 per hundredweight of milk plus a \$.25 diesel fuel add-on, resulting in a total of \$1.65 per hundredweight of milk. This mandated over-order premium is now paid to Class I producers. The Board has determined that 45% of this over-order premium should be placed in a pool and shared with all qualified producers as defined in the proposed rulemaking. The remaining 45% of the over-order premium would continue to be paid to the Class I producers.

Statutory Authority

There is no specific language within the Milk Marketing Law (law) (31 P. S. §§ 700j-101—700j-1302) that discusses pooling of an over-order premium. The authority for the proposed rulemaking is implied throughout the law, as follows.

Section 301 of the law (31 P. S. § 700j-301) authorizes the Board to “regulate the entire milk industry of this Commonwealth, including the production . . . of milk . . . including the establishment of reasonable trade practices.”

Section 801 of the law (31 P. S. § 700j-801) states that the Board shall ascertain and maintain prices paid to producers “as will be most beneficial to the public interest, best protect the milk industry of this Commonwealth and insure a sufficient quantity of pure and wholesome milk to inhabitants of this Commonwealth.”

Section 803 of the law (31 P. S. § 700j-803) directs the Board to establish minimum producer pricing through either the establishment of a minimum price or a formula for the setting of minimum prices to be paid to producers by milk dealers.

Section 804 of the law (31 P. S. § 700j-804) prescribes the manner in which minimum producer pricing may be classified. The Board may classify milk in any reasonable manner that the Board deems advisable.

Section 806 of the law (31 P. S. § 700j-806) establishes the manner in which producers are to be paid by the milk dealer, including the terms and method of computing payment.

Public Involvement

Discussions were held with all segments of the dairy industry. Those participants included representatives from Pennsylvania Association of Milk Dealers; Land O’Lakes; Pennsylvania Grange; Pennsylvania Farm Bureau; Dairy Farmers of America; Dairylea Cooperative; Maryland/Virginia Cooperative; Pennsylvania Farmers Union; Pennsylvania Food Merchants Association; and Federal Market Administrator—Federal Order 1.

Fiscal Impact

The administration costs of maintaining the over-order premium pool by the Board is estimated to be \$130,000 annually. This figure is based on the salaries, fringe benefits and paid leave for five current Board employees to operate the pool for 5 days per month.

Paperwork Requirements

Milk dealers and cooperatives already provide the information needed to perform the calculations described in the proposed rulemaking through the submission of monthly reports to the Board. The date of submission of the monthly reports will be changed to an earlier date to accommodate the timetable established in the proposed rulemaking. Additional paperwork will be required to be completed by the agency since it will have to provide each milk dealer with the information set forth in § 148.6 (relating to pool administrator's reporting requirements).

Effective Date; Sunset Date

The proposed rulemaking will become effective 60 days following publication in the *Pennsylvania Bulletin* as final rulemaking. There is no sunset date.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 12, 2001, a copy of this proposal was submitted to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees on Agriculture and Rural Affairs. In addition to submitting the proposed rulemaking, the Board has provided IRRC and the Committees with a copy of a detailed regulatory analysis form. A copy of this material is available to the public upon request.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections concerning the proposed rulemaking to Sharon L. Grottola, Chief Counsel, Milk Marketing Board, 2301 North Cameron Street, Harrisburg, PA 17110, within 30 days following publication in the *Pennsylvania Bulletin*.

BEVERLY R. MINOR,
Chairperson

Fiscal Note: 47-9. No fiscal impact; (8) recommends adoption.

Annex A**TITLE 7. AGRICULTURE****PART VI. MILK MARKETING BOARD****PENNSYLVANIA OVER-ORDER PREMIUM POOL**

Sec.	
148.1.	Definitions.
148.2.	Pennsylvania over-order premium dealer's reporting requirements.
148.3.	Calculation of the contributing pool plant over-order premium value.
148.4.	Calculation of the pool.
148.5.	Collection and distribution of the pool.
148.6.	Pool administrator's reporting requirements.

§ 148.1. Definitions.

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

Contributing pool plant—Pennsylvania pool plant with Pennsylvania Class I utilization.

Distributing plant—A plant that is approved by a duly constituted regulatory agency for the handling of Grade A milk at which fluid milk products are processed or packaged and from which there is route disposition or transfers of packaged fluid milk products to other plants.

Diversion—Any transaction involving the purchase of milk or milk products from a producer in which the milk thus purchased does not enter the Pennsylvania pool

plant and is delivered to another plant. Whether milk enters the Pennsylvania pool plant will be determined on the basis of the United States Department of Agriculture guidelines.

Over-order premium value—The over-order premium value is an amount, over and above the applicable Federal order or Board-established minimum class price, which the Board mandates be paid to producers for all milk produced in this Commonwealth and included in the Pennsylvania Class I utilization of Pennsylvania pool plants.

Over-order premium rate—Hundredweight rate of the over-order premium value paid on Class I milk produced, processed and utilized in this Commonwealth.

Pennsylvania Class I pounds—Pennsylvania milk disposed of in the form of fluid milk products and adjusted for purchases from other dealers, shrinkage and inventory variation.

Pennsylvania milk pool or pool—

(i) The sum of the obligation of over-order premium from Pennsylvania pool plants.

(ii) The amount to be redistributed to Pennsylvania producers.

Pennsylvania out-of-State diversion—Diversion of Pennsylvania production to out-of-State plants.

Pennsylvania pool plant—A Pennsylvania plant that purchases and physically receives Pennsylvania producer milk, excluding producer-dealers.

Pennsylvania producer—A person who operates a farm located in this Commonwealth that produces milk.

Pennsylvania production—Milk produced by Pennsylvania producers and sold to Pennsylvania pool plants regardless of the location of plant of physical receipt.

Pool administrator—The pool administrator is the Board.

Pool allotment—The amount allotted from the pool to a Pennsylvania pool plant for payment to individual producers entitled to receive an amount due from pool payments.

Pool payment—The amount of the over-order premium payable to the Pennsylvania milk pool by a Pennsylvania pool plant.

Producer-dealer—A person who does the following:

(i) Operates a dairy farm and a distributing or manufacturing plant in this Commonwealth.

(ii) Receives milk solely from its own farm production and may receive bulk milk from other dealers.

(iii) Receives at its plant or acquires for route disposition no more than 150,000 pounds of fluid milk products from milk dealers (this limitation does not apply if the producer-dealer's own farm production is less than 150,000 pounds during the month).

(iv) Provides proof satisfactory to the pool administrator that the care and management of the dairy animals and other resources necessary to produce all milk handled (excluding receipts from subparagraph (ii)) and the processing and packaging operations are the producer-dealer's own enterprise and at its own risk.

Qualified pounds—Grade A milk produced in this Commonwealth and physically received at a pool plant from a Pennsylvania producer, less Pennsylvania production transferred to nonpool plants, and excluding milk re-

ceived from a producer-dealer. Transfers will be allocated to Pennsylvania or out-of-State production based upon the percentage of physical producer receipts at a pool plant. For example, if 50,000 pounds of milk is transferred to nonpool plants, and a pool plant physically receives 1 million pounds of producer milk, half of which is Pennsylvania production, then 25,000 pounds would be considered a Pennsylvania produced transfer. Any non-Class I milk depooled from a Federal milk marketing order at the dealer's or producer's election during any month is disqualified for that month and 1 additional month. For example, if non-Class I milk is depooled for 3 months, that amount of milk for the depooling producer or dealer is disqualified from the pool for 6 months.

Qualified producer—A Pennsylvania producer whose Grade A milk is purchased or processed as fluid or manufactured products by a Pennsylvania pool plant, excluding diversions to out-of-State distributing plant and receipts from producer-dealers.

Redistribution rate—The premium rate due to qualified producers, calculated by dividing the pool by the qualified pounds, and rounding to the fourth decimal place using the uniform method of increasing the fourth decimal place by one if the next decimal place is five or more or making no change if the next decimal place is less than five. Example: \$1.05655 becomes \$1.0566 and \$1.05654 becomes \$1.0565.

§ 148.2. Pennsylvania over-order premium dealer's reporting requirements.

By the 9th day after the end of each month, each Pennsylvania pool plant shall file with the Board information contained in forms prescribed and furnished by the Board.

§ 148.3. Calculation of the contributing pool plant over-order premium value.

The pool administrator shall calculate the over-order premium value for each contributing pool plant in the following manner:

(1) Divide the Pennsylvania production by the total producer purchases net of non-Class I Diversions to arrive

at the percentage of Pennsylvania purchases. This percentage may not exceed 100%.

(2) Multiply the over-order premium rate times the Pennsylvania class I utilization times the percentage of Pennsylvania purchases to arrive at the contributing pool plant over-order premium value.

Example

Where

- A = 300,000 pounds Pennsylvania production
- B = 700,000 pounds total producer purchases
- C = 100,000 pounds non-Class I diversions
- D = Percentage of Pennsylvania purchases
- E = \$1.00/cwt over-order premium rate
- F = 400,000 pounds Pennsylvania Class I utilization
- G = Contributing pool plant over-order premium value

$$\frac{A}{(B - C)} = D \frac{300,000}{(700,000 - 100,000)} = 50\%$$

$$E \times F \times D = G \quad \$1.00/\text{cwt} \times 400,000 \times 50\% = \$2,000$$

§ 148.4. Calculation of the pool.

The pool administrator shall calculate the plant pool obligation for each contributing pool plant, pool and the redistribution rate in the following manner.

(1) Multiply the contributing pool plant over-order premium value calculated in § 148.3 (relating to calculation of the contributing pool plant by over-order premium value) for each contributing pool plant by 45% to arrive at the plant pool obligation. The remaining 55% of the over-order premium value is the directly distributed over-order premium value.

(2) The sum of all plant pool obligations from all contributing pool plants is the pool.

(3) Divide the pool by the hundredweights of all qualified pounds for all Pennsylvania pool plants to arrive at the redistribution rate.

Example

Where

G ^a = \$2,000	Contributing pool plant over-order premium value (Dairy A)
G ^b = \$3,000	Contributing pool plant over-order premium value (Dairy B)
G ^c = \$0	Contributing pool plant over-order premium value (Dairy C)
I ^a =	Plant pool obligation (Dairy A)
I ^b =	Plant pool obligation (Dairy B)
I ^c =	Plant pool obligation (Dairy C)
J ^a =	Directly distributed over order premium value (Dairy A)
J ^b =	Directly distributed over-order premium value (Dairy B)
J ^c =	Directly distributed over-order premium value (Dairy C)
A ^a = 300,000 pounds	Pennsylvania production (Dairy A)
A ^b = 500,000 pounds	Pennsylvania production (Dairy B)
A ^c = 50,000 pounds	Pennsylvania production (Dairy C)
K ^a = 50,000 pounds	Pennsylvania out-of-State diversion (Dairy A)
K ^b = 200,000 pounds	Pennsylvania out-of-State diversion (Dairy B)

$K^c = 0$ pounds Pennsylvania out-of-State diversion (Dairy C)
 $L^a = 100,000$ pounds Federally depooled milk (Dairy A)
 $M^a =$ Qualified pounds (Dairy A)
 $M^b =$ Qualified pounds (Dairy B)
 $M^c = 192,857$ pounds Qualified pounds (Dairy C)
 $N =$ Pennsylvania milk pool
 $O =$ Redistribution rate

(i)	<i>Dairy A</i>			
	$G^a \times 45\% = I^a$	$\$2,000 \times 45\% =$	$\$900$	
	$G^a - I^a = J^a$	$\$2,000 - \$900 =$	$\$1,100$	
	<i>Dairy B</i>			
	$G^b \times 45\% = I^b$	$\$3,000 \times 45\% =$	$\$1,350$	
	$G^b - I^b = J^b$	$\$3,000 - \$1,350 =$	$\$1,650$	
	<i>Dairy C</i>			
	$G^c \times 45\% = I^c$	$\$0 \times 45\% =$	$\$0$	
	$G^c - I^c = J^c$	$\$0 - \$0 =$	$\$0$	
(ii)	N	Pennsylvania milk pool		<u><u>$\\$2,250$</u></u>
(iii)	<i>Dairy A</i>			
	$A^a - (K^a + L) = M^a$	$300,000 - (50,000 + 100,000) =$	$150,000$	
	<i>Dairy B</i>			
	$A^b - K^b = M^b$	$500,000 - 200,000 =$	$300,000$	
	<i>Dairy C</i>			
	M^c	$192,857$	<u><u>$192,857$</u></u>	
				<u><u>$642,857$</u></u>
	$\frac{N}{(M^a + M^b + M^c)/100} = O$	$\frac{\$2,250}{642,857/100} =$	$\$0.3500/\text{Hundredweight}$	

§ 148.5. Collection and distribution of the pool.

The pool administrator shall calculate the pool allotment and pool payment for each plant in the following manner:

(1) Multiply the redistribution rate times hundredweights of the qualified pounds at each Pennsylvania pool plant to arrive at the pool allotment for each plant.

Example

Where

$M^a = 150,000$ pounds Qualified pounds (Dairy A)
 $M^b = 300,000$ pounds Qualified pounds (Dairy B)
 $M^c = 192,857$ pounds Qualified pounds (Dairy C)
 $O = \$0.3500/\text{cwt}$ Redistribution Rate
 $P =$ Pool allotment

Dairy A

$M^a \times O = P^a \quad (150,000/100) \times \$0.3500 = \$525$

Dairy B

$M^b \times O = P^b \quad (300,000/100) \times \$0.3500 = \$1,050$

Dairy C

$M^c \times O = P^c \quad (192,857/100) \times \$0.3500 = \frac{\$675}{\$2,250}$

(2) For contributing pool plants:

(i) Add the pool allotment to the directly distributed over-order premium value to arrive at the amount to be distributed among qualified producers.

(ii) Subtract the amount to be distributed among qualified producers from the contributing plant over-order premium value calculated in § 148.3 (relating to calculation of the contributing pool plant over-order premium value) to arrive at the pool payment.

(iii) Pool payments shall be received by the pool administrator on or before the 18th day after the end of the month. If the 18th day falls on a weekend or State-recognized holiday, payment may be received on the next business day following the weekend or State-recognized holiday.

(iv) Contributing pool plant operators shall divide the amount to be distributed among qualified producers by the hundredweights of all Pennsylvania production less Federally depooled milk to arrive at the plant distribution rate.

(v) Multiply the plant distribution rate by the hundredweights of milk from each Pennsylvania producer or producer group to arrive at the net over-order premium value payable to each producer or producer group. No distribution of any over-order premium value shall be made to any producer or producer group for any portion of milk depooled under a Federal Milk Marketing Order.

(vi) Contributing pool plant operators shall make payment of the contributing pool plant over-order premium value with the final payment.

Example

Where

- J^a = \$1,100 Directly distributed over-order premium value (Dairy A)
- P^a = \$525 Pool allotment (Dairy A)
- G^a = \$2,000 Contributing pool plant over-order premium value (Dairy A)
- Q^a = Amount to be distributed among qualified producers
- R^a = Pool payment
- A^a = 300,000 pounds Pennsylvania production
- L^a = 100,000 pounds Federally de-pooled milk (Dairy A)
- S^a = Plant distribution rate per hundredweight

Dairy A

- To derive the amount to be distributed among qualified producers

$$J^a + P^a = Q^a \quad \$1,100 + \$525 = \$1,625$$

- To derive the pool payment

$$G^a - Q^a = R^a \quad \$2,000 - \$1,625 = \$375$$

- To derive the plant distribution rate per hundredweight

$$\frac{Q^a}{(A^a - L^a)/100} = S^a \quad \frac{\$1,625}{(300,000 - 100,000/100)} =$$

\$0.5417/Hundredweight

(3) For all Pennsylvania pool plants other than contributing pool plants:

- (i) The pool allotment is the amount to be distributed among qualified producers.
- (ii) Divide the amount to be distributed among qualified producers by the hundredweights of all Pennsylvania production to arrive at the plant distribution rate.
- (iii) Multiply the plant distribution rate by the hundredweights of milk from each Pennsylvania producer or producer group to arrive at the net over-order premium value payable to each producer or producer group.

(4) On or before the 22nd day after the end of the month, the State Treasurer shall make payment of the pool allotment to each Pennsylvania pool plant receiving pool payments for redistribution to their qualified producers.

(5) Pennsylvania pool plants receiving pool allotments shall distribute those funds to their qualified producers by the date of the advance payment for the following month. Checks forwarding pool payments to qualified producers shall include a line item that identifies the pool portion of the check.

§ 148.6. Pool administrator's reporting requirements.

(a) By the 16th day after the end of each month, the pool administrator shall advise each Pennsylvania pool plant of the following information as it pertains to them. If the 16th falls on a weekend or State-recognized holiday, the pool administrator shall advise the Pennsylvania pool

plant of the following information on the last business day prior to the weekend or State-recognized holiday:

- (1) Pennsylvania production.
 - (2) Total pounds received.
 - (3) Class I pounds—utilization.
 - (4) Nonclass I diversions.
 - (5) Diversions to out-of-State plants.
 - (6) Over-order premium rate.
 - (7) Over-order premium obligation.
 - (8) Percentage to pool (currently 45%).
 - (9) Amount of premium pooled.
 - (10) Qualified pounds.
 - (11) Total pool amount.
 - (12) Total qualified pounds.
 - (13) Redistribution rate.
 - (14) Pool payment.
 - (15) Amount Pennsylvania pool plant will receive out of pool.
 - (16) Any adjustments from previous months.
 - (17) Pennsylvania pool plant distribution rate per hundredweight
- (b) This information will be generated from the PMMB 62, Milk Dealers Monthly Report, submitted by the Pennsylvania pool plants.

[Pa.B. Doc. No. 01-1721. Filed for public inspection September 21, 2001, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Advance Notice of Proposed Rulemaking Re: Formal Investigation to Examine and Establish Updated Universal Service Principles and Policies for Telecommunications Services in the Commonwealth; Doc. No. L-00950102

Public Meeting held
September 7, 2001

Commissioners Present: Glen R. Thomas, Chairperson;
Robert K. Bloom, Vice-Chairperson; Aaron Wilson, Jr.;
Terrance J. Fitzpatrick

Order

By the Commission:

This Order closes our *Advance Notice of Proposed Rulemaking Re: Formal Investigation to Examine and Establish Updated Universal Service Principles and Policies for Telecommunications Services in the Commonwealth*, Docket No. L-00950102.

Procedural History

An Advance Notice of Proposed Rulemaking in Universal Service was adopted at public meeting on March 20, 1995, at L-00950102. The rulemaking was designed to develop procedures for evaluating the evolution of the definition of "basic universal services" and it scheduled a public forum to solicit input regarding cost studies and

related allocation issues. It was published in the *Pennsylvania Bulletin* at 25 Pa.B. 1521 with a 30-day comment period that ended on May 22, 1995. Subsequently, a decision was made to hold the rulemaking process in abeyance pending a Global Settlement conference that began in October, 1998 and ended March 1, 1999. With the initiation of the Global Settlement, the issues relating to a Universal Service Fund (USF), including the size and structure of the fund, and its interplay with access and toll rate reduction, rate caps, and rate rebalancing, were bundled with the myriad of other complex telecommunications issues the parties were seeking to resolve. Ultimately, after settlement talks were completed, two joint petitions were filed before this Commission on March 18, 1999, at Docket Nos. P-00991648 and P-00991649. Both of the petitions to resolve these complex telecommunications issues contained proposals for a USF.

Our Global Order was issued on September 30, 1999, and addressed a multitude of issues presented in the two competing petitions, including the issue of how and when to establish a Pennsylvania USF. The Global Order closed two cases related to the instant rulemaking, specifically, *Formal Investigation to Examine and Establish Updated Universal Service Principles and Policies for Telecommunications in the Commonwealth*, at I-00940035, and *Formal Investigation to Examine and Establish Updated Universal Service Principles and Policies for Telecommunications Services in the Commonwealth*, at L-00950105. However, the instant proceeding at L-00950102 remained open.

Ultimately, as the Global Order directed, a Pennsylvania USF was established in March, 2000, and it is expected to run through December 31, 2003. Regulations pertaining to the USF were finalized in a separate proceeding at L-00000148 (*Rulemaking Re Establishing Universal Service Fund Regulations at 52 Pa. Code §§ 63.161—63.172*). The regulations are now codified at 52 Pa. Code §§ 63.161—63.171, et seq.

Discussion:

The rulemaking at L-00950102 can now be closed because the new USF regulations published and effective June 30, 2001, cover these issues of concern in L-00950102 regarding the evolving definition of what constitutes basic universal services. Section 63.162 of the new regulations states in pertinent part:

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

In our revised final rulemaking order at L-00000148, entered March 23, 2001, the Commission stated:

We note that we have defined basic universal service as 'an evolving set of telephone services, as defined

by the Commission, which represents the set of services essential for a resident of this Commonwealth to participate in modern society at any point in time.' By order entered April 10, 1995, I-00940035 and L-00950102, the Commission has specifically defined basic universal service to consist of the following service components: 1) single party, voice grade, incoming and outgoing access to the public switched network and usage within a local calling area; 2) touch tone capability; 3) annual local directory; 4) access to operator services; 5) access to directory assistance; 6) access to telecommunications relay service and other services designed for persons with disabilities; and 7) access to emergency services.¹

31 Pa.B. at 3405.

Our regulatory definition of "basic universal service" expressly recognizes the Commission's authority to revise that definition by order. The definition is currently as set forth in our Order of April 10, 1995, at L-00000148. The regulation at § 63.162 (relating to definitions), provides flexibility for the Commission to revise by future order the definition of what constitutes basic universal service by future orders. Consequently, there is no need at this time for an open rulemaking for developing procedures for evaluating the evolution of the definition nor the need for a public forum to solicit input regarding cost study and related allocation issues; *Therefore:*

It Is Ordered:

1. That the *Advance Notice of Proposed Rulemaking Re: Formal Investigation to Examine and Establish Updated Universal Service Principles and Policies for Telecommunications Services in the Commonwealth*, Docket No. L-00950102, shall be marked closed.

2. That a copy of this Order shall be served upon the Pennsylvania Telephone Association, all jurisdictional telecommunications utilities, the Office of Trial Staff, Office of Consumer Advocate, and the Office of Small Business Advocate and published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1722. Filed for public inspection September 21, 2001, 9:00 a.m.]

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

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 September 11, 2001.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
9-7-01	F.N.B. Corporation, Naples, FL, to acquire up to 20.0% of the voting shares of Sun Bancorp, Inc. Selinsgrove, PA	Naples, FL	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-5-01	Northwest Savings Bank Warren Warren County Purchase of assets/assumption of liabilities of one branch of Prestige Bank, F.S.B., Pittsburgh, Located at: 125 West Beau Street Washington Washington County	Warren	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-4-01	S & T Bank Indiana Indiana County	4251 Old William Penn Highway Murrysville Westmoreland County	Opened
9-7-01	Keystone Savings Bank Bethlehem Northampton County	Route 412 and Meadows Road Lower Saucon Twp. Northampton County	Filed
9-7-01	Promistar Bank Johnstown Cambria County	<i>Into:</i> Ligonier and 13th Sts. New Florence Westmoreland County <i>From:</i> 622 Washington Street Bolivar Westmoreland County	Approved
9-7-01	Promistar Bank Johnstown Cambria County	<i>Into:</i> 1900 Minno Drive Johnstown Cambria County <i>From:</i> 585 Goucher Street Johnstown Cambria County	Approved
9-7-01	Promistar Bank Johnstown Cambria County	<i>Into:</i> 550 Central Avenue Johnstown Cambria County <i>From:</i> 4 Valley Pike Johnstown Cambria County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-10-01	Commonwealth Bank Norristown Montgomery County	<i>To:</i> ACME Supermarket 3210 Red Lion Road Philadelphia Philadelphia County <i>From:</i> Academy Shopping Center 3292 Red Lion Road Philadelphia Philadelphia County	Filed
9-10-01	Patriot Bank Pottstown Montgomery County	<i>To:</i> 2228 State Hill Road Wyomissing Berks County <i>From:</i> 1149 Berkshire Blvd. Wyomissing Berks County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1723. Filed for public inspection September 21, 2001, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

2002 Action Plan; Summary Notice

The Department of Community and Economic Development (DCED) proposes to adopt the Commonwealth's Action Plan for Federal Fiscal Year (FFY) 2002 and the Program Year that starts on January 1, 2002. The 2002 Action Plan is an update of the Commonwealth's Consolidated Plan for FFY 2000-2004. The Action Plan discussed herein is the second annual update of the Consolidated Plan for FFY 2000-2004 submitted by the Commonwealth.

The 2002 Action Plan (the Plan) updates documents previously submitted to the United States Department of Housing and Urban Development (HUD). These documents include the non-housing community development plan and any changes that DCED may have implemented concerning the four programs administered by the Commonwealth. The programs administered by DCED are the Community Development Block Grant (CDBG), the Home Investment Partnerships (HOME), and the Emergency Shelter Grant (ESG) programs. The Department of Health administers the Housing Opportunities for Persons with AIDS (HOPWA) program.

This summary is designed to provide an opportunity to citizens, local governmental officials and interested organizations of the Commonwealth to comment about the Action Plan. Written comments should be submitted to Karen Overly Smith, Center for Community Building, Department of Community and Economic Development, 400 North Street, 4th floor Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Written comments must be received by October 18, 2001, in order to be included as testimony or by November 1, 2001, to be included in the Action Plan.

The public hearing has been scheduled as follows:

October 24, 2001
PUC Hearing Room # 4
Commonwealth Keystone Building, Plaza Level
400 North Street
Harrisburg, Pennsylvania 17120-0225

9 a.m. to 12 p.m.

- *Note:* The public meeting may be shortened if there is minimal response.

Anyone who wants to speak must call to schedule a time to give oral testimony at the hearing. The hearing will be shortened if there is no one to testify or if there is minimal response. Please contact Karen Overly Smith at (717) 214-5340 to schedule your oral testimony no later than October 17, 2001.

Anyone who has a disability and wishes to attend the public meeting should contact Karen Overly Smith, 4th Floor Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 214-5340, to discuss how the Department of Community and Economic Development can accommodate his/her needs. Text telephone calls can be placed through the Pennsylvania Relay System at (800) 654-5984. Calls will be relayed to the Department's number listed previously.

Purpose

The Commonwealth's 2002 Action Plan is the second update to the Five Year Consolidated Plan for FFY 2000-2004. This Action Plan will describe how the programs will be administered in 2002. HUD must approve this Plan in order for the Commonwealth and organizations within the state to receive funding under most HUD housing and community development programs. Applicants for funding from Federal Housing programs must obtain certification that their Proposed use of HUD assistance will be consistent with the applicable Plan for the area. The Consolidated Plan creates a unified strategy for housing and community development programs as

well as the necessary linkages for building successful neighborhoods and communities.

The Plan will have a major impact on the types, location and number of affordable housing units generated and preserved in the Commonwealth as well as the infrastructure and public facilities, services, and other economic and community development initiatives that Pennsylvania communities will undertake.

Content

The Consolidated Plan for FFY 2001-2002 was recently updated. Updates include the notice of Building Code Enforcement Initiative funds in the amount of \$250,000 which will be set aside from competitive CDBG funds and will be available for joint agency projects which implement the proposed State building code. Brownfields for Housing program is budgeted for \$5 million. This program encourages development in previously developed areas in core communities. The Housing Collaboration provides TANF funds to DCED for a Housing Rehab Initiative in the amount of \$5 million for each of two years.

Public Review

The Consolidated Plan is available for public comment now through November 1, 2001, at the locations listed below:

1. County Offices
2. DCED Regional Offices:

Southeast Regional Office, 908 State Office Building, Broad and Spring Garden Streets, Philadelphia, PA 19130, (215) 560-2256.

Northeast Regional Office, 201 Samters Building, 101 Penn Avenue, Scranton, PA 18503, (717) 963-4571.

Northcentral and Southcentral Regional Offices, 4th Floor Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, (717) 720-7302.

Southwest Regional Office, 413 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222, (412) 565-5002.

Northwest Regional Office, 1200 Lovell Place Apartments, Erie, PA 16503, (814) 871-4241.

3. Pennsylvania's 27 District Libraries:

B. F. Jones Memorial Library, Aliquippa
Allentown Public Library, Allentown
Centre County Library, Bellefonte
Bethlehem Area Public Library, Bethlehem
Conococheague District Library, Chambersburg
Clarion District Library, Clarion
Bucks County Free Library, Doylestown
Easton Area Public Library, Easton
Erie County Library, Erie
Dauphin County Library, Harrisburg
Cambria County Library, Johnstown
Lancaster County Library, Lancaster
Delaware County Library, Brookhaven
Monessen Public Library, Monessen
New Castle Public Library, New Castle
Montgomery County-Norristown Public Library,
Norristown

Free Library of Philadelphia, Philadelphia
Carnegie Library of Pittsburgh, Pittsburgh
Pottsville Free Public Library, Pottsville
Reading Public Library, Reading
Scranton Public Library, Scranton
Warren Public Library, Warren

Citizen's Library, Washington
Chester County Library, Exton
Osterhout Free Library, Wilkes-Barre
James V. Brown Library, Williamsport
Martin Memorial Library, York

4. Audio Cassette copies of the Consolidated Plan can be obtained by contacting the Tri-County Branch of the Pennsylvania Association of the Blind: Patricia Summers, Coordinator, Harrisburg Area Radio reading Services, 1800 North Second Street, Harrisburg, PA 17102, telephone (717) 238-2531.

5. The Draft Action Plan 2002 can be viewed on the Internet at www.inventpa.com

The Plan will be made available again at these same locations following HUD approval.

SAMUEL A. MCCULLOUGH,
Secretary

[Pa.B. Doc. No. 01-1724. Filed for public inspection September 21, 2001, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Snowmobile and ATV Advisory Committee; Meeting Notice

Notice is hereby given of a meeting of the Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) on Tuesday, October 2, 2001. The meeting will be held at 10 a.m. in the 6th floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to GERALYN UMSTEAD at (717) 772-9087.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact GERALYN UMSTEAD directly at (717) 772-9087 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 01-1725. Filed for public inspection September 21, 2001, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Eligibility Tests for the Education Support Services Program

Act 4 of 2001 established the Education Support Services Program (ESSP). In order to be eligible for this program, a student in the third, fourth, fifth or sixth grade must meet the eligibility requirements set forth in

the ESSP Guidelines issued by the Department of Education (Department). The act also requires the Pennsylvania Department of Education to publish annually a list of approved tests that may be used to determine eligibility for the Program. The list is as follows:

The following tests administered in the third grade may be used to determine eligibility for students who score at or below the 25th percentile:

- Stanford Achievement Test Series, Ninth Edition (SAT 9)—Harcourt Educational Measurement
- Metropolitan Achievement Tests, Eighth Edition (MAT 8)—Harcourt Educational Measurement
- Terra Nova—CTB McGraw-Hill
- Terra Nova, 2nd Edition—CTB McGraw-Hill
- Comprehensive Test of Basic Skills, Fourth Edition (CTBS 4)—CTB McGraw-Hill
- California Achievement Tests, Fifth Edition (CAT 5)—CTB McGraw-Hill
- Iowa Test of Basic Skills (ITBS)—Riverside Publishing
- Comprehensive Testing Program III—Educational Records Bureau
- Northwest Evaluation Associate Achievement Level Test (NWEAALT)—Northwest Evaluation Association
- Measures of Academic Progress—Northwest Evaluation Association

The following tests administered in the fourth grade may be used to determine eligibility for students who score at or below the 25th percentile:

- Stanford Achievement Test Series, Ninth Edition (SAT 9)—Harcourt Educational Measurement

- Metropolitan Achievement Tests, Eighth Edition (MAT 8)—Harcourt Educational Measurement
- Terra Nova—CTB McGraw-Hill
- Terra Nova, 2nd Edition—CTB McGraw-Hill
- Comprehensive Test of Basic Skills, Fourth Edition (CTBS 4)—CTB McGraw-Hill
- California Achievement Tests, Fifth Edition (CAT 5)—CTB McGraw-Hill
- Iowa Test of Basic Skills (ITBS)—Riverside Publishing
- Comprehensive Testing Program III—Educational Records Bureau
- Northwest Evaluation Associate Achievement Level Test (NWEAALT)—Northwest Evaluation Association
- Measures of Academic Progress—Northwest Evaluation Association

The following tests administered in the fifth grade may be used to determine eligibility for students who score below the basic level of proficiency:

Pennsylvania System of School Assessment (PSSA)
Pennsylvania Alternate System of Assessment (PASA)

- For more complete information, please refer to the Education Support Services Program Guidelines issued by the Department. Guidelines are forthcoming and will be available from the Department of Education. For further information, please contact the Department at (717) 783-9285.

CHARLES ZOGBY,
Secretary

[Pa.B. Doc. No. 01-1726. Filed for public inspection September 21, 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 below, 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 below. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

Persons with a disability, who require an auxiliary aid service, including TDD users or other accommodations to seek additional information, should contact the Department through the Pennsylvania AT&T Relay service at 1-800-654-5984.

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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0056308	Mark Crawford 912 Green Street Perkasie, PA 18944	Bucks County Hilltown Township	West Branch of Neshaminy Creek	Renewal
PA0056448	Anthony Alber P. O. Box 125 Hilltown, PA 18927	Bucks County Hilltown Township	Morris Run	Renewal
PA0052035	Upper Makefield Township 1076 Eagle Road Newtown, PA 18940	Bucks County Upper Makefield Township	Delaware River	Renewal

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0062766 (Single Family Residence)	Henry A. Stout	Heidelberg Township Lehigh County	Drainage swale to Jordan Creek (#2C)	Y
PA-0020745	Nescopeck Borough 501 Raber Avenue Nescopeck, PA 18635	Nescopeck Borough Luzerne County	Nescopeck Creek #5D	Y

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. PA0058424, Sewage, **Geoffrey Herring**, 3275 Belgrade Street, Philadelphia, PA 19134.

This application is for issuance of an NPDES permit to discharge treated sewage from a single family home in New Britain Township, **Bucks County**. This is a new discharge to an unnamed tributary to Neshaminy Creek.

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

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

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

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

PA0062693, Industrial Waste, **Municipal Authority of Township of Blythe**, 375 Valley Street, New Philadelphia, PA 17959.

This proposed facility is located in Blythe Township, **Schuylkill County**.

Description of Proposed Activity: renewal of NPDES permit.

The receiving stream, Big Creek, is in the State Water Plan watershed 3A and is classified for: cold water fishery. The nearest downstream public water supply intake for Pottstown Water Supply is located on Schuylkill River is approx. 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of .04 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 mg/l</i>
Aluminum	.91	1.82	2.73	5.46	6.83
Iron			2	4	
Manganese			1	2	
TS/S			30	60	
pH			6 to 9 at all times		

PA0012475-A2, Industrial, SIC Code 4991, **Reliant Energy Mid-Atlantic Power Holdings LLC**, River Road, P. O. Box 238, Portland, PA 18351.

This proposed facility is located in Upper Mount Bethel Township, **Northampton County**.

Description of Proposed Activity: modification of existing NPDES permit to discharge process wastewater, non-contact cooling water, cooling tower blowdown, low volume wastewater, sewage and uncontaminated stormwater into the Delaware River in Upper Mount Bethel Township, Northampton County.

The receiving stream, Delaware River, is in the State Water Plan watershed #01F and is classified for: aquatic life, warm water fishery, migratory fishes. The nearest downstream public water supply intake for City of Easton Water Supply is located on the Delaware is 20 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 298 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine				0.2	
Discharge Temperature					110°F
Upstream Temperature					Monitor & Report
Downstream Temperature					Monitor & Report
pH			6 to 9 Standard Units at all Times		

The proposed effluent limits for Outfall 101 based on a design flow of 0.94 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Free Available Chlorine	0.2	0.5

The proposed effluent limits for Outfall 201 based on a design flow of 0.07 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Total Suspended Solids	30	100
Oil and Grease	15	20

The proposed effluent limits for Outfall 002 based on a design flow of .006 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N	20		40
Fecal Coliform	200/100 ml		
pH	6 to 9 Standard Units at all Times		
Total Residual Chlorine	1.2		2.8

The proposed effluent limits for Outfall 003 based on a design flow of 0.809 MGD are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids	30	60	75
Oil and Grease	15	20	30
pH	6 to 9 Standard Units at all Times		
Hydrazine	Non Detectable (<.005 mg/l)		

Outfalls SW1, SW2 and SW3 consist of uncontaminated stormwater.

The EPA waiver is not in effect.

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

PA0003549, Industrial Waste, SIC, 4922, **Dominion Transmission Corporation**, P. O. Box 2450, Clarksburg, West Virginia 26302-2450.

This application is for a renewal of an NPDES permit to discharge treated process water, sewage and storm water from their Oakford Compression Station in Salem Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Beaver Run, classified as a high quality cold water fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first existing/proposed downstream potable water supply (PWS) is located at Beaver Run Reservoir, 3.4 miles below the discharge point.

Outfall 002: existing discharge, design flow of 0.0015 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
CBOD ₅			25		50
Total Suspended Solids			30		60
Fecal Coliform					
(5-1 to 9-30)	200/100 ml (as a geometric average)				
(10-1 to 4-30)	2,000/100 ml (as a geometric average)				
Total Residual Chlorine			1.4		3.3
Total Phosphorus (as P)			2.0		4.0
pH	not less than 6.0 nor greater than 9.0				

Outfall 003: existing discharge, design flow of 0.01 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
CBOD ₅			80		160
Total Suspended Solids			30		60
Oil and Grease			15		30
Dissolved Iron					7.0
BTEX			0.1		0.25
Total Residual Chlorine			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

Outfalls 001, 004, 005 and 006:

Discharge consists solely of uncontaminated storm water runoff.

The EPA waiver is 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 above the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final

decision regarding the application. The comments should include the name, address, and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

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

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

Application No. 1101201—Industrial Waste—**Greater Johnstown Water Authority**, P. O. Box 1287, Johnstown, PA 15907-1287. Application for the construction and operation of a water treatment plant to serve the Saltlick Area located in East Taylor Township, **Cambria County**.

Application No. 0401404. Sewerage—**Center Township Sewer Authority**, 224 Center Grange Road, Aliquippa, PA 15001. Application for the construction and operation of a sewer extension and a pump station to serve Spruce Drive located in Center Township, **Beaver County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

Application No. 0474418-A1—Sewerage—**Koppel Borough**, P. O. Box 1 Arthur Street and Third Avenue, Koppel, PA 16136. Application for the modification, replacement and operation to the Koppel Borough Sewage Treatment Plant to serve the Koppel Borough area located in Koppel Borough, **Beaver County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

Application No. 6301408—Sewerage—**West Alexander Borough Municipal Authority**, P. O. Box 299, West Alexander, PA 15376. Application for the construction and operation of a wastewater system to serve the West Alexander Borough Municipal Authority located in West Alexander Borough & Donegal Township, **Washington County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

Application No. 6571417-A3—Sewerage—**Kiski Valley Water Pollution Control Authority**, 1200 Pine Camp Road, Leechburg, PA 15656. Application for the modification and operation of the Kiski Valley Water Pollution Control Authority Sewage Treatment Plant to serve the Kiski Valley Area located in Allegheny Township, **Westmoreland County**.

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Re-

volving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

NPDES Stormwater Individual Permit

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

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

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

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

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

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

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

Northampton County Conservation District: Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610)746-1971.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10U156	Henry Lubsen, President Silvercrest Development Corp. 824 Eighth Avenue Bethlehem, PA 18018	Northampton County Upper Nazareth Township	Monocacy Creek HQ-CWF

PUBLIC WATER SUPPLY (PWS) PERMIT

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 above 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 above the application and available for public review. Arrangements for inspection and copying information should be made with the office listed above 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 above 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. 4601509, Public Water Supply.

Applicant	North Penn Water Authority
Borough	Lansdale Borough
Responsible Official	Daniel C. Preston 300 Forty Foot Road Lansdale, PA 19446
Type of Facility	Public Water Supply System
Consulting Engineer	Entech Engineering, Inc. 4 South Forth Street Reading, PA 19603
Application Received Date	September, 6, 2001
Description of Action	Installation of a packed aeration unit at Well L-22 for removal of VOCs.

Permit No. 0901514, Public Water Supply.

Applicant	Central Bucks School District
Township	Buckingham

Responsible Official	Kevin Campbell 320 W. Swamp Road Doylestown, PA 18901
Type of Facility	Water Supply System
Consulting Engineer	Boucher and James P. O. Box 904 Doylestown, PA 18901
Application Received Date	April 30, 2001
Description of Action	Install chemical feed pump and chemical storage tank to feed corrosion inhibitor chemical into existing water supply system at the Holicong Middle School

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

Permit No. 450150, Public Water Supply.

Applicant	Town Homes at Maple Lane Community Association, Inc.
Township or Borough	Middle Smithfield Township Monroe County
Responsible Official	Karl Gerken 19 Maple Lane East Stroudsburg, PA 18301 (570) 588-0983
Type of Facility	Community Water System
Consulting Engineer	Charles W. Pregeant, P.E. Herbert, Rowland & Grubic, Inc. 1273 North 9th Street Stroudsburg, PA 18360 (570) 476-6100, Ext. 106
Application Received Date	August 29, 2001
Description of Action	Permitting of the existing community water system serving 20 town homes.

Permit No. 3801508, Public Water Supply.

Applicant	Fredericksburg United Methodist Church
Municipality	Bethel Township
County	Lebanon
Responsible Official	Robert B. Yost, Trustee President Route 343 and Shirksville Road P. O. Box 7 Fredericksburg, PA 17026
Type of Facility	Public Water Supply
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Assoc., Inc. 18 South George St. York, PA 17401
Application Received Date	August 30, 2001
Description of Action	Application for a construction permit for a nitrate-removal treatment system and softening to an existing well source for the church and parsonage.

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

Permit No. 1701502, Public Water Supply.

Applicant **Covington-Karthus-Girard Area Auth.**

Township Covington Township, **Clearfield County**

Responsible Official Jack E. Reese, Co-Chairperson
Covington-Karthus-Girard Area Auth.
P. O. Box 104
Frenchville, PA 16836

Type of Facility Public Water Supply

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

Application Received August 17, 2001
Date

Description of Action Installation of iron and manganese sequestration equipment

MINOR AMENDMENT

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

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

Application No. 3546481, Minor Amendment.

Applicant **Sweet Arrow Springs, LLC**

Township or Borough Pine Grove Township
Schuylkill County

Responsible Official Matthew Zehring, VP Operations
Harrisburg Dairies, Inc.
20th and Herr Streets
P. O. Box 2001
Harrisburg, PA 17105
(717) 238-8701

Type of Facility Bulk Water Hauling

Consulting Engineer Steven E. Fulton, P.E.
Alliance Environmental Services, Inc.
117 South West End Avenue
Lancaster, PA 17603
(717) 399-3323

Application Received August 31, 2001
Date

Description of Action Addition of supplemental bulk water transfer trailers

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

Application No. Minor Amendment, Minor Amendment.

Applicant **Borough of Troy**

Borough Troy Borough

Responsible Official Daniel J. Close, Borough Manager
110 Elmira Street
Troy, PA 16947-1202

Type of Facility Public Water Supply

Consulting Engineer Larson Design Group, Inc.
1000 Commerce Park Drive
P. O. Box 487
Williamsport, PA 17703-0487

Application Received August 31, 2001
Date

Description of Action Construction of a new 500,000 gallon storage tank and replacement of some water mains.

WATER ALLOCATIONS

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 in the Commonwealth

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

WA 36-837A, Water Allocations. **East Cocalico Township Authority, Lancaster County**. The Authority is requesting the right to purchase a maximum of 200,000 gallons per day, based on a 30-day average, from the Ephrata Area Joint Authority located in Lancaster County. Consulting Engineer: Russel N. MacNair, Camp Dresser & McKee Inc. Date Application Received: August 20, 2001.

WA 06-533A, Water Allocations. **Wernersville Municipal Authority, Berks County**. Application to continue withdrawal of 90,000 gallons per day from a collection of 11 springs in South Heidelberg Township, Berks County. Consulting Engineer: Steven E. Riley, Spotts Stevens and McCoy. Date Application Received: August 28, 2001.

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 below, 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 below. During this comment period the municipality may request that the person identified below, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

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

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

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

Robert Brandt Residence, Manheim Township, Lancaster County. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522 (on behalf of Robert Brandt, 2617 Mondamin Farm Road, Lancaster, PA 17601) has submitted a Notice of Intent to Remediate site groundwater contaminated with BTEX and PHCs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Lancaster Intelligencer Journal/New Era* on August 28, 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.

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

Application No. 400633—Wheelabrator Falls Inc., 1201 New Ford Mill Road, Morrisville, PA, 19067-3701. This application was received for a renewal of their Solid Waste Permit. Facility located in Falls Township, **Bucks County**. Application was received in the Southeast Regional Office on August 31, 2001.

AIR QUALITY

NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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

The Department has received applications for plan approvals and/or operating permits from the following facilities.

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

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

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

PLAN APPROVALS

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

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

48-313-089: Elementis Pigments, Inc. (1525 Wood Avenue, Easton, PA 18042-3186) for modification of a

granular processing operation and associated air cleaning device in Easton, **Northampton County**.

40-312-040: Eldorado Properties Corp. (Petroleum Products Corp., P. O. Box 2621, Harrisburg, PA 17105) for installation of a vapor recovery system at the Dupont Terminal in Pittston Township, **Luzerne County**.

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

38-03035: V & S Lebanon Galvanizing, LLC (1000 Buckeye Park Road, Columbus, OH 43207) for construction of a hot dip galvanizing operation controlled by a fabric collector at its Lebanon Plant in Union Township, **Lebanon County**.

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

12-399-017: Pennsylvania Sintered Metals, Inc. dba Brown Co. Powder Products (P. O. Box 308, Emporium, PA 15834-0308) for construction of a powdered metal parts sintering furnace in Emporium Borough, **Cameron County**.

49-00001A: Foster Wheeler Mt. Carmel, Inc. (P. O. Box 409, Marion Heights, PA 17832-0409) for construction of a culm processing plant and associated air cleaning devices (fabric collectors) in Mt. Carmel Township, **Northumberland County**. This plant is subject to Subpart Y of the Federal Standards of Performance for New Stationary Sources.

49-00019B: Atlantic Refining and Marketing Corp., owner and Sunoco, Inc. (R&M), operator (10 Penn Center, 1801 Market Street, Philadelphia, PA 19103-1699) for installation of an air cleaning device (a vapor combustion unit) on a gasoline truck loading rack at the Northumberland Terminal in Point Township, **Northumberland 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.

46-0161A: Reading Materials, Inc. (P. O. Box 1479, 2052 Lucon Road, Skippack, PA 19474) for modification/installation of baghouse on the hammer mill crusher to control particulate matter (PM) emissions. The crusher is apart of a recycle asphalt pavement (RAP) system located at 329 Sanatoga Road, Lower Pottsgrove Township, **Montgomery County**. This modification will reduce PM emissions from the facility. 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.

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

48-309-113: Keystone Cement Co. (P. O. Box A, Bath, PA 18014) for construction and operation of a packing machine and associated air cleaning device in East Allen Township, **Northampton County**. This installation will

result in a particulate emission rate of 7.7 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. The facility currently has a Title V Operating Permit No. 48-00003. 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.

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

01-05002A: Masterbrand Cabinets, Inc. (80 Keystone Street, Littlestown, PA 17340) for construction of four spray booths and installation of a regenerative thermal oxidizer at the Littlestown Facility in the Borough of Littlestown, **Adams County**. This cabinet making operation is a Title V facility. The emission increase from this modification will not exceed the facility's plant-wide applicability limit of 107.7 tons per year. This modification is subject to 40 CFR Part 63, Subpart JJ—National Emission Standards for Wood Furniture Manufacturing Operations. The plan approval will include all appropriate monitoring, record keeping, and reporting requirements designed to keep the source operating within all applicable air quality requirements. The plan approval will be incorporated into the Title V Operating Permit through an Administrative Amendment in accordance with 25 Pa. Code § 127.450.

06-5088B: EJB Paving & Materials Co. (1119 Snyder Road, West Lawn, PA 19609-1100) for modification of a batch asphalt plant controlled by a fabric collector in Spring Township, **Berks County**. The facility is a non-Title V (state only) facility. The modification will allow the plant to fire waste derived liquid fuels in the dryer. The plant will have the potential to emit 13 tons of particulate, 78 tons of SO_x, 56 tons of NO_x, 75 tons of CO and 15 tons of VOC per year. The applicant will be required to record the production and fuel usage and calculate the emissions monthly. Emission limits will be placed on the source and facility. The approval will include monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

07-5025A: Atlantic Refining and Marketing Corp.—Eldorado Terminal (1801 Market Street, Philadelphia, PA 19103) for installation of a Vapor Control Unit in Allegheny Township, **Blair County**. This gasoline terminal is a Title V facility. This installation will result in no change in facility emissions. The plan approval will include all appropriate monitoring, record keeping, and reporting requirements designed to keep the source operating within all applicable air quality requirements. The plan approval will be incorporated into the Title V Operating Permit through an Administrative Amendment in accordance with 25 Pa. Code § 127.450.

22-03048: Reiff & 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 chrome plating operation is a non-Title V (state only) facility subject to 40 CFR Part 63, Subpart N—National Emissions Standards for Chromium Emissions from Hard and Decorative Chrome Electroplating and Chromium Anodizing Tanks. This installation will result in a decrease of chromium emissions by about 99%. The plan approval and operating permit will contain additional record keeping and operat-

ing restrictions designed to keep the source operating within all applicable air quality requirements.

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

08-317-003C: Taylor By-Products, Inc. (P. O. Box 188, Wyalusing, PA 18853) for construction of a Dupps Co. Model 260U rendering cooker in Wyalusing Township, **Bradford County**.

The proposed rendering cooker will emit up to 950 cubic feet per minute of malodorous air contaminant-containing non-condensable gases which shall be controlled either by an existing SCP model PT-3000 combination venturi scrubber/cyclonic separator and E. Keeler model DS-35 boiler operating in series, or by an existing heat exchanger, air condenser, SCP venturi scrubber, SCP high intensity odor packed bed scrubber (small scrubber) and SCP room air packed bed scrubber (large scrubber) operating in series. The proposed rendering cooker will replace an existing rendering cooker operating pursuant to Operating Permit 08-317-003A.

The Department of Environmental Protection (Department) has determined that the proposed rendering cooker will comply with all applicable regulatory requirements pertaining to air contaminant sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue a plan approval for the construction of the respective rendering cooker. Additionally, if the Department determines that the rendering cooker is operating in compliance with all applicable plan approval conditions and regulatory requirements following the cooker's construction, the conditions established in this plan approval will be incorporated into Operating Permit 08-317-003A via administrative amendment under 25 Pa. Code § 127.450.

The Department intends to place conditions in the plan approval to be issued pertaining to the operation and monitoring of the equipment. These conditions are intended to assure proper operation of the equipment as well as compliance with all applicable air quality regulatory requirements. The following is a summary of these conditions:

1. When the SCP model PT-3000 venturi scrubber/cyclonic separator and boiler are being used to control the "high intensity" air contaminant emissions from the rendering cooker and associated existing sources identified in Operating Permit 08-317-003A, the air flow from these sources to the scrubber and boiler shall be sufficient to minimize fugitive malodorous emissions from said sources but not in excess of the combustion air flow requirements of the boiler.

2. The boiler is to be fired only on gas (natural or LP) or #2 or #6 fuel oil to which there has been no reclaimed or waste oil or other waste materials added. Additionally, the sulfur content of any #2 oil fired in the boiler shall not, at any time, exceed 0.3% (by weight) and the sulfur content of any #6 fuel oil fired shall not, at any time, exceed 1.0% (by weight).

3. The packed bed scrubbers shall utilize either a chlorine dioxide scrubbing solution or a sodium hypochlorite/sodium hydroxide scrubbing solution. Additionally, the packed bed scrubbers shall be equipped with an automatic chemical monitoring and conditioning system.

4. The venturi scrubber in series with the packed bed scrubbers as well as each of the packed bed scrubbers

shall be equipped with a manometer (or equivalent device) and a scrubbing solution flow meter.

5. No sources other than the "high intensity" air contaminant emissions from the rendering cooker and associated existing sources identified in Operating Permit 08-317-003A shall be vented to the SCP model PT-3000 venturi scrubber/cyclonic separator and boiler.

6. The SCP model PT-3000 venturi scrubber shall use water as the scrubbing medium at a flow rate of not less than 8 gallons per minute. Additionally, the pressure drop across the respective scrubber shall be not less than 3 inches w.g.

7. The SCP model PT-3000 venturi scrubber shall be equipped with a scrubber water flow meter and a manometer (or equivalent device) which will accurately monitor the venturi scrubber water flow rate and the pressure differential across the venturi scrubber.

8. The operation of the rendering cooker shall not at any time result in the emission of malodorous air contaminants in excess of the limitations specified in 25 Pa. Code § 123.31.

41-0010A: Andritz, Inc. (35 Sherman Street, Muncy, PA 17756-1202) for construction of a thermal sand reclaimer, the air contaminants from which shall be controlled by a fabric collector, and a 650 pound capacity steel-melting electric induction furnace at their foundry in Muncy Borough, **Lycoming County**.

Andritz, Inc. is a major facility for which a Title V permit has been issued.

The information provided by the applicant, as well as the Department's own analysis, indicates that construction of the above sources will result in a particulate matter increase of 2.32 tons per year from this facility. Additionally, although the above sources will emit oxides of nitrogen (NOx), carbon monoxide, oxides of sulfur (SOx), volatile organic compounds and hazardous air pollutants, the corresponding emission increases for each of these air contaminants is insignificant.

A preliminary review of the information submitted by the applicant indicates that the proposed thermal sand reclaimer and induction furnace will meet all applicable air quality requirements including the "best available technology" requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to approve the application and issue a plan approval. If the plan approval is issued and if the thermal sand reclaimer and induction furnace are subsequently found to be in compliance with all applicable regulatory requirements and plan approval conditions, the plan approval will be incorporated into Title V Operating Permit 41-00010 via administrative amendment in accordance with 25 Pa. Code § 127.450.

In order to ensure compliance with all applicable standards, the Department proposes to place the following requirements in the respective plan approval.

- The particulate matter concentration of the exhaust from the thermal sand reclaimer's fabric collector shall not exceed 0.01 grain per dry standard cubic foot.

- The particulate matter emissions from the thermal sand reclaimer shall not exceed 0.45 pound per hour and 1.58 tons in any 12 consecutive month period.

- The NOx, CO and SOx emissions from the thermal sand reclaimer shall not exceed 0.15 pound per hour, 0.40 pound per hour and 0.44 pound per hour, respectively. Additionally, the annual NOx, CO and SOx emissions

from the thermal sand reclaimer shall not exceed 0.53 ton in any 12 consecutive month period, 1.40 tons in any 12 consecutive month period and 1.54 tons in any 12 consecutive month period, respectively.

- The VOC emissions from the thermal sand reclaimer shall not exceed 0.17 pound per hour and 0.18 ton in any 12 consecutive month period.

- The thermal sand reclaimer shall not be operated more than 7,000 hours in any 12 consecutive month period.

- The thermal sand reclaimer shall only be fired on natural gas.

- The company shall perform VOC testing while the thermal sand reclaimer is operating at its maximum capacity.

- The particulate matter emissions from the induction furnace shall not exceed 0.37 pound per hour and 0.74 ton in any 12 consecutive month period.

- The induction furnace shall not be operated more than 4,000 hours in any 12 consecutive month period.

OPERATING PERMITS

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

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Contact: Leif Ericson, Program Manager (717) 705-4702.

06-05084: Electro Space Fabricators, Inc. (300 West High Street, Topton, PA 19562) for operation of a sheet metal fabricating plant in the Borough of Topton, **Berks County**. The facility is a non-Title V (state only) facility. The plant's volatile organic compounds (VOC) emissions will be limited to less than 50 tons per year. The facility will be required to record the coating usages and calculate the VOC emissions monthly. Limits will be placed on the VOC content of the coatings used at the coating lines. A limit will be placed on the hours of operation of the emergency electrical generator. The permit will include monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

67-05020: Exelon Nuclear—Peach Bottom Atomic Power Station (1848 Lay Road, Delta, PA 17314) for operation of two auxiliary boilers at the facility located in Peach Bottom Township, **York County**. The proposed modification allows the facility to monitor the amount of fuel combusted instead of tracking hours of operation. This modification does not increase emissions from the sources. The primary pollutants of concern are nitrogen oxides and carbon monoxide from the above sources. The applicant is also removing two cooling towers. This operating permit will, in accordance with 25 Pa. Code § 127.450, be amended to include the new monitoring plan through a minor modification following the comment period.

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790 Contact: Michael Safko, Facilities Permitting Chief (570) 826-2531.

39-399-051: Allen Organ Co. (150 Locust Street, P. O. Box 36, Macungie, PA 18062) for operation of a vapor degreaser and associated air cleaning device in Macungie Borough, **Lehigh County**.

35-00022: McKinney Products Co. (820 Davis Street, Scranton, PA 18505) for a Synthetic Minor Operating Permit for hardware, NEC in Moosic, **Lackawanna County**.

35-00023: United Gilsonite Laboratories (P. O. Box 70, Scranton, PA 18501) for a Natural Minor Operating Permit for paint/coating operations in Dunmore, **Lackawanna County**.

39-00026: Air Products and Chemical Inc. (Trexlerstown Campus, 7201 Hamilton Boulevard, Allentown, PA 18195) for a Synthetic Minor Operating Permit for boilers and coating operations in Upper Macungie Township, **Lehigh County**.

39-00037: Friskies Pet Care Company (2050 Pope Road, Allentown, PA 18104-9308) for a Synthetic Minor Operating Permit for pet food manufacturing in South Whitehall Township, **Lehigh County**.

40-00037: T. P. Corporation (620 Foote Ave., P. O. Box 97, Duryea, PA 18643) for a Synthetic Minor Operating Permit for textile flocking & printing in Duryea, **Luzerne County**.

40-00049: Slusser Brothers Trucking and Excavating Co. (1001 Paxton Street, Harrisburg, PA 17104) for a Synthetic Minor Operating Permit for quarry operations in Dorrance Township, **Luzerne County**.

40-00059: Reilly Finishing Technologies (130 Alden Road, Nanticoke, PA 18634) for a Synthetic Minor Operating Permit for plating and polishing process in Nanticoke, **Luzerne County**.

40-00066: Hazleton Pumps, Inc. (225 N. Cedar Street, Hazleton, PA 18201) for a Synthetic Minor Operating Permit for pump manufacturing in Hazleton, **Luzerne County**.

48-00035: CENTEC Roll Corporation (RR 5 Box 5217 Applebutter Road, Bethlehem, PA 18015) for a Natural Minor Operating Permit for rolling mill machinery and equipment in Bethlehem, **Northampton County**.

48-00053: Lifetime Doors Inc. (National Administrative Office, 30700 Northwestern Hwy., Farmington Hills, MI 48334) for a Synthetic Minor Operating Permit for door manufacturing in Easton, **Northampton County**.

54-00017: Lehigh Asphalt Paving and Construction Co. (P. O. Box 549, Tamaqua, PA 18252) for a Natural Minor Operating Permit for crushing plant in West Penn Township, **Schuylkill County**.

58-00002: Donald Dean and Sons Inc. (P. O. Box 246, Montrose, PA 18801) for a Natural Minor Operating Permit for wood working manufacturing in Bridgewater Township, **Susquehanna County**.

58-00004: Envirocycle Inc. (P. O. Box 899, Hallstead, PA 18822) for a Synthetic Minor Operating Permit for picture tube reprocessing in Hallstead, **Susquehanna County**.

35-00017: Art Print Company (6 Stauffer Industrial Park, Taylor, PA 18517-9620) sheetfed offset lithographic printing operation facility in Taylor Borough, **Lackawanna County**.

35-00039: Community Medical Center (1800 Mulberry Street, Scranton, PA 18510) medical trauma center in the City of Scranton, **Lackawanna County**.

39-00013: Kraft General Foods (P. O. Box 39, Fogelsville, PA 18501) food product manufacturing facility in Upper Macungie Township, **Lehigh County**.

39-00036: Ranson Industries, Inc., Tyler Pipe—Penn Division (P. O. Box 35, Macungie, PA 18062) gray iron foundry operation in Macungie Borough, **Lehigh County**.

45-00025: Kulp Foundries Inc. (30 Stokes Avenue, East Stroudsburg, PA 18301) Iron foundry operation in East Stroudsburg Borough, **Monroe County**.

48-00029: GAF Premium Products, Inc. (P. O. 277, Wind Gap, PA 18091) cement products manufacturing in Wind Gap Borough, **Northampton County**.

54-00043: Gould Pumps, Inc. (500 East Centre Street, Ashland, PA 17921) pump manufacturing and foundry operation in Ashland Borough, **Schuylkill County**.

54-00040: Sunray Coal, Inc. (P. O. Box 226, Gilberton, PA 17934) coal processing facility in Butler Township, **Schuylkill County**.

64-00002: Western Wayne School District, R. D. Wilson Elementary Center, (P. O. Box 316, Waymart, PA 18472) school building in Canaan Township, **Wayne County**.

64-00005: Wayco, Inc. (P. O. Box Y, Waymart, PA 18472) asphalt concrete production operation in Waymart Borough, **Wayne County**.

45-00015: Selig Construction Co., Inc. (HC 88, Box 185, Pocono Lake, PA 18347) mining and quarry operation in Tobyhanna Township, **Monroe County**.

40-00048: Pikes Creek Sand and Stone (P. O. Box 330, Sweet Valley, PA 18656) stone crushing operation in Lehman Township, **Luzerne County**.

39-00050: Beverage Body and Trailer Refurbishers, Inc. (4701 Colebrook Avenue, Emmaus, PA 18049) truck body manufacturing facility in Upper Milford Township, **Lehigh County**.

48-00002: Maier's Bakery (2400 Northampton Street, Easton, PA 18042) bread and roll product manufacturing facility in Palmer Township, **Northampton County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Contact: Leif Ericson, Program Manager, (717) 705-4702.

67-03101: Southern Die Casters, Inc. (P. O. Box 178, Shrewsbury, PA 17361) for operation of an aluminum die casting plant in Shrewsbury Township, **York County**. The particulate matter emissions from the plant are approximately 28 tpy, the sulfur dioxide and volatile organic compounds emissions are each less than 1 tpy, the carbon monoxide emissions are less than 2 tpy, and the nitrogen oxide emissions are approximately 6.3 tpy. The Natural Minor operating permit shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

96-049: Conrail—South Philadelphia Bulk Material Yard (Pier 122 South, Philadelphia, PA 19148) for

performing barge unloading and truck loading in the City of Philadelphia, **Philadelphia County**. The natural minor facility's air emission sources include dry bulk material sources consisting of barge unloading to conveyor, material conveying, a transfer tower, bulldozing operations, truck loading, and a storage pile. 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 such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

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

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal confer-

ence must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

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

14960101. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847), revision to an existing bituminous surface mine permit for a Change in Permit acreage from 48.5 to 59.5 acres, located in Snow Shoe Township, **Centre County**. Receiving streams: unnamed tributary to Black Moshannon Creek, unnamed tributaries to North Fork Beech Creek. Application received: August 10, 2001.

17960121. K & J Coal Co., Inc. (P. O. Box 189, Westover, PA 16692), revisions to an existing bituminous surface mine-auger permit in Chest and Ferguson Townships, **Clearfield County**. The revisions include a Change in Permit Acreage from 297.5 to 310.0 acres and a Stream Encroachment. Receiving streams: unnamed tributary to Wilson Run and McMasters Run and its unnamed tributary and an unnamed tributary to Chest Creek. Application received: August 7, 2001.

17970105. E. P. Bender Coal Co., Inc. (P. O. Box 594, Carrolltown, PA 15722), revision to an existing bituminous surface mine permit for a Change in Permit Acreage from 132.0 to 138.3 acres, located in Beccaria Township, **Clearfield County**. Receiving streams: Clearfield Creek, Snyder Run, and unnamed tributaries to Clearfield Creek. Application received: August 16, 2001.

17970109. M. B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15717), revision to an existing bituminous surface mine-auger permit for a Change in Permit Acreage from 224.6 to 283.3 acres and to add the following coal seams: Mahoning, Upper Freeport, Lower Freeport 1, 2 and 3 and the Upper Kittanning seam. The permit is located in Chest Township, **Clearfield County**. Receiving streams: unnamed tributaries of Chest Creek to Chest Creek to West Branch Susquehanna River. Application received: August 17, 2001.

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

03960102. Walter L. Houser Coal Co., Inc. (R. D. 1, Box 434, Kittanning, PA 16201). Renewal application for commencement, operation, and reclamation of a bituminous surface mine located in Sugar Creek Township, **Armstrong County** affecting 300.8 acres. Receiving streams: unnamed tributaries to Snyders Run. Renewal application received: September 4, 2001.

63960101. Twilight Industries (Division of U. S. Natural Resources, 212 State Street, Belle Vernon, PA 15012-1158). Renewal application for reclamation only of a bituminous surface mine located in Somerset Township, **Washington County** affecting 155.5 acres. Receiving streams: unnamed tributaries to the North Branch of Pigeon Creek. Renewal application received: September 5, 2001.

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

56860107. Permit renewal for reclamation only. **Shaffer Brothers Coal Company, Inc.** (Jay Street, Windber, PA 15963) for continued restoration of a bituminous surface and auger mine in Paint Township, **Somerset**

County, affecting 106.8 acres. Receiving stream: unnamed tributary to Seese Run. Application received: September 4, 2001.

56010104. Godin Brothers, Inc. (5433 Front Street, Stoystown, PA 15563), commencement, operation and restoration of a bituminous surface and auger mine in Lincoln & Jenner Townships, **Somerset County**, affecting 136.4 acres. Receiving streams: Quemahoning Creek and unnamed tributaries to Quemahoning Creek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Quemahoning Dam. Application received: August 31, 2001.

32010111. Alverda Enterprises, Inc. (P. O. Box 87, Alverda, PA 15710), commencement, operation and restoration of a bituminous surface mine in Pine Township, **Indiana County**, affecting 25.6 acres. Receiving stream(s): unnamed tributary to Yellow Creek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Central Indiana County Water Authority. Application received: August 31, 2001.

56890110. Permit Transfer. **Hoffman Mining, Inc.** (P. O. Box 130, 118 Runway Road, Friedens, PA 15541) from Three S Coal Company (Box 337, Stoystown, PA 15563), for continued operation of a bituminous surface mine in Shade Township, **Somerset County**, affecting 67.6 acres. Receiving stream: Whiskey Run. Application received: September 4, 2001.

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

32011301. Laurel Energy, L.P. (One Energy Place, Suite 750, Latrobe, PA 15650-9628), to operate the Palmerton Mine in Burrell Township, **Indiana County**, Unnamed tributary to Black Lick Creek. Application received: June 5, 2001.

30841314. Eberhart Coal Co. (258 Woodside—Old Frame Rd., Smithfield, PA 15478), to revise the permit for the Titus Mine in Dunkard Township, **Somerset County** to add 2.64 surface acres to mine, no additional discharges. Application received: July 25, 2001.

56961301. RoxCoal, Inc. (PO Box 149, Friedens, PA 15541), to renew the permit for the Sarah Mine in Jenner Township, **Somerset County**, no additional discharges. Application received: July 31, 2001.

30831303. RAG Cumberland Resources, L.P. (R. D. #3, Box 184, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine in Whiteley Township, **Greene County** to extend the stream enclosure at the prep plant, no additional discharges. Application received: July 31, 2001.

30841316. Consol PA Coal Co. (P. O. Box 355, Eighty Four, PA 15370), to revise the permit for the Bailey Mine in Richhill Township, **Greene County** to add 286.5 acres and delete 11,043.7 acres from S.C.P.A., no additional discharges. Application received: July 31, 2001.

30871301. Genesis, Inc. d/b/a Meadow Run Genesis, Inc. (P. O. Box 552, Somerset, PA 15501), to revise the permit for the Meadow Run Mine in Dunkard Township, **Greene County** to add blasting and strip mining for reclamation, Dunkard Creek. Application received: July 31, 2001.

30841317. Consol Pennsylvania Coal Co. (P. O. Box 355, Eighty Four, PA 15330), to revise the permit for the Enlow Fork Mine in Richhill Township, **Greene County**

to add 3 north #3 airshaft in East Finley Twp., Washington County, unnamed tributary to Rocky Run. Application received: July 31, 2001.

Coal Applications Returned

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

49950201T. Wilbur White Coal Company, Inc. (44 S. Maple Avenue, Pottsville, PA 17901), transfer of an existing anthracite coal refuse reprocessing operation in West Cameron Township, **Northumberland County** affecting 441.5 acres, receiving stream—none. Application received: December 28, 1999. Application returned: September 4, 2001.

49960101T. Wilbur White Coal Company, Inc. (44 S. Maple Avenue, Pottsville, PA 17901), transfer of an existing anthracite surface mine operation in West Cameron and Zerbe Townships, **Northumberland County** affecting 919.0 acres, receiving stream—none. Application received: December 28, 1999. Application returned: September 4, 2001.

54803004T. No. 1 Contracting Corporation (49 S. Main Street, Ashley, PA 18706), transfer of an existing anthracite surface mine operation in Hegins and Porter Townships, **Schuylkill County** affecting 214.0 acres, receiving stream—Swatara Creek. Application received: May 2, 2001. Application returned: September 4, 2001.

Noncoal Applications Received

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

6476SM12C2. N. L. Minich & Sons, Inc. (730 North College Street, Carlisle, PA 17013), renewal of NPDES Permit #PA0612464 in North Middleton Township, **Cumberland County**, receiving stream—Meeting House Run. Application received: August 29, 2001.

01740401C3. Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201), renewal of NPDES Permit #PA0613045 in Hamiltonban Township, **Adams County**, receiving stream—Muddy Run. Application received: August 30, 2001.

50890301C3. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9454), renewal of NPDES Permit #PA0594431 in Buffalo Township, **Perry County**, receiving stream—unnamed tributary to Susquehanna River. Application received: August 30, 2001.

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

08010821. Robert E. Palmer (R. R. 2, Box 299A, Canton, PA 17724), commencement, operation and restoration of a Small Industrial Minerals (Gravel) permit in Canton Township, **Bradford County** affecting 1 acre. Receiving stream: Towanda Creek, tributary to Susquehanna River. Application received: August 24, 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 (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of

the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

Applications Received Under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**WATER OBSTRUCTIONS AND
ENCROACHMENTS**

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

E18-326. Dominion Transmission Inc., 445 West Main St., Clarksburg, WV 26302-2450, Gas Pipeline, Baltimore COE, Leidy Township, **Clinton County**, Tamarack, PA Quadrangle N: 7.5 inches; W: 11.75 inches. Drury Run (EV).

The project is located on the east side of SR 144 approximately 6.7 miles north of the SR120 intersection in Leidy Township, Clinton County (Tamarack, PA Quadrangle N: 7.5 W: 11.75). The purpose of the project is to install a drip line and blowdown stack along the existing LP-601 gas pipeline. The project involves temporary disturbances to 0.08 acre of exceptional value (EV) palustrine emergent (PEM) wetlands.

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

E26-212-A1. Pennsylvania Department of Conservation and Natural Resources, Bureau of Forestry, P. O. Box 519, Laughlintown, PA 15655. Wharton Township, **Fayette County**, ACOE Pittsburgh District.

To amend Permit No. E26-212 to include the construction and maintain a single span pedestrian bridge having

a normal span of 40.0 and an underclearance of 3.5 feet across Quebec Run (EV) in Forbes State Forest. (Brownsville, PA Quadrangle N: 0.95 inch; W: 8.9 inches).

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

E25-636, PA Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301. S.R. 3015 Lexington Road Bridge over Crooked Creek, in Girard Township, **Erie County**, ACOE Pittsburgh District (Albion, PA Quadrangle N: 15.2 inches; W: 15.5 inches).

To remove the existing structure and to construct and maintain a 56-foot long concrete arch having a span of 30 feet and a rise of 14.5 feet or a 54.5 foot long concrete arch having a span of 32 feet and a rise of 13 feet across Crooked Creek on S.R. 3015, Segment 0060, Offset 0000 on State Route 3015 north of I-90 west of Plate Borough.

E37-140. Laurel School District, R. D. 4 Box 30, New Castle, PA 16101. Laurel Elementary School building and parking lot expansion into wetland in Hickory Township, **Lawrence County**. ACOE Pittsburgh District. (New Castle North, PA. N: 3.1 inches; W: 1.3 inches).

To expand the Laurel School District Elementary School building and parking lot into part of a single 0.06 acre wetland. Impact from this expansion will result in the loss of 0.03 acre of PSS wetland. Wetland replacement will not be required because of the de minimis impact. The Laurel School District Elementary School is located approximately 1,700 feet north of SR 0108 on the west side of McCaslin Road.

ENVIRONMENTAL ASSESSMENTS

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

EA17-003NC. M B Energy, Inc., 175 McKnight Road, Blairsville, PA 15717-7960. Unnamed Tributary-Haslett Run Restoration, in Bell and Greenwood Township, **Clearfield County**, ACOE Baltimore District (Mahaffey, PA Quadrangle N: 7.58 inches; W: 11.0 inches).

To repair, operate, maintain and remove a temporary rock dam and diversion channel in and along an unnamed tributary to Haslett Run (Cold Water Fishery); to install and maintain 100-feet of rock stream bank protection in the same water for the restoration of a sediment impaired reach of the unnamed tributary. The rock dam shall be repaired and maintained as a rock filter for sediment removal in accordance with the plans, drawings and specifications submitted to the Department of Environmental Protection on January 31, 2001. Upon written approval of the Fish and Boat Commission, the rock dam shall be removed and diversion channel blocked or filled in such manner to preclude any further excessive sediment to further degrade the water quality.

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).

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

NPDES Permit No. PA-0063266-A1, Industrial Waste, **Newstech PA, LP**, 6 Horwith Drive, Northampton, PA 18067.

This proposed facility is located in Northampton Borough, **Northampton County**.

Description of Proposed Action/Activity: to transfer permit from Northampton Pulp LLC to Newstech PA, LP (Receiving Stream) Lehigh River.

NPDES Permit No. PA-0032166, Sewage, **Delaware Valley School District**, 236 Routes 6 and 209, Milford, PA 18337.

This proposed facility is located in Westfall Township, **Pike County**.

Description of Proposed Action/Activity: renewal of NPDES Permit to discharge treated sewage to the Delaware River.

NPDES Permit No. PA-0061611, Sewage, **Delaware Valley Utilities, Inc.**, 120 Routes 6 and 209, Matamoras, PA 18336.

This proposed facility is located in Westfall Township, **Pike County**.

Description of Proposed Action/Activity: to discharge from a facility to the Delaware River.

NPDES Permit No. PA-0040444, Sewage, **Pocono Mountain School District**, P. O. Box 200, School Road, Swiftwater, PA 18370.

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

Description of Proposed Action/Activity: to discharge from a facility to Swiftwater Creek.

WQM Permit No. 4894201-T3, Industrial Waste, **Newstech PA, LP**, 6 Horwith Drive, Northampton, PA 18067.

This proposed facility is located in Northampton Borough, **Northampton County**.

Description of Proposed Action/Activity: Transfer of Water Quality Management Part II Permit from Northampton Pulp LLC to Newstech PA, LP.

WQM Permit No. 1301406, Sewerage, **Jim Thorpe Area School District**, 140 West 10th Street, Jim Thorpe, PA 18229.

This proposed facility is located in Kidder Township, **Carbon County**.

Description of Proposed Action/Activity: construction of a new wastewater treatment plant to serve the new Jim Thorpe K-8 school and the Smith Partnership Development.

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

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

Description of Proposed Action/Activity: Phase I of the project involves construction of sanitary sewers and force

mains to collect and convey sewage to the Waymart Area Wastewater Treatment Plant. Phase II of the project will include the upgrade of the WWTP from a 0.21 MGD facility to a .0715 MGD facility and the installation of approximately 1,600 ft. of a gravity interceptor from the Borough. Phase II will also include a 14,000 ft. pipeline to convey the effluent to a discharge point located along Van Auken Creek downstream of Keen Lake in Canaan Township.

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

NPDES Permit No. PA0218537, Industrial. **Beaver Valley Slag, Inc.**, 1150 Broadhead Road, Monaca, PA 15061-2500 is authorized to discharge from a facility located at Black's Run Slag Mine, Center Township, **Beaver County** to receiving waters named Black's Run.

Permit No. PA0218537, Industrial Waste. **Beaver Valley Slag, Inc.**, 1150 Broadhead Road, Monaca, PA 15061-2500.

This notice reflects changes from the notice published in the December 16, 2000, *Pennsylvania Bulletin*.

Outfall 001: new discharge, design flow of 0.032 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			Monitor and Report		
Cyanide, Free			Monitor and Report		
Chloroform			Monitor and Report		
Methylene Chloride			Monitor and Report		
Aluminum			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Other conditions: The above limits are in effect from permit effective date through the notification date Part C.8. There shall be no discharge from this outfall directly to Black's Run within 3 years of permit issuance date (See Part C.8).

Outfall 002: new discharge, design flow of 0.0102 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			Monitor and Report		
Cyanide, Free			Monitor and Report		
Chloroform			Monitor and Report		
Methylene Chloride			Monitor and Report		
Aluminum			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Other conditions: The above limits are in effect from permit effective date through the notification date in Part C.8. There shall be no discharge directly from this outfall directly to Black's Run within three years of issuance date (see Part C.8).

Outfall 003: new discharge, design flow of 0.0102 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30		60

NOTICES

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Cyanide, Free			0.01		0.02
Chloroform			0.07		0.14
Methylene Chloride			0.01		0.02
Aluminum			1.4		2.8
Iron			1.5		3.0
Manganese			1.0		2.0
Boron			1.71		3.42
pH	not less than 6.0 nor greater than 9.0				

Other conditions: The above limits will go into effect 36 months after effective date of the permit and shall stay in effect until expiration date.

Outfall 005: new discharge, design flow of 0.0024 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30		60
Cyanide, Free			0.01		0.02
Chloroform			0.07		0.14
Methylene Chloride			0.01		0.02
Aluminum			1.4		2.8
Iron			1.5		3.0
Manganese			1.0		2.0
Boron			1.71		3.42
pH	not less than 6.0 nor greater than 9.0				

Other conditions: The above limits will go into effect 36 months after effective date of the permit and shall stay in effect until expiration date.

Outfall 006: new discharge, design flow of 0.65 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30		60
Cyanide, Free			Monitor and Report		
Chloroform			Monitor and Report		
Methylene Chloride			Monitor and Report		
Aluminum			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Other conditions: The above limits are in effect from permit effective date through 35 months after effective date of the permit. No sampling is required at this outfall until after the first stockpiled material is placed on the staging pad.

Outfall 006: new discharge, design flow of 0.65 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30		60
Cyanide, Free			0.0053		0.0106
Chloroform			0.012		0.024
Methylene Chloride			0.0096		0.0192
Aluminum			0.53		1.06
Iron			1.5		3.0
Manganese			1.0		2.0
Boron			1.71		3.42
pH	not less than 6.0 nor greater than 9.0				

Other conditions: The above limits will go into effect 36 months after effective date of the permit and shall stay in effect until expiration date.

The EPA waiver is in effect.

Outfall 007: new discharge, design flow of 0.65 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30		60
Cyanide, Free			Monitor and Report		
Chloroform			Monitor and Report		
Methylene Chloride			Monitor and Report		
Aluminum			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Other conditions: The above limits are in effect from the notification date in Part C.8 through expiration date.

Outfall 107:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Antimony					1.9
Arsenic					1.4
Barium					1.2
Beryllium					0.82
Cadmium					0.69
Chromium					2.77
Cyanide, Free					0.86
Cyanide, Total					1.2
Fluoride					35
Lead					0.69
Mercury					0.15
Nickel					3.98
Selenium					0.82
Silver					0.43
Sulfide					14
Thallium					1.4
Vanadium					4.3

Other conditions: The permittee is authorized to discharge to:

1. Black's Run during the period from effective date though the notification date in Part C.8.
2. The seep collection system during the period from the notification date in Part C.8 through the expiration date.

Outfall 008: new discharge, design flow of variable mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30		60
Cyanide, Free			Monitor and Report		
Chloroform			Monitor and Report		
Methylene Chloride			Monitor and Report		
Aluminum			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 009: new discharge, design flow of variable mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30		60
Cyanide, Free			Monitor and Report		
Chloroform			Monitor and Report		
Methylene Chloride			Monitor and Report		
Aluminum			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

NPDES Permit No. PA0035262. Sewage. **Matthews Mobile Home Park**, P. O. Box 537, Bainbridge, PA 17502-0537 is authorized to discharge from a facility located at Matthews Mobile Home Park Sewage Treatment Plant, Reade Township, **Cambria County** to receiving waters named Fallen Timber Run.

NPDES Permit No. PA0044431. Sewage. **Fairfield Manor, Inc.**, 4158 Old William Penn Highway, Murrysburg, PA 15668 is authorized to discharge from a facility located at Fairfield Manor STP, Fairfield Township, **Westmoreland County** to receiving waters named Unnamed Tributary of Hendricks Creek.

NPDES Permit No. PA0095702. Sewage. **Thomas E. Ward**, 855 South Bridge Road, Prosperity, PA 15329 is authorized to discharge from a facility located at Rosewood Farm STP, South Franklin Township, **Washington County** to receiving waters named Tenmile Creek.

NPDES Permit No. PA0218782. Sewage. **Menallen Township Sewage Authority**, P. O. Box 576, New Salem, PA 15468 is authorized to discharge from a facility located at Rock Works STP, Menallen Township, **Fayette County** to receiving waters named Saltlick Run.

NPDES Permit No. PA0218821. Sewerage. **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701 is authorized to discharge from a facility located at Penn Run Sewage Treatment Plant, Cherryhill Township, **Indiana County** to receiving waters named Penn Run.

Permit No. 4945-A2. Sewerage. **Rochester Area Joint Sewer Authority**, 300 West Park Street, Rochester, PA 15074. Construction of Sewer Line Rehabilitation located in Rochester Borough, **Beaver County** to serve Lacock Run Interceptor Between Existing Manholes No. L-1C and No. L-6.

Permit No. 8903-S-A2. Sewerage. **Borough of Sewickley**, 601 Thorn Street, Sewickley, PA 15143. Construction of Pump Station and Force Main located in the Borough of Sewickley, **Allegheny County** to serve Maple Lane.

Permit No. 0288436-A1. Sewerage. **Municipality of Penn Hills**, 12245 Frankstown Road, Pittsburgh, PA 15235. Construction of treatment plant modification located in Penn Hills, **Allegheny County** to serve Plum Creek.

Permit No. 6501401. Sewerage. **Hempfield Township.** Construction of a Pump Station, Force Main, and Sanitary Sewers located in Hempfield Township, **Westmoreland County** to serve the Stage 5-Upper Brush Creek Watershed Area Bashforth Acres, Oakford Park, and Spanish Villa).

II. Oil and Gas Management Permit Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6860.

NPDES Permit No. PA0222011, Industrial Waste, **Big Sandy Oil Company**, P. O. Box 269, Franklin, PA 16323.

This existing facility is located in Cranberry Township, **Venango County**.

Description of Proposed Action/Activity: Authorization to discharge to the Allegheny River.

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 Permit(s) 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 Permit(s) for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. The Department of Environmental Protection approves the following coverage under the specific General Permit.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

The application and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
City of Williamsport Lycoming County	PAR103947	Eagle Mountain Park Robert Yoder R. R. 2, Box 181 Turbotville, PA 17772	Daughertys Run WWF	Lycoming County Cons. Dist. 542 County Farm Rd. Suite 105 Montoursville, PA 17754 (570) 443-4003

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Armstrong County Kiskiminetas Township	PAR10B042	Apollo Ridge School District RT56E P. O. Box 219 Spring Church, PA 15686	UNT to Kiskiminetas River/WWF	Armstrong County CD (724) 548-3425
Beaver County Center Township	PAR100286	Zokaites Contractors, Inc. 375 Golfside Drive Wexford, PA 15090	UNT to Ohio River/WWF	Beaver County CD (724) 774-7090
Washington County Fallowfield Township	PAR10W190	Middle Monongahela Industrial Development Association, Inc. P. O. Box 491 Donora, PA 15033	Pigeon Creek/WWF	Washington County CD (724) 228-6774
Westmoreland County Hempfield Township	PAR10X269	Brookmere Corp. Berkshire Central Office Suite 204 Route 30E Greensburg, PA 15601	UNT to Slate Creek/WWF	Westmoreland County CD (724) 837-5271

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
McKean County Hamilton Township	PAR 104108	MSL Oil & Gas Corp. P. O. Box 151 Bradford, PA 16701	Chappel Fork (CWF)	Northwest Region Oil and Gas Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6860
Butler County Cranberry Township	PAR10E150-R	Thorn Hill Road Extension Leon Gevaudan Regional Industrial Dev. Corp. of SW PA 425 6th Avenue Suite 500 Pittsburgh, PA 15219-1822	UNT Brush Creek (WWF)	Butler Conservation District (724) 284-5270
Butler County Butler Township	PAR10E155	Butler Commons 310 New Castle Road Butler, PA 16001 Cedar Wood Development 1765 Merriman Road Akron, OH 44313	Sullivan Run (WWF)	Butler Conservation District (724) 284-5270
Butler County Adams Township and Seven Fields Borough	PAR10E162	The Estates at Seven Fields Richard Nernberg The Walnut Mall 5541 Walnut Street Pittsburgh, PA 15232	UNT Kaufman Run (WWF)	Butler Conservation District (724) 284-5270

PUBLIC WATER SUPPLY PERMITS

The Department of Environmental Protection (Department) has taken the following actions on applications received under the 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.

Permit No. 0600510, Public Water Supply.

Applicant	Berkleigh Heights MHP
Municipality	Richmond Township
County	Berks
Type of Facility	Existing backup well.

Consulting Engineer	Bruce W. Haigh, P.E. Technicon Enterprises, Inc. 2675 Morgantown Rd. Reading, PA 19607
Permit to Operate Issued:	August 30, 2001
Permit No. 0600509 , Public Water Supply.	
Applicant	Citizens Utilities Water Co. of PA
Municipality	Lower Heidelberg & Spring Townships
County	Berks
Type of Facility	New community water system serving Rosewood Hills subdivision.
Consulting Engineer	Darryl Jenkins, P.E. Citizens Utilities Water Company of PA P. O. Box 6342 Wyomissing, PA 19610
Permit to Operate Issued:	September 10, 2001
Permit No. 3601507 , Public Water Supply.	
Applicant	Rosie's Drive-in
Municipality	Providence Township
County	Lancaster

Type of Facility Application is for the installation of an anion exchange system for nitrate removal, UV disinfection, and sediment filter at the restaurant.

Consulting Engineer Thomas J. Whitehill, P.E.
Whitehill Consulting Engineers
763 Conowingo Rd.
Quarryville, PA 17566

Permit to Construct Issued: August 13, 2001

Permit No. 0601505 MA, Minor Amendment, Public Water Supply.

Applicant **Citizens Utilities Water Company of PA**

Municipality Amity Township

County **Berks**

Type of Facility Addition of aqua mag for manganese control.

Consulting Engineer Darryl Jenkins, P.E.
Citizens Utilities Water Company of PA
P. O. Box 6342
Wyomissing, PA 19610

Permit to Operate Issued: August 30, 2001

Permit No. 0601506 MA, Minor Amendment, Public Water Supply.

Applicant **Wissahickon Spring Water Inc.**

Municipality Kutztown

County **Berks**

Type of Facility Use of Kutztown Borough Authority water system as additional source of supply.

Consulting Engineer 1 - Not Available

Permit to Operate Issued: May 21, 2001

Permit No. 3601505, Public Water Supply.

Applicant **Millbrook Manor**

Municipality West Cocalico Township

County **Lancaster**

Type of Facility Installation of a new well and nitrate treatment system to serve the new expansion at the mobile home park.

Consulting Engineer Scott M. Rights, P.E.
Steckbeck Engineering Associates
43 N. Cornwall Rd.
Lebanon, PA 17042

Permit to Construct Issued: August 16, 2001

Permit No. 3601502, Public Water Supply.

Applicant **Immergut Pretzel Shop**

Municipality Leacock Township

County **Lancaster**

Type of Facility Installation of a GAC system to remove MTBE from the source water.

Consulting Engineer Stephen R. Morse, P.E.
Skelly and Loy, Inc.
2601 North Front Street
Harrisburg, PA 17110-1185

Permit to Construct Issued: July 23, 2001

Permit No. 2101503 MA, Minor Amendment, Public Water Supply.

Applicant **Pennsylvania American Water**

Municipality Lemoyne

County **Cumberland**

Type of Facility Rehabilitation of existing Camp Hill standpipe.

Consulting Engineer Bruce E. Juergens
Pennsylvania Water Company
800 W. Hersheypark Drive
Hershey, PA 17033

Permit to Operate Issued: August 30, 2001

WATER ALLOCATIONS

Actions taken on applications received under the act of June 24, 1939. (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

WA 6-1015, Water Allocations. Citizens Utilities Water Company of PA, Berks County. Right to purchase 330,000 gallons per day on a monthly basis from the Western Berks Water Authority to serve Rosewood Hills area of the Penn District service area. Consulting Engineer: Darryl Jenkins, P.E., Citizens Utilities Water Company of PA Permit Issued: September 10, 2001.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Notice of Proposed Interim Response

TCE Run Site, Salford Township and Upper Salford Township, Montgomery County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), is proposing an interim response at the TCE Run Site, Salford Township and Upper Salford Township, Montgomery County, Pennsylvania.

The Department, under the authority of HSCA, has conducted an investigation at the TCE Run Site (Site), located in Salford Township and Upper Salford Township, Montgomery County. The investigation has included soil and groundwater sampling at the Site and monitoring of numerous private drinking water supply wells located in Salford Township and Upper Salford Township, Montgomery County. This monitoring included four quarters of residential well sampling. The investigation revealed that approximately 50 residential drinking water wells are impacted by Trichloroethene (TCE) contamination. TCE is a volatile organic compound, frequently used as a metal degreaser. The Department has identified a groundwater

contamination plume affecting residences along Moyer Road, in Salford Township and Upper Salford Township; and Thompson Road, Joanne Lane, Shady Lane, Sumneytown Pike, Old Sumneytown Pike, Bergey Road, Gladys Way and Diminjan Lane in Upper Salford Township. TCE has been detected in concentrations above the Maximum Contaminant Levels (MCLs) of 5 micrograms per liter (ug/l) for drinking water, adopted by the United States Environmental Protection Agency (EPA) under the Safe Drinking Water Act, as amended, 42 U.S.C.A. § 300f et seq. and by the Pennsylvania Environmental Quality Board under the Pennsylvania Safe Drinking Water Act, 35 P. S. § 721 et seq. Of the 50 residential wells currently impacted by the groundwater contamination, approximately 25 wells exceed the MCL for TCE.

To address the release and threat of release of hazardous substances at the Site, and corresponding threats to human health and the environment, the Department proposes an interim response action at the Site under Sections 501(a) and 505(b) of HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)). The Department is considering three alternative response actions to provide a long-term source of potable water to residents.

Alternative 1) No Action: The "No Action" alternative provides a baseline against which all other alternatives can be compared. Under Alternative 1, the Department would take no further action at the Site. If the Department selects the "No Action" alternative, a hazardous substance would remain in the groundwater being used as a drinking water source, exposing the public to health effects due to exposure through inhalation and ingestion.

Alternative 2) Installation of Whole-house Carbon Filtration Units: Under this alternative, the Department would install whole-house carbon filter units on the impacted homes. This alternative would be protective of the public health and the environment. It would eliminate the threat to the public health from contaminants presently in the drinking water. The filters would remove the volatile organic contamination entirely, or at least to a level well below the existing MCLs, thereby eliminating the threat to human health.

Alternative 3) Connection to a Public Water System: Under this alternative the Department would design and construct a water main to connect the affected residences with an existing public water supply system. At the present time, Salford Township and Upper Salford Township do not have a Public Utility Commission (PUC) franchisee. This alternative would be protective of human health and safety by eliminating the threat of exposure to site contaminants through ingestion and inhalation pathways.

In evaluating these alternatives to date, the Department has considered the criteria of timeliness, permanence, protection of human health and environment, and the alternative's ability to meet applicable, or relevant and appropriate State and Federal requirements (ARARs). The Department has also considered cost-effectiveness in analyzing the alternatives. The Department finds that the "No Action" alternative would not be protective of the public health. The Department proposes alternative 2, installation of whole-house carbon filtration systems, based on its preference for a timely, long-term solution.

The Department's proposed alternative, installation of whole-house carbon filtration systems, is protective of public health and the environment, complies with ARARs, and is feasible and cost-effective.

An Administrative Record, which contains more detailed information concerning this proposed interim response action, is available for public inspection. The Administrative Record may be examined from 8 a.m. to 4 p.m. at the Department's office at Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6000. Those interested in examining the Administrative Record should contact Donna Suevo at (610) 832-6194 to arrange for an appointment. An additional copy of the Administrative Record is available for review at the Upper Salford Township Municipal Building at 1441 Salford Station Road in Upper Salford Township, Montgomery County.

A public hearing is scheduled under Section 506(d) of HSCA (35 P. S. § 6020.506(d)) for November 8, 2001 at 7 p.m. at the Upper Salford Township Municipal Building at 1441 Salford Station Road. Persons who want to present formal oral comments regarding this interim response may do so by registering with the Department before the meeting. Individuals may register by calling the Department's Community Relations Coordinator, Lynda Rebarchak, at (610) 832-6219.

Persons with a disability who wish to attend the November 8th meeting and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lynda Rebarchak at the telephone number listed above or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's proposed interim response action during the period of public comment. In accordance with Section 506(c) of HSCA, the Department has established a period for public comment that is now open and will close on Friday, December 21, 2001. Written comments should be addressed to Donna M. Suevo, Project Officer, Pennsylvania Department of Environmental Protection, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

Individuals with questions concerning this notice should contact Donna Suevo at (610) 832-6194.

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 non-residential 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, please 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:

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

Allfirst Bank, 305 Hill Street Property, Spring Garden Township, **York County**. Alliance Environmental Services, Inc., 1414 North Cameron Street, Suite B, Harrisburg, PA 17013 (on behalf of York Realty Holding Company, Inc., a wholly owned subsidiary of Allfirst Bank, 213 Market Street, Harrisburg, PA 17105.) submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with solvents, BTEX and PAHs. The report is intended to document remediation of the site to a combination of Background, Statewide Health and Site-Specific standards.

Clifton Blume Property, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Clifton Blume, 3001 Marion Street, Reading, PA 19605) has submitted a Final Report concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to the Statewide Health standard.

Dorothy Golden Property, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Dorothy Golden, 1511 Prince Street, Reading, PA 19605) has submitted a Final Report concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to the Statewide Health standard.

Marlene Kahn Property, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Marlene Kahn 3008 Marion Street, Reading, PA 19605) has submitted a Final Report concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health standard requirements

Linda Katzenmoyer Property, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Linda Katzenmoyer, 3146 Montrose Avenue, Reading, PA 19605) has submitted a Final Report concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health standard requirements

Walter Palmer Property, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Walter Palmer, 3152 Montrose Avenue, Reading, PA 19605) has submitted a Final Report concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to the Statewide Health standard.

Robin Stein (formerly Rodney Tyson) Property, Laureldale Borough, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1,

Glenmoore, PA 19343 (on behalf of Robin Stein, 1513 Prince Street, Reading, PA 19605) has submitted a Final Report concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to the Statewide Health standard.

Donald Stibitz Property, Muhlenberg Township, **Berks County**. Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343 (on behalf of Donald Stibitz, 48 Seminary Avenue, Reading, PA 19605) has submitted a Final Report concerning remediation of site soils contaminated with lead. The report is intended to document remediation of the site to the Statewide Health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995

PREAMBLE 3

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

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 non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the Department 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.

Former Industrial Engraving—Knox Facility, Forks Township, **Northampton County.** Dr. William K. Ahlert, Manager Mid-Atlantic Services, Lawler, Matusky and Skelly Engineers, LLP, The Sovereign Building, 609 Hamilton Mall, Allentown, PA 18101 submitted a supplemental Baseline Risk Assessment and Cleanup Plan (on behalf of his client, Valley Housing Development Corporation, 635 Broad Street, Emmaus, PA 18049) concerning the characterization and remediation of site soil and groundwater found or suspected to have been contaminated with solvent compounds. The reports were submitted in partial fulfillment of the site-specific standard and were approved on September 7, 2001.

Zapotocki and Reilly Residence, Upper Milford Township, **Lehigh County.** Matthew E. Grubb, Project Officer, Hydrocon Services Inc., 2945 South Pike Avenue, Allentown, PA 18013, submitted a Final Report (on behalf of his clients, Kathy Zapotocki and Timothy Reilly, Tomahawk Lane, Zionsville, PA 18092) concerning the remediation of site soils found or suspected to have been contaminated with unleaded gasoline constituents. The final report demonstrated attainment of the Statewide health standard and was approved on August 30, 2001.

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

Defense Distribution Depot Susquehanna PA SWMU 27, Fairview Township, **York County.** Defense Distribution Depot Susquehanna PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002 submitted a final report concerning the remediation of site soils contaminated with solvents. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on August 30, 2001.

Defense Distribution Depot Susquehanna PA SWMU 27, Fairview Township, **York County.** Defense Distribution Depot Susquehanna PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070-5002 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site groundwater contaminated with solvents. The report and plan were disapproved by the Department on August 30, 2001.

Rite Aid Middletown (formerly Ken Hess Chevrolet), Borough of Middletown, **Dauphin County.** BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109 (on behalf of Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011) submitted a final report concerning the remediation of site soils contaminated with lead, BTEX, PAHs, and PHCs. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on September 6, 2001.

Greencastle-Antrim Area Development Corporation (formerly Appalachian Lamb), Antrim Township, **Franklin County.** Richenderfer and Associates, Inc., P. O. Box 1199, Carlisle, PA 17103 (on behalf of Greencastle Antrim Area Development Corporation, P. O. Box 393, Greencastle, PA 17225) submitted a final report concerning the remediation of site soils and groundwater contaminated with BTEX and PHCs. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on September 7, 2001.

Cedar Cliff High School, Lower Allen Township, **Cumberland County.** Groundwater & Environmental

Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 (on behalf of NiSource, Inc., 801 East 86th Street, Merrillville, IN 46410) submitted a final report concerning the remediation of site soils contaminated with PHCs. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on September 7, 2001.

HAZARDOUS WASTE TRANSPORTER LICENSE

Hazardous Waste Transporter License, actions taken under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

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

HAZARDOUS WASTE TRANSPORTER LICENSE EXPIRED

Fuel Tank Maintenance Service Inc., P. O. Box 305, Ridgefield Park, NJ 07660. License No. **PA-AH 0491.** Effective September 4, 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

Altoona Hospital, 620 Howard Avenue, Altoona, PA 16601. License No. **PA-HC 0124.** Effective September 4, 2001.

S. H. Bio-Waste, Ltd., P. O. Box 1866, Norristown, PA 19404. License No. **PA-HC 0096.** Effective September 4, 2001.

Environmental Options Group, Inc., 18 Water Street/Truckerton, Reading, PA 19605. License No. **PA-HC 0131.** Effective September 4, 2001.

T. J. Egan & Company, Inc., 5 Lawrence Street, Bloomfield, NJ 07003. License No. **PA-HC 0079.** Effective September 4, 2001.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permits issued, suspended, expired, denied, revoked, reinstated or returned under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

Southwest Region: Division of Municipal and Residual Waste, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

PAD000736942. Calgon Carbon Corporation, 200 Neville Road, Pittsburgh, PA 15225. Operation of a hazardous waste storage and thermal treatment and

residual waste processing facility for spent activated carbon regeneration in Neville Township, **Allegheny County**. Permit issued in the Regional Office on September 5, 2001.

MUNICIPAL WASTE GENERAL PERMITS

Permits Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit No. WMGM008. Moyer Packing Company, P. O. Box 395, Souderton, PA 18964-0395. General Permit Number WMGM008 for the beneficial use of animal fat/vegetable oil is limited to the beneficial use of restaurant oil and animal fat generated at its facility located in Franconia Township, **Montgomery County**, as an alternative fuel. The general permit was issued by Central Office on September 7, 2001.

General Permit No. WMGM007. The temporary storage of residential septage which facilitates the transfer prior to processing. This is a Statewide general permit.

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

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.

46-0212: Metropolitan Fiber Systems of Philadelphia (630 Clark Street, King of Prussia, PA 19406) on September 6, 2001, for operation of a 2,000 kW Caterpillar 3516 Generator in Upper Merion Township, **Montgomery County**.

46-0037G: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) on September 6, 2001, for operation of a Boiler House in Douglass Township, **Montgomery County**.

46-0037F: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) on September 6, 2001, for operation of a Sources Building 47/101 in Douglass Township, **Montgomery County**.

46-0037E: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) on September 6, 2001, for operation of a Sources Building No. 49 in Douglass Township, **Montgomery County**.

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

39-303-005A: Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9454) on August 30, 2001, for modification of a batch asphalt plant to utilize waste derived liquid fuel at the Wescosville Old Plant in Lower Macungie Township, **Lehigh County**.

39-303-008A: Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9454) issued August 30, 2001 for the modification of a batch asphalt plant to utilize waste derived liquid fuel at the Wescosville New Plant in Lower Macungie Township, **Lehigh County**.

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

06-3029A: Yuasa Battery, Inc. (2901 Montrose Avenue, Reading, PA 19605) on September 5, 2001, for construction of a battery assembly line controlled by a fabric collector at its Reading Plant in Laureldale Borough, **Berks County**. The assembly line is subject to 40 CFR Part 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants.

06-3040A: Quality Investment Castings, Inc. (P. O. Box 100, Blandon, PA 19510-0100) on August 31, 2001, for construction of a burn-off/preheat oven controlled by a thermal oxidizer at its Blandon Plant in Maiden Creek Township, **Berks County**.

36-05067H: C & D Technologies, Inc. (82 East Main Street, Leola, PA 17540) on September 4, 2001, for modification of a lead acid battery manufacturing plant in Upper Leacock Township, **Lancaster County**. This facility is subject to 40 CFR Part 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants.

36-05107B: Pepperidge Farm, Inc. (2195 North Reading Road, Denver, PA 17517) on September 4, 2001, for modification and construction of bakery operations at its Denver Bakery in East Cocalico Township, **Lancaster County**.

67-03058A: Coates Electrographics, Inc. (1160-A Fahs Street, York, PA 17404) on August 27, 2001, for installation of a new toner manufacturing system controlled by four fabric filter dust collectors at its facility in West Manchester Township, **York County**.

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

47-0001B: PPL Montour, LLC (2 North Ninth Street, Allentown, PA 18101-1179) on August 31, 2001, to extend authorization to operate a bituminous coal-fired electric utility boiler (Unit #2) and associated air cleaning device (an electrostatic precipitator) on a temporary basis until December 29, 2001, at the Montour Steam Electric Station in Derry Township, **Montour County**.

47-0001C: PPL Montour, LLC (2 North Ninth Street, Allentown, PA 18101-1179) on August 31, 2001, to extend authorization to operate a bituminous coal-fired electric utility boiler (Unit #2) and associated air cleaning device

(a selective catalytic reduction system) on a temporary basis until December 29, 2001, at the Montour Steam Electric Station in Derry Township, **Montour County**.

17-399-020: Eagle Environmental II, L.P. (11 New Street, Englewood Cliffs, NJ 07632) on August 3, 2001, for construction of a residual waste landfill, mine spoil/coal crushing, screening and conveying operation and associated air cleaning devices (a landfill gas collection and flaring system, a water spray dust suppression system and a water truck) in Chest Township, **Clearfield County**.

55-303-003A: Meckley's Limestone Products, Inc. (RR 1, Box 1682, Herndon, PA 17830) on August 14, 2001, for modification of a batch asphalt concrete plant and associated air cleaning device (a fabric collector) by firing reprocessed oil in addition to virgin #2 fuel oil in Franklin Township, **Snyder County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

17-302-023: DuBois Regional Medical Center (P. O. Box 447, DuBois, PA 15801-0447) on August 14, 2001, for construction of three natural gas/#2 fuel oil-fired 20.92 million BTU/hour boilers equipped with low NOx burners and flue gas recirculation in DuBois Borough, **Clearfield County**. These boilers are subject to Subpart Dc of the Federal Standards of Performance for New Stationary Sources.

08-322-001C: Northern Tier Solid Waste Authority (P. O. Box 10, Burlington, PA 18814-0010) on August 14, 2001, for construction of a 800 kw landfill gas-fired reciprocating internal combustion engine in West Burlington Township, **Bradford County**.

08-0001B: Stroehmann Bakeries, L.C. (North Wilbur and Tuscarora Streets, Sayre, PA 18840) on August 14, 2001, for installation of an air cleaning device (a catalytic oxidizer) on a bread oven (Line I oven) in Sayre Borough, **Bradford County**.

18-00011A: Croda, Inc. (P. O. Box 178, Mill Hall, PA 17751) on August 14, 2001, for construction of 15 volatile organic compound-containing storage tanks in Bald Eagle Township, **Clinton County**. These tanks are subject to Subpart Kb of the Federal Standards of Performance for New Stationary Sources.

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

65-00926A: Crow's Nest Synfuels, LP (13 Elm Street, Cohasset, MA 02025) on August 23, 2001, for operation of a coal prep plant at Bovard in Hempfield Township, **Westmoreland 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, Telephone: (610) 832-6242.

46-0037B: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) on September 4, 2001, for operation of a dust collector on the KTaF Tray in Douglass Township, **Montgomery County**.

46-0115: Knoll, Inc. (1235 Water Street, East Greenville, PA 18041) on September 5, 2001, for operation of a Tornado Dust Collector to exhaust in East Greenville Borough, **Montgomery County**.

46-0005G: Merck & Co., Inc. (770 Sumneytown Pike, West Point, PA 19486) on September 4, 2001, for operation of a NOx Control Device Gas/Oil Turbine in Upper Gwynedd Township, **Montgomery County**.

09-0035B: Coltec Industries (23 Friends Lane, Newtown, PA 18940) on September 6, 2001, for operation of a PTFE Manufacturing Line Lubricant in Newtown Township, **Bucks County**.

46-0134: Hill School, The (717 East High Street, Pottstown, PA 19464) on September 6, 2001, for operation of two boilers in Pottstown Borough, **Montgomery County**.

46-0024: McNeil Consumer Healthcare (7050 Camp Hill Road, Fort Washington, PA 19034) on September 6, 2001, for operation of a dust collection system in Whitmarsh Township, **Montgomery County**.

09-0015A: Rohm and Haas Co. (Route 413 and State Road, Bristol, PA 19007) on September 6, 2001, for operation of a 1.7 mw-hr emergency generator in Bristol Township, **Bucks County**.

23-0001L: Sunoco, Inc. (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on September 6, 2001, for operation of two racing fuel storage tanks in Marcus Hook Borough, **Delaware County**.

46-322-007: Waste Management Disposal Serv. of PA (1425 Sell Road, Pottstown, PA 19464) on September 6, 2001, for operation of a Municipal Solid Waste Landfill in West Pottsgrove Township, **Montgomery County**.

46-0037G: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) on September 6, 2001, for operation of a Boiler House in Douglass Township, **Montgomery County**.

46-0037F: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) on September 6, 2001, for operation of a Sources Building 47/101 in Douglass Township, **Montgomery County**.

46-0031A: SmithKline Beecham Research Company (450 Cresson Road, Oaks, PA 19426) on September 7, 2001, for operation of two emergency generators in Upper Providence Township, **Montgomery County**.

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

19-317-023B: H. J. Heinz Co., L.P. (6670 Low Street, Bloomsburg, PA 17815) on August 28, 2001, to transfer plan approval to install an air cleaning device (a packed bed scrubber) on various wastewater treatment operations from the previous owner, Heinz Pet Products, in South Centre Township, **Columbia County**.

19-317-023C: H. J. Heinz Co., L.P. (6670 Low Street, Bloomsburg, PA 17815) on August 29, 2001, to transfer plan approval to install an air cleaning device (a wet centrifugal collector) on a gravy mixing operation from the previous owner, Heinz Pet Products, in South Centre Township, **Columbia County**.

19-00006A: H. J. Heinz Co., L.P. (6670 Low Street, Bloomsburg, PA 17815) on August 29, 2001, to transfer plan approval to install an air cleaning device (a wet

centrifugal collector) on two meat mixers from the previous owner, Heinz Pet Products, in South Centre Township, **Columbia 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.

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

95-016: Interstate Brands Corp.—Wonder-Hostess (9801 Blue Grass Road, Philadelphia, PA 19114) on September 5, 2001, for operation of a bakery in the City of Philadelphia, **Philadelphia County**. The facility's air emissions' sources include two 33 MMBTU/hr boilers, two 2.8 MMBTU/hr air compressors, 17 <2 MMBTU/hr heaters, three yeast baking ovens, one non-yeast baking oven, one yeast fryer and three non-yeast fryers. The air compressors each have non-selective catalytic reduction (NSCR). Emissions from the yeast baking ovens are controlled by two catalytic oxidizers.

95-044: GATX Terminals Corp. (Allegheny Avenue and Delaware River, Philadelphia, PA 19134) on September 6, 2001, for operation of a petroleum product terminal in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include a 6.7 MMBTU/hr boiler, a 13.4 MMBTU/hr boiler, storage tanks, tank car/truck/marine vessel loading, and fugitive emissions. Storage tanks with vapor recovery and six tank truck loading racks vent to a vapor incinerator. The facility has a carbon adsorption unit as a back-up to the vapor incinerator.

95-018: Gasket Materials Corp. (80-88 Morris Street, Philadelphia, PA 19148) on September 6, 2001, for operation of a gasket manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two adhesive coaters, a hot melt coater, and a solvent cleaning process.

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.

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

47-399-015: TRW, Inc. (601 East Market Street, Danville, PA 17821) on August 17, 2001, for operation of five hot forge presses and associated air cleaning devices five cyclones and five mist eliminators in Danville Borough, **Montour County**.

41-303-008: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on August 21, 2001, for operation of a drum mix asphalt concrete plant and associated air cleaning device (a fabric collector) in Loyalsock Township, **Lycoming County**. This plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

14-313-039: Rutgers Organics Corp. (201 Struble Road, State College, PA 16801) on August 21, 2001, for operation of a chemical process facility (Product 9001) and associated air cleaning devices (various condensers, two packed bed scrubbers and a regenerative thermal oxidizer) in College Township, **Centre County**.

41-305-012: Fisher Mining Co. (P. O. Box 374, Montoursville, PA 17754) on August 29, 2001, for opera-

tion of a coal railcar loading operation in the City of Williamsport, **Lycoming County**.

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

95-064: Philadelphia Baking Co. (Grant Avenue and Roosevelt Boulevard, Philadelphia, PA 19115) on September 5, 2001, for operation of a bakery in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include an 8 MMBTU/hr boiler, a 5 MMBTU/hr boiler, two 3 MMBTU/hr air and heating units, and two oven lines. Emissions from the oven lines are controlled by a catalytic oxidizer.

96-021: The Curtis Center (625 Walnut Street, Philadelphia, PA 19106) on September 4, 2001, for operation of an office building in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include two 14,845,000 BTU/hr boilers that can burn natural gas or #2 fuel oil.

95-048: Jeanes Hospital (7600 Central Avenue, Philadelphia, PA 19111) on September 4, 2001, for operation of a hospital in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include three 304 HP boilers and six emergency generators.

95-066: Perfecseal, Inc. (9800 Bustleton Avenue Philadelphia, PA 19115) on September 4, 2001, for operation of a medical packaging converting facility in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include two 6.7 MMBTRU/hr boilers, one 1 MMBTU/hr boiler, four flexographic printing presses and one drying oven.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, Contact: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-0026: Global Packaging, Inc. (Brower and Montgomery Avenues, Oaks, PA 19456) on September 7, 2001, for Facility VOC RACT in Upper Providence Township, **Montgomery County**.

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 and the NPDES permit application. Mining activity permits issued in response to such 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

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

17860144. Junior Coal Contracting, Inc. (R. R. 3, Box 225A, Philipsburg, PA 16866), transfer of an existing bituminous surface mine permit from Power Operating Co., Inc. located in Decatur Township, **Clearfield County** affecting 324 acres. Receiving stream—unnamed tributary to Moshannon Creek and Shimmel Run. Application received: May 9, 2001. Permit issued: August 29, 2001.

17970118. Junior Coal Contracting, Inc. (R. D. 3, Box 225-A, Philipsburg, PA 16866), revision to an existing bituminous surface mine permit for a Change in Land Use from forestland to pastureland, located in Decatur Township, **Clearfield County**. Receiving stream—Shimel Run. Application received: July 6, 2001. Permit issued: September 4, 2001.

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

30960101 and NPDES Permit No. PA 0201626. C. J. & L. Coal (P. O. Box 133, Jefferson, PA 15344). Continuation of commencement, operation, and reclamation of a bituminous surface mine location in Morgan Township, **Greene County** affecting 136 acres. Receiving streams: unnamed tributary to South Fork of Ten Mile Creek to Ten Mile Creek to Monongahela River. Renewal application received: May 31, 2001. Renewal permit issued: September 4, 2001.

65910104 and NPDES Permit No. PA 0592498. M. B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15717-7960). Continuation for reclamation only of a bituminous surface mine location in Derry Township, **Westmoreland County** affecting 89.2 acres. Receiving stream: an unnamed tributary to Stony Run and McGee Run. Renewal application received: July 18, 2001. Renewal permit issued: September 4, 2001.

65950104 and NPDES Permit No. PA 2013367. Dunamis Resources, Inc. (One Energy Place, Suite 4000, Latrobe, PA 15650-9628). Continuation for commencement, operation, and reclamation of a bituminous surface mine located in Fairfield and Ligonier Township, **Westmoreland County** affecting 111.5 acres. Receiving streams: unnamed tributaries to Hannas Run and unnamed tributaries to Hyprocite Creek. Renewal application received: June 11, 2001. Renewal permit issued: September 4, 2001.

63910102 and NPDES Permit No. PA 0592552. Twilight Industries (Division of U. S. Natural Resources, 212 State Street, Belle Vernon, PA 15012). Continuations for commencement, operation, and reclamation of a bituminous surface mine located in Fallowfield Township, **Washington County** affecting 150 acres. Receiving streams: unnamed tributaries to and including Pigeon Creek. Renewal application received: July 16, 2001. Renewal permit issued: September 5, 2001.

03970101 and NPDES Permit No. PA 0201847. Thomas J. Smith, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774). Continuation for reclamation only of a bituminous surface mine located in Bradys Bend and Sugarcreek

Townships, **Armstrong County** affecting 74.9 acres. Receiving streams: unnamed tributary to the Allegheny River and unnamed tributary to Snyder Run. Renewal application received: August 6, 2001. Renewal application issued: September 5, 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. Permit issued: September 6, 2001.

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

03951601. Keystone Coal Mining Corp. (P. O. Box 219, Shelocta, PA 15774), to renew the permit for the Keystone Cleaning Plant in Plumcreek Township, **Armstrong County**, no additional discharges. Permit issued: August 31, 2001.

32851302. Helvetia Coal Co. (P. O. Box 219, Shelocta, PA 15774), to revise the permit for the Lucerne No. 6E Deep Mine in Blacklick Township, **Indiana County** to revise the existing permit to change the post-mining land use at No. 1 Portal Area to industrial/commercial, no additional discharges. Permit issued: August 31, 2001.

32841302. Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931-0367), to transfer the permit for the Greenwich #1 North/#2 South Mine in Green Township, **Indiana County** to transfer the existing permit from Pennsylvania Mines Corp. to Pennsylvania Mines, LLC, no additional discharges. Permit issued: August 31, 2001.

14831301. Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931-0367), to transfer the permit for the Rushton Mine in Rush Township, **Centre County** to transfer the existing permit from Pennsylvania Mines Corp. to Pennsylvania Mines, LLC, no additional discharges. Permit issued: August 31, 2001.

14743701. Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931-0367), to transfer the permit for the Rushton/Pauline Hollow Coal Refuse Disposal Area in Rush Township, **Centre County** to transfer the permit from Rushton Mining Co. to Pennsylvania Mines, LLC, no additional discharges. Permit issued: August 31, 2001.

32733708. Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931-0367), to transfer the permit for the Greenwich #1 Coal Refuse Disposal Area in Green Township, **Indiana County** to transfer the existing CRDA from Pennsylvania Mines Corp. to Pennsylvania Mines, LLC, no additional discharges. Permit issued: August 31, 2001.

32830701. Pennsylvania Mines, LLC (P. O. Box 367, Ebensburg, PA 15931-0367), to transfer the permit for the Greenwich #2 CRDA in Green Township, **Indiana County** to transfer the existing permit from Pennsylvania Mines Corp. to Pennsylvania Mines, LLC, no additional discharges. Permit issued: August 31, 2001.

Noncoal Permits Issued

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

08000808. William W. Walter, Sr. (R. R. 1, Box 40, Sugar Run, PA 18846), commencement, operation and restoration of a Small Industrial Minerals (Flagstone) permit in Wilmot Township, **Bradford County** affecting 3 acres. Receiving stream—unnamed tributary, tributary to North Branch Susquehanna River. Application received: September 20, 2000. Permit issued: August 28, 2001.

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

04000301. Beaver Valley Slag, Inc. (1150 Brodhead Road, Monaca, PA 15061). Permit issued for commencement, operation and reclamation of a large noncoal surface mine and slag removal site located in Center and Hopewell Townships, **Beaver County**, affecting 253.4 acres. Receiving streams: Black's Run to the Ohio River. Application received: February 24, 2000. Permit issued: August 21, 2001.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P. S. §§ 151—161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

06014001. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in Muhlenberg Township, **Berks County**, expected duration to be 1 year. Permit issued: August 14, 2001.

06014002. H. L. Wilker & Sons (709A Hartman Station Road, Lancaster, PA 17601), construction blasting in Sinking Spring Borough, **Berks County**, expected duration to be 2 years. Permit issued: August 17, 2001.

46014002. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Hilltown Township, **Bucks County**, expected duration to be 1 week. Permit issued: August 10, 2001.

09014001. Rock Work, Inc. (1257 DeKalb Pike, RR 2, Blue Bell, PA 19422), construction blasting in Solebury Township, **Bucks County**, expected duration to be 6 months. Permit issued: July 26, 2001.

09014002. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Ivyland Borough, **Bucks County**, expected duration to be 2 weeks. Permit issued: August 14, 2001.

09014003. Leeward Construction (RR 2 Box 2062, Honesdale, PA 18431), construction blasting for Central Buck Middle School #5 in Plumstead Township, **Bucks County**, expected duration to be 2 weeks. Permit issued: August 15, 2001.

15014001. Explo-Tech/AEEI (401 West High Street, Suite 102, Pottstown, PA 19464), construction blasting in Perkiomen Township, **Chester County**, expected duration to be 1 week. Permit issued: August 7, 2001.

15014002. Rock Work, Inc. (1257 DeKalb Pike, RR 2, Blue Bell, PA 19422), construction blasting in New London Township, **Chester County**, expected duration to be 2 months. Permit issued: August 15, 2001.

15014003. H. L. Wiker & Sons (709A Hartman Station Road, Lancaster, PA 17601), construction blasting in Sadsbury Township, **Chester County**, expected duration to be 2 years. Permit issued: August 17, 2001.

15014004. Brubacher Excavating, Inc. (825 Reading Road, Bowmansville, PA 17507), construction blasting in West Whiteland Township, **Chester County**, expected duration to be 1 year. Permit issued: August 29, 2001.

21014001. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting in Carlisle Borough, **Cumberland County**, expected duration to be 1 year. Permit issued: August 17, 2001.

21014002. Hall Explosives, Inc. (2981 Elizabeth Road, Hershey, PA 17033), construction blasting in Mechanicsburg Borough for Mechanicsburg High School, **Cumberland County**, expected duration to be 1 month. Permit issued: August 17, 2001.

21014003. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting in Shipensburg Township, **Cumberland County**, expected duration to be 2 years. Permit issued: August 29, 2001.

21014004. Brubacher Excavating, Inc. (825 Reading Road, Bowmansville, PA 17507), construction blasting in South Middleton Township for Unilever, **Cumberland County**, expected duration to be 1 year. Permit issued: August 29, 2001.

21014005. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting in Dickinson Township for Greystone Acres, **Cumberland County**, expected duration to be 1 month. Permit issued: September 6, 2001.

21014006. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting in Dickinson Township for Hoffman Homes, **Cumberland County**, expected duration to be 1 month. Permit issued: September 6, 2001.

21014008. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting in Penn Township for S & A Homes, **Cumberland County**, expected duration to be 1 year. Permit issued: September 6, 2001.

23014001. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in Ridley Township for Home Depot, **Delaware County**, expected duration to be 1 year. Permit issued: August 14, 2001.

23014002. Horst Drilling & Blasting Inc. (141 Ranck's Church Road, New Holland, PA 17557), construction blasting in Concord Township, **Delaware County**, expected duration to be 6 weeks. Permit issued: August 15, 2001.

28014001. Charles E. Brake Co., Inc. (P. O. Box 275, St. Thomas, PA 17272), construction blasting in Chambersburg Borough, **Franklin County**, expected duration to be 9 months. Permit issued: August 10, 2001.

28014002. Charles E. Brake Co., Inc. (P. O. Box 275, St. Thomas, PA 17272), construction blasting in Guilford Township, **Franklin County**, expected duration to be 6 months. Permit issued: August 10, 2001.

21084003. Charles E. Brake Co., Inc. (P. O. Box 275, St. Thomas, PA 17272), construction blasting in Guilford Township, **Franklin County**, expected duration to be 7 months. Permit issued: August 10, 2001.

2801004. R. A. Hill, Inc. (P. O. Box 418, Chambersburg, PA 17201), construction blasting in Guilford Township, **Franklin County**, expected duration to be 2 weeks. Permit issued: August 17, 2001.

28014005. Geological Technologies (P. O. Box 1348, Hedgesville, WV 25427), construction blasting in Chambersburg Borough, **Franklin County**, expected duration to be 3 months. Permit issued: September 6, 2001.

28014006. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting for Allegheny Power Plant Project in Guilford Township, **Franklin County**, expected duration to be 3 months. Permit issued: August 29, 2001.

28014007. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting in Greene Township, **Franklin County**, expected duration to be 8 years. Permit issued: August 29, 2001.

28014008. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting for Beechwood Development in Greene Township, **Franklin County**, expected duration to be 5 years. Permit issued: August 29, 2001.

28014009. R & M Excavating (403 Hilltop Road, Newburg, PA 17240), construction blasting for Stonewall Ridge Development in Southampton Township, **Franklin County**, expected duration to be 5 years. Permit issued: August 29, 2001.

35014001. Bob Chilewski Construction, Inc. (RR 2, Box 2381, Factoryville, PA 18419), construction blasting in Scott, **Lackawanna County**, expected duration to be 1 year. Permit issued: August 14, 2001.

35014002. Florey Homes (1190 Winola Road, Clarks Summit, PA 18411), construction blasting in Clarks Summit Borough, **Lackawanna County**, expected duration to be 3 months. Permit issued: August 31, 2001.

36014001. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in West Lampeter Township, **Lancaster County**, expected duration to be 1 year. Permit issued: August 14, 2001.

36014002. Land Mark Builders (1656 West Main Street, Ephrata, PA 17522), construction blasting for Sycamore Acres in Ephrata Township, **Lancaster County**, expected duration to be 5 years. Permit issued: August 7, 2001.

36014003. Keystone Blasting Service (381 Riefsnyder Road, Lititz, PA 17543), construction blasting in East Lampeter Township, **Lancaster County**, expected duration to be 3 years. Permit issued: August 15, 2001.

36014004. Horst Drilling & Blasting Inc. (141 Ranck's Church Road, New Holland, PA 17557), construction blasting in Caernarvon Township, **Lancaster County**, expected duration to be 2 weeks. Permit issued: August 15, 2001.

36014005. H. L. Wiker & Sons (709A Hartman Station Road, Lancaster, PA 17601), construction blasting in

the City of Lancaster, **Lancaster County**, expected duration to be 1 year. Permit issued: August 17, 2001.

36014006. Paul B. Zimmerman (50 Woodcorner Road, Lititz, PA 17543), construction blasting in Clay Township, **Lancaster County**, expected duration to be 1 week. Permit issued: August 28, 2001.

36014007. Gerlach's Drilling & Blasting (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in Ephrata Borough, **Lancaster County**, expected duration to be 6 weeks. Permit issued: August 17, 2001.

36014008. Keystone Blasting Service (381 Riefsnyder Road, Lititz, PA 17543), construction blasting for the Willows East Development in New Holland Borough, **Lancaster County**, expected duration to be 3 years. Permit issued: August 28, 2001.

36014009. ABEL Construction Co., Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting in West Lampeter Township, **Lancaster County**, expected duration to be 6 months. Permit issued: September 6, 2001.

38014001. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in the City of Lebanon, **Lebanon County**, expected duration to be 1 year. Permit issued: August 14, 2001.

38014002. Keystone Blasting Service (381 Riefsnyder Road, Lititz, PA 17543), construction blasting in North Cornwall Township, **Lebanon County**, expected duration to be 5 years. Permit issued: August 15, 2001.

38014003. S. Gerald Musser (1310 Mt. Pleasant Road, Lebanon, PA 17042), construction blasting for East Evergreen Estates in South Lebanon, **Lebanon County**, expected duration to be 4 years. Permit issued: August 28, 2001.

38014004. S. Gerald Musser (1310 Mt. Pleasant Road, Lebanon, PA 17042), construction blasting for Southgate Manor Development in South Lebanon Township, **Lebanon County**, expected duration to be 3 years. Permit issued: August 28, 2001.

38014005. Land Mark Builders (1656 West Main Street, Ephrata, PA 17522), construction blasting for Old Stone Way Development in North Londonderry Township, **Lebanon County**, expected duration to be 4 years. Permit issued: August 28, 2001.

38014006. Keystone Blasting Service (381 Riefsnyder Road, Lititz, PA 17543), construction blasting in North Londonderry Township, **Lebanon County**, expected duration to be 2 years. Permit issued: August 28, 2001.

38014007. Curvin Good (151 Hergelrock Road, Myerstown, PA 17067), construction blasting in Jackson Township, **Lebanon County**, expected duration to be 1 week. Permit issued: August 28, 2001.

48014003. Labrador Construction (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Upper Macungie Township, **Lehigh County**, expected duration to be 6 months. Permit issued: August 15, 2001.

40014001. Rothstein Construction (4A Valley Lane, Mountaintop, PA 18707), construction blasting in Dupont Borough, **Luzerne County**, expected duration to be 1 year. Permit issued: August 28, 2001.

40014002. Explo-Tech/AEEI (600 Baltimore Drive, Wilkes-Barre, PA 18702), construction blasting in Hazle Township, **Luzerne County**, expected duration to be 2 weeks. Permit issued: August 28, 2001.

44014001. HRI, Inc. (Box 135, Ort Valley Road, Lewistown, PA 17044), construction blasting for PennDOT Job #6778-SR22 in Derry and Granville Townships, **Mifflin County**, expected duration to be 2 years. Permit issued: August 28, 2001.

45014001. Elmer Possinger & Sons (257 Rimrock Drive, Stroudsburg, PA 18360), construction blasting in Hamilton Township, **Monroe County**, expected duration to be 1 week. Permit issued: August 14, 2001.

45014002. Labrador Construction (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Stroud Township, **Monroe County**, expected duration to be 1 week. Permit issued: August 30, 2001.

46014001. Explo-Tech/AEEI (600 Baltimore Drive, Wilkes-Barre, PA 18702), construction blasting in Lower Providence Township, **Montgomery County**, expected duration to be 1 week. Permit issued: August 1, 2001.

46014003. Eastern Blasting Co., Inc. (1292 Street Road, New Hope, PA 18938), construction blasting in Montgomery Township, **Montgomery County**, expected duration to be 2 weeks. Permit issued: August 15, 2001.

46014004. Haines & Kibblehouse, Inc. (2052 Lucon Road, Skippack, PA 19474), construction blasting in West Conshohocken Borough, **Montgomery County**, expected duration to be 2 months. Permit issued: August 15, 2001.

46014005. Eastern Blasting Co., Inc. (1292 Street Road, New Hope, PA 18938), construction blasting in Limerick Township, **Montgomery County**, expected duration to be 1 month. Permit issued: August 28, 2001.

46014006. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Lower Providence Township, **Montgomery County**, expected duration to be 2 weeks. Permit issued: August 28, 2001.

46014007. T. H. Properties (345 Main Street, Harleysville, PA 19438), construction blasting in Skippack Township, **Montgomery County**, expected duration to be 2 weeks. Permit issued: August 28, 2001.

46014008. Rock Work, Inc. (1257 DeKalb Pike, RR 2, Blue Bell, PA 19422), construction blasting in Lower Salford Township, **Montgomery County**, expected duration to be 3 months. Permit issued: August 28, 2001.

46014009. Brubacher Excavating, Inc. (825 Reading Road, Bowmansville, PA 17507), construction blasting for Philadelphia Cricket Club in Whitmarsh Township, **Montgomery County**, expected duration to be 1 year. Permit issued: September 6, 2001.

48014001. Labrador Construction (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting for US Foods in Hanover Township, **Northampton County**, expected duration to be 2 weeks. Permit issued: August 7, 2001.

48014002. Labrador Construction (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting for Valley West Estates in Upper Macungie Township, **Lehigh County**, expected duration to be 1 year. Permit issued: August 7, 2001.

48014005. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting for Hanover Crossing Development in Hanover Township, **Northampton County**, expected duration to be 7 months. Permit issued: August 31, 2001.

52014001. Joseph Portela (1611 Park Avenue, Merrick, NY 11566), construction blasting for Wild Acres Housing in Delaware Township, **Pike County**, expected duration to be 1 week. Permit issued: August 30, 2001.

54014001. John Kohutka (640 Seltzer Road, Pottsville, PA 17901), construction blasting in Norwegian Township, **Schuylkill County**, expected duration to be 2 days. Permit issued: September 6, 2001.

55014001. Advanced Concrete Systems (RR 2 Box 147A, Middleburg, PA 17842), construction blasting in Center Township, **Snyder County**, expected duration to be 1 week. Permit issued: August 28, 2001.

58014001. Jason Baker (Rt. 29, Springville, PA 18844), construction blasting in Springville Township, **Susquehanna County**, expected duration to be 2 days. Permit issued: August 7, 2001.

64014001. Northeast Building (RR 6 Box 6692, Honesdale, PA 18431), construction blasting in Damascus Township, **Wayne County**, expected duration to be 3 days. Permit issued: August 15, 2001.

67014001. Equire Meadows Assoc. (3360 Cape Horn Road, Red Lion, PA 17356), construction blasting in York Township, **York County**, expected duration to be 1 week. Permit issued: August 7, 2001.

67014002. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in East Manchester Township, **York County**, expected duration to be 8 months. Permit issued: September 6, 2001.

67014003. DOLI Construction Corp. (120 Independence Lane, Chalfont, PA 18914), construction blasting in Berwick Township, **York County**, expected duration to be 1 year. Permit issued: September 6, 2001.

64014004. Fitz & Smith, Inc. (483 East Locust Street, P. O. Box 178 Dallastown, PA 17313), construction blasting in West Manchester Township, **York County**, expected duration to be 2 weeks. Permit issued: August 30, 2001.

67014005. Fitz & Smith, Inc. (483 East Locust Street, P. O. Box 178 Dallastown, PA 17313), construction blasting for Asbury Point Phase III Subdivision in East Manchester Township, **York County**, expected duration to be 15 days. Permit issued: August 30, 2001.

67014006. E. G. Stoltzfus, Jr., Inc. (474 Mt. Sidney Road, Lancaster, PA 17602), construction blasting for Monarch Ridge Development in Windsor Township, **York County**, expected duration to be 4 years. Permit issued: September 6, 2001.

15014008. Explo-Services, Inc. (P. O. Box 164, East Earl, PA 17519), construction blasting in East Whiteland Township, **Chester County**, expected duration to be 10 months. Permit issued: September 7, 2001.

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

04014002. Mashuda Corporation (21101 Route 19, Cranberry Township, PA 16066). Blasting activity permit issued for a road construction project located in New

Sewickley Township, **Beaver County**, specifically SR 2004 Section 805 and 006. Expected duration of blasting is six days. Permit issued: September 6, 2001.

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

31014001. New Enterprise Stone & Lime Company, Inc. (P. O. Box 77, New Enterprise, PA 16664), construction activity in Morris Township, **Huntingdon County** along S.R. 6022 in Water Street and expected duration 300 days. Permit Issued August 29, 2001.

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

10014001. T. A. Ward (1405 McLaughlin Run Road, Pittsburgh, PA 15241-3199). Blasting activity permit to blast at Victory Road Business Park in Clinton Township, **Butler County** for 5 days. Application received: September 6, 2001. Application issued: September 6, 2001.

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.

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

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

E45-409. TYKA, Ltd. Land Development, R. R. 5, Box 5241G, Stroudsburg, PA 18360, Smithfield Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a sanitary sewer line stream crossing of a tributary to Sambo Creek consisting of a 4-inch diameter PVC pipe in a 6-inch diameter steel conduit pipe attached to an 18-inch steel beam supported by concrete abutments. The structure has a span of approximately 25 feet and underclearance of approximately 4 feet and is located on the north side of S.R. 0209, approximately 0.35 mile west of Township Road T536 (Airport Road). (East Stroudsburg, PA Quadrangle N: 5.2 inches; W: 4.9 inches).

E35-336. Lackawanna County Railroad Authority, 701 Wyoming Avenue, Scranton, PA 18509-3017. City of Scranton and Borough of Moosic, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To repair and maintain four existing bridges and one existing culvert, in and across Roaring Brook, Stafford Meadow Brook and a tributary to Stafford Meadow Brook, for the purpose of restoring train and trolley service along the Laurel Line between the trolley museum and the Lackawanna County Visitor's Center. Work will include replacement of the superstructures and bearings of four bridges, reinforcement of the roof of a concrete culvert, repointing stone masonry and repairing concrete abutments/piers, and placing riprap scour protection around abutments and piers. The project begins at a point approximately 0.4 mile northwest of Interchange 53 of Interstate 81 (at the railroad bridge across Roaring Brook), and extends in a southwesterly direction along the existing railroad alignment for approximately 3 miles. (Scranton, PA Quadrangle N: 4.6 inches; W: 3.8 inches).

E48-296. Northampton County, Seventh and Northampton Streets, Easton, PA 18042. Upper Mount Bethel Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a 20-foot x 7-foot reinforced concrete box culvert having a 6-inch culvert depression in a tributary to Allegheny Creek. The bridge, known as County Bridge No. 183, is located along Township Road T712 (Hemlock Drive), approximately 0.1 mile north of its intersection with T687. (Belvidere, NJ-PA Quadrangle N: 20.3 inches; W: 15.1 inches).

E48-299. Northampton County, 669 Washington Street, Easton, PA 18042. Lower Nazareth Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a prestressed concrete box beam bridge having a normal span of 40 feet and an underclearance of 9.5 feet across Monocacy Creek. The bridge is known as County Bridge No. 102 and is located along Township Road T436 (Georgetown Road), approximately 500 feet north of Hanoverville Road (Nazareth, PA Quadrangle N: 11.8 inches; W: 14.4 inches).

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

E14-397. College Township, 1481 East College Avenue, State College, PA 16801. Slab Cabin Run Footbridge, in College Township, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 10.3 inches; W: 10.6 inches).

To construct, operate and maintain a single span wooden footbridge across Slab Cabin Run to provide pedestrian access in a public recreation area. The single span footbridge shall be constructed with a minimum span of 24-feet, underclearance of 5.7-feet and width of 3.8-feet. The footbridge construction is located along southern right-of-way of SR 0322 approximately 200-feet east of SR 0026 and SR 0322 intersection. This permit was issued under § 105.13(e) "Small Projects."

E19-218. John Beck, Supervisor, Greenwood Township, 90 Shed Road, Millville, PA 17846. Culvert Replacement, in Greenwood Township, **Columbia County**, ACOE Susquehanna River Basin District (Bloomsburg, PA Quadrangle N: 22.1 inches; W: 16.6 inches).

To a) remove existing 60-inch metal pipe, b) construct and maintain a precast concrete box culvert with a clear span of 14 feet and a minimum underclearance of 4 feet in Mud Run, c) temporarily construct and maintain a concrete, sand bag diversion dike and relocated stream channel at the existing culvert site, all of which are located 0.7 mile south of SR 0254 on T-526 (Camp Victory Road). This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E41-486. Robert Cohick, P. O. Box 419, Salladasburg, PA 17740. Stream bank stabilization, in Salladasburg Borough, **Lycoming County**, ACOE Baltimore District (Salladasburg, PA Quadrangle N: 4.85 inches; W: 13.7 inches).

To construct, operate and maintain 360 linear feet of stream bank stabilization by installing four rock deflectors, armoring the bank with R-5 and R-6 riprap and removing a gravel bar located on the left side of the channel of Larry's Creek. This project is located .5 mile east on SR 973 from the intersection with SR 287, behind Cohicks Trading Post. This permit was issued under Section 105.13. This permit also includes 401 Water Quality Certification.

E49-250. Pennsylvania Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. Water Obstruction and Encroachment Joint Permit Application, in Lewis Township, **Northumberland County**, ACOE Susquehanna River Basin District (Muncy, PA Quadrangle N: 1.0 inch; W: 6.1 inches).

To remove existing structure and construct and maintain a single span prestressed adjacent box beam bridge having a span of 37 feet, and a minimum underclearance of 4.83 feet with a skew of 90° in Warrior Run located 400 feet along SR 1008, west of the intersection of SR 1007 north and SR 1008.

E55-159. Pennsylvania Department of Transportation, 715 Jordan Avenue, Montoursville, PA, 17754. Dry Run crossing, in Centre Township, **Snyder County**, ACOE Baltimore District (Middleburg, PA Quadrangle N: 16.5 inches; W: 6 inches).

To remove the existing single span arch structure and construct, operate and maintain a single span adjacent box beam concrete bridge. This structure will have a span of 40 feet and a design underclearance of 6.5 feet. This permit also authorizes a temporary roadway constructed of four 48 inch culvert pipes and associated fill.

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

E02-993-A1. Township of McCandless, 995 Grubbs Road, Wexford, PA 15090. McCandless Township, **Allegheny County**, ACOE Pittsburgh District.

To place and maintain fill in 0.11 acre of additional wetlands (PEM/PSS), to restore and maintain 0.24 acre of wetlands (PSS), to construct and maintain a 24-inch diameter outfall structure along the left bank of Pine Creek (CWF), to construct and maintain 0.35 acre of replacement wetlands (PSS) and to place and maintain fill in the floodplain and on the left bank of said stream for the purpose of constructing an access road (Early Drive). The restored and replacement wetlands will compensate for unauthorized wetland fill placed by previous owner. The project is located on the north side of Blazier Drive, just north from the intersection of Blazier Drive and Ingomar Road (Emsworth, PA Quadrangle N: 17.0 inches; W: 3.5 inches).

E02-1329. Billy J. Marzec, 1237 Laurel Hill Drive, West Homestead, PA 15120. West Mifflin Borough, **Allegheny County**, ACOE Pittsburgh District.

To operate and maintain two existing 36-inch culverts 200-feet long, to construct and maintain a parallel 48-inch culvert 200 feet long, to construct and maintain an elevated 36-inch culvert 80 feet long and to construct and maintain an 18-inch storm water culvert outfall in Thompson Run Creek (WWF), to provide additional capacity to the existing stream enclosure. The project is located in the northeast corner of Buttermilk Hollow Road and Thompson Road intersection (Glassport, PA Quadrangle N: 20.1 inches; W: 4.5 inches).

E04-266-A1. Pennsylvania Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. New Sewickley Township, **Beaver County**, ACOE Pittsburgh District.

To amend Permit No. E04-266, construct and maintain a twin cell con span structure with a span of 16 feet, and underclearance of 4.6 feet in lieu of the twin cell rigid frame bridge having two clear spans of 15 feet and a maximum underclearance of 4.6 feet across Crows Run. (Baden, PA Quadrangle Begins: N: 9.3 inches; W: 5.3 inches and Ends at N: 9.6 inches; W: 9.5 inches).

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01-08-001	Mary Maryott Osram Sylvania Hawes Street Towanda, PA 18848	Bradford	Towanda	2 ASTs storing Hydrochloric Acid	25,000 gallons each
01-51-008	Vahe Hovsepien Philadelphia Water Department 1101 Market Street Philadelphia, PA 19107	Philadelphia	Philadelphia	6 ASTs storing 25% Sodium Hydroxide	29,600 gallons each

[Pa.B. Doc. No. 01-1727. Filed for public inspection September 21, 2001, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on DEP's website (www.dep.state.pa.us) at the Public Participation Center 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, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes To Technical Guidance Documents

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

Changes to Existing Technical Guidance Identification Numbers—Division of Storage Tanks

In response to Departmental reorganization approved in March 2001, the Division of Storage Tanks was transferred from the Bureau of Watershed Conservation to the Bureau of Land Recycling and Waste Management (BLRWM). As a result of this reorganization, it is necessary to transfer those technical guidance documents under the Division of Storage Tanks to the BLRWM's technical guidance document inventory. To accomplish this task, the first three digits of each document's identification number will simply be changed from "393" to "257." The remaining 7 digits of the document's identification number do not have to be changed and will remain

the same. These documents are on DEP's website (www.dep.state.pa.us) at the Public Participation Center page, see Final Technical Guidance, BLRWM.

Draft Technical Guidance—Substantive Revision

DEP ID: 563-2000-001 Title: Government-Financed Construction Contracts Description: This revised document clarifies and defines the procedures for the authorization of incidental and necessary coal extraction and for the utilization of excess spoil from an active mine for reclamation of abandoned mines under a government-financed construction contract. Anticipated Effective Date: November 10, 2001 Comment Period Ends: October 23, 2001 Contact: Evan Shuster at (717) 783-4675, or e-mail eshuster@state.pa.us.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 01-1728. Filed for public inspection September 21, 2001, 9:00 a.m.]

Radiation Protection Advisory Committee; Meeting Cancelled

The Radiation Protection Advisory Committee's (RPAC) October 4, 2001, meeting has been cancelled. The next meeting will be held in 2002. A schedule of RPAC meetings for 2002 will be announced in the *Pennsylvania Bulletin* in December 2001.

For further information, contact L. Ray Urciuolo at (717) 787-3720 or lurciuolo@state.pa.us.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1729. Filed for public inspection September 21, 2001, 9:00 a.m.]

Temporary Emergency Permit Modifications; Municipal Waste Processing and Disposal Facilities

The Department of Environmental Protection has modified municipal waste processing and disposal facility permits on an emergency and temporary basis, as neces-

sary, to manage the municipal waste backlogs and demolition waste generated by the terrorist attacks of September 11, 2001, in order to prevent a public health or environmental emergency. These modifications are limited to the temporary extension of operating hours, operating days, and increases in maximum and average daily volume at the facilities and were made in response to written request by the permittee.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1730. Filed for public inspection September 21, 2001, 9:00 a.m.]

Wetland Replacement Project

The Department of Environmental Protection (Department) has approved the following wetland restoration projects for funding under the Pennsylvania Wetland Replacement Project (PWRP). The PWRP is a jointly managed fund between the Department and the National Fish and Wildlife Foundation established to offset wetland losses. Construction for the following projects is anticipated in 2001. Further information may be obtained by contacting Kelly Heffner, Department of Environmental Protection, Division of Waterways, Wetlands and Erosion Control, P. O. Box 8775, Harrisburg, PA 17105-8775; (717) 787-6827 or e-mail Kheffner@state.pa.us.

Project No. S07H67-001

Sponsored by Jean Clegg, the primary objective of the 0.5-acre scrub-shrub wetland restoration in the Codorus Creek watershed is wildlife habitat. The project involves the construction of a small berm and planting of various native shrub species to attract waterfowl. The project is located in Heidelberg Township, York County.

Project No. S11D05-001

Sponsored by Glenn Brumbaugh, the primary objective of the 2-acre emergent wetland restoration in the Yellow Creek watershed is wildlife habitat. Two small berms will be constructed between uplands and seasonally saturated wetlands to add a new habitat and attract waterfowl to the area. The project is located in Hopewell Township, Bedford County.

Project No. S11C05-002

Sponsored by Mary Jo Casalena, the primary objective of the 0.7-acre emergent wetland restoration in the Dunning Creek watershed is wildlife habitat. A small berm will be constructed between the creek and upland area to provide additional habitat for waterfowl. The project is located in Bedford Township, Bedford County.

Project No. P13A05-003

Sponsored by Wayne Shaffer, the primary objective of the 0.5-acre emergent wetland restoration in the Wills Creek watershed is wildlife habitat. The project consists of the construction of a small berm to convert a small pasture area to wetland. The project is located in Londonderry Township, Bedford County.

Project No. S11D31-003

Sponsored by Allen Walker, the primary objective of the 0.4-acre emergent wetland restoration is wildlife habitat. A secondary benefit will be water quality improvements. The wetland will be created by constructing a small berm within a pastoral area. The project is located near Three Springs, Huntingdon County.

Project No. D03F51-001

Sponsored by the Morris Arboretum, the primary objective of the 1.7-acre emergent/scrub-shrub wetland restoration is education. The restoration will be accomplished through the construction of a small berm and the disruption of a terra cotta tile drain system. Arboretum staff will plant native species and develop a walking trail and educational materials. The project is located in Philadelphia City, Philadelphia County.

Project No. S07D38-001

Sponsored by the Lebanon County Vocational Technical School and the Quitapahilla Watershed Group the primary objective of the 2.0-acre emergent wetland restoration is education. The site will be used jointly by four different school districts for all grade levels. The wetland will be restored by removing top soil and exposing groundwater. Students from the Vocational Technical will construct a pavilion to facilitate class work. Native species will be planted and local teachers will assist in curriculum development. The project is located in South Lebanon Township, Lebanon County.

Project No. D01F48-001

Sponsored by the Easton School District, the primary objective of the 3.0-acre emergent/scrub-shrub wetland restoration is education and water quality improvement and the provision of an aquatic ecosystem. The wetland will be created through the construction of a small berm. Students will assist in planting native species. The project is located in Palmer Township, Northampton County.

Project No. S09C14-001

Sponsored by the University Joint Authority, the primary objective of the 0.5-acre emergent wetland is to increase wildlife habitat. The wetland will be created by the construction of a small berm. The project is located in Benner Township, Centre County.

Project No. S07K36-002

Sponsored by the landowners adjacent to the West Branch Octoraro Creek and the Octoraro Creek Watershed Association, the primary purpose of the project is stream restoration including habitat improvement, erosion control and channel stabilization. A secondary benefit is the creation of 6 acres of emergent wetland as a result of the excavation needed to complete the stream restoration. The wetlands will work in conjunction with the stream restoration to also improve water quality in the Octoraro Creek watershed. The project is located in Colerain and Little Britain Townships, Lancaster County.

Project No. D03D46-001

Sponsored by the Borough of Pottstown, the primary objectives of the 0.8-acre emergent wetland restoration in the Pottstown Memorial Park is passive recreation and environmental education. The wetlands will be restored by removing fill placed in the wetland prior to 1975. The site is located in the Manatawny Watershed, Pottstown Borough, Montgomery County.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1731. Filed for public inspection September 21, 2001, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Altoona Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Altoona Hospital has requested an exception to 28 Pa. Code § 153.1 (relating to minimum standards).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1732. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of Carlisle Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Carlisle Regional Medical Center has requested an exception to 28 Pa. Code § 51.3 (relating to notification).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1733. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of Community Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Community Medical Center has requested an exception to 28 Pa. Code § 51.3 (relating to notification).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1734. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of Delaware Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Delaware Memorial Hospital has requested an exception to 28 Pa. Code § 137.21(b)(5) (relating to policies and procedures).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1735. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of Geisinger Healthsouth Rehab Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Geisinger Healthsouth Rehab Hospital has requested an exception to 28 Pa. Code § 107.2 (relating to medical staff membership).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1736. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of J. C. Blair Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that J. C. Blair Memorial Hospital has requested an exception to 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717)

783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1737. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of Memorial Hospital York for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Memorial Hospital York has requested an exception to 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1738. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of Mercy Hospital, Scranton for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Mercy Hospital, Scranton has requested an exception to 28 Pa. Code § 135.15 (relating to surgical specimens).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1739. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of Reading Hospital and Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Reading Hospital and Medical Center has requested an exception to 28 Pa. Code § 51.23 (relating to positron emission tomography).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1740. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of Soldiers & Sailors Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Soldiers & Sailors Memorial Hospital has requested an exception to 28 Pa. Code § 51.6 (relating to identification of personnel).

The request is on file with the Department. Persons may receive a copy of a request for exception by request-

ing a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and /or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1741. Filed for public inspection September 21, 2001, 9:00 a.m.]

Application of UPMC Horizon for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that UPMC Horizon has requested an exception to 28 Pa. Code § 153.1 (relating to minimum standards).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Acute and Ambulatory Care, Department of Health, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, Fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6514 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1742. Filed for public inspection September 21, 2001, 9:00 a.m.]

EMT-Paramedic Testing Procedure

Under section 11(d)(1)(ii) and (iii) of the Emergency Medical Services Act (35 P. S. § 6931(d)(1)(ii) and (iii)), and 28 Pa. Code § 1003.24 (relating to EMT-paramedic), effective October 1, 2001, the Department of Health (Department) is adopting the written EMT-Paramedic Examination of the National Registry of Emergency Medical Technicians (National Registry) as the Department's written examination for EMT-paramedic certification in this Commonwealth, and the EMT-Paramedic Practical Examination of the National Registry as the Department's practical skills examination for EMT-paramedic certification in this Commonwealth.

Individuals testing under the EMT-paramedic examination currently administered by the Department who do not successfully pass that examination prior to October 1, 2001, will be eligible to test three times between October 1, 2001, and December 15, 2001, on a written transition examination administered by the Department, if they choose not to take the National Registry examinations during that period. During this transition period, these individuals will not be required to take a separate practical skills examination. Individuals who do not successfully complete the transition examination during this transition period will be eligible to test under the National Registry process.

Individuals with questions on the testing process may contact the EMS training institute conducting the EMT-paramedic training program in which they are enrolled or the regional EMS council in their area. A list of regional EMS councils can be found on the Department's website under the Emergency Medical Services quick link at www.health.state.pa.us.

EMT-paramedic certifications issued under the Emergency Medical Services Act are permanent. Consequently, persons certified by the Department as EMT-paramedics based upon their passing the National Registry examinations will not be required to maintain National Registry certification to maintain their EMT-paramedic certifications in this Commonwealth. EMT-paramedics will need to satisfy the continuing education requirements imposed by the Department's regulations, not the National Registry continuing education requirements, to maintain and renew medical command authorization in this Commonwealth.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact S. Gail Dubs, Department of Health, Emergency Medical Services Office, Room 1032, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-0874. 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. 01-1743. Filed for public inspection September 21, 2001, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Receipt of Applications for Participation in Section 5310 Program (formerly known as Section 16 Program)

The Department of Transportation, Bureau of Public Transportation, under the authority contained in Section 5310 of the Federal Transit Laws, 49 U.S.C. § 5310, gives notice that it will receive applications for the State-administered Section 5310 Program. Under this program, private non-profit organizations and designated public bodies may apply for Federal capital assistance to fund up to 80% of the purchase cost of new wheelchair accessible small transit vehicles and other equipment used to provide needed transportation services for senior citizens and persons with disabilities who cannot reasonably be accommodated by existing transportation providers. A Guidelines and Procedures package containing all application forms can be obtained by calling the Bureau of Public Transportation at (717) 787-7540. The initial filing deadline for the Program is November 1, 2001. Questions, comments, or suggestions may be directed to Ben Brosius, Section 5310 Program Manager, P. O. Box 3151, Harrisburg, PA 17105-3151, telephone number (717) 787-7540.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-1744. Filed for public inspection September 21, 2001, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Jai Ambe, Inc. v. DEP; EHB Doc. No. 2001-197-L

Jai Ambe, Inc., has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in Sugarloaf Township, Luzerne County.

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

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

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

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 01-1745. Filed for public inspection September 21, 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, September 6, 2001, and took the following action:

Regulation Approved:

State Board of Landscape Architects #16A-615: Application Fees (amends 49 Pa. Code Chapter 15).

Approval Order

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

Public Meeting held
September 6, 2001

*State Board of Landscape Architects—Application Fees;
Regulation No. 16A-615*

On July 30, 1999, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Landscape Architects (Board). This rulemaking amends 49 Pa. Code Chapter 15. The proposed regulation was published in the August 14, 1999 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on August 14, 2001.

This final-form rulemaking adjusts three fees and creates two new fees to cover costs of services provided by the Board. The Board estimates that approximately 75 people will use these services annually. The Board estimates that the total cost of this regulation, for services with increased fees, will be approximately \$2,000. The Board is also making language revisions for consistency with the Landscape Architects' Registration Law.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 905(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-1746. Filed for public inspection September 21, 2001, 9:00 a.m.]

Notice of Comments Issued

Section 5(d) and (g) of the Regulatory Review Act (71 P. S. § 745.5(d) and (g)) provides that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committees' comment period. The Commission's Com-

ments are based upon the criteria contained in subsection 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
12-57	Department of Labor and Industry Uniform Construction Code Training and Certification for Code Administrators	09/07/01	08/06/03

(31 Pa.B. 3543 (July 7, 2001))

Department of Labor and Industry Regulation No. 12-57

Uniform Construction Code Training and Certification for Code Administrators September 7, 2001

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Department of Labor and Industry (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by August 6, 2003, the regulation will be deemed withdrawn.

1. General—Fiscal impact; Reasonableness; Clarity.

This regulation establishes training and certification requirements for all code administrators in this Commonwealth. Commentators have stated that the number of certifications required and the amount of training involved will place a financial burden on small municipalities to maintain a qualified code administrator.

The regulation is silent as to whether municipalities will be able to share a code administrator. Any financial burden that the regulation places on municipalities could be eased through the ability to share a code administrator. The regulation should allow a shared code administrator.

2. Section 401.1. Definitions.—Consistency with statute; Clarity.

This section defines two terms that are also defined in the Pennsylvania Uniform Construction Code Act (Act). We object to the definitions of the following terms that differ from the Act: "code administrator," and "construction code official." The final-form regulation should cross-reference these definitions to the Act. If the Department does not use the statutory definitions in the final-form regulation, it should justify the changes.

Third-party agency

The term, "third-party agency" is used throughout this regulation but is not defined. To eliminate confusion, this term should be defined in Section 401.1.

Current code administrator

The definition of this term applies to individuals who performed plan review of construction documents and inspections of one-family or two-family residential build-

ings or nonresidential buildings prior to the effective date of this regulation. Does the definition of “current code administrator” only pertain to employees of third-party agencies, or does the definition apply to anyone who is currently performing code administration?

3. Section 401.2. Fees.—Clarity.

This section establishes the fees for “initial certification and registration,” “certification renewal,” “third-party agency certification” and “photo identification replacement.” How were the fees determined?

4. Section 401.5. Waivers.—Clarity.

Subsection (a)

We have two questions pertaining to Subsection (a). First, Subsection (a)(2)(i) states that one of the conditions under which the Department can grant a waiver is, “evidence of continued employment in the related field.” Does the term “employment” refer specifically to inspection employment, or does it also include construction or installation employment?

Second, in Subsection (a)(2)(iii), the applicant must show “evidence of substantial education in associated fields.” What will qualify as “substantial education”? The final-form regulation should include the minimum education standards.

Subsection (b)

This subsection requires an applicant to submit the required waiver application fee along with a waiver application. What is the “required application fee”? In the final-form regulation, the waiver application fee should be added to Section 401.2. Fees and cross-referenced in this subsection.

5. Section 401.6. Certification categories and testing.—Reasonableness, Clarity.

This section states, “The Department will accept the following category examinations administered by the Department, the National Certification Program for Construction Code Inspectors, Assessment Services, Inc., and the National Association of Elevator Safety Authorities.” We have identified four areas of concern.

First, the Certified Building Official Certification is not listed. Commentators note that this certification is recognized by the Building Officials and Code Administrators International organization. Why is this certification not included in the proposed regulation?

Second, this section states that the Department will also recognize “other Nationally-recognized testing programs.” How will an applicant know if a test has the Department’s approval?

Third, commentators have suggested that the separate testing requirements for elevator inspectors, conveying systems inspectors, belt manlift inspectors and passenger ropeway inspectors are duplicative. Could these certifications be consolidated?

Finally, there are 22 categories for which an inspector must obtain certification to continue performing inspections in his or her current position. Will an inspector who becomes qualified to be a commercial inspector also be qualified to inspect residential structures?

6. Section 401.8. Certification renewal.—Clarity.

Subsection (b) lists the items that an applicant must submit to renew a certification. Included in the list is a “completed Department-provided renewal form.” Will the Department mail the renewal form, or a notification that

renewal is required, prior to the expiration of each code administrator’s certifications? If not, how will the applicant obtain the “Department-provided renewal form”? Will each code administrator be responsible for tracking the renewal dates for each of his or her certifications?

Additionally, Subsection (b) references the required fee for renewal. The fee for certification renewal is contained in Section 401.2 Fees. This subsection should contain a cross reference to the fee in Section 401.2.

7. Section 401.9. Continuing education.—Clarity.

Under Paragraphs (c)(5) and (c)(6), completion of an examination for a new certification category and attendance at a model code organization code change hearing qualify as acceptable continuing education courses. However, the regulation does not list the number of continuing education credits that will be awarded for completion of these activities. The final-form regulation should specify the continuing education credits for examinations and code change hearings.

8. Section 401.10. Department-approved providers.—Clarity.

Subsection (b) states, “The Department will approve additional providers who demonstrate competency to provide approved continuing education programs.” How will code administrators and construction code officials be notified of additional approved providers? This information should be included in the final-form regulation.

9. Section 401.13. List of code administrators.—Clarity.

This section provides that the Department will maintain a list of certified code administrators which will be available to the public and municipalities. For clarity, the final-form regulation should state how the public and municipalities can access the list.

10. Section 401.14. Decertification or refusal to certify.—Clarity.

Subsection (c)

Paragraph (c)(4) requires the presiding officer in a decertification hearing to issue a proposed report that is served upon the counsel of record or the parties to the hearing. The presiding officer is required to “promptly transmit the proposed report and certified record to the Secretary.” The phrase “promptly transmit” is vague. The final-form regulation should include the maximum time period within which the report must be transmitted to the Department.

Subsection (e)

Under Paragraph (e)(2), a code administrator that has been convicted of a felony or a crime related to code enforcement, must demonstrate that he is “fully rehabilitated” before the Department will reinstate his certification. The regulation, however, contains no criteria for determining when full rehabilitation occurs. The standards that must be met to comply with the requirement for full rehabilitation should be included in the final-form regulation.

11. Section 401.15. Registration of current code administrators.—Reasonableness; Clarity.

Time periods for current code administrators to comply with the regulation

Subsection (a) grants current code administrators engaged in plan review or inspection of one-family or two-family dwellings 3 years from the effective date of this rulemaking to comply with the training and certifica-

tion requirements. Subsection (b) establishes a 5-year time period for current code administrators engaged in plan review or inspection of buildings that are not one-family or two-family dwellings.

Section 701(e)(1) of the Act directs the Department to establish time periods between 3 and 7 years for code administrators for one-family or two-family residential structures, and between 5 and 10 years for code administrators for all other building structures. The Department has elected to use the minimum time frames authorized by the Act. We have several questions with this approach.

First, commentators have raised concerns that the time periods in the proposed regulation may be insufficient for current code administrators to obtain the required training and certifications. Why has the Department opted to adopt the minimum time frames authorized by the Act? Additionally, can current code administrators reasonably be expected to comply with the training and certification requirements in the proposed regulation within these time periods?

Also, can a current code administrator leave the employment of one municipality to work for another municipality within the 3 or 5-year time period without losing the current code administrator status? Or will the administrator be required to meet the training and certification requirements as soon as he or she changes employment?

Subsection (d)

Under this subsection, the Department will issue a photo identification card to a current code administrator who "pays the required fee." The fee for a photo identification card is not specified here or in Section 401.2. Fees. In the final-form regulation, the fee for the identification card should be included in Section 401.2 and cross-referenced in this subsection.

Subsection (f)

This subsection references "a required fee for issuance of a new photo identification card." The fee for a photo identification replacement is contained in Section 401.2 Fees. This subsection should contain a cross-reference to the fee in Section 401.2.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-1747. Filed for public inspection September 21, 2001, 9:00 a.m.]

INSURANCE DEPARTMENT

Aetna US Healthcare; Rate Filing

On September 4th, 2001, Aetna US Healthcare submitted filings for an increase in the commercial HMO rates in its HMO-PA, Pittsburgh and Central/Northeastern service areas.

The increases by Service area are shown below.

<i>Service Area</i>	<i>Rate Increase</i>	<i>Members Affected</i>	<i>Additional Annual Income</i>
SEPA/ BERKS			
Medical	23.3%	319,000	\$136 million
Pharmacy	57.9%	287,000	\$75 million

<i>Service Area</i>	<i>Rate Increase</i>	<i>Members Affected</i>	<i>Additional Annual Income</i>
PITTS/WEPA			
Medical	28.0%	71,000	\$34 million
Pharmacy	42.7%	64,000	\$14 million
CEPA/NEPA			
Medical	23.9%	74,000	\$25 million
Pharmacy	124.9%	66,000	\$21 million

The requested effective date of the change is January 1st, 2002.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office, Pittsburgh Regional Office, Erie Regional Office and Philadelphia Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1748. Filed for public inspection September 21, 2001, 9:00 a.m.]

Liberty Mutual Fire Insurance Company; Homeowners Rate Filing

On September 6, 2001, the Insurance Department received from Liberty Mutual Fire Insurance Company a filing for a proposed rate level and rules change for homeowners insurance.

The company requests an overall 9.4% increase amounting to \$1,996,000 annually, to be effective December 18, 2001.

Unless formal administrative action is taken prior to November 5, 2001, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, (e-mail: xlu@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1749. Filed for public inspection September 21, 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 auto-

mobile policy. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

The administrative hearings will be held in the Insurance Department's offices in Pittsburgh and Philadelphia, 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 Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Patricia Henson; file no. 01-210-03190; Encompass Insurance; doc. No. PH01-08-035; December 7, 2001, at 9 a.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 Romelino Dourado; file no. 01-181-05634; GEICO; doc. No. PI01-08-032; January 4, 2002, at 9 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claim files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse and insure 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. 01-1750. Filed for public inspection September 21, 2001, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine & Spirits Shoppe #0211, 354 Northtowne Square, 5600 Route 8, Gibsonia, PA 15044-9552.

Lease Expiration Date: August 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space in a shopping center environment. Storeroom to be located on Route 8 within 1 mile of the intersection with Route 910 in Richland Township.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Joseph Molhoek, (412) 565-5130

Allegheny County, Wine & Spirits Shoppe #0214, The Water Works, 974 Freeport Road, Pittsburgh, PA 15238-3123.

Lease Expiration Date: February 29, 2004

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 13,000 to 15,000 net useable square feet of new or existing retail commercial space in a shopping center environment. Storeroom to be located on Freeport Road within 1 mile of the intersection with Fox Chapel Road.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Joseph Molhoek, (412) 565-5130

Beaver County, Wine & Spirits Shoppe #0401, 1009 7th Avenue, Beaver Falls, PA 15010-4539.

Lease Expiration Date: May 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 to 2,500 net useable square feet of new or existing retail commercial space with rear door loading serving the Beaver Falls area.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: George Danis, (412) 565-5130

Clarion County, Wine & Spirits Shoppe #1601, 800 Center, 845 Main Street, Clarion, PA 16214-1124.

Lease Expiration Date: August 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space serving the Clarion Central Business District. Off-street parking and good loading facilities are preferred.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Tom Deal, (412) 565-5130

Erie County, Wine & Spirits Shoppe #2504, 10720 W. Main Street, North East, PA 16428-2228.

Lease Expiration Date: August 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,200 net useable square feet of new or existing retail commercial space fronting U.S. Route 20 West of State Route 89 serving the North East area. Must have free, off-street paved parking and rear tractor-trailer delivery access.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

Huntingdon County, Wine & Spirits Shoppe #3102, 25 W. Water Street, Mt. Union, PA 17066-1272.

Lease Expiration Date: July 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,600 net useable square feet of new or existing retail commercial space serving the Mt. Union area. Space should have free, off-street paved parking and rear tractor-trailer delivery access.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

Indiana County, Wine & Spirits Shoppe #3203, 560 Franklin Street, Clymer, PA 15728-1183.

Lease Expiration Date: July 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,500 net useable square feet of new or existing retail commercial space serving the Clymer Central Business District. Off-street parking and good loading facilities are preferred.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Tom Deal, (412) 565-5130

Warren County, Wine & Spirits Shoppe #6203, 107 East Main Street, Youngsville, PA 16371-1160.

Lease Expiration Date: July 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,800 net useable square feet of new or existing retail commercial space in Youngsville serving the Youngsville area. Space must have rear tractor-trailer delivery access.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

Washington County, Wine & Spirits Shoppe #6311, 327 Third Street, California, PA 15419-1133.

Lease Expiration Date: August 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 net useable square feet of new or existing retail commercial space serving the California area. Space should have access for rear tractor-trailer deliveries.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

Schuylkill County, Wine & Spirits Shoppe #5405, 500 West Oak Street, Frackville, PA 17931-1667.

Lease Expiration Date: August 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,400 net useable square feet of new or existing retail commercial space within the Borough of Frackville.

Proposals due: October 12, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Charles D. Mooney, (717) 657-4228

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 01-1751. Filed for public inspection September 21, 2001, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule for all Milk Marketing Areas; Over-Order Premium

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), that the Commonwealth of Pennsylvania, Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1, 2, 3, 4, 5 and 6 on October 3, 2001, at 8:30 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning the level of the over-order premium.

The staff of the Board is deemed to be a party to this hearing, and the attorneys representing staff are deemed to have entered their appearances. Other persons who wish to present evidence may be included on the Board's list of parties by (1) having their attorney file with the Board on or before 4 p.m. on September 24, 2001, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25; or (2) if unrepresented by counsel,

filing with the Board on or before 4 p.m. on September 24, 2001, notification of their desire to be included as a party.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 4 p.m. on September 26, 2001, each party shall file with the Board seven copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on September 28, 2001, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110. Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD Users).

LYNDA J. BOWMAN,
Secretary

[Pa.B. Doc. No. 01-1752. Filed for public inspection September 21, 2001, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Certificate of Public Convenience Without Hearing

A-310200F0005. Verizon Pennsylvania, Inc. Application of Verizon Pennsylvania, Inc., for a Certificate of Public Convenience to transfer by sale or assignment property owned by Verizon Pennsylvania, Inc., to SBA Properties, Inc.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before October 9, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Verizon Pennsylvania, Inc.
Through and By Counsel: Daniel E. Monagle, 1717 Arch Street, 32nd Floor, Philadelphia, PA 19103.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1753. Filed for public inspection September 21, 2001, 9:00 a.m.]

Default Order

Public Meeting held
August 30, 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 (2001.0150) v. GST Net, Inc.; Doc. No. C-20015893 A-310566

Default Order

By the Commission:

On July 18, 2001, the Law Bureau Prosecutory Staff instituted a complaint against GST Net, Inc. (the Respondent), an interexchange (IXC) reseller certificated at A-310566. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its monthly Universal Service Fund assessments were overdue by 3 or more months. The complaint charged that the Respondent's failure to pay these assessments violates 52 Pa. Code §§ 63.161—63.171 and 66 Pa.C.S. §§ 3001—3009.

The complaint sought an order from the Commission canceling the Respondent's certificate of public convenience for failure to pay its assessment and accrued late charges. The complaint was mailed by the Secretary's Bureau on July 19, 2001, and according to the postal return receipt, service was perfected on July 23, 2001. To date, more than 20 days later, no answer has been filed to the complaint and the assessments have still not been paid; *Therefore,*

It Is Ordered:

1. That the allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. That the Secretary serve a copy of this Default Order upon all jurisdictional telecommunication carriers, the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That GST Net, Inc. immediately cease providing service to any new customers and, within 10 days of the entry of this Default Order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent public comment within the 20-day time period established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by GST Net, Inc. at Docket No.

A-310566 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1754. Filed for public inspection September 21, 2001, 9:00 a.m.]

Railroad With Hearing

A-00117234. Sports and Exhibition Authority. Application of Sports and Exhibition Authority for approval of the demolition of the crossing where 10th Street Bypass (State Route 2128) crosses below grade the tracks of Norfolk Southern Railway Company, located in the City of Pittsburgh, in Allegheny County.

An initial hearing in this matter will be held Tuesday, October 23, 2001, at 10 a.m. in an available hearing room, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1755. Filed for public inspection September 21, 2001, 9:00 a.m.]

Relief Plan for the 717 NPA; P-00961071F0003

Public Meeting held
August 30, 2001

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Order

By the Commission:

Introduction

On May 29, 2001, the North American Numbering Plan Administrator NeuStar, Inc. (NANPA), in its role as the neutral third party NPA Relief Planner for Pennsylvania,¹ acting on behalf of the Pennsylvania telecommunications industry (industry) filed a petition with the Commission requesting approval of its plan for the 717 Numbering Plan Area (NPA or area code). According to the petition, the industry reached a consensus² to implement an all services distributed overlay for the geographic area covered by the 717 NPA which would create a new area code to service the area. As a result of the initial split of the

¹The NANPA is the entity that allocates numbering resources and monitors the viability of area codes to determine when all of the numbers available in the area code are nearing exhaust. The Industry Numbering Committee Guidelines provide that when an area code is nearing exhaust, the NANPA, which then becomes the NPA Relief Planner, convenes a meeting of the industry to discuss relief alternatives. *NPA Code Relief Planning & Notification Guidelines*, INC97-0404-016, reissued Nov. 8, 1999, at § 5.5. If the industry reaches a consensus, then its consensus plan is filed with the Commission and the Commission has an opportunity to take action at that point. *NPA Code Relief Planning & Notification Guidelines*, INC97-0404-016, reissued Nov. 8, 1999, at § 5.6.

²A consensus is established when substantial agreement has been reached. Substantial agreement means more than a simple majority, but not necessarily unanimity. *CLC Principles and Procedures*, May 1998, at § 6.8.8.

717 NPA in April of 1999 creating the 570 NPA³, the 717 NPA now includes all or part of the following counties: Mifflin, Juniata, Perry, Dauphin, Lebanon, Berks, Fulton, Franklin, Cumberland, Adams, York, and Lancaster.

The proliferation of new area codes is not the result of the unavailability of numbers for end-users. Rather, new area codes are needed when existing area codes exhaust their supply of NXX codes.⁴ When there are no more NXX codes available to assign to telephone companies, then new area codes need to be opened. The system for allocating numbering resources was designed in 1947 to accommodate a monopoly system. In recent years, however, a combination of several factors has created an unprecedented demand for NXX codes leading to the exhaust of existing area codes and the proliferation of new area codes to fill the void. Nationwide, only nine new area codes were activated between 1984 and 1994 while 32 new area codes were activated in 1997 alone. Between 1940 and 1990, Pennsylvania had a total of only four area codes (412, 814, 717 and 215). Today, Pennsylvania has nine active area codes (412, 724, 814, 717, 570, 610, 484, 215, and 267) and three additional area codes are ready to be activated in Western and Southeastern Pennsylvania when necessary (878, 835, and 445).

According to the Federal Communications Commission (FCC), which has plenary jurisdiction over numbering issues in the United States⁵, the Commission must implement timely area code relief, i.e., add a new area code, when Pennsylvania's area codes are about to exhaust their supply of NXX codes.⁶ According to the June 2001 NPA Exhaust Analysis,⁷ the 717 NPA is projected to exhaust all available NXX codes during the second quarter 2003.

The Commission, therefore, is now faced with the decision of deciding when a new area code must be added and in what form that area code should be added. Because we need input from consumers, the industry and other interested parties involved regarding this difficult decision, we will now direct that the consensus relief plan for the 717 NPA shall not be implemented at this time. Rather, the Commission will seek comments as outlined in Section III and a decision on this issue will be rendered at a later date. Further, while we are only seeking written comments at this time, this issue may be opened for future public input hearings.

Discussion

I. FCC Requirements Regarding Area Code Relief

According to FCC regulations, new area codes can be introduced to relieve the shortage of NXX codes in an area code through the use of any of the following three methods.

1. A geographic area code split, which occurs when the geographic area served by an area code is split into two or more geographical parts;

³*Petition of NPA Relief Coordinator Re: 717 Area Code Relief Plan*, Docket No. P-00961071 (Order entered May 21, 1998).

⁴Telephone numbers consist of 10 digits. The first three digits make up the area code, and the second three digits make up the NXX code. Each NXX code contains 10,000 numbers and each area code contains approximately 792 NXX codes.

⁵47 U.S.C. § 251(e)(1).

⁶*See In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Memorandum Opinion and Order and Order on Reconsideration, 13 FCC Rcd 190029 (1998).

⁷Federal rules that went into effect on July 17, 2000 require all carriers to report to the NANPA their historical and forecast utilization data. 47 CFR 52.15(f). These reports are made semi-annually and are referred to as the "NRUF Reports." Using this data along with the rate of assignment of NXX codes in the NPA, the NANPA predicts the exhaust date for all NPAs in its NPA Exhaust Analysis. These reports can be found at www.nanpa.com.

2. An area code boundary realignment, which occurs when the boundary lines between two adjacent area codes are shifted to allow the transfer of some numbers from one area code to the other;

3. An area code overlay, which occurs when a new area code is introduced to serve the same geographic area as an existing area code. 47 CFR 52.19(c)(1)–(3).

Although the NANPA notifies the industry when an area code needs relief planning and conducts the relief planning meeting, it is a neutral third party that does not express an opinion on any proposed relief alternative. Additionally, the industry is encouraged to participate in the creation of the relief alternatives and is free to present any plans during the relief planning meeting.

II. Relief Planning for the 717 NPA and the Industry's Consensus to Recommend Implementation of an Overlay

A. The Relief Planning Meeting for the 717 NPA

On February 20, 2001, NANPA notified the industry that it needed to meet to discuss relief alternatives for the 717 NPA. A meeting was convened on April 18, 2001 and members from various ILECs, CLECs, wireless companies, the Office of Consumer Advocate, and the Commission staff were present. During this meeting, the NANPA proposed the following five relief alternatives to alleviate the situation in the 717 NPA. These alternatives are detailed more fully as follows:

1. Alternative #1—A geographic split with the split boundary line running along rate center boundaries in a north to south direction. The boundary line approximately tracks the Susquehanna River. Rate centers located on the western side include Liverpool, Duncannon, Mechanicsburg, Manchester and Brogue. Rate centers located on the eastern side include Millersburg, Harrisburg City Zone 1, Marietta, Columbia, and Rawlinsville. The western side of the split would have a projected NPA life of 15 years to exhaust and the eastern side of the split would have a projected NPA life of 6 years to exhaust.

2. Alternative #2—A geographic split with the split boundary line running along rate centers in an east to west direction dividing the existing NPA approximately in half. Rate centers located in the northern half would include Blain, Carlisle, Lewisberry and Harrisburg City Zones 1 and 2. Rate centers located in the southern half would include Shippensburg, Dillsburg, York and Lancaster. Each side of the split would have a projected NPA life of 10 years.

3. Alternative #3—A geographic split with the boundary line running along rate center boundaries in an east to west direction. Rate centers located on the northern side would include Blain, New Bloomfield, Mechanicsburg, Lewisberry, and Hershey. Rate centers located on the southern side would include Dry Run, Newville, Dillsburg, Manchester, and Elizabethtown. The northern side would have a projected NPA life of 11 years to exhaust and the southern side would have a projected NPA life of 9 years.

4. Alternative #4—A geographic split with the boundary line that would carve out a small area in the northeast portion of the 717 NPA. The small area would include the Harrisburg City Zone 1 rate center as well as the Hershey, Schaefferstown, Elizabethtown and Millersburg rate centers. The projected NPA lifespan of the smaller area would be 14 years and the outlying area would have a projected NPA life of 7 years.

5. Alternative #5—An all services distributed overlay with a new NPA assigned to the same geographic area as the existing 717 NPA. The projected NPA life span of this entire area would be 10 years.

After discussion of these five alternatives, the industry reached a consensus to adopt an all services distributed overlay as the form of relief for the 717 NPA. Consistent with FCC regulations, implementation of this overlay would require the institution of a 10-digit dialing plan both within and between the existing NPA and the overlay NPA.⁸

B. Industry's Current Consensus to Recommend an Overlay

After discussing the five relief alternatives presented at the April 18, 2001 meeting, the industry decided to recommend implementation of the all services distributed overlay (Alternative #5). The industry eliminated the geographic splits from consideration because they divide communities of interest. Alternatives #2 and #3 would split the community of Harrisburg. In considering Alternatives #2 and #3, the industry noted that many customers may live and work in separate areas of Harrisburg covered by separate NPAs, thereby increasing the frequency of 10-digit dialing necessitated by inter-NPA calls. The industry stated that customers on one side of the split would need to change their telephone numbers thereby creating undue hardship and customer confusion. The industry further rejected Alternatives #1 and #4 because the projected lives of the resulting NPAs would be uneven.

The industry reached a consensus to recommend Alternative #5 as the form of relief for the 717 NPA for several reasons. First, an overlay does not require customers to change their telephone numbers or split communities of interest. Second, the industry also noted that 10-digit dialing is becoming more prevalent Nationwide and overlays, with 10-digit dialing, have been implemented in southeastern and western Pennsylvania. Finally, the industry stated that the existence of local number portability lessens the impact upon carriers having NXX codes in the new area code.

III. Comments Sought By the Commission

The FCC has adamantly maintained that state commissions cannot engage in number conservation measures to the exclusion of, or as a substitute for, timely area code relief.⁹ Therefore, when Pennsylvania's area codes are about to exhaust their supply of NXX codes, the Commission must implement timely area code relief, i.e., add a new area code. When faced with the need to implement new area codes, the Commission must decide two very important issues. First, the Commission must determine when the new area code needs to be implemented. Second, the Commission must decide how to implement the new area code (i.e., a geographic split or an overlay). Therefore, we are seeking comments from interested parties regarding when the 717 NPA will exhaust and what form of area code relief should be implemented upon exhaust.

A. Projected Exhaust Date for the 717 NPA

According to the FCC, state commissions must add new area codes when the existing area codes exhaust or are about to exhaust all their NXX codes. Consequently, the critical element for deciding when to add new area codes is to know when the area code will exhaust all of its NXX

⁸47 CFR 52.19(c)(3)(ii).

⁹In *the Matter of Numbering Resource Optimization*, CC Docket Nos. 99-200, 96-98, NSD File No. L-99-101 (2000).

codes. State commissions have no involvement in predicting or projecting the exhaust dates for area codes. The FCC has delegated this responsibility to the NANPA.

The NANPA projects exhaust dates for area codes by averaging the past rate of assignment of NXX codes and using that to estimate the future rate at which NXX codes will be assigned. Because these variables are so fluid, projecting accurate exhaust dates is difficult. For example, on May 4, 2000 the industry was advised by the NANPA that relief planning for the 717 NPA needed to begin as the 717 NPA was expected to exhaust during the second quarter 2001. However, when the industry convened to discuss relief alternatives, the assignment rate of NXX codes in the 717 NPA had tapered off and the new projected exhaust date was fourth quarter 2003. Consequently, the industry decided not to discuss relief for the 717 NPA at that time. However, between the time of the industry meeting on April 18, 2001 and the filing of the consensus relief plan with the Commission, the projected exhaust date for the 717 NPA had been revised again. Now, the current projected exhaust date for the 717 NPA is second quarter 2003.

With constantly changing information such as this, the Commission has a difficult time trying to determine when Pennsylvania's area codes will exhaust thereby requiring the addition of new area codes to ensure that all telecommunications carriers have numbering resources. Consequently, we have identified the following factors that may impact the timeframe for when area code relief must be implemented to relieve the 717 NPA and we would like comments from interested parties on these factors.

1. How much time is needed to implement area code relief?

The current overlay relief plan proposed by the industry allows 19 months for full implementation of the new NPA. According to this timeline, 6 months are devoted to network preparation, 12 months are devoted to "permissive" 10-digit dialing, and 1 month is devoted to "mandatory" 10-digit dialing. The Commission's experience with area code overlays is that they can be fully implemented within 6 months. Consequently, the Commission questions whether a 19-month timeline would really be necessary for implementation of an overlay for the 717 NPA.

Also, in Southeastern Pennsylvania (610/484 and 215/267), the Commission has ordered that the additional overlays (835 over 610/484 and 445 over 215/267) not be implemented until 3 months prior to total exhaust of the underlying NPAs. Is a similar situation possible for the 717 NPA? More specifically, could the industry undertake to implement an overlay for the 717 NPA but not actually activate that new overlay NPA until total exhaust of the 717 NPA? Could the requirement of 10-digit dialing be suspended until the new overlay NPA were fully activated?

We also seek comment on the following questions regarding implementation of a split to relieve the 717 NPA. What is the shortest amount of time this type of relief can be implemented? Would a 6-month timeframe for implementation of a split be feasible? What aspect of implementing a split is the most significant for the industry and how long does this take to complete?

2. What impact will the current number conservation measures in the 717 NPA have on its projected exhaust date?

Even though the FCC continues to maintain that state commissions cannot use number conservation measures to avoid implementing timely area code relief, the Commis-

sion obtained the authority to implement various number conservation measures in Pennsylvania's area codes in July 2000. Thus, in the 717 NPA, the Commission ordered two number conservation measures: 1) NXX code reclamation¹⁰ and 2) voluntary pooling which will be implemented on March 14, 2002.¹¹ Consequently, the Commission seeks comment on whether NXX code reclamation¹² and voluntary pooling significantly lengthen the life span of the 717 NPA?

3. How do Federal rules regarding sequential number assignment and utilization thresholds impact the life of the 717 NPA?

Pursuant to Federal rules effective July 17, 2000, all service providers are required to assign all available telephone numbers within an opened thousands-block before assigning telephone numbers from an uncontaminated thousands-block. 47 CFR 52.15(j)(1). This requirement applies to a service provider's existing numbering resources as well as to any new numbering resources it obtains in the future. Also, pursuant to Federal rules effective May 8, 2001, all carriers requesting growth codes in a particular rate center need to show that they have achieved a 60% utilization threshold in the codes they already have in that rate center. 47 CFR 52.15(h). On June 30, 2002 the utilization threshold will increase by 5% and annually thereafter until it reaches 75%.

The Commission seeks comment on how these two number assignment restrictions might impact the exhaust date for the 717 NPA. For example, because of the sequential numbering assignment requirements, are more thousands-blocks available for voluntary pooling in the 717 NPA thereby alleviating the need to assign full NXX codes? Also, will the fact that a utilization threshold is in place slow the need for the assignment of more NXX codes from the 717 NPA?

4. Can any of the unavailable NXX codes in the 717 NPA be made available for assignment to carriers and how would this impact the NPA's exhaust date?

There are approximately 29 NXX codes in the 717 NPA that are marked as "unavailable for assignment." According to the Commission's understanding, these NXX codes are marked as unavailable by the industry for a variety of reasons. Since area code exhaust is determined by the unavailability of NXX codes for assignment to carriers, the Commission opines that the release of a significant number of NXX codes from unavailable status may help lengthen the life of the 717 NPA. Therefore, the Commission seeks comments on whether any of these NXX codes can be released and, if so, how many. Further, if there are NXX codes that need to remain unavailable, the Commission seeks specific information regarding why these NXX codes cannot be released. Finally, the Commission seeks

¹⁰On August 22, 2000, the Commission established its process for reclaiming NXX codes from all Pennsylvania's area codes. NXX code reclamation involves the return of unused NXX codes to the NANPA. According to FCC rules, within six months of receiving an NXX code, the carrier must assign at least one number to an end user or else the entire NXX code must be returned to the NANPA. By reclaiming NXX codes that are not in use, the life of an NPA is prolonged since the reclaimed codes are added to the total inventory of assignable NXX codes in the NPA. See *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000—NXX Code Reclamation*, Docket No. M-00001373 (Order entered August 22, 2000), 30 Pa. B. 4701 (September 2, 2000).

¹¹The Commission adopted an order on August 9, 2001 directing that voluntary pooling would commence in the 717 NPA on March 14, 2002. Pooling is a number conservation measure that allows participating carriers to share spare numbering resources in groups of 1,000. Twelve carriers with NXX codes in the 717 area code have agreed to participate in this pooling trial. See *Implementation of Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes*, Docket No. M-00001427 (Order entered August 9, 2001).

¹²A total of 18 NXX codes were returned in the 717 NPA between January 2001 and June 2001. More information can be found at www.nanpa.com.

comment on how the release of a significant number of these unavailable NXX codes would impact the life of the 717 NPA.

B. Form of Area Code Relief for the 717 NPA

Once it is determined when area code relief must be implemented, state commissions are faced with the task of deciding what form that relief should take. Pennsylvania has experienced both area code splits and overlays. There have been a total of five overlays since 1999 (484 and 267 have been implemented and 878, 835, and 445 are ready to be activated). Prior to 1999, three geographic splits have been implemented (610, 570, and 724).

The Commission is seeking comments on the five relief alternatives submitted by the NANPA and is open to suggestions regarding any other potential alternatives for providing relief to the 717 NPA. More specifically, the Commission is interested in the specific circumstances of the 717 NPA and whether these circumstances favor the implementation of one form of relief over the other.

1. What form of area code relief would create longer lasting NPAs for the 717 region?

Historically, when new area codes were created in Pennsylvania to relieve existing area codes, the projected life of these new area codes was at least 5 years. Despite this, area code relief planning began within a year or two after implementation of the underlying relief plan in all cases. The two overlays in Southeastern Pennsylvania (267 over 215 and 484 over 610) lasted for only 4 months before the NANPA informed the Commission that relief would again be needed. The split of 412 creating 724 in the Pittsburgh area lasted 27 months until relief planning began again. The split in Philadelphia of 215 (creating 610) lasted 18 months until relief planning was needed. The split in Central Pennsylvania (717 creating 570) lasted 11 months before relief planning was needed for the new 570 NPA and about 24 months until relief planning began for the old 717 NPA. Based on this experience, the Commission is seeking comments from interested parties regarding what type of area code relief would provide the most long lasting benefit for consumers in the 717 region.

2. What form of area code relief is the least disruptive to consumers?

Pennsylvania has had experiences throughout the State with both splits and overlays. There are benefits and disadvantages to either method. With the imposition of an overlay, existing land-based telephone customers are not likely to have to change telephone numbers. Therefore, customers will not need to change their advertising and stationery. However, the FCC requires that 10 digits be used to dial all numbers in the overlaid area when an overlay is implemented. New NXX numbers from the new area code are assigned to carriers that do not have numbers available in a given rate center. Therefore, the first three digits of a 10-digit telephone number around the corner or down the block might be from the new area code. Eventually, a single customer might have two different area codes for telephone lines serving his or her home or place of business, if the existing carrier has run out of numbers in an NXX assigned to the old area code.

Implementation of a geographic split involves dividing an existing area code into two or more parts, with one part retaining the old area code and other(s) receiving a new area code(s). Callers are presently able to continue using 7-digit dialing for calls made within the area code boundaries. Customers in the area retaining the old area code are minimally impacted. Customers in the new area

code, however, must change their area codes. Businesses must revise their stationery and their advertising. Commercial customers may not be able to retain "vanity numbers,"¹³ upon which they have spent advertising dollars. Callers, particularly at the border of the old and new area codes are temporarily inconvenienced. They often must dial 11 digits to make calls that were previously 7-digit numbers. Although local calling areas actually have not changed, and calls that were local before the area code split remain local calls, even if they cross into the new area code, people are initially disconcerted and distrusting of the concept of an 11-digit local call. Indeed, local calling areas do not change no matter which method of area code relief is implemented.

While we realize that either method is inconvenient to consumers, we are seeking comment on the less convenient of the two. For example, do the specific circumstances in the 717 NPA make either a split or an overlay a better alternative? Is there a preferred form of relief for residential consumers? Is there a preferred form of relief for business consumers? Does the fact that the 717 NPA was split in April of 1999, make either the split or overlay a better alternative now? If a split is the preferred method, where should the boundary line be drawn and which side of that boundary line should receive the new area code?

Conclusion

The policy of the Commission is to ensure that numbering resources, including area code relief planning, are made available on an equitable, efficient and timely basis in Pennsylvania while ensuring that the impact of proliferating new area codes on consumers is as minimal as possible; *Therefore,*

It Is Ordered:

1. That the industry consensus recommendation for an all services distributed overlay relief plan for the 717 NPA is denied.

2. That comments, as requested by this Order, be filed with the Commission no later than 30 days after this Order is published in the *Pennsylvania Bulletin*. Reply comments may be filed within 20 days after the close of the comment period.

3. That a copy of this order shall be served on all jurisdictional telecommunications carriers, wireless carriers, the Office of Consumer Advocate, the Office of Small Business Advocate, and Wayne Milby and Sandra Boclair of the NANPA.

4. That a copy of this order shall be published both in the *Pennsylvania Bulletin* and on the Commission's website.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1756. Filed for public inspection September 21, 2001, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority application for the right to render service as a common carrier or contract carrier in this Commonwealth has been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall

¹³For example, a bookstore with the number 234-BOOK, or a truck-driving school with the number TRUCKER.

be considered as sufficient notice to all carriers holding authority from this Commission. The application will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before October 15, 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.

**Notice of Motor Carrier Applications—
Persons in Limousine Service**

The following application for authority to transport persons in limousine service between points in this Commonwealth has been filed with the Commission. The application will be considered without hearing in the absence of substantive protests limited to the issue of applicant fitness. Protests to this application are due on or before October 15, 2001.

A-00118211 R & A Limousine, Inc., 306 East Baltimore Pike, Media, PA 19063.

Attorney: Michael S. Henry, 1163 South 11th Street, Philadelphia, PA 19147.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1757. Filed for public inspection September 21, 2001, 9:00 a.m.]

Tentative Order

Public Meeting held
August 30, 2001

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Viatel Services, Inc. (2001.0148); Doc. No. A-310719

Tentative Order

By the Commission:

Viatel Services, Inc. (Viatel) has not paid its February 2001 semi-annual Telephone Consumer Education Fund assessment pursuant to the Commission's Global Order entered on September 30, 1999, at L-00991648 and L-00991649. In its efforts to collect payment, Law Bureau Prosecutory Staff was advised by Viatel's outside regulatory counsel that Viatel is in Chapter 11 bankruptcy, that it has auctioned off its assets, and that the company is no longer in business.

Viatel, an interexchange reseller, was issued a certificate of public convenience by the Commission on January 28, 1999, at A-310719. Based upon the findings of the Prosecutory Staff, we believe that it is appropriate to revoke Viatel's certificate without the necessity of first filing a formal complaint. Finally, Viatel does not have any current customers in Pennsylvania. For these reasons, we tentatively conclude that revocation of Viatel'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 Viatel Services, Inc.'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 any person 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 Viatel Services, Inc. at A-310719 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. 01-1758. Filed for public inspection September 21, 2001, 9:00 a.m.]

**Water Service
Without Hearing**

A-212165F2000. Nuss Enterprises, Inc. d/b/a Windy Heights Water Company. Application of Nuss Enterprises, Inc. d/b/a Windy Heights Water Company, for: 1) approval of the transfer of all tangible or intangible property used or useful in the public service to the Northampton Borough Municipal Authority; and 2) for approval of the abandonment or discontinuance of water service by Nuss Enterprises to its customers.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before October 9, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Nuss Enterprises, Inc., d/b/a Windy Heights Water Company.

Through and By Counsel: Boyd G. Hixson, Esquire, One Windsor Plaza, Suite 101, 7535 Windsor Drive, Allentown, PA 18195-1014.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1759. Filed for public inspection September 21, 2001, 9:00 a.m.]

**Water Service
Without Hearing**

A-212285F0091. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of: 1) the transfer, by sale, of the water works property and rights of the Stillwater Lakes Water Corporation to Pennsylvania-American Water Company; and 2) the rights of Pennsylvania-American Water Company to begin to offer or furnish water service to the public in additional portions of Coolbaugh Township, Monroe County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before October 9, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania-American Water Company.

Through and By Counsel: Velma A. Redmond, Esquire, Susan Marsh Simms, Esquire, 800 West Hershey Park Drive, Hershey, PA 17033.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1760. Filed for public inspection September 21, 2001, 9:00 a.m.]

Water Service Without Hearing

A-212370F0066 and A-220450F2000. Philadelphia Suburban Water Company and the Borough of Chalfont. Joint application of Philadelphia Suburban Water Company and the Borough of Chalfont for approval of: 1) the transfer by sale of the water supply system assets of the Borough of Chalfont to Philadelphia Suburban Water Company; 2) the right of Philadelphia Suburban Water Company to begin to offer, render, furnish or supply water service to the public in the Borough of Chalfont and portions of New Britain Township and New Britain Borough, Bucks County, PA; and 3) the abandonment by the Borough of Chalfont of water service beyond the corporate limits of the Borough of Chalfont.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before October 9, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Philadelphia Suburban Water Company, Borough of Chalfont.

Through and By Counsel: Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 and Mary C. Eberle, Esquire, Grim, Biehn and Thatcher, Sixth and Chestnut Streets, P. O. Box 215, Perkasie, PA 18944.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1761. Filed for public inspection September 21, 2001, 9:00 a.m.]

Water Service Without Hearing

A-212370F0067 and A-212265F2000. Philadelphia Suburban Water Company and the Paupack Water Company. Joint Application of Philadelphia Suburban Water Company and the Paupack Water Company for approval of: 1) the transfer by merger of the water system assets of Paupack Water Company to Philadelphia Suburban Water Company; 2) the right of Philadelphia Suburban Water Company to begin to furnish water service to the public in the service area of Paupack Water Company;

and 3) the abandonment by Paupack Water Company of water service to the public in its service territory located in portions of Palmyra and Blooming Grove Townships, Pike County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before October 9, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Philadelphia Suburban Water Company, Paupack Water Company.

Through and By Counsel: Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 and Anthony J. Magnotta, Esquire, Oxford Place, Route 590, P. O. Box 408, Hawley, PA 18428.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1762. Filed for public inspection September 21, 2001, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

October 1, 2001	Terri L. Nicholson (D) (Change of option)	1:30 p.m.
October 17, 2001	Albert F. Gosciminski (D) (Death benefit)	2:30 p.m.
November 5, 2001	David J. Pavlick (Disability retirement)	1:30 p.m.
November 7, 2001	Larry Starkey (D) (Death benefit)	2:30 p.m.

Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant Executive Director, at (717) 720-4700 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administra-

tive Practice and Procedure), unless specific exemption is granted.

DALE H. EVERHART,
Secretary

[Pa.B. Doc. No. 01-1763. Filed for public inspection September 21, 2001, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

October 3, 2001	Robert E. McCormack (Recalculation of claimant's account for retirement purposes)	1 p.m.
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October 4, 2001	Jacqueline Campbell (Dec'd) (Contested death benefit)	1 p.m.
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October 18, 2001	Dolores Murlin-Gardner (Claimant's delay in submitting medical documentation for disability retirement benefits)	1 p.m.
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Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 01-1764. Filed for public inspection September 21, 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

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 p.m. 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

1128211 Electric Lighting Fixtures. For a copy of bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Torrance, PA
Duration: FY 2001-02
Contact: Vendor Services (717) 787-2199

8506060 Crane. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: Transportation
Location: Sunbury, PA
Duration: FY 2001-2002
Contact: Vendor Services (717) 787-2199

8251230 Plant, Mixing, Trailer Mounted. For a copy of the bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 2001-2002
Contact: Vendor Services (717) 787-2199

1120221 Liquid Oxygen. For a copy of the bid package fax request to (717) 787-0725.

Department: Fish and Boat Commission
Location: State College, PA
Duration: FY 2001-2002
Contact: Vendor Services (717) 787-2199

8251060 Loader, Backhoe. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 2001-2002
Contact: Vendor Services (717) 787-2199

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 p.m. 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

100501-02 Edinboro University of Pennsylvania is seeking bids for a Instructor Workstation Turnkey System. Bid packages maybe obtained by contacting Edinboro University Purchasing Office (814) 732-2704.

Department: State System of Higher Education
Location: Edinboro University of Pennsylvania, Purchasing Office, Edinboro, PA 16444
Duration: Delivery by 11/1/01
Contact: Barbara James (814) 732-2704

8251390 Paint Supply Truck. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 2001-2002
Contact: Vendor Services (717) 787-2199

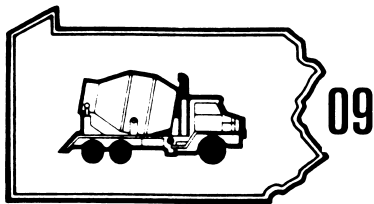
9985-15 Pest Control Services Contract. During each quarter of the current calendar year, new contracts may seek to be added to the list of qualified contractors for the Pest Control Services Contract, 9985-15. In order to be considered, Contractors must submit a completed bid 9985-15 to ensure receipt by the Commonwealth on or before 1:30 p.m. on the last Commonwealth business day of each quarter (the "deadline"). A quarter is defined as 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 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 of 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: Various, PA
Duration: 3/01/00—2/28/02 with three additional 1 year extensions
Contact: Vendor Services (717) 787-2199

1105111 Leather. For a copy of the bid package fax request to (717) 787-0725.

Department: Corrections
Location: Graterford, PA
Duration: FY 2001-2002
Contact: Vendor Services (717) 787-2199

SERVICES



Construction & Construction Maintenance

8000-04845 Contractor to manufacturer & Install approximately 2-5 stainless steel shower stall units.

Department: Corrections
Location: SCI—Waynesburg, 373 Prison Road, Waynesburg, PA 15370
Duration: 10/01/01—6/30/02
Contact: Judith Cook (724) 852-5609

FDC-307-881.1 Reconstruct rear porch, front porch deck and roof, reroof main building and shed, concrete work, masonry work, paved walkways, seeding and painting. Work is at the Iron Master's Mansion in Greenwood Furnace State Park in Huntingdon County. Estimate is between \$50,000—\$100,000. NOTE: Requests for Bid Documents may be made on or after September 24, 2001. Cost of Documents is \$8.48 payable by credit card only—American Express, Discover, Master Card, or Visa.

Department: Conservation and Natural Resources
Location: Jackson Township
Duration: 120 Days
Contact: Construction Management Section (717) 787-5055

SP386300105 Work includes excavation of 4-inches of 2A stone and placing 4-inches of BCBC at 35 pipe trenches in Blue Knob State Park.

Department: Conservation and Natural Resources
Location: Blue Knob State Park, 124 Park Road, Imler, PA 16655-9207
Duration: 6-30-02
Contact: James Sowerbrower (814) 733-9123

SP38210001004 Services required to repair ADA Accessible Marina Fishing pier.

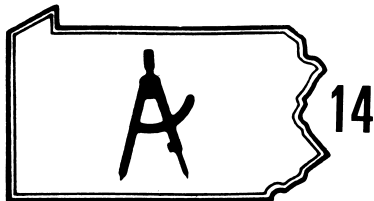
Department: Conservation and Natural Resources
Location: Neshaminy State Park Bensalem Township
Duration: 60 days after notice to proceed
Contact: Sandra Lewis (215) 453-5030

SU-2000/6 Harley Hall Ceiling, Lighting and Window Upgrade and Fire Suppression Devices. Shippensburg University of the State System of Higher Education invites General, Plumbing and Electrical Contractors to request bid documents for this project. Work involves demolition and replacement of existing windows storefront, suspended ceilings, lighting and asbestos abatement and installation of fire suppression devices. Prospective Bidders may obtain project plans for a non-refundable cost of \$50.00 by contacting STV Architects, Inc., Attn: Stu Rothenberger, 205 West Welsh Drive, Douglassville, PA 19518; telephone (610) 385-8200 or fax (610) 385-8501. Pre-Bid Meeting with site visit immediately to follow will be held on Tuesday, October 23, 2001 at 10 a.m. in Old Main Conference Room 203A. Bids Due: November 7, 2001 at 4 p.m. Old Main Room 300. Public Bid Opening: November 8, 2001 at 2 p.m., Old Main Room 203A. The system encourages responses from small firms, minority firms, and firms which may have not previously performed work for the System. Non-Discrimination and Equal Opportunity are the policies of the Commonwealth and of the PA State System of Higher Education.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg Township, Shippensburg, Cumberland County, PA
Duration: Within 150 days after Receipt of Notice to Proceed
Contact: Deborah K. Martin, Contract Administrator (717) 477-1121

FDC-306-869.1 Miscellaneous Dam Repairs at Gifford Pinchot State Park in York County. Work includes: utility relocation, gate valve and valve chamber maintenance, chain link fencing, joint sealant, and associated electrical work. Estimate is less than \$50,000. Note: Requests for Bid Documents may be made on or after September 24, 2001. Cost of Documents is \$8.48, payable by credit card only—American Express, Discover, Master Card or Visa.

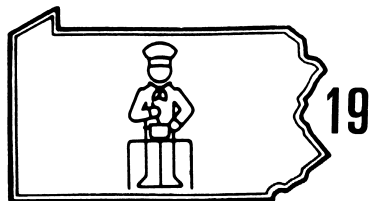
Department: Conservation and Natural Resources
Location: Warrington Township
Duration: Ninety (90) Days
Contact: Construction Management Section (717) 787-5055



Engineering Services

PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us.

Department: Transportation
Location: Various
Contact: www.dot2.state.pa.us



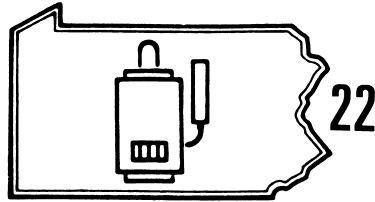
Food

IGWF/REWA-2001 Vending machine services. Provide vending services for the Inmate Visiting Room and Staff break areas. Vending items to include soft drinks, food and various snack items.

Department: Corrections
Location: State Correctional Institution at Rockview, RT 26, Box A, Bellefonte, PA 16823
Duration: December 1, 2001 through November 30, 2003
Contact: Frank Dougherty, Business Manager (814) 355-4874, Ext. 205

10881078 Provide food service at the Southeast Secure Treatment Unit, 1824 West Strasburg Road, West Chester, PA 19382. Complete specifications will be mailed with bid.

Department: Public Welfare
Location: Southeast Secure Treatment Unit, 1824 West Strasburg Road, West Chester, PA 19382
Duration: Anticipated 11/01/01 through 6/30/02
Contact: Dee Kuhn, Purchasing Agent (717) 789-5509



HVAC Services

031A23 This contract is for the preventative maintenance of the county heating and cooling systems. Service company will be 100% responsible for all maintenance and repairs which includes parts and labor. Service company must be within a two hour radius of facility. Bid package may be obtained by faxing request to S. A. Hunsinger at (570) 387-4254. Request must contain company name, address, phone and fax numbers, and contact person.

Department: Transportation
Location: 45 Lunger Drive, Bloomsburg, PA 17815; I-80 Exit 34
Duration: 12 months with the possibility of four one year renewals.
Contact: S. A. Hunsinger (570) 387-4254 FAX

SP 11734003 Vendor to furnish all labor, materials, tools, and supervision to remove a non-supporting wall and install (1) 112.5 KVA transformer, (1) 150 amp 600 volt 3-phase circuit breaker, (2) 200 amp 240 volt 3-phase safety switches, (1) 200 amp 480 volt 3-phase safety switch, (1) 225 amp 208/120 volt 3-phase panelboard, (12) dedicated receptacles, (1) feed to an existing Data panel, all conduit and wire as required. Interested vendors may obtain a Bid Package by sending a request by fax to (717) 787-3560 or by sending an email to eblandy@state.pa.us.

Department: Public Welfare
Location: Office of Information Systems, Room 13B, Willow Oak Building, Harrisburg State Hospital Grounds, Harrisburg, PA 17105
Duration: Work is to be completed with 90 calendar days of contract's effective date.
Contact: Ed Blandy, Purchase Agent (717) 772-4883

111350006 Vendor to provide to the State Correctional Inst. Graterford all labor, equipment and parts required to repair culinary equipment. Equipment included electrical, steam and related miscellaneous equipment, all ovens and warming cabinets, refrigeration units and any other related equipment. Repairs will be performed on site.

Department: Corrections
Location: State Correctional Inst. Graterford, Box 246, Off Rt. 29, Graterford, PA 19426
Duration: 1 year
Contact: K. Richardson (610) 489-4151

080S78 This service bid contract is for pumping of sewage effluents from septic tanks, dosing pits, and Biorobic pits at PENNDOT's roadside rest area sites 45 & 46, I-81 Northbound & Southbound, Cumberland County, Penn Township. Bid packages can be requested via Fax, (717) 772-0975, or by telephone at (717) 787-7600 or (717) 787-6408. All requests must include Contractor's (company) name, address, phone number, and E.I.N #, FAX number (if available) and contact person.

Department: Transportation
Location: PENNDOT Roadside Rest Sites 45 & 46, I-81 Northbound and Southbound, Cumberland County, Penn Township
Duration: This service bid contract shall be renewable at the price quoted for one year with four such renewals.
Contact: Bill Tyson (717) 787-7600

105010 Electrical repair service for the PA Dept. of Transportation in Jefferson County. Repair service will include Transportation buildings, stockpiles, interstate exit lighting and various locations throughout Jefferson County.

Department: Transportation
Location: PA Dept. of Transportation, P. O. Box 385, SR2037 off TR36, 1 mile east of Punxsutawney, PA 15767
Duration: Jan 1, 2002 through Dec. 31, 2002
Contact: Janice L. Redding (814) 938-6300



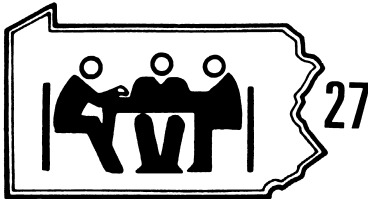
Laundry/Dry Cleaning & Linen/Uniform Rental

087URC Uniform Rental Bid to provide Equipment Maintenance Personnel with comfortable, durable uniforms that assure a professional appearance.

Department: Transportation
Location: PA Dept. of Transportation, 2105 Lincoln Hwy. East, Lancaster, PA 17604
Duration: Three consecutive years
Contact: Jeralyn Rettew (717) 299-7621

012028 Supply and clean work uniforms for garage staff.

Department: Transportation
Location: PENNDOT, Erie County Maintenance, 9031 Peach St., Waterford, PA 16441
Duration: 3 year contract
Contact: William Sachse (814) 871-4411



Lodging/Meeting Facilities

SP11780002 Vendor to provide lodging, meeting room space, food services, training equipment and other amenities for the Bureau of Hearings and Appeals Second Annual Judicial Training Conference for April 16, 17, 18, 2002. Estimated attendees, approx. 100.

Department: Public Welfare
Location: Centre County
Duration: April 16—18, 2002
Contact: Beth Trowbridge (717) 783-1083

09-C-01 The Department of Labor and Industry, PA Unemployment Compensation Programs 2002 Conference to be held within Monroe County (Pocono area), May 14 through May 17 2002. To Include 450 Attendees, This will take place at one site only.

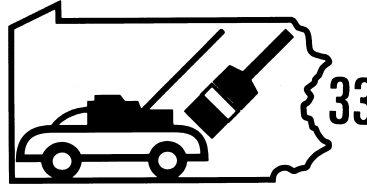
Department: Labor and Industry
Location: Monroe County, (Pocono area)
Duration: Begin May 14, 2002 and ending May 17, 2002
Contact: Cherianita Thomas/Harry Krause (717) 787-2877; (717) 705-0450



Medical Services

RFP 01-113-1767 Provide assistance to the Commission with healthcare coverage carriers including: evaluating alternate carriers for stop-loss reinsurance coverage; tracking of claims; analyzing of funding methods; analyzing rate setting calculators; negotiating rate renewals; negotiating retention rates; assisting with development of open enrollment materials; negotiating settlements with healthcare coverage carriers to set retention rates, renewal rates, etc. Copies of the RFP can be obtained by calling (717) 939-9551, X4142.

Department: Turnpike Commission
Location: Pennsylvania Turnpike Commission Administration Building, Highspire, PA
Duration: One year contract with option to renew.
Contact: Patricia Schlegel (717) 939-9551, X4223



Property Maintenance

09-B-01 Snow/Ice Removal Services-to be provided for parking lot (approx. 60'x150') driveway (Approx. 270') and sidewalks (approx. 740') on an as-needed basis, (at 1316 State Street, Erie, PA) at the discretion of the Office Manager or when snow accumulation reaches 3" or more in the parking lot and driveway and 1" or more for sidewalks. Snow to be physically removed from the parking lot as necessary to ensure that all parking spots are clear. Service to include spreading of anti-skid materials, which is to be included in price quote. Damage to parking lot surface, sidewalks, lawn to be repaired or replaced by contractor.

Department: Labor and Industry
Location: Erie Job Center, 1316 State Street, Erie, PA 16501
Duration: Upon approval through 5-30-2002 includes four 1 year renewal options
Contact: Cherianita Thomas, Harry Krause (717) 787-2877, (717) 705-0450

Bid #8342 Snow removal, salting & cindering from parking areas & driveway, shoveling in front of all doors, garage doors, etc., as required at the PA State Police, Frackville Station. Services to be rendered November 1, 2001 to June 30, 2003.

Department: State Police
Location: Frackville Station, 4 Eleanor Drive, Frackville, PA 17931-2301
Duration: 11/1/01 to 6/30/03
Contact: Donna Enders (717) 705-5951

110065 This contract is to provide snow removal services to the Engineering District 11-0 office building located at 45 Thoms Run Road, Bridgeville. This includes all sidewalks, driveways, roadways and parking area at the District's Headquarters.

Department: Transportation
Location: 45 Thoms Run Road, Bridgeville, PA 15017
Duration: The contract will be for an original period of three years from the effective date. The contract will be renewable by mutual consent for one two year period escalation clause for the renewal shall not exceed the current producer price index.
Contact: Bill Korenoski (412) 429-4956

0120033 Erie Co would like to purchase a minimum 1,500 gallon capacity self contained anti-icing insert for a tandem dump truck body. Insert will include a tank(s), pump and remote controlled ground spray system to be used for the loading, transportation, unloading and spraying of liquids.

Department: Transportation
Location: PENNDOT, Erie County Maintenance, 9031 Peach St., Waterford, PA 16441
Duration: Delivery to be as soon as possible after award
Contact: Jean Zarger (814) 871-4411



Sanitation

SP3862071001 Sealed bids will be received at Dept. of Conservation and Natural Resources, Park Region #2, P.O. Box 387, 195 Park Road, Prospect, PA 16052-0387 and then publicly opened and read. A bid opening date has not yet been set. For Solid Waste collection and disposal at Laurel Hill State Park Complex. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager, Laurel Hill State Park.

Department: Conservation and Natural Resources
Location: Dept. of Conservation and Natural Resources, Laurel Hill State Park Complex, 1454 Laurel Hill Park Road, Somerset, PA 15501-5629
Duration: January 1, 2002 to December 31, 2004
Contact: Laurel Hill State Park (814) 445-7725



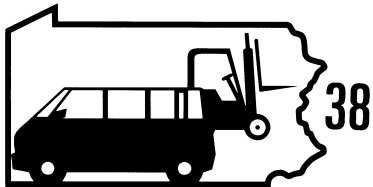
Security Services

SP-10200002 Provide security guard services for nine (9) district offices at the Allegheny County Assistance Office. Complete details and specifications may be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Department of Public Welfare, Allegheny County Assistance Office, 614 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222
Duration: 11/01/01 through 12/31/04—with two additional one-year renewal options.
Contact: Rose Wadlinger (717) 783-3767

DGS100501-01 Furnish and install Security System at Edinboro University of Pennsylvania Arts & Science Building. Bid packages may be obtained by phoning Edinboro University Purchasing Office, (814) 732-2704.

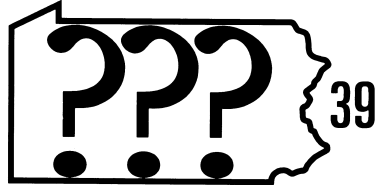
Department: State System of Higher Education
Location: Edinboro University of Pennsylvania, Purchasing Office, Edinboro, PA 16444
Duration: Work to be completed within forty-five (45) days from notice to proceed
Contact: Barbara James (814) 732-2704



Vehicle, Heavy Equipment and Powered Machinery Services

2500 - Loader Rental Wheel Loader (RENTAL). 2 1/4 TO 2 1/2 CUBIC YARD BUCKET. To be CASE Model 612 or approved equal. Rental fee to include delivery and pick-up.

Department: Corrections
Location: State Correctional Institution, 1000 Follies Road, Dallas, PA 18612
Duration: 7 months (December, 2001 through June 30, 2002)
Contact: Robert Faneck (570) 674-2708



Miscellaneous

4700-01 The Farm Show Complex will issue a bid for a Parking Services Coordinator. The main function will be the management of parking fees collected during events held at the Farm Show Complex.

Department: Agriculture
Location: Farm Show Complex
Duration: One year with options to extend for three 1 year periods.
Contact: Mike Mesaris (717) 787-5674

SP1345011014 Vendor to fill in an inground swimming pool located in Coates Hall—at the Southeastern Veteran's Center, 1 Veterans Drive, Spring City, PA 19475. For further job information, contact Mr. Thomas Schmidt, Maintenance Manager at (610) 948-2430. If you wish to receive copies of the bid package when it is prepared, please fax your request to the following: (610) 948-2461, ATTN: Theresa Barthel, P.A., or e-mail to TBARTHEL@STATE.PA.US.

Department: Military Affairs
Location: Southeastern Veteran's Center, Coates Hall, 1 Veterans Drive, Spring City, PA 19475
Duration: November 1, 2001 through June 30, 2002
Contact: Theresa Barthel, P.A. (610) 948-2493

SP1375017001 Rental of Bucket Truck.

Department: Military Affairs
Location: Building 11-64, Fort Indiantown Gap
Duration: Eleven Months - 1 November 2001—30 September 2002
Contact: Vicky Lengel (717) 861-8579

388108101 The construction of woven wire fences: including vehicle and walk through gates at specified locations at each project area. Bids could result in multiple contracts.

Department: Conservation and Natural Resources
Location: Bureau of Forestry, 158 South Second Ave., Clarion, PA 16214
Duration: June 30, 2002
Contact: Gary L. Frank (814) 226-1901

090101 Vendor to provide wheelchair w/adaptive seating for two individuals. Seating must be custom built for each individual.

Department: Public Welfare
Location: Ebensburg Center, Department of Public Welfare, Rt. 22 West, P. O. Box 600, Ebensburg, PA 15931
Contact: Cora M. Davis, PA I (814) 472-0288

RFA 01-07-04 The Department of Health, Bureau of Chronic Diseases and Injury Prevention is issuing a Request for Application (RFA) 01-07-04 to fund innovative research ideas relating to breast or cervical cancer. Twelve copies of the application must be submitted to the Pennsylvania Department of Health, Division of Contracts, Room 824, Health & Welfare Building, P. O. Box 90, Harrisburg, PA 17108-0090 no later than 2:30, Wednesday, October 24, 2001. No pre-application conference will be held.

Department: Health
Location: Statewide
Duration: 12 months
Contact: Susan F. George, Cancer Control Program (717) 787-5251

[Pa.B. Doc. No. 01-1765. Filed for public inspection September 21, 2001, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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KELLY LOGAN,
Acting Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
1030151-01	09/10/01	Linsco/dba Liberty National Sales	1,580.00
1030151-02	09/10/01	Office Basics	130,717.85
1055151-01	09/10/01	Samsel Supply	40,277.00
1061071-01	09/10/01	Destiny Promotions	44,750.00

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
1080381-01	09/10/01	Dupli Envelopes & Graphics	37,180.00
7314680-01	09/10/01	Interface Americas	87,456.00

KELLY P. LOGAN,
Acting Secretary

[Pa.B. Doc. No. 01-1766. Filed for public inspection September 21, 2001, 9:00 a.m.]