

# PENNSYLVANIA BULLETIN

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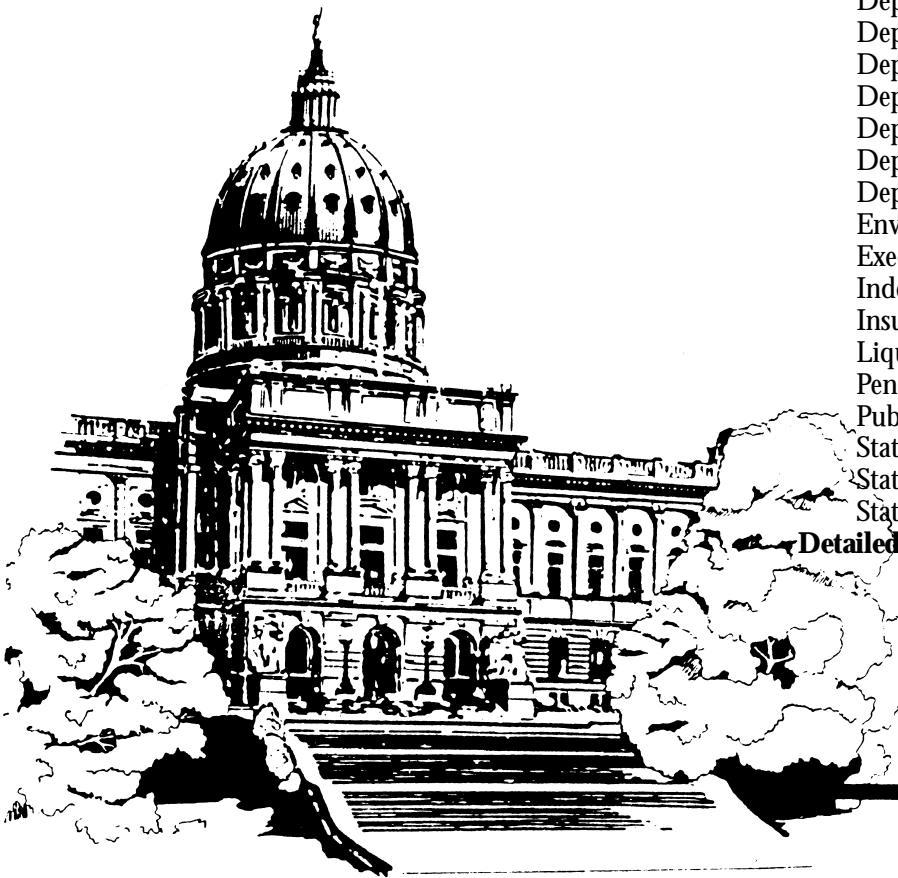
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State Board of Landscape Architects  
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**No. 322, September 2001**

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 35]

#### Rule 3520 Relating to Brief of the Appellant

The Superior Court of Pennsylvania on September 5, 2001 adopted new rule 3520 concerning appending a copy of the Pa.R.A.P. 1925(b) statement filed in the trial court to the brief of the appellant. This new rule appears in the Pennsylvania Rules of Appellate Procedure—Business of the Superior Court, with the adoption of Rule 3520, appearing in 210 Pa. Code Chapter 35.

This change becomes effective January 1, 2002.

ERNEST GENNACCARO,  
*Chief Staff Attorney*

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### CHAPTER 35. BUSINESS OF THE SUPERIOR COURT

#### APPEALS AND ARGUMENT LISTS

#### Rule 3520. Brief of the Appellant.

There shall be appended to the brief of the appellant a copy of the statement of matters complained of on appeal, filed with the trial court pursuant to Pa.R.A.P. 1925(b). If the trial court has not entered an order directing the filing of such a statement, the brief shall contain a statement that no order to file a statement pursuant to Pa. R.A.P. 1925(b) was entered by the trial court.

[Pa.B. Doc. No. 01-1767. Filed for public inspection September 28, 2001, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
[25 PA. CODE CH. 287]

Corrective Amendment to 25 Pa. Code § 287.102  
(a)(2)(i)

The Department of Environmental Protection has discovered a discrepancy between the agency text of 25 Pa. Code § 287.102(a)(2)(i) (relating to permit-by-rule) as deposited with the Legislative Reference Bureau and the official text as published at 31 Pa.B. 2873, 2888 (June 2, 2001) that currently appears in the *Pennsylvania Code*. The reference to subsection (k) in that subparagraph should have been changed to subsection (i).

Therefore, under 45 Pa.C.S. § 901: The Department of Environmental Protection has deposited with the Legislative Reference Bureau a corrective amendment to 25 Pa. Code § 287.102(a)(2)(i). The corrective amendment to 25 Pa. Code § 287.102(a)(2)(i) is effective as of June 2, 2001, the date the defective official text was printed in the *Pennsylvania Bulletin*.

The correct version of 25 Pa. Code § 287.102(a)(2)(i) appears in Annex A.

### Annex A

#### TITLE 25. ENVIRONMENTAL PROTECTION PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

#### ARTICLE VIII. MUNICIPAL WASTE

#### CHAPTER 287. RESIDUAL WASTE MANAGEMENT—GENERAL PROVISIONS

#### § 287.102. Permit-by-rule.

(a) Purpose.

\* \* \* \* \*

(2) A facility is not subject to permit-by-rule under this section unless it meets the following:

(i) The facility complies with Chapter 299 (relating to storage and transportation of residual waste), except as provided in subsections (b)(7), (c)(3) and (i).

\* \* \* \* \*

[Pa.B. Doc. No. 01-1768. Filed for public inspection September 28, 2001, 9:00 a.m.]

\_\_\_\_\_

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF COSMETOLOGY

[49 PA. CODE CH. 7]

### Application Fees

The State Board of Cosmetology (Board) adopts amendments to § 7.2 (relating to fees), to read as set forth in Annex A.

Notice of proposed rulemaking was published at 30 Pa.B. 3266 (July 1, 2000). Publication was followed by a 30-day public comment period. The Board received no comments from the public, the House Professional Licensure Committee, the Senate Consumer Protection and Professional Licensure Committee or the Independent Regulatory Review Commission (IRRC).

#### Effective Date

The amendment will be effective upon final-form publication in the *Pennsylvania Bulletin*.

#### Statutory Authority

The final-form amendment is authorized under section 16 of the Beauty Culture Law (63 P. S. § 522).

#### Calculation of Administrative Overhead

##### 1. Use of Constant Overhead Cost Allocation and "Rounding Up"

In computing overhead charges, the boards and the Bureau of Professional and Occupational Affairs (Bureau) include expenses resulting from service of support staff operations, equipment, technology initiatives or upgrades, leased office space and other sources not directly attributable to a specific board. Once the Bureau's expenses are determined, the Bureau's expenses are apportioned to each board based upon that board's share of the total active licensee population. The board's share of the expenses is divided by the number of active licensees under that board to calculate a "per application" charge which is added to the direct personnel cost to establish the cost of processing (the administrative overhead charge). The administrative charge is consistently applied to every application regardless of how much time the staff spends processing the application.

This method of calculating administrative overhead to be apportioned to fees for services was first included in the biennial reconciliation of fees and expenses conducted in 1988-89. In accordance with the Regulatory Review Act (71 P. S. §§ 745.1—745.15), the method was approved by the Senate and House Standing Committees and IRRC as reasonable and consistent with the legislative intent of statutory provisions which require the board to establish fees which meet or exceed expenses.

IRRC suggested, in response to regulations promulgated by other boards, that within each board, the administrative charge should be determined by the amount of time required to process each application. For example, an application requiring 1/2 hour of processing time would pay 1/2 as much overhead charge as an application requiring 1 hour of processing time. The Bureau concurs with IRRC that by adopting this methodology the Bureau and the boards would more nearly and accurately accomplish their objective of setting fees that cover the cost of the service. Therefore, in accordance with IRRC's previous suggestions, the Bureau conducted a test to compare the resulting overhead charges obtained by applying IRRC suggested time factor versus the current method.

This review of the boards' operation showed that approximately 25% of staff time was devoted to providing services described in the regulations. The current method recouped 22% to 28% of the administrative overhead charges versus the 25% recouped using a ratio-based time factor. However, when the time factor is combined with the licensing population for each board, the resulting fees vary widely even though different licensees may receive the same services. For example, using the time-factor method to issue a verification of licensure would cost \$34.58 for a landscape architect as compared with a cost of \$10.18 for a cosmetologist. Conversely, under the Bureau method, the administrative overhead charge of \$9.76 represents the cost of processing a verification application for all licensees in the Bureau. Also, the Bureau found that employing a time factor in the computation of administrative overhead would result in a different amount of overhead charge being made for each fee proposed.

With regard to IRRC's earlier suggestions concerning projected versus actual expenses, the boards noted that the computation of projected expenditures based on amounts actually expended has been the basis for biennial reconciliations for the past 10 years. During these 5 biennial cycles, the experience of both the boards and the Bureau has established that verifiable data can be substantiated by collective bargaining agreements, pay scales and cost benefit factors. This method has provided a reliable basis for fees. Also, the fees are kept at a minimum for licensees, but appear adequate to sustain the operations of the boards over an extended period. Similarly, accounting, recordkeeping and swift processing of applications, renewals and other fees were the primary basis for "rounding up" the actual costs to establish a fee. This rounding up process has in effect resulted in the necessary but minimal cushion or surplus to accommodate unexpected needs and expenditures.

## *2. Variation in Administration Charge of Verification/Certification Versus Administrative Charge for Other Services*

In response to previous regulations from the Bureau, IRRC questioned why the administrative charge included for other services was different. The administrative charge of \$9.76 represents the cost of processing a verification or certification application for any licensee in the Bureau irrespective of what Board issues the license. The administrative charge of \$11.38 represents the cost of processing other types of licensure applications for only licensees under the Board. In other words, whereas the administrative charge for verification or certification of licensure is constant across all licensees under the Bureau, the license services performed that are specific to the type of license held are calculated based only on the

number of licensees served by the board. Thus, each board has two administrative charges applied to the provision of licensure services: \$9.76 is applied to all boards for verification or certification services and an individual fee (\$1.62) is applied on a per board basis.

### *Fees for Business Changes*

Previously, IRRC requested a more detailed explanation of the fee increases for change of business name or post office and change in business physical location.

When a business requests a name or address change, the Board staff reviews the application for completeness and contacts the applicant for any missing information. The staff verifies that the name of the dealership has not changed as a result of an ownership change and determines whether the address change is due to an actual physical location change or to a postal address reassignment. The staff then processes the new information through the computer and issues an updated license.

If there has been a physical location change, in addition to the previous procedures, the Board staff prepares an inspection report form and forwards the form to the Bureau of Enforcement and Investigation (BEI). BEI conducts an onsite inspection, determines whether statutory and regulatory standards for the facility are met and sends the inspection results to the Board. Board staff then updates the computer information and issues a license with the new address or, if BEI has found that the new location does not comply with applicable facility standards, issues a discrepancy notice. Inspection by BEI represents a change from the former procedure, when inspections were performed by the State Police at no charge to the Board. The State Police no longer perform this service.

### *Reinspection After Failure*

When applicable facility standards are not met at initial inspection for new or relocated businesses, BEI advises Board staff of the reasons for failure at the onsite inspection. The Board staff sends a discrepancy letter to the applicant informing the applicant of the deficiencies. The applicant notifies the Board office when the deficiencies have been corrected. The Board office then prepares a reinspection report form and forwards the form to BEI for follow-up inspection. After the follow-up inspection is completed, the results are sent to the Board staff. The Board staff then either sends another discrepancy letter or issues the license.

Although the existing application fees capture the cost of the initial inspection by BEI prior to issuance of a license, the fees do not cover the cost of reinspection by BEI when the applicable facility standards were not met at the initial inspection. This new fee will cover the additional cost of reinspection and require that only those using the service must pay for the service.

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

The Board reviewed this final-form amendment and considered its purpose and likely impact upon the public and the regulated population under the directives of Executive Order 1996-1. The final-form regulation addresses a compelling public interest as described in this preamble and otherwise complies with Executive Order 1996-1.

### *Fiscal Impact and Paperwork Requirements*

The final-form amendment will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a modest fiscal impact on those members of the private sector who apply for services from

the Board. The final-form amendment will impose no additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

*Sunset Date*

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

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on June 2, 2000, the Board submitted a copy of the notice of proposed rulemaking, published at 30 Pa.B. 3266, to IRRC and the Chairpersons of the House Professional Licensure Committee and the Senate Consumer Protection and Professional Licensure Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form amendment, the Board has considered the comments from IRRC and the Committees.

Under section 5.1(d) of the Regulatory Review Act (71 P. S. § 745.5a(d)), on May 16, 2001, this final-form amendment was deemed approved by the House and Senate Committees. The final-form amendment was deemed approved under section 5(g) of the Regulatory Review Act, effective on May 17, 2001.

*Further Information*

Individuals who need information about the final-form amendment may contact the Board Administrator, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649, (717) 783-7130.

*Findings*

The Board finds that:

- (1) Public notice of proposed rulemaking was given under sections 201 and 202 of the Commonwealth Documents Law (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided as required by law and all comments were considered.
- (3) The amendment does not enlarge the purpose of proposed rulemaking published at 30 Pa.B. 3266.
- (4) The amendment is necessary and appropriate for administration and enforcement of the Board's authorizing statute.

*Order*

The Board therefore orders that:

- (a) The regulations of the Board, 49 Pa. Code Chapter 7, are amended by amending § 7.2 to read as set forth in Annex A.
- (b) The Board shall submit this order and Annex A to the Office of General Counsel and to the Office of Attorney General for approval as required by law.
- (c) The Board shall certify this order and Annex A and shall deposit them with the Legislative Reference Bureau as required by law.
- (d) The amendment shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

CAROL M. THOMPSON,  
*Chairperson*

**Fiscal Note:** Fiscal Note 16A-458 remains valid for the final adoption of the subject regulation.

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

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 7. STATE BOARD OF COSMETOLOGY**

**FEES**

**§ 7.2. Fees.**

(a) The fee for the cosmetologist, cosmetician, manicurist or teacher examination is \$59. The fee for the manager theory examination is \$31. The fee for each portion of an examination is:

Theory examination.....	\$31
Performance examination (not applicable to managers).....	\$28

(b) Effective September 1, 1999, the fee for the complete cosmetologist, cosmetician, manicurist or teacher examination is \$71. The fee for the manager theory examination is \$31. The fee for each portion of an examination is:

Theory examination.....	\$41
Performance examination (not applicable to managers).....	\$30

(c) Other fees charged by the Board:

Licensure of cosmetologist, manicurist or cosmetician .....	\$10
Licensure of cosmetology shop manager or cosmetology teacher.....	\$10
Licensure of cosmetology shop, manicurist shop or cosmetician shop .....	\$55
Licensure of cosmetology school.....	\$160
Licensure by reciprocity.....	\$20
Registration of cosmetology apprentice .....	\$70
Biennial renewal of manicurist's license .....	\$21
Biennial renewal of cosmetician's license .....	\$21
Biennial renewal of cosmetologist's license.....	\$23
Biennial renewal of cosmetology shop manager's or cosmetology teacher's license.....	\$36
Biennial renewal of cosmetology shop's license ...	\$41
Biennial renewal of cosmetician or manicurist shop's license.....	\$25
Biennial renewal of cosmetology school's license .	\$66
Approval of cosmetology school supervisor .....	\$20
Change in cosmetology, cosmetician or manicurist shop (inspection required) .....	\$55
Change in cosmetology, cosmetician or manicurist shop (no inspection required) .....	\$15
Reinspection of cosmetology, cosmetician or manicurist shop or cosmetology school.....	\$40

Certification of student or apprentice training hours .....	\$30
Verification of license, registration, permit or approval.....	\$15

[Pa.B. Doc. No. 01-1769. Filed for public inspection September 28, 2001, 9:00 a.m.]

**STATE BOARD OF LANDSCAPE ARCHITECTS**

**[49 PA. CODE CH. 15]**

**Application Fees**

The State Board of Landscape Architects (Board) amends §§ 15.12 and 15.57 (relating to fees; and registration by endorsement) to read as set forth in Annex A.

*A. Effective date.*

The amendments take effect upon final-form publication in the *Pennsylvania Bulletin*.

*B. Statutory Authority*

The final-form amendments are authorized under section 5(a) of the Landscape Architects' Registration Law (law) (63 P.S. § 905(a)). This provision requires the Board to increase fees to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period.

*C. Background and Purpose.*

Expenses of the Board that are related to processing individual applications or providing certain services directly to individual licensees or applicants are funded through fees which are based on the cost of providing the service. The fee is charged to the person requesting the service.

A recent systems audit within the Bureau of Professional and Occupational Affairs (Bureau) determined that the application and service fees did not accurately reflect the actual cost of processing the applications and performing the services. A detailed explanation of the background of these fees as well as a description of the fees was published at 29 Pa.B. 4355 (August 14, 1999).

*D. Summary of Comments and Responses on Proposed Rulemaking*

Following publication of proposed rulemaking at 29 Pa.B. 4355, the Board did not receive any comments from the general public. The Board also did not receive any comments or objections from the Senate Consumer Protection and Professional Licensure Committee. The House Professional Licensure Committee issued comments on September 27, 1999. The Board received comments from the Independent Regulatory Review Commission (IRRC) on October 14, 1999. The following is the response to both sets of comments.

*Certification and Verification Fee*

IRRC questioned the difference in staff processing time between a verification and a certification, and asked for a revised description of the staff processing functions for those two tasks. The House Professional Licensure Committee also asked for a distinction between verification and certification and the respective fees.

The certification of a score is made at the request of a licensee when the licensee is seeking to obtain a license

in another state based upon a license in this Commonwealth, which had been issued on the basis of a uniform National or regional examination which was taken in this Commonwealth. Generally the state of the original license is the only source of the score of the licensee, as testing agencies do not maintain this information. The licensing laws of many states include provisions that licensure by reciprocity or endorsement based on a license in another state will be granted only if the board or agency determines that the qualifications are the same or substantially similar. Many state agencies have interpreted this provision to require that licensees have attained a score equal to, or exceeding, the passing rate in that jurisdiction at the time of original licensure. For this reason, these states require that the Board and other boards certify the examination score the applicant achieved on the license examination.

As noted in proposed rulemaking, the difference between the verification and certification fees is the amount of time required to produce the document requested by the licensee. As previously noted, states request different information when making a determination as to whether to grant a license based on reciprocity or endorsement from another state. The Bureau has been able to create two documents from its records that will meet all of the needs of the requesting state. The licensee, when applying to the other state, receives information as to what documentation and form is acceptable in the requesting state. The Bureau then advises the licensee of the type of document the Bureau can provide and the fee.

In the case of a "verification," the staff produces the requested documentation by a letter, usually computer generated, which contains the license number, date of original issuance, current expiration date and status of the license. The letter is printed from the Bureau's central computer records and sent to the Board staff responsible for handling the licensee's application. The letter is sealed, folded and mailed in accordance with the directions of the requestor. The Bureau estimates the average time to prepare this document to be 5 minutes. This function takes only 5 minutes because the search for the information is computerized.

The Bureau uses the term "certification fee" to describe the fee for a request for a document, again generally to support reciprocity or endorsement applications to other states, territories or countries, or for employment or training in another state. A certification document contains information specific to the individual requestor. It may include dates or location where examinations were taken, or scores achieved or hours and location of training. The information is entered onto a document which is usually supplied by the requestor. The Board staff then seals and issues this certification document. The average time to prepare a certification is 45 minutes. This is because a number of resources—such as files, microfilm and rosters—must be retrieved, consulted and often manually searched, in order to provide the information requested. The staff processing function in preparing a certification requires much more manual searching for information than the staff function in preparing a verification, which is primarily a computerized search.

*Administrative Overhead*

IRRC requested that the Board and the Bureau thoroughly examine its cost allocation methodology for administrative overhead and itemize the overhead costs to be recouped by these fees. IRRC commented that although the methodology is reasonable, there is no indication that the fees will recover the actual overhead costs because

there is no relationship to the service covered by the fees and because the costs are based upon past expenditures rather than projected expenditures. IRRC expressed the view that there is no certainty that the projected revenues of the new fee will meet or exceed projected expenditures as required under the Board's enabling statutes. The House Professional Licensure Committee also questioned the Bureau's use of a \$9.76 fee for certain services, as well as the Bureau's decision to round up proposed fees.

In computing overhead charges, the boards and the Bureau include expenses resulting from service of support staff operations, equipment, technology initiatives or upgrades, leased office space and other sources not directly attributable to a specific board. Once determined, the Bureau's total administrative charge is apportioned to each board based upon that board's share of the total active licensee population. In turn, the board's administrative charge is divided by the number of active licensees to calculate a "per application" charge which is added to direct personnel cost to establish the cost of processing. The administrative charge is consistently applied to every application regardless of how much time the staff spends processing the application.

This method of calculating administrative overhead to be apportioned to fees for services was first included in the biennial reconciliation of fees and expenses conducted in 1988-89. In accordance with the Regulatory Review Act (71 P. S. §§ 745.1—745.15), the method was approved by the Senate and House Committees and IRRC as reasonable and consistent with the legislative intent of statutory provisions which require the board to establish fees which meet or exceed expenses.

IRRC suggested that within each board, the administrative charge should be determined by the amount of time required to process each application. For example, an application requiring 1/2 hour of processing time would pay 1/2 as much overhead charge as an application requiring 1 hour of processing time. The Bureau concurs with IRRC that by adopting this methodology, the Bureau and the boards would more nearly and accurately accomplish their objective of setting fees that cover the cost of the service. Therefore, in accordance with IRRC's suggestions, the Bureau conducted a test to compare the resulting overhead of charges obtained by applying IRRC's suggested time factor versus the current method. This review of a board's operation showed that approximately 25% of staff time was devoted to providing services described in the regulations. The current method recouped 22% to 28% of the administrative overhead charges versus the 25% recouped using a ratio-based time factor. However, when the time factor is combined with the licensing population for each board, the resulting fees vary widely even though different licensees may receive the same services. For example, using the time-factor method to issue a verification of licensure would cost \$34.58 for a landscape architect as compared with a cost of \$10.18 for a cosmetologist. Conversely, under the Bureau method the administrative overhead charge of \$9.76 represents the cost of processing a verification application for all licensees in the Bureau. Also, the Bureau found that employing a time factor in the computation of administrative overhead would result in a different amount of overhead charge being made for each fee proposed.

With regard to IRRC's suggestions concerning projected versus actual expenses, the boards noted that the computation of projected expenditures based on amounts actually expended has been the basis for biennial reconciliations for the past 10 years. During these 5 biennial cycles, the experience of both the boards and the Bureau has been that established and verifiable data can be substantiated by collective bargaining agreements, pay scales and cost benefit factors. This method has provided a reliable basis for fees. Also, the fees are kept at a minimum for licensees, but appear adequate to sustain the operations of the boards over an extended period. Similarly accounting, recordkeeping and swift processing of applications, renewals and other fees were the primary basis for "rounding up" the actual costs to establish a fee. This rounding up process has in effect resulted in the necessary but minimal cushion or surplus to accommodate unexpected needs and expenditures.

For these reasons, the Board has not made changes in the method by which it allocates administrative expenditures and the resulting fees will remain as proposed.

*Increase in Fee for Licensure Under §§ 15.54(b)(2) and (3) or 15.56(a)(3)*

The comments of the House Professional Licensure Committee inquired as to the significant increase in fee for these services. The fee will be increased from \$45 to \$60. The Board does not view this cost-based increase to be significant, as explained in this section. However, the Board also increased the fee for licensure and Board interview under § 15.54(b)(4) or § 15.56(a)(1) or (2) (relating to registration by examination; and registration without examination) from \$255 to \$350. This increase is also addressed in this section.

Section 6 of the law outlines seven routes to licensure as a landscape architect. The Board has split the fees for these routes into two groups based upon the amount of Board time and involvement in the licensure process.

Four groups of candidates for licensure are not required to appear before the Board. Section 15.54(b)(1) provides for licensure by examination for an applicant who holds an undergraduate degree in landscape architecture and 2 years of practical experience. Section 15.54(b)(2) provides for licensure by examination for an applicant with an undergraduate degree in landscape architecture, 1 year of graduate education in landscape architecture and 1 year of practical experience. Section 15.54(b)(3) provides for licensure by examination for an applicant with an undergraduate degree in a subject other than landscape architecture, a graduate degree in landscape architecture and 2 years of practical experience. Section 15.56(a)(3) provides for licensure without examination for an applicant who has passed the examination in another state with a score approved by the Board and met the education and other practical experience requirements of the act.

Candidates applying for licensure in the following three categories must appear for a Board interview. Section 15.54(b)(4) provides for licensure by examination for an applicant with no applicable landscape architecture degree but 8 years of practical experience. Section 15.56(a)(1) provides for licensure without examination for an applicant with an undergraduate degree in landscape architecture and 10 years of experience. Section 15.56(a)(2) provides for licensure without examination for an applicant with no degree in landscape architecture but 15 years of practical experience.

Because the costs of review and approval involved in the first four categories are identical, the fee has been described as an application for licensure under § 15.54(b)(1), (2) and (3) or § 15.56(a)(3). Likewise, because the costs to review and approve applications in the final three categories are identical, the fee designation is an application for licensure and Board interview under § 15.54(b)(4) or § 15.56(a)(1) or (2). The \$15 increase for § 15.54(b)(1), (2) and (3) or § 15.56(a)(3)—those avenues of licensure which do not require a Board interview—is based on actual Board costs for the services.

The fees for licensure under the remaining three avenues of licensure increased more significantly. Licensure under any of the three methods requiring a Board interview allows an applicant who has certain combinations of experience or education, or both, to apply for licensure as a landscape architect without taking the licensure examination. Candidates are required to submit an extensive application to the Board which details the work and education experience which they believe qualifies them for licensure without examination. These applications are reviewed by a member of the Board staff who works with the applicant to provide any additional information needed. The applications are individually reviewed by members of a panel of the Board. The panel then schedules and conducts an in-depth personal interview of the applicant, reviewing blueprints, drawings, diagrams, plans, photographs and other documentation for numerous projects completed during the career of the applicant. The process is quite time and staff intensive because of the review of the candidate's work experience. The more significant increase of \$95 for these avenues of licensure involving a Board interview under § 15.54(b)(4) or § 15.56(a)(1) or (2), reflect an average of costs for the interview process, as well as the fact that the Board has not increased that fee in 13 years.

#### *Miscellaneous Changes*

Other changes that have been made since the time these final-form amendments were submitted as a proposed rulemaking include the elimination of the fee per section of licensing examination. This fee was removed because it was temporal—the fees listed in the regulation were for the exams given in June 1999, September 1999 and June 2000. Those times have passed and the fees are obsolete.

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

The final-form amendments will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The fees will have a modest fiscal impact on those members of the private sector who apply for services from the Board. The final-form amendments will not impose additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

#### *F. Sunset Date*

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

#### *G. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 30, 1999, the Board submitted a copy of the notice of proposed rulemaking, published at 29 Pa.B. 4355, to IRRC and to the Chairpersons of the Senate and House Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of the comments received during the public comment period as well as other documentation. In preparing the final-form regulations, the Board has considered any comments received from IRRC, the Committees and the public.

Under section 5.1(d) of the Regulatory Review Act (71 P. S. § 745.5a(d)), on September 4, 2001, the final-form regulations were deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on September 6, 2001, and approved the final-form amendments.

#### *H. Contact Person*

Further information may be obtained by contacting Shirley Klinger, Administrative Assistant, State Board of Landscape Architects, P. O. Box 2649, Harrisburg, PA 17105-2649, (717) 783-4865.

#### *I. Findings*

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) These final-form amendments do not enlarge the purpose of proposed rulemaking published at 29 Pa.B. 4355.

(4) These final-form amendments are necessary and appropriate for administration and enforcement of the authorizing acts identified in Part B of this preamble.

#### *J. Order*

The Board, acting under its authorizing statutes, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 15, are amended by amending §§ 15.12 and 15.57 to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of General Counsel and to the Office of Attorney General as required by law.

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

(d) This order shall take effect on publication in the *Pennsylvania Bulletin*.

JAMES W. PASHEK, L.A.,  
*Chairperson*

**Fiscal Note:** Fiscal Note 16A-615 remains valid for the final adoption of the subject regulation.

*(Editor's Note:* For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 31 Pa.B. 5416 (September 22, 2001).)



Annex A

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 15. STATE BOARD OF LANDSCAPE ARCHITECTS**

**APPLICATION PROCEDURES**

**§ 15.12. Fees.**

Following is the schedule of fees charged by the Board:

(1) Application for examination.....	\$ 40
(2) Application for licensure under § 15.54(b)(1), (2) and (3) or § 15.56(a)(3).....	\$ 60
(3) Application for licensure and Board interview under § 15.54(b)(4) and 15.56(a)(1) or (2)...	\$350
(4) Application for licensure by endorsement ..	\$ 45
(5) Application for temporary permit .....	\$ 45
(6) Administration of examination for one section or more .....	\$ 45
(7) Verification of licensure .....	\$ 15
(8) Certification of licensure or scores.....	\$ 25
(9) Duplicate certificate fee .....	\$ 5
(10) Biennial registration fee.....	\$125

**EXAMINATIONS**

**§ 15.57. Registration by endorsement.**

(a) *General requirements.* An applicant who has passed the LARE, holds an unexpired license from another state or foreign country, has a graduate or undergraduate degree in landscape architecture from an approved institution or college and possesses 2 years of practical experience in landscape architecture of a grade or character satisfactory to the Board, may be granted registration by endorsement following the filing of an application and a Board review of the applicant's comprehensive work sample.

(b) *Endorsement.*

(1) An applicant who requests registration by endorsement shall submit with the application an official certification of registration in the applicant's home state, territory or country from the secretary of the examining or registration board or other certifying official, stating on what basis registration was granted, whether by oral or written examination or exemption, and whether the registration is in good standing at the time of the application for registration in this Commonwealth.

(2) An applicant who requests registration by endorsement shall submit with the application complete information relative to training, education and experience as may be required by the Board.

(c) *Exception.* An applicant who received a license from another jurisdiction, without having passed the LARE examination, is not entitled to registration by endorsement.

[Pa.B. Doc. No. 01-1770. Filed for public inspection September 28, 2001. 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

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

#### Reorganization of the Department of Transportation

The Executive Board approved a reorganization of the Department of Transportation effective September 7, 2001.

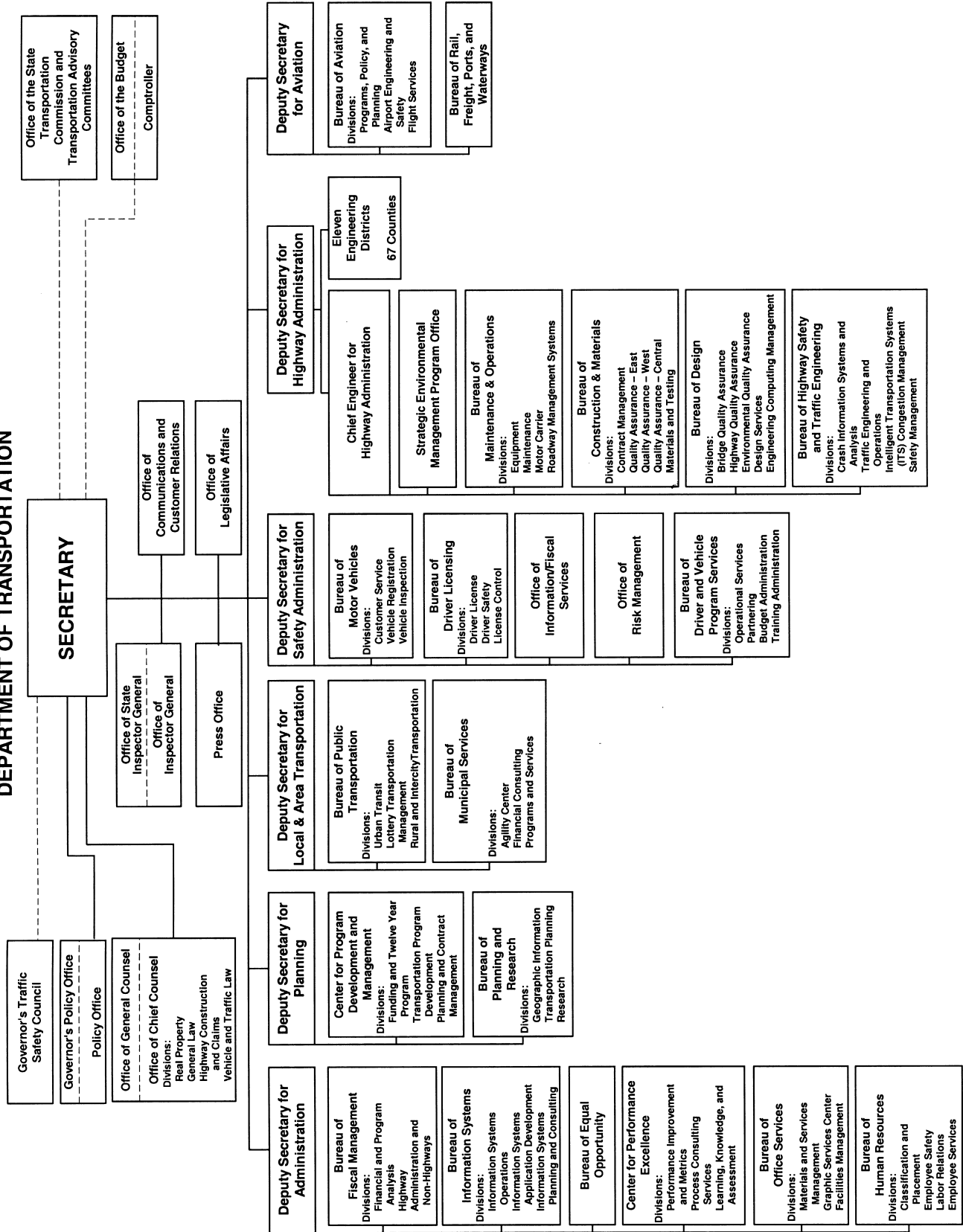
The following organization chart at 31 Pa.B. 5455 (September 29, 2001) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of Code).

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

[Pa.B. Doc. No. 01-1771. Filed for public inspection September 28, 2001, 9:00 a.m.]

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DEPARTMENT OF TRANSPORTATION



# 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 18, 2001.

#### BANKING INSTITUTIONS

##### Mutual Holding Company Reorganizations

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
9-11-01	PHS Bancorp, M.H.C. Beaver Falls Beaver County	Beaver Falls	Filed

Application represents the reorganization/conversion of the mutual holding company into a new Pennsylvania stock holding company to be known as "PHSB Financial Corporation."

##### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-11-01	PeoplesBank, A Codorus Valley Company York York County	118 E. Market Street York York County	Opened
9-17-01	AmeriServ Financial Bank Johnstown Cambria County	734 S. Atherton St. State College Centre County	Opened

##### Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-17-01	Northwest Savings Bank Warren Warren County	<i>To:</i> 999 S. Main Street Meadville Crawford County  <i>From:</i> 880 Park Avenue Meadville Crawford County	Approved

#### SAVINGS INSTITUTIONS

No activity.

#### CREDIT UNIONS

##### Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
4-30-01	Lancaster Postal Employees Credit Union Lancaster Lancaster County	1000 West Valley Rd. Southeastern Chester County	Opened

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1772. Filed for public inspection September 28, 2001, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Federal Land and Water Conservation Fund Program

The Department of Conservation and Natural Resources (DCNR) has announced an open application period for funding of acquisition and development projects from the Federal Land and Water Conservation Fund (LWCF) program. Applications are now being accepted as part of DCNR's Community Conservation Partnerships Program grant cycle.

The Community Conservation Partnerships Program combines a variety of funding sources that were previously administered by the Bureau of Recreation and Conservation as separate grant programs, and the LWCF program moneys will be incorporated with these other grant sources to fund applications received during an open application period which began August 8, 2001, and closes October 31, 2001. DCNR anticipates receiving at least \$3,000,000 this year from the Federal LWCF appropriation.

An announcement of the Community Conservation Partnerships Program open application period, information on preapplication workshops and an order form for the application manual and forms has been sent to Commonwealth municipalities, municipal agencies, appropriate/authorized organizations and prequalified land trust organizations. Information about the LWCF grants is contained in these documents and materials. A copy of the announcement, grant application manual and forms and additional information may be obtained by contacting the Department of Conservation and Natural Resources, Bureau of Recreation and Conservation, 6th Floor Rachel Carson State Office Building, P. O. Box 8475, Harrisburg, PA 17105-8475, (717) 783-4734, e-mail at [rec&con@state.pa.us](mailto:rec&con@state.pa.us). Information is also available on the web at [www.dcnr.state.pa.us/grants](http://www.dcnr.state.pa.us/grants). Completed grant applications should be mailed to the previous postal address and must be postmarked no later than October 31, 2001.

Applications will not be accepted via fax or e-mail.

Persons with a disability who wish to submit an application and require assistance should contact Darrel Siesholtz at the previous number to discuss how DCNR may best accommodate their needs. TTY or TDD users call (800) 654-5984.

DCNR is an equal opportunity employer and prohibits discrimination against users of programs, facilities or services funded or provided by DCNR, regardless of race,

color, sex, age, religion, political affiliation, national origin or disability.

JOHN C. OLIVER,  
*Secretary*

[Pa.B. Doc. No. 01-1773. Filed for public inspection September 28, 2001, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Wilkes University for Approval of Amendment of its Articles of Incorporation

#### *Notice of Opportunity for Hearing and Invitation to Protest*

Under 24 Pa.C.S. § 6504(a) (relating to fundamental changes), the Department of Education (Department) will consider the application of Wilkes University for a Certificate of Authority approving the amendment to and the restating of its Articles of Incorporation in their entirety.

In accordance with 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist, (717) 787-7572; or Carol Gisselquist, Higher Education Specialist, (717) 787-4448, 333 Market Street, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Dr. Warren D. Evans at (717) 787-7572 or Carol Gisselquist at (717) 787-4448 to discuss how the Department may best accommodate their needs.

CHARLES B. ZOGBY,  
*Secretary*

[Pa.B. Doc. No. 01-1774. Filed for public inspection July 28, 2001, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

## NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

### NPDES APPLICATIONS

#### PART I PERMITS

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application, within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding 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. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

#### I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPS Waived Y/N ?
PA0009440	PA American Water Co. Silver Spring WTP 800 W. Hershey Park Drive P. O. Box 888 Hershey, PA 17033-0888	Cumberland County Silver Spring Township	Conodoguinet Creek/7-B	Yes
PA0008486	Ahlstrom Technical Specialities, LLC 122 W. Butler Street P. O. Box A Mount Holly Springs, PA 16065-0238	Cumberland County Mt. Holly Springs Borough	Mountain Creek/ 7-E	Yes
PA0081108	Dennis E. Morrison 127 Indian Springs Road Hopewell, PA 16650	Bedford County Hopewell Town- ship	Yellow Creek/11-D	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPS Waived Y/N ?
PA0114324	Herbert L. Morgan DeMorgan Acres R. R. 2 D-38 Canton, PA 17724-9208	Canton Township Bradford County	UNT Towanda Creek 4-C	Yes

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

**PA0104019**, Sewage. **Superior Waste Services—DuBois**, R. D. 2, P. O. Box O, Brockway, PA 15824. This proposed facility is located in Washington Township, **Jefferson County**.

Description of Proposed Activity: a renewal for an existing discharge of sewage.

The receiving stream, unnamed tributary to Wolf Run, is in watershed 17C and classified for: cold water fishes, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Hawthorn Area Water Authority intake on Redbank Creek located at Hawthorn, approximately 45 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0002.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 21,000/100 ml as a geometric average	
Total Residual Chlorine	1.5		2.3
pH		6.0 to 9.0 standard units at all times	

The proposed effluent limits for Outfall 002.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
CBOD <sub>5</sub>	XX		
COD	XX		
Oil and Grease	XX		
TSS	XX		
Dissolved Iron	XX		
pH	XX		

The EPA Waiver is in effect.

**PA0023957**, Sewage. **Georgetown Heights Subdivision**, McKean Township Supervisors, P. O. Box 62, McKean, PA 16426-0026. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Activity: Treatment of sanitary waste from a residential subdivision

The receiving stream, unnamed tributary to Elk Creek, is in watershed 15 (Lake Erie) and classified for: CWF; MF.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, there is no existing/proposed downstream potable water supply (stream and public water supplier) to consider for this evaluation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.018 MGD:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	4.5		90
NH <sub>3</sub> -N (5-1 to 10-31) (11-1 to 4-30)	11 33		22 66
Dissolved Oxygen		minimum of 3.0 mg/l at all times	
Total Residual Chlorine	0.5		1.2
Fecal Coliform (4-1 to 11-30) (12-1 to 3-31)		200/100 ml as a geometric average 2,000/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

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

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

**PA0056707**, Industrial Waste, **Alex C. Fergusson, Inc.**, 25 Spring Mill Drive, Frazer, PA 19355.

This application is for renewal of an NPDES permit to discharge stormwater from Alex C. Fergusson, Inc. facility in Charlestown Township, **Chester County**. This is an existing discharge to Cedar Hollow, a tributary to Valley Creek.

The receiving stream is classified for the following uses: exceptional value waters, aquatic life, water supply and recreation.

<i>Parameter</i>	<i>Annual Average (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	Monitor/Report	Monitor/Report
COD	Monitor/Report	Monitor/Report
Total Suspended Solids	Monitor/Report	Monitor/Report
Oil & Grease	Monitor/Report	Monitor/Report
pH	Monitor/Report	Monitor/Report
Total Kjeldahl Nitrogen	Monitor/Report	Monitor/Report
Phosphorus (as P)	Monitor/Report	Monitor/Report
Iron Dissolved	Monitor/Report	Monitor/Report
MBAS Surfactant	Monitor/Report	Monitor/Report

Other Conditions:

The EPA Waiver is in effect.

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

**PA-0027235**, Sewage, **Easton Area Joint Sewer Authority**, 50-A South Delaware Drive, Easton, PA 18042. This proposed facility is located in City of Easton, **Northampton County**.

Description of Proposed Activity: Renewal of a NPDES Permit.

The receiving stream, Delaware River, is in the State Water Plan watershed #2D and is classified for: warm water fishery. The nearest downstream public water supply intake for Keystone Water Company is located on Delaware River is 46 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 10.0 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	25.0	37.5	50.0
Total Suspended Solids	30.0	45.0	60.0
NH <sub>3</sub> -N	20.0	30.0	40.0
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.84		2.0

In addition to the effluent limits, the permit contains the following major special conditions: pretreatment condition, WETT Test and sludge disposal.

The EPA waiver is not in effect.

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

**PAG123522**, CAFO, **Ben Lewis, Big Cove Farm**, 21032 Cogwheel Way, Germantown, MD 20876. This proposed facility is located in Thompson Township, **Fulton County**.

Description of Proposed Activity: Ben Lewis is proposing to develop a new 1,400 sow farrow to wean operation with an additional 650 head finishing operation. All the manure produced by these animals will be used on the farm as a fertilizer replacement. This operation will have reinforced concrete underhouse manure storage. There will not be any outside manure storage facility. The breeding/gestation buildings will have approximately 1,300,000 gallons of storage and the farrowing and finishing buildings will have approximately 170,000 gallons of temporary manure storage in a shallow pit located under the house. Each manure storage pit will have a self contained leak detection system.

The receiving stream, Tonoloway Creek, is in the State Water Plan watershed 13-B and is classified for: WWF.

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

**PAG123523**, CAFO, **Brent Hershey**, Hershey Ag, 138 Airport Road, Box 68, Marietta, PA 17547-0068. This proposed facility is located in Fayette Township, **Juniata County**.

Description of Proposed Activity: Lost Creek Farms is a farrow to swine operation consisting of 862 animal units located on the farm year round. The approximately 3.6 million gallons of produced manure on this operation is collected and stored in a HDPE Lined Manure Storage Structure. Manure is then exported off the farm to neighboring farmers to be utilized for agricultural crop production.

The receiving stream, Little Lost Creek, is in the State Water Plan watershed 12-A and is classified for: CWF.



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

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

**PA0091685**, Industrial Waste, SIC, 4953, **U. S. Steel Group**, a Unit of USX Corporation, 600 Grant Street, Pittsburgh, PA 15219-2749.

This application is for renewal of an NPDES permit to discharge treated leachate and mine drainage, untreated stormwater from Taylor Industrial Landfill in West Mifflin Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the South Sewer Treatment Plant (SSTP) at the Irvin Works and unnamed tributaries to Streets Run, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Pennsylvania American Water Company, located 7.2 miles below the discharge point.

*Outfall 103: existing discharge, design flow of 0.032 mgd discharge to Irvin Works (SSTP)*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			12	15	
Oil and Grease			10	10	30
Aluminum			2.71	6.11	
Iron			1.5	3.0	
Manganese			0.23	0.30	
Cadmium			0.08	0.2	
Chromium, Hex			Monitor/Report		
Chromium, total			0.15	0.37	
Lead			0.13	0.28	
Copper			0.61	1.28	
Selenium			0.37	0.82	
Beryllium			0.34	0.82	
Silver			0.12	0.29	
Zinc			0.42	1.02	
Cyanide, total			2.0	4.0	
Cyanide, free			Monitor/Report		
Phenols			Monitor/Report		
Acrylonitrile			Monitor/Report		
Benzo(a)Pyrene			Monitor/Report		
pH	not less than 6.0 nor greater than 9.0				

*Outfall 203: 0.25 mgd discharge to Irvin Works (SSTP)*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			Monitor/Report		
Oil and Grease			Monitor/Report		
Aluminum			Monitor/Report		
Iron			Monitor/Report		
Manganese			Monitor/Report		
Cadmium			Monitor/Report		
Chromium, hex			Monitor/Report		
Lead			Monitor/Report		
Copper			Monitor/Report		
Selenium			Monitor/Report		
Beryllium			Monitor/Report		
Silver			Monitor/Report		
Zinc			Monitor/Report		
Cyanide, total			Monitor/Report		
Cyanide, free			Monitor/Report		
Phenols			Monitor/Report		
Acrylonitrile			Monitor/Report		
Benzo(a)Pyrene			Monitor/Report		
pH			Monitor/Report		

*Outfall SPN17:* Interim effluent limitations existing discharge, design flow of 0.02 MGD to an unnamed tributary of Streets Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			Monitor/Report		
Aluminum			Monitor/Report		
Iron, total			Monitor/Report		
Iron, dissolved			Monitor/Report		
Manganese			Monitor/Report		
Cyanide, free			Monitor/Report		
Lead			Monitor/Report		
Copper			Monitor/Report		
Selenium			Monitor/Report		
Fluoride			Monitor/Report		
Cobalt			Monitor/Report		
Sulfate			Monitor/Report		
TDS			Monitor/Report		
Osmotic Pressure (mos/kg)			Monitor/Report		
pH			Monitor/Report		

*Outfall SPN18:* existing discharge, design flow of 0.1 MGD to an unnamed tributary of Streets Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			Monitor/Report		
Aluminum			Monitor/Report		
Iron, total			Monitor/Report		
Iron, dissolved			Monitor/Report		
Manganese			Monitor/Report		
Cyanide, free			Monitor/Report		
Lead			Monitor/Report		
Copper			Monitor/Report		
Selenium			Monitor/Report		
Fluoride			Monitor/Report		
Cobalt			Monitor/Report		
Sulfate			Monitor/Report		
TDS			Monitor/Report		
Osmotic Pressure (mos/kg)			Monitor/Report		
pH			Monitor/Report		

*Outfall SPN15 and SPN16:* Interim effluent limitations for new discharges.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			Monitor/Report		
Aluminum			Monitor/Report		
Iron, total			Monitor/Report		
Iron, dissolved			Monitor/Report		
Manganese			Monitor/Report		
Sulfate			Monitor/Report		
pH			Monitor/Report		

*Outfall 002:* Interim effluent limitations for an existing discharge to an unnamed tributary of Streets Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			35.0		70.0
Aluminum			1.0		2.0
Iron, total			3.5		7.0
Iron, dissolved			Monitor/Report		
Manganese			2.0		4.0
Cadmium			Monitor/Report		
Silver			Monitor/Report		
Cyanide, free			Monitor/Report		
Lead			Monitor/Report		

<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>
Benzo(a)Pyrene			Monitor/Report		
Antimony			Monitor/Report		
Arsenic			Monitor/Report		
Chromium, hex			Monitor/Report		
Copper			Monitor/Report		
Mercury			Monitor/Report		
Selenium			Monitor/Report		
Thallium			Monitor/Report		
Fluoride			Monitor/Report		
Cobalt			Monitor/Report		
Sulfate			Monitor/Report		
TDS			Monitor/Report		
Osmotic Pressure			Monitor/Report		
pH	not less than 6.0 nor greater than 9.0				

*Outfall 002: Final effluent limitations for an existing discharge.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Suspended Solids			35.0		70.0
Aluminum			0.5		1.0
Iron, total			0.5		1.0
Iron, dissolved			0.25		0.5
Manganese			1.0		2.0
Cadmium			0.01		0.02
Silver			Monitor/Report		
Cyanide, free			0.04		0.08
Lead			0.2		0.4
Benzo(a)Pyrene			Monitor/Report		
Antimony			Monitor/Report		
Arsenic			Monitor/Report		
Chromium, hex			0.02		0.04
Copper			0.04		0.08
Mercury			Monitor/Report		
Selenium			0.15		0.3
Thallium			0.2		0.4
Fluoride			Monitor/Report		
Cobalt			Monitor/Report		
Sulfate			Monitor/Report		
TDS			Monitor/Report		
Osmotic Pressure			Monitor/Report		
pH	not less than 6.0 nor greater than 9.0				

*Outfall 004: existing discharge, to an unnamed tributary to Streets Run.*

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
This discharge shall consist solely of stormwater runoff.					
Aluminum			Monitor/Report		
Iron, total			Monitor/Report		
Iron, dissolved			Monitor/Report		
Manganese			Monitor/Report		
Cyanide, total			Monitor/Report		
Cyanide, free			Monitor/Report		
Zinc			Monitor/Report		
Sulfate			Monitor/Report		
Total Suspended Solids			Monitor/Report		
Total Dissolved Solids			Monitor/Report		
pH			Monitor/Report		

*Outfall 005:* existing discharge to an unnamed tributary to Streets Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
This discharge shall consist solely of stormwater runoff.					
Aluminum					Monitor/Report
Iron					Monitor/Report
Manganese					Monitor/Report
Cyanide					Monitor/Report
Zinc					Monitor/Report

*Outfall 006:* existing discharge to an unnamed tributary to Streets Run.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
This discharge shall consist solely of stormwater runoff.					
Aluminum					Monitor/Report
Iron					Monitor/Report
Manganese					Monitor/Report
Cyanide					Monitor/Report
Zinc					Monitor/Report

The EPA waiver is in effect.

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

**PA0026301**, Sewage. **Erie Sewer Authority and the City of Erie**, 68 Port Access Road, Erie, PA 16507-2202. This proposed facility is located in Erie, **Erie County**.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, there is no existing/proposed downstream potable water supply (stream and Public Water Supplier) downstream, so no evaluation was done.

Description of Proposed Activity: Renewal of an NPDES permit for an existing discharge.

The receiving stream, Lake Erie (Outer Erie Harbor and Lake Erie), is in watershed 15 and classified for: warm water fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 68.6 MGD.

*Outfall No. 001 and 001A*

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX		
Total Residual Chlorine (Final)	0.5		1.6
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric mean 100,000/100 ml as a geometric mean	

The proposed effluent limits, based on a design flow of 68.6 MGD, are:

*Suboutfall No. 101*

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX		
BOD <sub>5</sub>	49	73	98
TSS	70	105	140
Phosphorus "P"	1.0		
Color			XX
pH		6.0—9.0 at all times	

The proposed effluent limits, based on a design flow of N/A MGD, are:

*Outfall No. 201* (effluent from Overflows Retention Facility)

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX		

*Outfall No. 002* (Overflow Retention facility overflow)

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (MGD)	XX		
Fecal Coliform	**		
Total Residual Chlorine			1.6

\*\* (Fecal coliforms/100 ml)—During the swimming season (May 1—September 30), the maximum fecal coliform level shall be a geometric mean of 200 per 100 milliliters (ml) based on a minimum of five consecutive samples each sample collected on different days during a 30-day period. No more than 10% of the total samples taken during a 30-day period may exceed 400 per 100 ml. For the remainder of the year, the maximum fecal coliform level shall be a geometric mean of 2,000 per 100 milliliters (ml) based on a minimum of five consecutive samples collected on different days during a 30-day period.

## XX—Monitor and Report

## Special Conditions:

1. Total Residual Chlorine Minimization condition
2. Federal Pretreatment Program Condition
3. Best Management Practices for Stormwater Runoff from the Treatment Plant Site
4. Combined Sewer Overflow Related Bypass Conditions
5. Management and Control of Sewerage System Combined Sewer Overflows

The EPA Waiver is not in effect.

**PA0104442**, Sewage. **Breakneck Creek Regional Authority**, 1166 Mars-Evans City Road, Mars, PA 16046. This proposed facility is located in Adams Township, **Butler County**.

Description of Proposed Activity: renewal of an NPDES permit for an existing discharge.

The receiving stream, Breakneck Creek, is in watershed 20-C and classified for: warm water fishes, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Zelenople Municipal Waterworks on Connoquenessing Creek located at Zelenople, approximately 10 miles below point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	10	15	20
(11-1 to 4-30)	15	23	30
Total Suspended Solids	30	45	60
Phosphorus as P			
(4-1 to 10-31)	2		4
NH <sub>3</sub> -N			
(5-1 to 10-31)	1.5		3
(11-1 to 4-30)	3.3		6.6
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
Total Residual Chlorine	0.3		1.0
Dissolved Oxygen		minimum of 6 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is not in effect

**PA0238643**, Sewage, **Venango Cemetery Association Caretaker Residence**, P. O. Box 104, Venango, PA 16440. This facility is located in Venango Township, **Crawford County**.

Description of Proposed Activity: a new discharge of treated sewage from a privately owned treatment works serving a single residence.

The receiving stream is the unnamed tributary to Coulter Run, is in watershed 16-A and classified for: warm water fishes, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 400 GPD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	10		20
Total Suspended Solids	20		40
Ultraviolet Light Fecal Coliform (10-1 to 4-30)		Monitor and Report	
pH	6.0	200/100 ml as a geometric average	
			9.0

The EPA Waiver is in effect.

### III. Applications for New and Renewal Permits, Oil and Gas Activities

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

**PA0218898**, Industrial Waste, SIC 4925, **Belden and Blake Corporation**, 22811 Titusville Road, Pleasantville, PA 16341. This proposed facility is located in Derry Township, **Westmoreland County**.

Description of Proposed Activity: A new discharge of treated water produced during coalbed methane production.

The receiving stream, Conemaugh River, is in watershed 18-D (Conemaugh River—Blacklick Creek) and classified for: warm water fish, water supply and recreation. For the purpose of evaluating effluent requirements for TDS and phenolics, the existing downstream water supply considered during the evaluation is located in Freeport, PA approximately 48 miles downstream of the discharge point on the Allegheny River.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Monthly Average</i>	<i>Limitations Maximum Daily</i>	<i>Instantaneous Max</i>
Flow		0.6 mgd	417 gpm
Iron (tot)	3.5 mg/l		7 mg/l
Oil and Grease	15 mg/l		30 mg/l
TSS	30 mg/l		60 mg/l
Acidity	Monitor only		
Alkalinity	Greater than Acidity		
pH	6 to 9		
Chloride	Monitor only		
TDS	Monitor only		

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

**PA 0238597**, Industrial Waste, SIC 1311, **Valhalla Energy, Inc.**, 507 Valhalla Lane, Sewickley Heights, PA 15143. This proposed facility is located in Harmony Township, **Forest County**.

Description of Proposed Activity: A new discharge of treated production water from the operation of stripper oil wells.

The receiving stream, West Hickory Creek, is in watershed 16-F (Tionesta Creek) and classified for: cold water fish, water supply and recreation. For the purpose of evaluating effluent requirements for TDS and phenolics, the existing downstream water supply considered during the evaluation is the Emlenton Municipal Water Authority on the Allegheny River at Emlenton, approximately 69 miles downstream of the discharge point.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0016 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)		0.0016	
Oil & Grease	15		30
Total Suspended Solids	30		60
Total Iron	3.5		7.0
Benzene	2.06	4.13	5.16
Acidity	Less than Alkalinity		
Alkalinity	Monitor and Report		
Chloride	Monitor and Report		
Silver	Monitor and Report		
pH	6.0 to 9.0 standard units at all times		

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). Section I lists all municipal and industrial permits.

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

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

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

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

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

**WQM Permit No. 2101409**, Sewerage, **West Pennsboro Township Municipal Authority**, 2150 Neville Road, Carlisle, PA 17013-8957. This proposed facility is located in West Pennsboro Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction of new wastewater collection and treatment facilities for the Plainfield area.

**WQM Permit No. 0692402 Amendment 01-1**, Sewerage, **Exeter Township, Berks County, Authority**, Gibraltar and DeMoss Roads, P. O. Box 4068, Reading, PA 19606. This proposed facility is located in Exeter Township, **Berks County**.

Description of Proposed Action/Activity: Rerating of the Exeter Township East and West Wastewater Treatment Plants.

**WQM Permit No. 0601410**, Sewerage, **Bear Creek Management Company**, 1950 Old Gallows Road, Suite

600, Vienna, VA 22182. This proposed facility is located in Longswamp Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to construct wastewater facilities which will treat the wastewater, store treated effluent during the off season and use treated effluent in the snowmaking process during the ski season.

**WQM Permit No. 3101202**, CAFO Operation, **R. Wayne Harpster, Evergreen Farms, Inc.**, Box 113, Spruce Creek, PA 16683. This proposed facility is located in Franklin Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to add a new manure storage facility (concrete tank) for use as an additional manure storage on Evergreen Farms.

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

**WQM Permit No. 1701201**, Industrial Waste SIC 4941, **City of DuBois**, 16 West Scribner Ave, DuBois, PA 15801. This proposed facility is located in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: Construction and operation of filter plant sludge drying bed. Application received on August 17, 2001.

**WQM Permit No. 0801402**, Sewerage, **Jack Fox**, R. R. 3 Box 24, Towanda, PA 18848. This proposed facility is located in Towanda Township, **Bradford County**.

Description of Proposed Action/Activity: Construct and operate a Single Family Residence sewage treatment system.

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

**6301409**, Sewerage, **Michael A. Riedl**, 293 Cordial Drive, Bridgeville, PA 15017. Application for the construction and operation of a small flow sewage treatment plant to serve the Riedl Residence located in West Bethlehem Township, **Washington County**.

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

**WQM Permit No. 2001416**, Sewerage, **Arnold L. Becker**, 16944 State Route 18, Conneautville, PA 16406. This proposed facility is located in Summerhill Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

**WQM Permit No. 1601404**, Sewerage, **Ronald J. and Jennifer A. Grooms**, P. O. Box 94, Marble, PA 16334. This proposed facility is located in Washington Township, **Clarion County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

**WQM Permit No. 1601421**, Sewerage, **James K. Park**, 1879 Airport Road, Clarks Mills, PA 16114. This proposed facility is located in Perry Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

**WQM Permit No. 2501419**, Sewerage, **John A. Jr. and Judith L. Boylan**, 6821 Route 6N West, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

**WQM Permit No. 2501420**, Sewerage, **David C. and Vinia L. Smith**, 6821 Route 6N West, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

**WQM Permit No. 2501421**, Sewerage, **Roy A. and LuAnn M. Strobel**, 5721 Gibson Road, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

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#### NPDES Stormwater Individual Permit

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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 before 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.*

*Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.*

*Pike County Conservation District: HC6, Box 6770, Hawley, PA 18428, (570) 226-8220.*

*Lehigh County Conservation District: Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, (610) 391-9583.*

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

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS107800	Columbia Gas Transmission 525 Highland Blvd., Suite 100 Coatesville, PA 19320	Lehigh County Upper Saucon Township	Saucon Creek, CWF Mud Run, CWF Martins Creek, TSF, CWF
		Northampton County Lower Saucon Township Lower Mt. Bethel Township Washington Township Upper Mt. Bethel Township	Little Martin Creek, CWF Jacoby Creek, CWF
		Monroe County Smithfield Township Middle Smithfield Township	Brodhead Creek, TSF, MF Marshall Creek, HQ-CWF Bush Kill, HQ-TSW
		Pike County Lehman Township Delaware Township Westfall Township	Caledonia Creek, CWF Cherry Creek, HQ-CWF, MF East Fork Martin Creek, CWF Bush Kill, HQ-CWF Little Bush Kill, HQ-CWF UNT to Delaware, HQ-CWF UNT to Toms Creek, EV Toms Creek, EV Hornbecks Creek, HQ-CWF Raymonds Kill, HQ-CWF Vandermark Creek, HQ-CWF Bush Kill, EV Cummins Creek, HQ-CWF



*Schuylkill County Conservation District: 1206 Ag. Center Drive, R. R. 5, Box 5810, Pottsville, PA 17901, (570) 622-3742.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS105719	Heisler's Cloverleaf Dairy Leonard Ostergaard R. D. 1, Box 1169 Tamaqua, PA 18252	Schuylkill County Walker Township	Beaver Creek, CWF Cold Run, HQ

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

**NPDES Permit PAS101026**, Stormwater. **SPTN-PA LLC**, P. O. Box 910, Newton, NC 28658 has applied to discharge stormwater associated with a construction activity located in Cambria Township, **Cambria County** to Stewarts Run/HQ-CWF.

*Cambria County Conservation District: 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS101026	SPTN-PA LLC P. O. Box 910 Newton, NC 28658	Cambria County Cambria Township	Stewarts Run/HQ-CWF

**PUBLIC WATER SUPPLY (PWS)  
PERMIT  
APPLICATIONS**

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

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

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

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

**SAFE DRINKING WATER**

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

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

**Application No. 4801503**, Public Water Supply.

Applicant	<b>Northampton Borough Municipal Authority</b>
Township or Borough	Whitehall Township
Responsible Official	Gerald J. Deily, Manager Northampton Borough Municipal Authority 1 Clear Springs Drive Northampton, PA 18067-0156
Type of Facility	PWS
Consulting Engineer	Gene Koontz, P.E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106
Application Received Date	September 7, 2001
Description of Action	Installation of approximately 7,300 feet of 12-inch and 700 feet of 8-inch DI water main; 64 3/4-inch and one 4-inch service connection; replacement of existing chlorine gas disinfection system with a sodium hypochlorite system; replacement of the existing steam heating system at the water treatment plant with a hot water based system; and construction of a new well, submersible well pump and connecting main.

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

**Permit No. 1601504**, Public Water Supply.

Applicant	<b>Pa-American Water Co.</b> West Hershey Park Drive P. O. Box 888 Hershey, PA 17033.
Township or Borough	Piney Township, <b>Clarion County</b>
Responsible Official	Dave Swanson, Operations Superintendent, Pa-American Water Co.
Type of Facility	PWS

Consulting Engineer Jerry Hankey, P.E., Engineering Manager  
Pa-American Water Co.  
1909 Oakland Avenue  
Indiana, PA 15701

Application Received Date September 12, 2001

Description of Action Waterline extension to serve Sligo and Shippenville; and a 500,000 gallon elevated water tower.

#### MINOR AMENDMENT

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

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

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

Applicant **U. S. Department of Labor**  
Red Rock Job Corps Center

Township Colley Township, **Sullivan County**

Responsible Official Al Toczylowski, Center Director  
Red Rock Job Corps Center  
P. O. Box 218  
Lopez, PA 18628-0218

Type of Facility Public Water Supply

Consulting Engineer Levkolic Associates  
Union Street Station  
101 East Union Street  
Pottsville, PA 17901

Application Received Date August 29, 2001

Description of Action New finished water storage tank and relocation of existing pump station and treatment to new building

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

Applicant **Consumers Pennsylvania Water Co.**

Township Coal Township, **Northumberland County**

Responsible Official Richard T. Subasic, Exec. VP/Gen. Mgr.  
Consumers Pennsylvania Water Co.  
204 East Sunbury Street  
Shamokin, PA 17872-4859

Type of Facility Public Water Supply

Consulting Engineer CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA 17112-1788

Application Received Date September 13, 2001

Description of Action Change in corrosion control chemicals at Kline Dam Wells to zinc orthophosphate and caustic soda

## 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 of the Commonwealth.

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

**WA 10-374E**, Water Allocations. **Evans City Borough Water Treatment Plant**, Evans City Borough, **Butler County**. Renewal of permit for Likens Run (Dam #1/Dam #2) in the amount of 600,000 gpd and subsidiary renewal for the Cranberry Authority in the amount of 300,000 gpd, if necessary. These amounts do not represent any increase in previously permitted allocation.

#### Biosolids Individual Permits (PABIG and PABIS)

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to land apply biosolids subject to certain requirements set forth in the permit.

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

Following the 30-day comment period, the Water Management Regional 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 (Board).

The application and related documents, comments received and other information are on file and may be inspected and arrangements made for copying at the responsible DEP Regional Office indicated before the application.

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

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

**PABIG-6101**, Beneficial Use of Biosolids, **Pitt Mining, Inc.**, 423 Weiss Road, Shelocta, PA 15774.

This application is for issuance of a Beneficial Use of Biosolids Land Application Individual Generator Permit for the Pitt Mining West Lebanon Biosolids Facility in Young Township, **Indiana County**.

It is proposed to receive sewage sludge from various sewage treatment plants and treat the sewage sludge to produce a biosolids lime material for land application.

The biosolids will be used to adjust soil pH the same as agricultural limestone. The biosolids are proposed to meet section 271.911 requirements for exceptional quality except the end use will not be able to meet the agronomic rate requirements.

The treatment process is a pasteurization process to maintain the temperature of the sewage sludge at 158(F or 70(C for 30 minutes. Treatment will be in a retention chamber.

The Department intends to issue a permit to the Pitt Mining West Lebanon Biosolids Facility. The following are the quality requirements and monitoring frequency the biosolids prepared under the permit must meet to be land applied. In addition is how application rates will be determined.

There are other special conditions that are in the draft permit.

*Biosolids Quality Requirements:*

1. The concentration of each pollutant in the biosolids shall not exceed the following concentrations:

<i>Pollutant Concentrations</i>	
<i>Pollutant</i>	<i>Monthly average concentrations (milligrams per kilogram)<sup>1</sup></i>
Arsenic	41
Cadmium	39
Copper	1500
Lead	300
Mercury	17
Nickel	420
PCBs	4
Selenium	100
Zinc	2,800
Molybdenum	75

<sup>1</sup> Dry weight basis.

2. Meet the following Class A, pathogen reduction requirements in accordance with section 271.932(a)(7):

Class A—Alternative 5

(i) Either the density of fecal coliform in the sewage sludge shall be less than 1,000 most probable number per gram of total solids (dry weight basis) or the density of salmonella. sp. bacteria in the sewage sludge shall be less than three most probable number per 4 grams of total solids (dry weight basis) at the time the sewage sludge is used; at the time the sewage sludge is prepared for sale, give away or other distribution, in a bag or other container for application to the land; or at the time the sewage sludge material derived from sewage sludge is prepared to meet the requirements in section 271.911(b)(1) or (3).

(ii) Sewage sludge that is used shall be treated by the processes to further reduce pathogens, pasteurization, in accordance with section 271.932(a)(7)(ii) Appendix A pasteurization as follows:

Pasteurization—The temperature of the sewage sludge is maintained at 158°F (or 70°C) or higher for 30 minutes or longer.

3. Meet vector attraction reduction Option 6 in accordance with section 271.933(b)(6) as follows:

Option 6—The pH of the sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for 2 hours and then at 11.5 or higher for an additional 22 hours.

*Frequency of Monitoring:*

<i>Amount of biosolids<sup>1</sup> dry tons (dry metric tons) per 365 day period</i>	<i>Frequency<sup>2</sup></i>
Greater than zero but less than 319 (290)	Once per year
Equal to or greater than 319 (290) but less than 1,650 (1,500).	Once per quarter (four times per year).
Equal to or greater than 1,650 (1,500) but less than 16,500 (15,000)	Once per 60 days (six times per year).
Equal to or greater than 16,500 (15,000).	Once per month (12 times per year).

<sup>1</sup> Either the amount of biosolids land applied or the amount of biosolids generated to be land applied for beneficial use or the amount of biosolids received by a person who prepares biosolids for land application.

<sup>2</sup> Frequency is based on a 365-day period.

*Application Rate:*

Biosolids prepared in accordance with this permit is a lime material for use in soil pH adjustment. Application rates shall be determined as follows:

% moisture must be subtracted from CCE if greater than 10%

$$\frac{\text{Soil test limestone recommendation lb/acre}}{\text{CCE Celtic Blend} - \% \text{ moisture}} = \frac{\text{lb/acre}}{\text{Celtic Blend}}$$

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 1**

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

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

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

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

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

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

**Former Altimari, Chapman, Dearden and McCafferty Automobile Dealerships Site**, Middletown Township, **Bucks County**. Kevin McCullen, URS Corp., 2325 Maryland Rd., 2nd Floor, Willow Grove, PA 19090, on behalf of Lowes Home Center, Inc., c/o Mark Kalpin Hale and Dorr LLP, 60 State St., Boston, MA 02109, has submitted a Notice of Intent to Remediate site soil contaminated with lead and polycyclic aromatic hydrocarbons and site groundwater contaminated with polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier Times* on August 15, 2001.

**Charles Hallman Residence**, Avondale Borough, **Chester County**. Hylton Hobday, Marshall Miller & Associates, 3913 Hartzdale Dr., Suite 1306, Camp Hill, PA, on behalf of Charles Hallman, 317 Pennsylvania Ave., Avondale, PA 19311, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on August 1, 2001.

**Rosemont Estates**, Upper Providence Township, **Montgomery County**. Peter Malik, RT Environmental Services, Inc., 215 W. Church Road, King of Prussia, PA 19406, on behalf of Penn International Land Co., Inc., 900 E. 8th Ave., Suite 300, King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site soil contaminated with arsenic. The applicant proposes to remediate the site to meet Statewide Health and Site-specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Mercury* on September 3, 2001.

**Swedeland Road Substation Property—PECO Energy**, Upper Merion Township, **Montgomery County**. Allan Fernandes, PECO Energy Co., West Conshohocken Gas Plant, 300 Front St., Bldg. #1, Conshohocken, PA 19428, on behalf of PDCO/Exelon, 2301 Market St., Philadelphia, PA 19101, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with heavy metals, BTEX, polycyclic aromatic hydrocarbons, VOCs and SVOCs. The applicant proposes to remediate the site to meet Site-specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Herald* on August 24, 2001.

**Riverfront Towers**, City of Philadelphia, **Philadelphia County**. Bruce W. Pringle, S. T. Hudson Engineers, Inc., 800 Hudson Square, P. O. Box 9106, Camden, NJ 08101, on behalf of Isle of Capri Associates, 242 S. 17th St., Philadelphia, PA, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on August 9, 2001.

**Portions of the Philadelphia Naval Business Center**, City of Philadelphia, **Philadelphia County**. Jonathan E. Rinde, Manko Gold & Katcher, on behalf of Philadelphia Authority of Industrial Development and its agent Philadelphia Industrial Development Corp., 2600 Centre Square West, 1500 Market St., Philadelphia, PA 19102, has submitted a Notice of Intent to Remediate site soil, groundwater, surface water and sediment contaminated with undetermined contaminants. The site is located in a special industrial area. The applicant's proposed remediation will address any immediate, direct or imminent threat to the public health and the environment and will be based on the results of the Baseline Remedial Investigation Report. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on August 29, 2001.

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

**Atherton Hotel**, State College Borough, **Centre County**. Cocciardi and Associates, Inc., on behalf of its client, Atherton Hotel, 125 South Atherton Street, State College, PA 16801, has submitted a Notice of Intent to Remediate site soil contaminated with mercury. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the **Centre Daily Times** on August 16, 2001. (See other notice in this Bulletin).

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

**Anchor Glass Container Corporation (former Diamond Glass Plant Furnace Building)**, Marienville, PA 16239, Jenks Township, **Forest County**, has submitted a Notice of Intent to Remediate Soil contaminated with Arsenic. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate will be published in the *Forest Press*.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit Application No. 101247. Keystone Sanitary Landfill**, P. O. Box 249, Dunmore, PA 18512. A major permit modification for liner changes, a radiation action plan, a meteorological monitoring plan, the relocation of the material processing plant and a Phase 1/Logan Site investigation at this municipal waste landfill located in Dunmore and Throop Boroughs, **Lackawanna County**. The application was received in the Regional Office on August 21, 2001; and as of September 7, 2001, it was deemed administratively complete.

## AIR QUALITY

### NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—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.*

**48-313-090: Elementis Pigments, Inc.** (1525 Wood Avenue, Easton, PA 18042-3186) for modification of blending and milling processes in Easton, **Northampton County**.

**40-318-052: All-Steel, Inc.** (Valmont Industrial Park, 425 Jaycee Drive, West Hazleton, PA 18202) for reconfiguration of the paint spray operations in Hazle Township, **Luzerne County**.

**40-313-009A: HPG International, Inc.** (Crestwood Industrial Park, Oakhill Road, Mountaintop, PA 18707) for modification of a calendar line in Wright Township, **Luzerne County**.

**13-318-006: Kovatch Mobile Equipment Corp.** (t/a KME Fire Apparatus, One Industrial Complex, Nesquehoning, PA 18240) for construction of four paint and one sanding booth in Nesquehoning Borough, **Carbon County**.

**40-310-027B: Pikes Creek Asphalt** (Division of Reading Materials, Inc., 2052 Lucon Road, P. O. Box 1467, Skippack, PA 19474-0079) for modification of a stone crushing plant in Lehman Township, **Luzerne County**.

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

**36-03056A: Weaver Industries, Inc.** (425 South 4th Street, Denver, PA 17517) for replacement of an existing dust collector with a cartridge dust collector in Denver Borough, **Lancaster County**.

**36-03119A: Esh's Toys LLC** (343 Furnace Road, Quarryville, PA 17566) for the construction of a sealer spray booth and a topcoat spray booth, each controlled by dry filters, in Bart Township, **Lancaster County**.

**38-05019A: AES Ironwood, L.L.C.** (305 Prescott Road, Lebanon, PA 17042) for the transfer of volatile organic compound (VOC) and nitrogen oxides (NOx) emission reduction credits for the turbine electric generating station in South Lebanon Township, **Lebanon County**.

**67-03041A: County Line Quarry, Inc.** (P. O. Box 99, Wrightsville, PA 17368) for the installation of a fabric filter at the Wrightsville crushing plant located in Hellam Township, **York County**. This modification is subject to the 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**67-03108: York Building Products Co., Inc.** (P. O. Box 1708, York, PA 17405) for construction of block tumbler operation controlled by a fabric collector in Jackson Township, **York County**.

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

**49-00007A: Merck and Co., Inc.** (P. O. Box 600, Danville, PA 17821-0600) for construction of three 440,000 gallon wastewater aeration tanks and a lift station at the Cherokee Plant in Riverside Borough, **Northumberland County**.

**55-00001A: Sunbury Generation, LLC** (1088 Springhurst Drive, Green Bay, WI 54304-5495) for installation of air cleaning devices (low NOx burners with overfire air) on Electric Utility Boilers 1A, 1B, 2A and 2B in Shamokin Dam Borough, **Snyder County**.

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

**16-035A: The Commodore Corp.** (P. O. Box 349, Route 66, Clarion, PA 16214) for post-construction of woodworking and surface coating processes (50 tons/year VIC emissions) in Clarion, **Clarion County**.

**24-016A: Keystone Powdered Metal Co.** (1935 State Street, St. Marys, PA 15857-1661) for construction of an induction heat treating furnace (350 lb/hour) with electrostatic precipitator control in St. Marys, **Elk County**. Keystone Powdered Metal Co. is a Title V facility.

**24-155A: Eastern Sintered Alloys, Inc.** (126 Access Road, St. Marys, PA 15857) for post-construction of a powder metal part dipping/sizing process in St. Marys, **Elk 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.**

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

**35-318-086: McGregor Industries, Inc.** (46 Line Street, Dunmore, PA 18512) for construction of a paint spray booth and associated air cleaning device in Dunmore Borough, **Lackawanna County**. The manufacturing facility is a non-Title V facility. VOC emissions from the spray booth will be approximately 10 tons per year and there will be minimal VOC emissions from a wiping station. Particulate matter emissions from the process will be controlled through the use filter panels and will be less than 0.02 gr/dscf. VOC emissions from the facility shall be recorded on a monthly basis and shall include comprehensive compositional data for each material, which accurately identifies and quantifies the volatile organic compound and hazardous air pollutant content of the respective materials.

**66-315-041: The Procter and Gamble Paper Products Co.** (P. O. Box 32, Route 87, South, Mehoopany, PA 18629) for installation and operations of diaper raw material delivery systems and converting lines in Washington Township, **Wyoming County**. The Procter and Gamble Paper Products Co. is a major facility subject to Title V permitting requirements. This project involves replacement of existing older systems with newer more efficient lines and associated air cleaning devices. Particulate emissions from these installations will be 9.51 tons per year. The Plan Approval will contain conditions requiring the source to show compliance with the emis-

sion rates. The Plan Approval and Operating Permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**06-05088B: EJB Paving and Materials Co.** (1119 Snyder Road, West Lawn, PA 19609-1100) for modification of a batch asphalt plant controlled by a fabric collector in Ontelaunee 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 SOx, 56 tons of NOx, 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.

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

**18-00006B: Dominion Transmission Corp.** (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15222-3199) for installation of air cleaning devices, "screw-in prechambers," on six natural gas-fired reciprocating internal combustion compressor engines (Engines 4, 5, 6, 9, 10 and 11) at the Leidy Compressor Station in Leidy Township, **Clinton County**. The Department's review of the information contained in the application indicates that the proposed installation will meet all applicable air quality requirements. Based on this finding, the Department of Environmental Protection intends to approve the application and issue a plan approval to install the proposed air cleaning devices on the respective engines.

The Leidy Compressor Station is a major facility, which has been issued a Title V Operating Permit (18-00006). The proposed air cleaning devices will replace existing air cleaning devices and are intended to better assure compliance with the nitrogen oxides emission limitations previously established for the respective engines under the reasonably available control technology requirements of 25 Pa. Code §§ 129.91—129.95. These installations will not result in a change in the amount of nitrogen oxides or other air contaminant allowed to be emitted from the engines but may result in a reduction in the emission rate of one or more air contaminants from the levels now actually occurring.

The following is a summary of the conditions the Department proposes to place in the plan approval to ensure compliance with all applicable air quality regulatory requirements:

1. Following the installation of the screw-in prechamber (SIP) system on each of engines 4, 5 and 6, the nitrogen oxides (NOx, expressed as NO<sub>2</sub>) emissions from the respective engine shall not exceed 6.61 pounds per hour at full load/full speed and 13.22 pounds per hour at any time. Additionally, the emission of volatile organic compounds from each of the respective engines shall not exceed 3.63 pounds per hour.

2. Following the installation of the SIP system on each of engines 9, 10 and 11, the nitrogen oxides (NOx, expressed as NO<sub>2</sub>) emissions from the respective engine shall not exceed 13.22 pounds per hour at full load/full

speed and 26.43 pounds per hour at any time. Additionally, the emission of volatile organic compounds from each of the respective engines shall not exceed 7.26 pounds per hour.

3. Within 120 days of the completion of installation of the SIP system on each of the engines, stack testing shall be performed upon that engine for nitrogen oxides (NOx, expressed as NO<sub>2</sub>), volatile organic compounds and carbon monoxide using reference method test procedures acceptable to the Department. All testing is to be performed while the engine is operating at full load and full speed.

4. Semi-annual nitrogen oxides portable analyzer testing shall be performed on each of the respective engines.

5. Records shall be maintained of the number of hours per month that each engine is operated and the amount of fuel used per month in each of the engines.

6. The six engines shall only be fired on pipeline quality natural gas.

7. The six engines are not required to comply with the nitrogen oxides and volatile organic compound emission limits specified in this plan approval during engine startup and shutdown provided that the duration of startup and shutdown does not exceed one hour per occurrence.

**18-00011B: Croda, Inc.** (P. O. Box 178, Mill Hall, PA 17751-0178) for construction of a 14,645,000 BTU per hour natural gas/No. 2 fuel oil-fired boiler equipped with a low nitrogen oxides emitting burner and a flue gas recirculation system in Bald Eagle Township, **Clinton County**. This boiler may potentially result in the emission of 1.28 tons per 12 consecutive month period of particulate matter, all of which may also be particulate matter less than 10 microns (PM<sub>10</sub>), 5.77 tons per 12 consecutive month period of nitrogen oxides, 1.28 tons per 12 consecutive month period of carbon monoxide, 3.25 tons per 12 consecutive month period of sulfur oxides, 0.34 tons per 12 consecutive month period of volatile organic compounds and 0.118 tons per 12 consecutive month period of hazardous air pollutants. A preliminary review of the information submitted by Croda, Inc. indicates that the boiler will meet all applicable air quality requirements including the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Air Quality Program intends to approve the application and issue a plan approval to construct the boiler.

Croda, Inc. is a major facility for which a Title V Operating Permit (#18-00011) has been issued.

In order to ensure compliance with all applicable air quality standards, the Department proposes to place the following conditions in the respective plan approval:

1. This plan approval is issued for the construction of a 14,645,000 BTU per hour Cleaver Brooks model CB400-350 natural gas/No. 2 fuel oil-fired boiler (Boiler #1) equipped with a low nitrogen oxides emitting burner and a flue gas recirculation system, as described in the application and supplemental materials submitted for this plan approval.

2. This boiler shall be fired only on virgin No. 2 fuel oil with a sulfur content of not greater than 0.05% by weight on natural gas.

3. The boiler shall never emit air contaminants in excess of the following limitations:

<i>Pollutant</i>	<i>lbs/million BTU (natural gas)</i>	<i>lbs/million BTU (No. 2 fuel oil)</i>
Nitrogen oxides (NOx, expressed as NO <sub>2</sub> )	0.03	0.09
Carbon monoxide	0.01	0.02
Sulfur dioxide	0.00058	0.05
Volatile organic compounds	0.0054	0.0024
Particulate matter/PM10	0.01	0.02
Hazardous air pollutants	0.0018	0.000046

4. In any 12 consecutive month period, the emission rate from the boiler shall never exceed the following:

<i>Pollutant</i>	<i>Tons</i>
Nitrogen oxides (NOx, expressed as NO <sub>2</sub> )	5.77
Carbon monoxide	1.28
Sulfur dioxide	3.25
Volatile organic compounds	0.34
Particulate matter/PM10	1.28
Hazardous air pollutants	0.118

5. The company shall maintain comprehensive, accurate records of the following:

- Volumes of natural gas and No. 2 fuel oil burned in the boiler on a monthly basis,
- The sulfur content of each load of No. 2 fuel oil delivered to the facility.

The company shall retain these records on-site for at least 5 years and shall make these records available to the Department upon request.

**59-304-008F: ACP Manufacturing Co., LLC** (P. O. Box 68, Blossburg, PA 16912-0068) for construction of a phenolic urethane cold box (PUCB) core-making machine, the air contaminant emissions from which shall be controlled by an existing drop-out box and countercurrent, vertical, packed bed scrubber which is currently used to control the air contaminant emissions from an existing PUCB core-making machine, at their foundry located in Lawrence Township, **Tioga County**.

ACP Manufacturing Co., LLC is a minor facility for which a facility wide synthetic minor operating permit has not yet been issued. The subject foundry is, however, currently authorized to operate under Operating Permit 59-304-008B.

The information provided by the applicant, as well as the Department's own analysis, indicates that the core-making machine will have the potential to emit 6.30 tons of volatile organic compounds per year. Additionally, although the core-making machine will have the potential to emit particulate matter and hazardous air pollutants, the corresponding emission of these air contaminants is insignificant.

A preliminary review of the information submitted by the applicant indicates that the proposed core-making machine 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.

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

- The two PUCB core-making machines shall not utilize a combined total of more than 156,000 pounds of binders per year.

- The volatile organic compound emissions from each PUCB core-making machine shall not exceed 5.13 pounds per hour. Furthermore, the total combined volatile organic compound emissions from the two PUCB core-making machines shall never exceed 6.30 tons per year.
- The total combined hazardous air pollutant emissions from the two PUCB core-making machines shall never equal or exceed 1 ton per year.
- The scrubber shall be equipped with instrumentation to continuously monitor differential pressure across the scrubber, pH of the scrubbing solution and the recirculation flow rate.
- The pH of the scrubbing solution shall never exceed 4.5.
- The recirculation flow rate of the scrubbing solution shall be equal to or greater than 38 gallons per minute any time the scrubber is operating.
- The company shall maintain a comprehensive and accurate record of the quantity of binders used in each of the two PUCB core-making machines.

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#### PUBLIC HEARINGS

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

**48-328-006: Conectiv Bethlehem, Inc.** (Applebutter Road, Bethlehem, PA 18015) for construction of six simple/combined-cycle combustion turbines and a cooling tower at their facility in the City of Bethlehem, **Northampton County**. All maximum potential emissions, emission consumption of the available Prevention of Significant Deterioration (PSD) air quality increments and the conditions placed in the Plan Approval to show compliance with the applicable standards are contained in the draft plan approval.

A public hearing will be held for the purpose of receiving comments on the proposed air quality plan approval. The hearing will be held on November 1, 2001, at 7 p.m. at City Hall, 10 East Church Street, Bethlehem, PA. Persons interested in commenting are invited to appear at the public hearing.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Thomas A. DiLazaro, Hearing Examiner, Department of Environmental Protection, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790. The Department will accept notices up to the day of the public hearing.

Each individual will have up to 10 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

#### OPERATING PERMITS

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#### 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.

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

**47-00001: PPL Montour, LLC** (2 North Ninth Street, Allentown, PA 18101) for operation of an electric utility boiler (Boiler No. 2) and its associated air cleaning devices (an electrostatic precipitator and a selective catalytic reduction (SCR) system) at their electricity generating facility in the Derry Township, **Montour County**. The Title V Operating Permit revision is to incorporate conditions from Plan Approval 47-0001B and 47-0001C. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**34-05003: Tedd Wood, Inc.** (P. O. Box 187, East Salem Road, Thompston, PA 17094) for operation of a wood cabinet manufacturing plant in Delaware Township, **Juniata County**. The facility is a non-Title V (State only) facility. The plant's volatile organic compound (VOC) emissions will be limited to less than 50 tons per year. The plant's hazardous air pollutant (HAP) emissions will be limited to less than 10 tons per year for any single HAP and less than 25 tons per year for any combination of HAPs. Limits will be placed on the VOC content of the coatings used at the facility. The permit will include monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**36-03029: Wenger's Feed Mill, Inc.** (101 West Harrisburg Avenue, Rheems, PA 17570-0026) for a natural minor operating permit for an animal feed mill in Mount Joy Borough, **Lancaster County**. The estimated potentials to emit are: 41.42 tpy of particulate matter, 1.83 tpy of carbon monoxide, 17.73 tpy of sulfur oxides and 3.66 tpy of nitrogen oxides. The natural minor operating permit shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**36-03124: Crest Trucking Equipment Co., Inc.** (P. O. Box 555, Bowmansville, PA 17057) for operation of a surface coating operation in Brecknock Township, **Lancaster County**. The volatile organic (VOC) emissions are approximately 5 tons per year and hazardous air pollutant (HAP) emissions are less than 2 tons per year. 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.

**67-05085: Metropolitan Edison Company** (P. O. Box 16001, Reading, PA 19640-0001) for operation of its Cly Substation in Newberry Township, **York County**. The site has the following potential annual emissions based on an annual operating restriction of 438 hours per electrical generating unit during any consecutive 12-month period: 47 tons of NO<sub>x</sub>; 9 tons of SO<sub>x</sub>; 5 tons of



CO; 1 ton of VOC; 1 ton of PM-10. The Synthetic Minor operating permit shall contain additional testing, monitoring, record keeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**25-00045: Saint Vincent Health Center** (232 West 25th Street, Erie, PA 16544) for a Synthetic Minor Operating Permit to operation of the facility's air contamination sources consisting of three gas-fired boilers and three diesel-fired generators in the City of Erie, **Erie County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Edward Braun, Chief, (215) 685-9476.*

**96-013: Mutual Pharmaceutical Co., Inc.** (1100 Orthodox Street, Philadelphia, PA 19124) for manufacturing solid dosage generic pharmaceutical products in the City of Philadelphia, **Philadelphia County**. The natural minor facility's air emission sources include manufacturing processes consisting of solvent and water-based blending operations including production and cleaning operations, five solvent-based electric granulating ovens, 12 water-based electric granulating ovens, five water-based tablet coating pans, three natural gas-fired hot water heaters each rated less than 3 MMBTU/hr and two natural gas-fired steam boilers each rated at 550,000 BTU/hr. The facility's air emission control devices include a 2.0 MMBTU/hr natural gas-fired catalytic oxidizer that oxidizes alcohol vapors and five dust collectors for particulate capture.

## MINING ACTIVITY APPLICATIONS

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

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

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

notices of filing of permit applications, opportunity for comment and informal conferences).

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

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

### Coal Applications Received

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**17010112. K & J Coal Company, Inc.**, P. O. Box 189, Westover, PA 16692. Commencement, operation and restoration of a bituminous surface mine-auger permit in Chest Township, **Clearfield County** affecting 147 acres. Receiving streams: unnamed tributary to Spring Run, Spring Run, Chest Creek and Kings Run (topographic drainage only). Application received: September 4, 2001.

**17010113. Moravian Run Reclamation Co., Inc.**, 605 Sheridan Drive, Clearfield, PA 16830. Commencement, operation and restoration of a bituminous surface mine-auger permit in Girard Township, **Clearfield County** affecting 90 acres. Receiving streams: Bald Hill Run and an unnamed tributary to Bald Hill Run. Application received: September 13, 2001.

**17990117. P & N Coal Co., Inc.** (P. O. Box 332, 240 West Mahoning Street, Punxsutawney, PA 15767), revision to an existing bituminous surface mine permit for a Change in Permit Acreage from 65.3 to 67.7 acres. Receiving streams: unnamed tributary of Beech Run and Beech Run to East Branch Mahoning Creek to Mahoning Creek. Application received: September 7, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.*

**56940104.** Permit Revision. **Mountaineer Mining Corporation** (1010 Garrett Shortcut Road, Berlin, PA 15530), to add 7.5 acres to the existing 99.7 acres. Total SMP acres goes from 99.7 to 107.2 acres. Also a land use change request from woodland to pastureland in Brothersvalley Township, **Somerset County**. Receiving

streams: unnamed tributaries to Tubs Run and Laurel Run; and to Tubs Run and Laurel Run. Application received: September 6, 2001.

**56010105. Godin Brothers, Inc.** (5433 Front Street, Stoystown, PA 15563), commencement, operation and restoration of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 34.8 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 Reservoir. Application received: September 7, 2001.

**11850103. L & J Energy Company, Inc.** (P. O. Box I, Grampian, PA 16838), permit renewal for reclamation only for continued restoration of a bituminous surface and auger mine in Susquehanna Township, **Cambria County**, affecting 98.0 acres. Receiving stream: West Branch of Susquehanna. Application received: September 12, 2001.

**56010106. Heritage Mining Company** (P. O. Box 126, Cresson, PA 16630), commencement, operation and restoration of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 317.1 acres. Receiving streams: Dixie Run and Fallen Timber Run classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Allegheny River. Application received: September 6, 2001.

**56990103. Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552) to Future Industries, Inc. (P. O. Box 157, Meyersdale, PA 15552), Permit Transfer and for transfer of an existing NPDES permit for continued operation of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 222.0 acres. Receiving streams: Miller's Run, unnamed tributaries to Miller's Run. Application received: September 12, 2001.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**24930102. Fairview Coal Company** (P. O. Box R, Ridgway, PA 15853). Revision to an existing bituminous surface strip, auger and beneficial use of residual waste sludge clay & shale removal operation in Horton Township, **Elk County**, affecting 236.7 acres. Revision to add beneficial use coal ash to the existing permit. Receiving stream: unnamed tributary of Johnson Run classified for the following uses: Statewide water uses, CWF. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water, Clarion Intake. Application received: September 10, 2001.

**33890105. John R. Yenzi, Jr.** (P. O. Box 287, Anita, PA 15711). Renewal of an existing surface strip and auger operation in Bell and McCalmont Townships, **Jefferson County** affecting 122.0 acres. Receiving streams: unnamed tributaries of Elk Run, classified for the following uses: Statewide water uses; CWF. No public water supplies are within 10 miles downstream of this proposed operation. Application for reclamation only. Application received: September 14, 2001.

**16880102. C & K Coal Company** (Box 69, Clarion, PA 16214). Renewal of an existing surface strip, refuse disposal and fly ash/bottom ash disposal operation in Licking and Toby Townships, **Clarion County** affecting 380.5 acres. Receiving streams: Cherry Run and three unnamed tributaries to Cherry Run, classified for the following uses: Statewide water uses; CWF. No public

water supplies are within 10 miles downstream of this proposed operation. Application for reclamation only. Application received: September 14, 2001.

**10930103. Kerry Coal Company** (R. R. 2, Box 2139, Wampum, PA 16157). Renewal of an existing surface strip and auger operation in Jackson Township, **Butler County** affecting 75.0 acres. Receiving streams: unnamed tributary to Connoquenessing Creek, classified for the following uses: Statewide water uses; WWF. The downstream potable water supply intake from the point of discharge is the Borough of Zelenople on Connoquenessing Creek. Application for reclamation only. Application received: September 14, 2001.

**33880115. D. J. & W. Mining, Inc.** (P. O. Box 425, Indiana, PA 15701). Renewal of an existing surface strip and auger operation in Oliver Township, **Jefferson County** affecting 146.5 acres. Receiving streams: unnamed tributaries to Big Run, classified for the following uses: Statewide water uses; CWF. No public water supplies are within 10 miles downstream of this proposed operation. Application for reclamation only. Application received: September 14, 2001.

#### *Noncoal Applications Received*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**4874SM1A1C7. County Line Quarry, Inc.**, (P. O. Box 99, Wrightsville, PA 17368), renewal of NPDES Permit #PA0119628 in Hellam Township, **York County**, receiving stream—Kreutz Creek. Application received September 10, 2001.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**42950301. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16804). Transfer of an existing sand and gravel permit in Ceres Township, **McKean County** affecting 39.10 acres. Receiving streams: Horse Run classified for the following use: Statewide water uses, CWF. No public water supplies are within 10 miles downstream of this proposed operation. Transfer from Culver Construction. Application received: September 10, 2001.

#### **NOTICE OF PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT**

The Environmental Good Samaritan Act (27 Pa.C.S. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. In order for landowners and persons to qualify for immunity, the projects must be approved by the Department.

The following project proposals have been received by the Department. A copy of the proposals is available for inspection at the office indicated before each proposal.

Written comments or objections may be submitted by persons, offices or heads of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to

inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

*Project Proposals Received*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.*

**EGS 11001, AMD & ART** (411 Third Avenue, Johnstown, PA 15906). A project to abate mine drainage pollution in Vintondale Borough, **Cambria County**, affecting 35.0 acres, receiving stream South Branch Blacklick Creek. Project proposal received September 10, 2001.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

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### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E46-895. Schultz Enterprises, Inc.**, 541 Flint Hill Road, King of Prussia, PA 19406-2727, Upper Merion Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a 33-foot long of an elliptical steel plate culvert consisting of 108-inch height by 24-inch width along an intermittent reach of Frog Run (WWF) to provide access to rear portion of the lot. Temporary impacts are proposed for 125 linear feet of stream channel. The site is located approximately 500 feet southeast of intersection of Union Avenue and Flint Hill Road (Norristown, PA. USGS Quadrangle N: 17.50 inches; W: 12.50 inches).

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

**E07-350. Robert Brubaker, New-Tek Distributors**, P. O. Box 172, Bellwood, PA 16617 in Antis Township, **Blair County**, ACOE Baltimore District.

To place fill in 0.33 acre of wetlands adjacent to Bells Gap Run at a point at the intersection of SR 0865 and LR 07026 for the purpose of constructing a residential development (Bellwood, PA Quadrangle N: 20.35 inches; W: 15.3 inches) in Antis Township, Blair County. The permittee is required to provide 0.33 acre of replacement wetlands.

**E34-102. George Khoury, PennDOT 2-0**, P. O. Box 342, Clearfield, PA 16830 in Fermanagh Township, **Juniata County**.

To maintain an existing 21.32-foot by 13.83-foot concrete arch culvert at SR 0022 and to construct and maintain a 52.06-foot by 20.0-foot spread box beam bridge at a ramp upstream of SR 0022 and to construct and maintain a 21.0-foot by 14.0-foot box culvert at a ramp downstream of SR 0022 for the purpose of the reconstruction of 1.6 miles of SR 0022 (Mifflintown, PA Quadrangle N: 18.3 inches; W: 5.4 inches) in Fermanagh Township, Juniata County.

**E44-113. Donald Rossman**, 20 Elsasser Lane, Lewistown, PA 17044 in Decatur Township, **Mifflin County**, ACOE Baltimore District.

To remove an existing structure and to construct and maintain a bridge having a span of 38 feet and an underclearance of 6.8 feet across the channel of Meadow Creek (CWF) at a point along T-707 for the purpose of constructing a driveway to an existing home (Alfarata, PA Quadrangle N: 10.4 inches; W: 11.9 inches) in Decatur Township, Mifflin County.

**E44-114. George Khoury, PennDOT 2-0**, P. O. Box 342, Clearfield, PA 16830 in Fermanagh Township, Juniata County and Derry Township, **Mifflin County**, ACOE Baltimore District.

To (1) remove an existing structure and to construct and maintain a box culvert with a span of 8-feet and an underclearance of 6.5 feet in a tributary to the Juniata River (CWF) (Mifflintown, PA Quadrangle N: 18.6 inches; W: 14.9 inches); (2) remove an existing structure and to construct and maintain a box culvert with a 17-foot span and a 7.5-foot clearance in Roaring Run (CWF) (Mifflintown, PA Quadrangle N: 19.0 inches; W: 11.0 inches); (3) remove an existing structure and to construct and maintain a bridge with a span of 49.9 feet and an underclearance of 8.0 feet and a bridge with two spans of 144.0 feet each and an underclearance of 33 feet across the channel of Macedonia Run (HQ-CWF) (Mifflintown, PA Quadrangle N: 20.0 inches; W: 9.6 inches); (4) replace 143.25 feet of an existing 305-foot long, 8-foot by 6-foot

box culvert with a 8-foot by 7-foot box culvert and add a 61-foot extension of 8-foot by 7-foot box culvert in the channel of a tributary to the Juniata River (CWF) (Mifflintown, PA Quadrangle N: 19.5 inches; W: 8.5 inches); and (5) place fill in the floodplain of the Juniata River and to impact 2.2 acres of wetlands adjacent to the Juniata River (CWF) for the purpose of reconstructing 6.8 miles of SR 0022 in Fermanagh Township, Juniata County and Derry Township in Mifflin County. The permittee agrees to provide 4.8 acres of replacement wetlands.

**E67-706. Laverne Gladfelter, Glen Rock Sewer Authority**, P. O. Box 116, Glen Rock, PA 17327 in Shrewsbury Township, **York County**, ACOE Baltimore District.

To construct and maintain a 40-foot by 60-foot building at the Glen Rock Wastewater Treatment Plant along South Branch Codorus Creek (WWF) (Glen Rock, PA Quadrangle N: 8.8 inches; W: 15.8 inches) in Shrewsbury Township, York County.

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

**E14-404. Michael Immel, Mid-Centre County Authority**, Box 811, 296 Mid Centre Lane, Milesburg, PA 16853. Sewerage Facilities, in Milesburg Borough, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 15.0 inches; W: 1.75 inches).

To construct and maintain approximately 80 lineal feet of concrete encased force main across two unnamed tributaries to Bald Eagle Creek and approximately 3,400 linear feet of 14 inch force main through wetlands.

The project will impact approximately 1.8 acres of jurisdictional wetlands while impacting approximately 80 feet of waterway. The unnamed tributaries to Bald Eagle Creek are Cold Water Fisheries streams.

**E49-252. Robert Ammerman, Shamokin Township Supervisors**, R. R. 1, Box 459, Paxinos, PA 17860. Culvert Replacement, in Shamokin Township, **Northumberland County**, ACOE Baltimore District (Shamokin, PA Quadrangle N: 17.3 inches; W: 14.4 inches).

To remove two 4 foot diameter corrugated metal pipe culverts and to construct and maintain twin corrugated metal pipe arches both having a span of 6.42 feet and a rise of 4.33 feet by 30 feet long with R5 riprap inlet and outlet bank protection depressed 6-inches in Lick Creek on T-758 about 4,000 feet from the intersection of T-758 with Route 61 near Meadowview. The project will not impact wetlands while impacting about 50 feet of waterway. Lick Run is a Cold Water fisheries stream.

**E49-253. John J. Skerda, East Chillisquaque Township Supervisors**, East Chillisquaque Township, 305 James Street, Milton, PA 17847, in East Chillisquaque Township, **Northumberland County**, ACOE Baltimore District (Northumberland, PA Quadrangle N: 21 inches; W: 4.25 inches).

To construct and maintain a sewage treatment facility and a sewer outfall structure in the floodway of Chillisquaque Creek and to construct and maintain three 8-inch diameter PVC sanitary sewer crossings of an unnamed tributary to Chillisquaque Creek along the north side of Route 642 in Potts Grove. The project will not impact wetlands while impacting approximately 60 feet of waterway measured in the direction of flow. The unnamed tributary to Chillisquaque Creek is a Warm Water Fisheries stream.

**E53-362. Dominion Transmission, Inc.**, 445 West Main Street, P. O. Box 2450, Clarksburg, WV 26302-2450. LN-16/LN-20 Pipeline Maintenance, in Allegheny and Genesee Townships, **Potter County**, ACOE Pittsburgh District (Ellisburg, PA Quadrangle N: 20 inches; W: 7.5 inches).

To modify, operate and maintain an existing pipeline beneath an unnamed tributary to Irish Settlement (High Quality-Cold Water Fishery), Irish Settlement Brook (High Quality-Cold Water Fishery), Hemlock Hollow Run (High Quality-Cold Water Fishery) and three locations at Peet Brook (Cold Water Fishery) for the transmission of natural gas. The modification work shall consist of remove existing drip structures and installing new sections pipeline of LN 16 and LN 20. All LN 16 and LN 20 modification and future repair work shall be completed at stream low flow and dry work conditions by dams and pumping or fluming stream flow around work areas. The modification work will temporarily impact 0.45-acre of wetland and 100-feet of waterway. The project is located along the western right-of-way of SR 4011 approximately 1.9-miles north of SR 0049 and SR 4011.

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

**E20-509, Penncrest School District**, 18741 State Hwy 198, P. O. Box 808, Saegertown, PA 16433-0808. Saegertown Nature Trail and Stream Stabilization of tributary to Kerns Run, in Hayfield Township, **Crawford County**, ACOE Pittsburgh District (Meadville, PA Quadrangle N: 17.7 inches; W: 6.1 inches).

To conduct the following activities associated with the Penncrest School District's Saegertown Elementary School Nature Trail in/along a tributary to Kerns Run approximately 500 feet upstream of S.R. 198 west of the football field behind the Saegertown Elementary School:

1. Construct and maintain a steel beam bridge having a span of 30 feet and an underclearance of 6 feet across a tributary to Kerns Run on a nature trail.
2. Construct and maintain a bank stabilization and channel improvement along a total reach of approximately 170 feet in a tributary to Kerns Run including:
  - a. Excavation for flood plain establishment at two locations measuring 45 feet and 60 feet in length.
  - b. Rock riprap bank protection along a total length of approximately 170 feet
  - c. Construct a flow deflector/bank protection structure using existing debris in the channel.
  - d. Construct two rock riprap bank barb channel deflectors.

**E25-637, PA Department of Transportation**, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. S.R. 4034, Section A80 Erie East Side Access Highway, in Harborcreek Township and City of Erie, **Erie County**, ACOE Pittsburgh District

The following structures and activities are being proposed as part of the construction of the Erie East Side Access Highway, S.R. 4034, section A80 beginning at the western side of Wintergreen Gorge in Harborcreek Township (Hammet, PA Quadrangle N: 22.4 inches; W: 16.3 inches) and continuing westward to McCalland Avenue in the City of Erie (Erie South, PA Quadrangle N: 22.2 inches; W: 2.4 inches).

1. To construct and maintain a continuous steel plate girder bridge having spans of 252.6 feet, 465.8 feet and 377.2 feet with a underclearance of 88.9 feet across Fourmile Run.

2. To relocate and enclose two tributaries to Fourmile Run having a contributory drainage less than 100 acres.

3. To construct and maintain a temporary crossing and fill for construction access within the channel and floodplain of Fourmile Run.

4. To temporarily fill a total of 0.39 acre of wetland (0.27 acre PEM, 0.03 acre PSS, 0.08 acre PFO).

5. To permanently fill 1.71 acres of wetland (0.19 acre PEM, 0.25 acre PSS, 1.27 acres PFO).

Construction of replacement wetlands for this project was previously authorized under DEP Permit No. E25-626.

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

**E42-284. DL Resources, Inc.**, 1066 Hoover Road, Smicksburg, PA 16256. Chappel Fork Bridge Maintenance and Crary Run Bridge Replacement Project, in Hamilton Township, **McKean County**, ACOE Pittsburgh District.

To conduct the following activities associated with DL Resources' Warrant 4912 oil and gas well operations:

1. Maintain an existing single span steel bridge across Chappel Fork (CWF) having a span of 30 feet and an approximate under clearance of 7.5 feet at a point approximately 100 feet upstream of the confluence of Chappel Fork with Crary Run (Westline Quadrangle N: 14.12 inches; W: 6.29 inches).

2. To replace an existing log bridge over Crary Run (HQ-CWF) with a prefabricated single span steel bridge having a span of 25 feet and an approximate under clearance of 4 feet at a point approximately 150 feet upstream from the confluence of Crary Run and Chappel Fork. This structure will also include the installation of three 12-inch culverts in the approach road (Westline Quadrangle N: 14.18 inches; W: 6.35 inches).

## ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.*

**D29-028A. Department of Conservation and Natural Resources, Bureau of State Parks**, P. O. Box 8551, Harrisburg, PA 17105-8551. Todd Township, **Fulton County**. ACOE Baltimore District.

The project proposes to perform maintenance at the Cowans Gap State Park Dam and reservoir including replacing the control tower, replacing the pedestrian bridge across the primary spillway and removing approximately 3.75 acres of accumulated silts and sediments from the inlet end of the reservoir. The dam is located across South Branch Little Aughwick Creek (HQ-CWF) (Burnt Cabins, PA Quadrangle, N: 0.3 inch, W: 6.9 inches).

## DAM SAFETY

*Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.*

**D30-052. RAG Cumberland Resources, L.P.**, 158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370. Description: To construct, operate and maintain the Cumberland Mine No. 2 Refuse Impoundment Dam across a tributary to Whiteley Creek (TSF), impacting 2.82 acres of wetlands (PEM/PSS) and 3,700 feet of stream and providing 2.98 acres of wetland mitigation, for the pur-

pose of providing a new coal refuse disposal area (Area No. 2) for coal refuse generated by the Cumberland Mine (Oak Forest), PA Quadrangle N: 9.30 inches; W: 1.74 inches) in Whiteley Township, **Greene County**.

**D30-053. RAG Cumberland Resources, L.P.**, 158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370. Description: To construct, operate and maintain the Area No. 2 Sediment/Treatment Dam across a tributary to Whiteley Creek (TSF), for the purpose of providing a sediment basin for the New Cumberland Mine No. 2 Refuse Impoundment Dam (Oak Forest), PA Quadrangle N: 8.8 inches; W: 1.1 inches) Whiteley Township, **Greene County**.

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## ACTIONS

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### 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.

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.

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

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

**NPDES Permit No. PA0036978 Amendment No. 3**, Sewage, **Telford Borough Authority**, 122 Penn Avenue, P. O. Box 209, Telford, PA 18969-0209. This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Proposed Action/Activity: Amend existing permit to discharge into Indian Creek-3E Watershed

**NPDES Permit No. PA0050148**, Sewage, **Warwick Township Water and Sewer Authority**, 1733 Township Greene, P. O. Box 315, Jamison, PA 18929. This proposed facility is located in Warwick Township, **Bucks County**.

Description of Proposed Action/Activity: Renewal to discharge into Fish Creek.

**NPDES Permit No. PA0053244**, Sewage, **Charles S. Adcock**, 1006 South Bellevue Avenue, Langhorne, PA 19047. This proposed facility is located in Upper Makefield Township, **Bucks County**.

Description of Proposed Action/Activity: Renewal and transfer of a NPDES permit to discharge into Houghs Creek-2E to serve Valley Queen Apartment.

**NPDES Permit No. PA0024422**, Sewage, **Lower Salford Township Authority**, P. O. Box 243, Mainland, PA 19451-0243. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Proposed Action/Activity: To discharge into an UNT to Indian Creek-3E.

**WQM Permit No. 0901411**, Sewerage, **Pennridge School District**, 1506 North Fifth Street, Perkasio, PA 18944-2295. This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Proposed Action/Activity: Approval to install an ultraviolet (UV) disinfection system.

**WQM Permit No. 4601416**, Sewerage, **Lower Salford Township Authority**, P. O. Box 243, Harleysville, PA 19438. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval to modify and operate the Harleysville STP.

**WQM Permit No. 4601407**, Sewerage, **Limerick Township Municipal Authority**, 529 King Road, P. O. Box 29, Royersford, PA 19468. This proposed facility is located in Limerick Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a pump station to serve the proposed Landis Brook Subdivision.

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

**NPDES Permit No. PA-0055174**, Industrial Waste, **Buckeye Pipeline Company**, 5002 Buckeye Road, Emmaus, PA 18049. This proposed facility is located in Lower Macungie Township, **Lehigh County**.

Description of Proposed Action/Activity: Permit renewal to discharge stormwater and intermittent discharge of hydrostatic tanks to unnamed tributary of Swabia Creek.

**NPDES Permit No. PA-0060526**, Industrial Waste, **Pennsylvania-American Water Company**, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033. This proposed facility is located in Forest City, **Susquehanna County**.

Description of Proposed Action/Activity: Permit renewal to discharge treated wastewater from water purification plant to Lackawanna River.

**WQM Permit No. 3901401**, Sewerage, 2202 Grove Road, Allentown, PA 18109. This proposed facility is located in Hanover Township, **Lehigh County**.

Description of Proposed Action/Activity: The replacement of an existing pump station. The new pump station will meet future flow increases. The ultimate disposal of sewage from this station is the Catasauqua Wastewater Treatment Plant.

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

**NPDES Permit No. PA0086886**, Sewage, **Lancaster County Solid Waste Management Authority**, 1299 Harrisburg Pike, P. O. Box 4425, Lancaster, PA 17604-4425. This proposed facility is located in Cornwall Borough, **Lebanon County**.

Description of Proposed Action/Activity: 1 year Administrative Extension for Authorization to discharge to Snitz Creek in Watershed 7-D.

**NPDES Permit No. PA0020320**, Sewage, **Lititz Sewer Authority**, 50 Lititz Run Rd., Lititz, PA 17543-8503. This proposed facility is located in Warwick Township, **Lancaster County**.

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

**NPDES Permit No. PA0021717**, Sewage, **Marietta-Donegal Joint Authority**, P. O. Box 167, Marietta, PA 17547. This proposed facility is located in Marietta Borough, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Susquehanna River in Watershed 7-G.

**NPDES Permit No. PA0081710**, Sewage, **Outdoor World Corporation, c/o Resorts USA, Inc.**, P. O. Box 447, Bushkill, PA 18324-0447. This proposed facility is located in Pequea Township, **Lancaster County**.

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

**NPDES Permit No. PA0087131**, Sewage, **Northern Lancaster County Authority**, 983 Beam Road, Denver, PA 17517-0983. This proposed facility is located in Brecknock Township, **Lancaster County**.

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

**NPDES Permit No. PA0084603**, Sewage, **Fairmount Homes**, 219 Cats Back Road, Ephrata, PA 17522. This proposed facility is located in West Earl Township, **Lancaster County**.

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

**WQM Permit No. 0596408 Amendment 01-1**, Sewage, **Chestnut Ridge Area Joint Municipal Authority**, 320 Lane Metal Road, New Paris, PA 15554. This proposed facility is located in East Saint Clair Township, **Bedford County**.

Description of Proposed Action/Activity: The construction/operation of Sewage Treatment Facilities.

**WQM Permit No. 2297403, Amendment 01-1**, Sewage, **GSP Management Co., Shadyback Acres Mobile Home Park**, 470 W. DeKalb Pike, Suite 106, P. O. Box 278, King of Prussia, PA 19406. This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: The construction/operation of existing sewage treatment facilities.

**WQM Permit No. 3801406**, Sewage, **Jackson Township Authority**, 60 North Ramona Road, Myerstown, PA 17067. The proposed facility is located in Jackson Township, **Lebanon County**.

Description of Proposed Action/Activity: The construction/operation of sewers and appurtenances.

**WQM Permit No. 2201404**, Sewage, **Paul Henry**, 255 Ridge Road, Harrisburg, PA 17112. The proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: The construction/operation of a small flow sewage treatment system.

**WQM Permit No. 2101404**, Sewage, **Silver Spring Township Authority**, 6475 Carlisle Pike, Mechanicsburg, PA 17055. The proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: The construction/operation of the CVM/Rahal Pump Station.

**NPDES Permit No. PA0081272**, Industrial Waste, **Galaxy Tire & Wheel, Inc.**, P. O. Box 110, Red Lion, PA 17356-0110. This proposed facility is located in Red Lion Borough, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to Fishing Creek (via swale) in Watershed 7-I.

**NPDES Permit No. PA0010782, Amendment #1**, Industrial Waste, **Reliant Energy Mid-Atlantic Power Holdings, LLC, Titus Power Plant**, 296 Poplar Neck Road, Birdsboro, PA 19508. This proposed facility is located in Cumru Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Schuylkill River in Watershed 3-C.

**WQM Permit No. 3699201**, Industrial Waste, **H. R. Ewell, Inc.**, 4635 Division Highway, P. O. Box 8, East Earl, PA 17519-0008. This proposed facility is located in East Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction /operation of Land Application Facilities, Industrial Waste Treatment Facilities and Groundwater Monitoring Wells.

**NPDES Permit No. PA0088595**, CAFO, **Harmony Farms, LLC, Mike Mullady**, P. O. Box 248, Camp Hill, PA 17001-0248. The proposed facility is located in Monroe Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to operate a 676.61-AEU swine concentrated animal feeding operation in Watershed 13-B.

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

**NPDES Permit No. PA0238473**, Sewage, **Vernon H. Boyer**, 657 Keister Road, Slippery Rock, PA 16057. This proposed facility is located in Slippery Rock Township, **Butler County**.

Description of Proposed Action/Activity: This project is to discharge to Slippery Rock Creek.

**NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)**

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

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10C044	Berkshire Greens, Inc. Byron Whitman 16 Village Drive Reading, PA 19607	Berks	Robeson Township	Hay Creek (EV)
PAS10Y072	Stephen R. Gruber 3658 Burkins Road Street, MD 21154	York	Springfield Township	UNT to Seeks Run (HQ-WWF)
PAS10M110	Borough of Chambersburg 100 S. Second Street Chambersburg, PA 17201	Franklin	Borough of Chambersburg Greene Township Guilford Township	Falling Spring Creek (HQ-CWF) Conococheague Creek (CWF-WWF)
PAS10C046	Brandywine Heights School District 200 Weis Street Topton, PA 19562	Berks	Longswamp Township	Little Lehigh Creek (HQ-CWF)
PAS10H092	TY-ARA INC. George Schulusser 204 Campground Road Carlisle, PA 17013	Cumberland	South Middleton Township	Letort Spring Run

**APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS**

The following parties have submitted: (1) Notices of Intent (NOIs) for Coverage Under (1) General NPDES Permits to Discharge Wastewater into the Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations. Monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

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

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

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

**List of NPDES and/or Other General Permit Types**

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

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Swarthmore Borough Delaware County	PAR10 J216	Swarthmore College 500 College Avenue Swarthmore, PA 19081	Crum Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Hanover Township Montgomery County	PAR10 T766	Blommer Chocolate Company 1101 Blommer Drive East Greenville, PA 18041	UNT of Perkiomen Creek (CWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Hatfield Township Montgomery County	PAR10 T732	Roger D. Altemose Schwab Road Industrial Assoc. 2880 Bergey Road Hatfield, PA 19440	Tributary to Neshaminy Creek (WF—M)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000



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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Abington Township Montgomery County	PAR10 T774	Presby Homes & Services 200 Joshua Road Lafayette Hill, PA 19444	Pennypack Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Skippack Township Montgomery County	PAR10 T754	Gambone Brothers P. O. Box 287 Fairview Village, PA 19409	Skippack Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
City of Philadelphia Philadelphia County	PAR10 5339	Avis Rent-a-Car Systems, Inc. 900 Old County Road Garden City, NY 15530	Schuylkill River (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Luzerne County Pittston Township	PAR10R230	PA Child Care, LLC 1105 Berkshire Blvd. Suite 320 Wyomissing, PA 19610	Mill Creek CWF	Luzerne County Conservation District (570) 674-7991
Luzerne County Hazleton City Hazle Township	PAR10R233	DEP Bureau of Abandoned Mine Reclamation 2 Public Square 5th Floor Wilkes-Barre, PA 18711	Cranberry Creek CWF	Luzerne County Conservation District (570) 674-7991
Luzerne County Kingston Township	PAR10R231	Back Mountain Harvest Assembly 340 Carverton Road Trucksville, PA 18708	Toby Creek Watershed CWF	Luzerne County Conservation District (570) 674-7991
Northampton County Lehigh Township	PAR10U166	Bella Vista Estates, LLC 5160 Steeplechase Rd. Schnecksville, PA 18078	Hokendauqua Creek CWF	Northampton County Conservation District (610) 746-1971
Manheim Township Lancaster County	PAR10-O-505	Manheim Township School District School Rd. Lancaster, PA 17603	Landis Run (WWF)	Lancaster County Conservation District 1383 Arcadia Rd. Rm. 6 Lancaster, PA 17601 (717) 299-5361
Paradise Township Lancaster County	PAR10-O-510	Paradise Township 196 Black Horse Rd. Box 40 Paradise, PA 17562	Eshleman Run (CWF)	Lancaster County Conservation District 1383 Arcadia Rd. Rm. 6 Lancaster, PA 17601 (717) 299-5361
Millersville Borough Lancaster County	PAR10-O-511	Student Lodging, Inc. Millersville University Millersville, PA 17551	UNT Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Rd. Rm. 6 Lancaster, PA 17601 (717) 299-5361
Silver Spring Township Cumberland County	PAR10H261	Rich Valley Golf Club 716 North West Street Carlisle, PA 17013	Conodoguinet Creek (WWF)	Cumberland County Conservation District 43 Brookwood Avenue, Suite 4 Carlisle, PA 17013 (717) 240-7812

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Guilford Township Franklin County	PAR10M244	Kinsley Construction Inc. 2700 Water Street P. O. Box 2886 York, PA 17405	UNT to Conococheague Creek (WWF)	Franklin County Conservation District 550 Cleveland Av- enue Chambersburg, PA 17201 (717) 264-8074
Jonestown Borough Lebanon County	PAR10P139	Red Fox Run, Inc. Coopersburg, PA 18036	Swatara Creek (WWF) Little Swatara Creek (WWF)	Lebanon County Conservation District 2120 Cornwall Rd. Suite 5 Lebanon, PA 17042 (717) 272-3908, ext. 3

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Allegheny County Moon Township	PAR10A521	Bundy Development, Inc. 32 McGovern Blvd. Cresson, PA 15046	Ohio River/WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Jefferson Hills Borough	PAR10A524	Berlin Industries, Inc. 5213 Broadlea Drive Pittsburgh, PA 15236-0206	UNT Peters Creek/ TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Marshall Township	PAR10A526	Northside Sportsmens Association 325 Mt. Pleasant Road Warrendale, PA 15086	Brush Creek/TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Thornburg Township	PAR10A529	Grandview Development, LP 186 Castle Shannon Blvd. 2nd Floor Pittsburgh, PA 15228	Chartiers Creek/ WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Upper St. Clair Township	PAR10A530	Minnolk Family Limited Partnership 7202 Old McKnight Road Pittsburgh, PA 15237	UNT Chartiers Creek /WWF	Allegheny County Conservation District (412) 241-7645
Beaver County Hopewell Township	PAR100285	Columbia Gas Transmission 950 Manifold Road Washington, PA 15301	Boggs Run/WWF	Beaver County Con- servation District (724) 774-7090

*General Permit Type—PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Plymouth Township Montgomery County	PAR210019	RESCO Products, Inc. 1302 Conshohocken Rd. Norristown, PA 19404	Schuylkill River-3F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR120008	Degussa Flavors and Fruit Systems 1741 Tomlinson Rd. Philadelphia, PA 19116	Byberry Creek-3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Horsham Township Montgomery County	PAR200033	U. S. Can Company 431 Privet Rd. Horsham, PA 19044	UNT to Neshaminy Creek-2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR800027	CSX Transportation, Inc. 500 Water St., J-275 Jacksonville, PA 32202	Schuylkill River-3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Falls Township	PAR800078	Novolog Bucks County 1 Sinter Rd. Fairless Hills, PA 19030	Delaware River-2E Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR800109	Airborne Express P. O. Box 662 Seattle, WA 98111	Delaware River-3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Tinicum Township Delaware County	PAR8001110	Airborne Express P. O. Box 662 Seattle, WA 98111	Delaware River-2D Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Bristol Township Bucks County	PAR800107	Airborne Express P. O. Box 662 Seattle, WA 98111	Neshaminy Creek-2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Warminster Town- ship Bucks County	PAR200017	Greif Bros. Corp. 695 Louis Dr. Warminster, PA 18974	Little Neshaminy Creek-2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
West Rockhill Town- ship Bucks County	PAR130003	Fres-Co Systems, USA 3005 State Rd. Telford, PA 18969	Mill Creek-2F Wa- tershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR230060	Richards Apex, Inc. 4202-24 Main St. Philadelphia, PA 19127	Manayunk Canal-3F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lehigh County North Whitehall Township	PAR402202	Lehigh Valley Recycling, Inc. 3942 Portland St. Coplay, PA 18037	Coplay Creek	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711
East Huntingdon Township Westmoreland County	PAR216153	Carry All Products Inc. P. O. Box 201 Connellsville, PA 15425	Jacob's Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Pine Grove Township Warren County	PAG048412	John L. and Debra D. Young R. R. 2, Box 2204 Russell, PA 16345	Intermittent stream tributary to Fairbanks Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335- 3481 (814) 332-6942
City of St. Marys Elk County	PAG048420	Charles F. and Erica L. Miller 1554 Rosely Road St. Marys, PA 15857	Trout Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335- 3481 (814) 332-6942
Deer Creek Township Mercer County	PAG048426	Lawrence T. Mirage 2952 County Line Road Cochranon, PA 16314-8703	Unnamed tributary to North Deer Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335- 3481 (814) 332-6942

*General Permit Type—PAG-5*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Huntingdon County Porter Township	PAG053554	Shaner Energy, Inc. 40 Pennsylvania Avenue Huntingdon, PA 16652	Frankstown Branch/ Juniata River	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
New Sewickley Township Beaver County	PAG056166	United Refining Co. of PA P. O. Box 688 11 Bradley Street Warren, PA 16365	UNT to Dutchman Run	Southwest Regional Office: Water Management Pro- gram Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Green Tree Borough Allegheny County	PAG056167	Gene Holeczy 1522 Cumberland Street Pittsburgh, PA 15205	UNT to Chartiers Creek	Southwest Regional Office: Water Management Pro- gram Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Delaware Township Juniata County	PAG083548	Thompsontown Municipal Authority P. O. Box 154 Thompsontown, PA 17094	Don Benner Farm Delaware Township Juniata County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-10*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Adams County Straban Township	PAG-103511	Reliant Energy Hunterstown LLC 1001 Broad Street P. O. Box 1050 Johnstown, PA 15907	Beaver Dam Creek	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
York County Chanceford Township	PAG123512	H. E. Heindel & Sons P. O. Box 7 Brogue, PA 17309	Toms Run/WWF/7-I	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

**PUBLIC WATER SUPPLY PERMITS**

The Department of Environmental Protection (Department) has taken the following actions on applications received under the Safe Drinking Water Act for the construction, substantial modification or operation of a public water system.

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days from the date of issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of

appeal beyond that permitted by applicable statutes and decisional law.

**SAFE DRINKING WATER**

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

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

**Permit No. 0901513, Minor Amendment.** Public Water Supply.

Applicant	<b>Richlandtown Borough</b> 125 S. Main Street Richlandtown, PA 18955
Borough	Richlandtown
County	<b>Bucks</b>
Type of Facility	Public Water Supply System
Consulting Engineer	Philip W. Bear Engineering Company 834 Keystone Avenue Emmaus, PA 18049

Permit to Construct      September 17, 2001  
Issued

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

Operations Permit issued to **Borough of Delaware Water Gap**, P. O. Box 218, Delaware Water Gap, PA 18327, Delaware Water Gap Borough, **Monroe County** on August 15, 2001.

Operations Permit issued to **Keystone Mobile Homes, Inc.**, Box H, Laury's Station, PA 18059, North Whitehall Township, **Lehigh County** on August 31, 2001.

Operations Permit issued to **Borough of Slatington**, 125 South Walnut Street, Slatington, PA 18080-2099, Washington Township, **Lehigh County** on August 6, 2001.

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

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

Applicant                    **Aaronsburg Water Pipes Inc.**  
Box 234  
Aaronsburg, PA 16820

Township                    Haines Township

County                        **Centre**

Type of Facility            Public Water Supply

Consulting Engineer      HRG, Inc.  
474 Windmere Drive  
Suite 101  
State College, PA 16801

Permit to Operate Issued      September 14, 2001

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

**Permit No. 1601501**, Public Water Supply.

Applicant                    **Pa-American Water Company**  
800 West Hershey Park Drive  
Hershey, PA 17033-0888

Borough or Township      Clarion Township

County                        **Clarion**

Type of Facility            PWS

Consulting Engineer      Jerry Hankey, P.E.  
Pa-American Water Co.  
1909 Oakland Avenue  
Indiana, PA 15701-3389

Permit to Construct      September 12, 2001  
Issued

**Operations Permit No. 2099501** issued to **Cambridge Springs Borough**, 161 Carringer Street, PA 16403, Cambridge Springs Borough, **Crawford County** on September 12, 2001.

**Operations Permit No. 4300504** issued to **Jamestown Municipal Authority**, 406 Jackson Street, P. O. Box 188, Jamestown, PA 16134, Jamestown Borough, **Mercer County** on September 13, 2001.

**Operations Permit No. 1099503-MA1**, **Municipal Water Authority of Adams Township**, 170 Hutchman Road, Mars, PA 16046, Adams Township, **Butler County** on September 13, 2001.

**Operations Permit No. 1684501-MA3**, **Rimersburg Borough Municipal Authority**, P. O. Box 413, Rimersburg, PA 16248, Madison Township, **Clarion County** on September 13, 2001.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

#### Plan Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Salem Township	P. O. Box 278 Hamlin, PA 18427	Wayne

Plan Description: The approved plan provides for an Official Plan revision consisting of the construction of a Small Flow Treatment Facility (SFTF) with discharge to a dry stream, an unnamed tributary of the West Branch of the Wallenpaupack Creek. The SFTF will be sized for a peak flow of 1500 GPD. The project is necessitated due to the malfunction of the existing on-lot sewage disposal system. After reviewing the condition of the existing system and the lack of available land area for a replacement on-lot system, the SFTF was selected as the only repair alternative. The proposed development is located at the southeastern corner of the intersection of T-342 and SR-0590 in Salem Township, Wayne County, PA. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Chestnut Ridge Area Joint Municipal Authority	320 Lane Metal Road New Paris, PA 15554	Bedford

Plan Description: The approved plan provides for the expansion of the CRAJMA wastewater treatment facility to a capacity of 0.92 MGD. The plan also provides for Phase III sewer extensions (at various locations in East and West St. Clair Townships) to serve 53 residences. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Granville Township	100 Helen Street Lewistown, PA 17044	Mifflin

Plan Description: The approved plan provides for the expansion of the Junction Wastewater Treatment Facility to a capacity of 0.5 MGD. The plan also proposes to monitor sewage flows through Chapter 94 reports to determine need for additional treatment plant expansions. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required

NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Donegal Township	One Municipal Drive Elizabethtown, PA 17022	Lancaster County

Plan Description: The approved plan provides for conversion of on lot sewage disposal at an existing campground generating 12,150 gallons per day in sewage flows to a proposed treatment plant with a stream discharge to an unnamed tributary of Snitz Creek. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the owner. The name of the plan is Rustic Meadows Campground and the DEP code number is A3-36958-108-3.

**PUBLIC NOTICE OF PROPOSED CONSENT ORDER AND AGREEMENT**

**Sandy Lake Asbestos Site  
Stoneboro Borough, Mercer County**

Under section 1113 of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305) (HSCA), notice is hereby provided that the Department of Environmental Protection (Department) has agreed to a de minimis settlement with the Lakeside Park Company, Robert R. Gillette, Bessie G. Gillette, Julie M. Widel, the Estate of Homer B. Widel (Julie M. Widel, Executrix) (collectively referred to as Lakeside) and the Sandy Creek Conservancy (Conservancy), to resolve Lakeside's liability for the Sandy Lake Asbestos Site (Site). The Site covers approximately 2 acres and is located on a 31.75-acre parcel owned by Lakeside and located between the former Penn Central Railroad Line and Route 845 in Stoneboro Borough, Mercer County, PA.

In the past, asbestos wastes were disposed at the Site and this waste contaminated the environment at the Site. Asbestos is a "hazardous substance" as defined in section 103 of HSCA (35 P. S. § 6020.103). The Department has the Site and has removed the asbestos wastes for proper disposal off-Site. The Department has incurred approximately 1.1 million dollars in response Costs for the Site. As owners of the Site during the time of the release and threatened release of hazardous substances at the Site, the members of Lakeside are each a "responsible person" as defined in section 103 of HSCA. Under the terms of the settlement, through a conservation easement, Lakeside will sell (for \$1) the development rights of the 31.75-acre parcel that contains the Site to the Conservancy for the public benefit in perpetuity.

The specific terms of this settlement are set forth in the Consent Order and Agreement (Agreement) with Lakeside and the Conservancy. The Department will receive and consider comments relating to the Agreement for 60 days from the date of this public notice. The Department has the right to withdraw its consent to the Agreement if the comments concerning the Agreement disclose facts or considerations that indicate that the Agreement is inappropriate, improper or not in the public interest.

After the public comment period, the Department's settlement with Lakeside and the Conservancy shall be effective upon the date that the Department notifies Lakeside and the Conservancy, in writing, that this Agreement is final and effective in its present form and

that the Department has filed a response to significant written comments to the Agreement or that no comments were received.

The Agreement is available for inspection and copying at the Department's office at 230 Chestnut Street, Meadville, PA. Comments may be submitted, in writing, to James W. Weaver, Project Manager, Department of Environmental Protection, Hazardous Sites Cleanup, 230 Chestnut Street, Meadville, PA 16335. Further information may be obtained by contacting James W. Weaver at (814) 332-6648. TDD users may contact the Department through the Pennsylvania Relay Service at (800) 645-5984.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 2**

**The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site where one of the Act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected.

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

The Department has received the following final reports:

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

**Charles Hallman Residence**, Avondale Borough, **Chester County**. Hylton Hobday, Marshall Miller & Associates, 3913 Hartzdale Dr., Suite 1306, Camp Hill, PA, on behalf of Charles Hallman, 317 Pennsylvania Ave., Avondale, PA 19311, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**2900 Samuel Drive Site**, Bensalem Township, **Bucks County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, Suite 500, 401 City Ave., Bala Cynwyd, PA 19004, on behalf of Jupiter Property Management, LLC, 11401 Roosevelt Blvd., Philadelphia, PA 19154-2197, has sub-

mitted a Final Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX, petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet Statewide Health and Site-specific Standards.

**Upper Dublin Township, Fort Washington Borough and Upper Dublin Township, Montgomery County.** Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Upper Dublin Township, 801 Loch Alsh Ave., Fort Washington, PA 19034, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet Site-specific Standards.

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

**Atherton Hotel**, State College Borough, **Centre County.** Cocciardi and Associates, Inc., on behalf of its client, Atherton Hotel, 125 South Atherton Street, State College, PA 16801, has submitted a Final Report concerning remediation of site soil contaminated with mercury. The report is intended to document remediation of the site to meet the Statewide Health Standard. (See other notices pertaining to this site in this Bulletin).

## 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 Act. Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

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

**George's Music, Inc.**, Upper Gwynedd Township, **Montgomery County.** Philip F. Gray, Jr., Storb Environmental, Inc., 401 N. Easton Rd., Willow Grove, PA 19090-2511 on behalf of George's Music, Inc., 650 W. Swedesford Rd., Berwyn, PA 19312, has submitted a revised Final Report concerning the remediation of site groundwater contaminated with BTEX and petroleum hydrocarbons. The report demonstrated attainment of the Background Standard and was approved by the Department on September 7, 2001.

**3600 Reed Street Property**, City of Philadelphia, **Philadelphia County.** Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of PA Industrial & Commercial Development Authority, 2600 Centre Square West, 1500 Market St., Philadelphia, PA has submitted a Final Report concerning the remediation of site soil contaminated with lead, heavy metals, BTEX and polycyclic aromatic hydrocarbons and site groundwater contaminated with solvents. The report demonstrated attainment of a combination of the Statewide Health and Site-specific Standards and was approved by the Department on September 7, 2001.

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

**Atherton Hotel**, State College Borough, **Centre County.** Cocciardi and Associates, Inc. on behalf of its client, Atherton Hotel, 125 South Atherton Street, State College, PA 16801, has submitted a Final Report concerning the remediation of site soil contaminated with mercury. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 18, 2001. (See other notice in this Bulletin).

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

**Lord Corporation, Erie Facility North Parking Lot**, 1635 W. 12Th Street, Erie, PA, City of Erie, **Erie County**, had submitted a Final report concerning remediation of the ground water. The site had been found to be contaminated with Solvents. The report was approved by the Department and did demonstrate attainment of the Background Standard.

### HAZARDOUS WASTE TRANSPORTER LICENSE

**Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.**

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



### HAZARDOUS WASTE TRANSPORTER LICENSE ISSUED

**Environmental Waste Minimization, Inc.**, 719 Roble Road, Suite 103, Allentown, PA 18109. License No. **PA-AH 0682**. Effective September 10, 2001.

### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Permits modification 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.**

*Southcentral Region: Division of Municipal and Residual Waste, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**PAD010154045. Envirite of Pennsylvania, Inc.**, 730 Vogel song Road, York, PA 17404-1725, York City, York County. Permit modification for 1) a change to the solids processing unit to allow for waste blending with a hydraulic excavator in the newly lined pits referred to as Tanks T30/31 and 32; and 2) revisions to the waste analysis plan, including a notification procedure to replace the module 1 process and a change to the fingerprint analysis and unloading sequence on July 11, 2001.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit renewal 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.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Permit No. 101636. L&W Demolition Co., Inc.**, Franklin Township, York County. Permit renewal for construction and demolition wood waste processing facility. The Waste Management Program, Southcentral Regional Office approved the permit for renewal on July 11, 2001.

Persons interested in reviewing the general permit may contact Keith Kerns, Program Manager, Waste Management Program, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**Permit No. 101100. Waste Management Disposal Services of Pennsylvania, Inc.**, 9760 Letzburg Road, Greencastle, PA 17225-9317, Antrim and Montgomery Townships, Franklin County. Permit renewal for the operation of Mountain View Reclamation Landfill. The permit renewal was approved by the Southcentral Regional Office by on July 11, 2001.

Persons interested in reviewing the general permit may contact Keith Kerns, Program Manager, Waste Management Program, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**Permit No. 101664. Blair County Resource Recovery Facility**, R. D. 1, Box 938A, Altoona, PA 16601, Logan Township, Blair County. Major permit modification for the Blair County Resource Recovery Facility for a change in the operating hours and an increase in the

daily volume of waste accepted at the facility. The permit was approved by the Southcentral Regional Office on July 26, 2001.

Persons interested in reviewing the general permit may contact Keith Kerns, Program Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4704. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

**40-310-049GP: Hazleton Materials LLC** (Division of Haines and Kibblehouse, P. O. Box 196, Skippack, PA 19474) for construction and operation of a portable stone crushing plant and associated air cleaning device at the plant in Foster Township, Luzerne County.

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

**GP3-6-07-03014: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on September 14, 2001, was authorized to operate a portable nonmetallic mineral processing plant in Taylor Township, Blair County.

**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.*

**46-0037I: Cabot Performance Materials** (County Line Road, Boyertown, PA 19512) on September 11, 2001, for operation of a Building 55, 74 & 19 in Douglass Township, Montgomery County.

**46-0112: Palmer International, Inc.** (2036 Lucon Road, Skippack, PA 19474) on September 12, 2001, for operation of a Thermal Oxidizer in Skippack Township, Montgomery County.

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

**03-03045B: Eastern Industries, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) on September 13, 2001, for construction of a nonmetallic crushing plant at its Kutztown Black Top Plant in Maxatawny Township, Berks County. This facility is subject to the conditions of 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**06-010690: East Penn Manufacturing Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536-0147) on Septem-

ber 13, 2001, for construction of two lead oxide mills controlled by two cyclones, two fabric collectors and two HEPA filters at its Oxide Plant in Richmond Township, **Berks County**. This facility is subject to the conditions of 40 CFR Part 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants.

**06-05007A: Carpenter Technology Corp.** (P. O. Box 14662, Reading, PA 19612-4662) on September 12, 2001, for modification of Boiler House No. 48 at its Reading Plant in the City of Reading, **Berks County**. This facility is subject to the conditions of 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

**21-03053: Parthemore Funeral Home & Cremation Services, Inc.** (1303 Bridge Street, New Cumberland, PA 17070-0431) on September 6, 2001, for construction of a cremation chamber controlled by an afterburner in New Cumberland Borough, **Cumberland County**.

**21-05043A: Pennsy Supply, Inc.** (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105) on September 14, 2001, for construction of a stone crushing process at its Silver Spring Quarry in Silver Spring Township, **Cumberland County**. This facility is subject to the conditions of 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**38-03034: Heart of My Heart Final Pet Arrangements** (40 Pleasantview Road, Grantville, PA 17028) on September 11, 2001, for construction of an animal crematorium in East Hanover Township, **Lebanon County**.

**38-05016B: Quaker Alloy, Inc.** (200 East Richland Avenue, Myerstown, PA 17067-1545, on September 11, 2001, for construction of a sand handling and casting operations controlled by a fabric collector in Myerstown Borough, **Lebanon County**.

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

**10-021 I: INDSPEC Chemical Corp.** (133 Main Street, Petrolia, PA 16050) on September 4, 2001, to modify Plan Approval 10-021E (9500 gallon storage vessel) in Petrolia, **Butler County**.

**25-648A: NEPA Energy, LP** (10915 Ackerman Road, Northeast, PA 16428) on September 3, 2001, for construction of a boiler in Northeast, **Erie County**.

**10-079B: BNZ Materials, Inc.** (191 Front Street, Zelenople, PA 16063) on September 5, 2001, for installation of a scrubber in Zelenople, **Butler County**.

**43-277A: Joy Cone Co.** (3435 Lamor Road, Hermitage, PA 16148) on September 4, 2001, for installation of an incinerator in Hermitage, **Mercer County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

**09-0063A: New Hope Crushed Stone Co.** (6970 Phillips Mill Road, New Hope, PA 18938) on September 12, 2001, for operation of a Stone Crushing Plant in Solebury Township, **Bucks County**.

**23-0024A: Hanson Aggregates PA, Inc.** (523 West Forge Road, Glen Mills, PA 19342) on September 14, 2001, for operation of an Aeropulse Baghouse in Middletown Township, **Delaware County**.

**09-0110: Riverside Construction Materials, Inc.** (7900 Radcliffe Street, Bristol, PA 19007) on September 14, 2001, for a cement handling operation in Bristol Township, **Bucks County**.

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

**08-316-013A: Masonite Corp.** (P. O. Box 311, Towanda, PA 18848) on September 11, 2001, to extend authorization to operate a hardboard press (Line 2/Trimboard) and associated air cleaning device (a scrubber) on a temporary basis until January 9, 2002, in Wysox Township, **Bradford County**.

**08-318-024A: Masonite Corp.** (P. O. Box 311, Towanda, PA 18848) on September 11, 2001, to extend authorization to operate a hardboard products surface coating operation (Coating II) on a temporary basis until January 9, 2002, in Wysox Township, **Bradford County**.

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

**65-137A: Allegheny Ludlum Corp.** (100 River Road, Brackenridge, PA 15014) for their Z-9 Senzimir Mill in Vandergrift, **Westmoreland County**. Allegheny Ludlum has requested that the emission limitations contained in the Plan Approval conditions be modified to reflect the results of stack testing recently conducted at the facility. This action changes particulate emission limits in the Plan Approval to 3.7 lbs/hr and 16.03 tons per year. Also, Z-mill operation will now be limited to only 8664 hours in any 12 consecutive months.

**03-206B: Rosebud Mining Co.** (R. D. 9, Box 379-A, Kittanning, PA 16201) for their Tracy Lynne Mine in Kiskiminetas Township, **Armstrong County**. Rosebud Mining requests that the Department modify Plan Approval PA-03-206B. This action includes:

1. Modification of Condition No. 5 to read:

“For road dust and stockpile fugitive emission control a pressurized water truck (or equivalent fixed water spray system approved by the Department) shall be available onsite to be used for dust suppression of the plant roadways and stockpile fugitive emissions. The pressurized water truck (or equivalent fixed water spray system) shall be capable of operation at all times that the plant is in operation.”

2. Modification of Condition #7 to require the processed coal to retain a minimum of 2.75% moisture content in lieu of a 6-7% moisture content as previously required.

3. Modification of Condition No. 8 to read:

“In accordance with 25 Pa. Code § 127.12(a)(5), the plant roadway shall be maintained and delineated by paving or periodic chipping in the event that Township Road T.R. 329 is paved.”

4. Modification of Condition #14 to require that the daily recording requirements and annual reports shall be kept at the main office for a minimum 5 years and available to the Department upon request.

5. Modification of Condition No. 15 to read:

“In the event that Township Road T.R. 329 is paved, the approaches to the scale and 200-500 feet of the plant

entrance road shall be paved within 180 days of the completion of T. R. 329 paving. Any dust on the paved road shall be controlled by using a road sweeper and water spray (or equivalent). This road cleaning shall include 250 feet of the public highway on either side of the plant access road."

**65-322-003A: Greenridge Reclamation, LLC** formerly Republic Services Group of Pennsylvania-IV, LLC (R. D. Box 716, Scottsdale, PA 15683) for their Greenridge Reclamation Landfill in East Huntingdon Township, **Westmoreland County**. Greenridge requests that the Department modify Plan Approval PA-65-322-003A. This action includes:

1. Revision of Condition #3 to refer to the 1995 Major Permit Modification of the Bureau of Waste Management Permit Number 100281.

2. Revision of Condition #7 to remove the incorrect reference to a Revision dated September, 2000.

3. Revision of Condition #9 to accurately reflect the model numbers of the flares.

4. Revision to Condition #15(b) to include the clarification that a gas flow meter may be used as an alternate indicator of flame presence in the candle flare as long as the owner/operator visually check the candle flare monthly to demonstrate that the thermocouple/blower shutdown/control valve closure loop is operational.

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

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

**46-00018: Brown Printing Co.** (668 Gravel Pike, East Greenville, PA 18041) on September 14, 2001, for operation of a facility in Upper Hanover Township, **Montgomery County**.

**09-00073: Leonard Kunin Associates, Inc.** (1946 Cherry Lane, Souderton, PA 18964) on September 14, 2001, for operation of a facility in Hilltown Township, **Bucks County**.

**15-00010: Bethlehem Steel Corp.** (50 South First Avenue, Coatesville, PA 19320) on September 14, 2001, for operation of a facility in City of Coatesville, **Chester County**.

**15-00011: Pierce and Stevens Corp.** (P. O. Box 218, Kimberton, PA 19442) on September 14, 2001, for operation of a facility in East Pikeland Township, **Chester County**.

**15-00016: Worthington Steel Co.** (45 North Morehall Road, Malvern, PA 19355) on September 14, 2001, for operation of a facility in East Whiteland Township, **Chester County**.

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**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.**

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

**06-03042: Fairmont Foundry, Inc.** (P. O. Box 466, Front and Pine Streets, Hamburg, PA 19526) on Septem-

ber 17, 2001, for operation of a gray iron foundry in Hamburg Borough, **Berks County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.*

**42-00178: Glenn O. Hawbaker, Inc.—Turtlepoint Plant** (Route 155, Turtlepoint, PA 16750) on September 6, 2001, for a Synthetic Minor Operating Permit in Annin Township, **McKean County**.

**43-00034: Dunbar Asphalt Products, Inc.—Wheatland Plant** (Ohio Street Extension., Wheatland, PA 16161) on September 6, 2001, for a Synthetic Minor Operating Permit in Wheatland Township, **Mercer County**.

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**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.**

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

**59-00005: Dominion Transmission Corp.** (625 Liberty Avenue, Dominion Tower, Pittsburgh, PA 15222) revised on September 7, 2001, to include terms and conditions from Plan Approval 59-00005B for operation of a screw-in prechamber on Engine #6 at the Sabinsville Gas Compressor Station in Clymer Township, **Tioga County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**55-00001: Sunbury Generation LLC** (P. O. Box 19800 Green Bay, WI 54307-9004) revised on September 5, 2001, to include terms and conditions from Plan Approval 55-0001D for operation of a fly-ash handling and transfer system in Shamokin Dam Borough, **Snyder County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00007: Merck and Co., Inc.** (P. O. Box 600 Danville, PA 17821-0600) revised on September 5, 2001, to include terms and conditions for reactivation of the Asparaginase process at their pharmaceutical drug manufacturing facility in Riverside Borough, **Northumberland County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**19-00006: HJ Heinz LP** (6670 Low Street, Bloomsburg, PA 17815-8607) revised on August 29, 2001, to allow for a change in ownership from Heinz Pet Products to HJ Heinz LP for their dog and cat food production plant in South Centre Township, **Columbia County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Edward Braun, Chief, (215) 685-9476.*

**96-036: Richards Apex, Inc.** (4202-24 Main Street, Philadelphia, PA 19127) administratively amended on September 13, 2001, to identify the removal of equipment, move other equipment to insignificant activities and to make a correction for their facility in the City of Philadelphia, **Philadelphia County**. The equipment removed includes a scrubber and cyclone dust collector. The equipment moved to insignificant activities was: ID# P01—Fifteen Mixing Vessels. A clarification is made that these

vessels mix fatty oils and combined emit less than one ton of Volatile Organic Compounds or Hazardous Air Pollutants annually. They do not vent outside and now are not connected to any control devices. The correction made was: the original thirteen mixing vessels have been corrected to fifteen insignificant mixing vessels. The Synthetic Minor Operating Permit was originally issued on January 10, 2001.

## 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 the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**

### Coal Permits Actions

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

**17990102 and PA 0238236. River Hill Coal Co., Inc.**, P. O. Box 141, Kylertown, PA 16847. Commencement, operation and restoration of a bituminous surface mine-auger permit in Decatur Township, **Clearfield County** affecting 344.2 acres. Receiving streams: Laurel Run. Application received: February 9, 1999. Permit issued: September 13, 2001.

**17000101 and PA 0242845. River Hill Coal Co., Inc.**, P. O. Box 141, Kylertown, PA 16847. Commencement, operation and restoration of a bituminous surface mine permit in Bigler Township, **Clearfield County** affecting 73.9 acres. Receiving streams: Alexander Run to Clearfield Creek, Upper Morgan Run to Clearfield Creek and Clearfield Creek to the West Branch Susquehanna River. Application received: February 9, 2000. Permit issued: September 13, 2001.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**65960103. M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717-7961). Permit renewal issued for continued operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 162.1 acres. Receiving streams: unnamed tributary to Miller Run, Miller Run to Loyalhanna Creek, Loyalhanna Creek to Conemaugh River. Application received: July 13, 2001. Renewal issued: September 12, 2001.

**65910103. Calvin W. Hepler** (R. D. 1, Box 224, Smithton, PA 15479). Permit renewal issued for continued operation and reclamation of a bituminous surface/auger mine located in South Huntingdon Township, **Westmoreland County**, affecting 42.4 acres. Receiving streams:

unnamed tributaries to Barren Run. Application received: July 10, 2001. Renewal issued: September 12, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.*

**11960106. Permit Renewal, M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717-7961), for continued operation of a bituminous surface mine in Jackson Township, **Cambria County**. Receiving streams: unnamed tributaries to Laurel Run, Laurel Run. Application received: July 17, 2001. Application Issued: September 10, 2001.

**56950101. Action Mining, Inc.** (1117 Shaw Mines Road, Meyersdale, PA 15552-7228), permit revision for a variance to conduct mining activities within 100 feet of an unnamed tributary to Piney Run in Brothersvalley Township, **Somerset County**, affecting 82.2 acres, receiving stream Piney Run. Application received: July 25, 2001. Application issued: September 12, 2001.

**56960109. Permit Revision, Croner, Inc.** (P. O. Box 260, Friedens, PA 15541), for the purpose of a road variance within one hundred feet (100 feet) of the right-of-way of S.R. 2027 in Brothersvalley Township, **Somerset County**, affecting 129.0 acres, receiving stream unnamed tributaries to Blue Lick Creek. Application Received June 20, 2001. Application Issued: September 12, 2001.

**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 streams: unnamed tributary to Seese Run. Application received: September 4, 2001. Application Issued: September 13, 2001.

**11850103. L & J Energy Company, Inc.** (P. O. Box I, Grampian, PA 16838), permit renewal for reclamation only for continued restoration of a bituminous surface and auger mine in Susquehanna Township, **Cambria County**, affecting 98.0 acres. Receiving streams: West Branch of Susquehanna. Application received: September 12, 2001. Application Issued: September 13, 2001.

### Noncoal Permits Actions

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**7574SM2A1C3. Hempt Bros., Inc.** (205 Creek Road, Camp Hill, PA 17011), renewal of NPDES Permit #PA0614343 in Lower Allen Township, **Cumberland County**, receiving stream—Yellow Breeches Creek. Renewal issued: September 12, 2001.

**6476SM6C4. Union Quarries, Inc.** (102 Bonny Brook Road, P. O. Box 686, Carlisle, PA 17013), renewal of NPDES Permit #PA0595365 in South Middleton Township, **Cumberland County**, receiving stream—Letort Spring Run. Renewal issued: September 12, 2001.

**6575SM4C4. Haines & Kibblehouse, Inc.** (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit #PA0611964 in Eldred and Ross Townships, **Monroe County**, receiving stream—Buckwha Creek. Renewal issued: September 12, 2001.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, (814) 797-1191.*

**4876SM5. Erie Aggregates, Inc.** (P. O. Box 10801, Erie, PA 16514-10801) Transfer of an existing sand and gravel operation from Mervin Troyer in Waterford and Amity Townships, **Erie County** affecting 31.8 acres.

Receiving streams: French Creek, classified for the following use: WWF. No public water supplies are within 10 miles downstream of this proposed operation. Application received: February 2, 2001. Permit Issued: September 10, 2001.

**2138-4876SM5-E-1. Erie Aggregates, Inc.** (P. O. Box 10801, Erie, PA 16514-10801). Application for a stream encroachment to construct and maintain a haul road crossing over unnamed tributary No. 7 to French Creek in Waterford & Amity Townships, **Erie County**. Receiving streams: French Creek, classified for the following use: WWF. No public water supplies are within 10 miles downstream of this proposed operation. Application received: February 2, 2001. Permit Issued: September 10, 2001.

**2138-4876SM5-E-2. Erie Aggregates, Inc.** (P. O. Box 10801, Erie, PA 16514-10801). Application for a stream encroachment to construct and maintain a haul road crossing over unnamed tributary No. 9 to French Creek in Waterford & Amity Townships, **Erie County**. Receiving streams: French Creek, classified for the following use: WWF. No public water supplies are within 10 miles downstream of this proposed operation. Application received: February 2, 2001. Permit Issued: September 10, 2001.

**2138-4876SM5-E-3. Erie Aggregates, Inc.** (P. O. Box 10801, Erie, PA 16514-10801). Application for a stream encroachment to construct and maintain a haul road crossing over unnamed tributary No. 1 to French Creek in Waterford & Amity Townships, **Erie County**. Receiving streams: French Creek, classified for the following uses: WWF. No public water supplies are within 10 miles downstream of this proposed operation. Application received: February 2, 2001. Permit Issued: September 10, 2001.

*Notice of Action on First Land Application of Nonexceptional Value Sewage Sludge under General Permit PAG-8*

*Hawk Run District Mining Office: Empire Road, P. O. Box 209, Hawk Run, PA 16840-0209, (814) 342-8200.*

The Department of Environmental Protection (Department) has previously approved coverage under General Permit PAG-8 for the generators of nonexceptional quality sewage sludge. General Permit PAG-08-9901 authorizes the beneficial use of nonexceptional quality sewage sludge by land application to a reclamation site. The purpose of this notice is to advise the public that the Department has reviewed the Notice for First Land Application of Sewage Sludge for Spectraserv, Inc., 75 Jacobus Avenue, South Kearney, NJ 07032, Mine 25 Annex Site (Permit number 14018002) located in Snow Shoe Township, Centre County affecting 356 acres and has determined that the site is suitable for land application of nonexceptional quality sewage sludge effective August 29, 2001.

These actions of the Department may be appealed to the Environmental Hearing Board (Board) at 2nd Floor Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 by an aggrieved person 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 Administrative Agency Law). Appeals must be filed within 30 days of 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 Board's rules of practices and procedure may be obtained from the Board.

## 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 Actions*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-3118.*

**09014004. AMROC, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Milford Township, **Bucks County**, expected duration to be 3 weeks. Permit issued September 10, 2001.

**09014005. AMROC, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Perkasio Borough, **Bucks County**, expected duration to be 2 weeks. Permit issued: September 10, 2001.

**09014007. Rock Work, Inc.**, (1257 DeKalb Pike, R. R. 2, Blue Bell, PA 19422), construction blasting in Middleton Township, **Bucks County**, expected duration to be 1 week. Permit issued: September 10, 2001.

**45014003. Reinart & Rusk, Inc.**, (R. R. 9, Box 9251, Stroudsburg, PA 18360), construction blasting in Reeder Township, **Monroe County**, expected duration to be 1 week. Permit issued: September 10, 2001.

**48014006. Rock Work, Inc.**, (1257 DeKalb Pike, R. R. 2, Blue Bell, PA 19422), construction blasting in Forks Township, **Northampton County**, expected duration to be 4 months. Permit issued: September 10, 2001.

**48014008. Labrador Construction**, (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting for Wegmans Shopping Center in Lower Nazareth Township, **Northampton County**, expected duration to be 2 months. Permit issued: September 10, 2001.

**48014009. Chrin Brothers, Inc.**, (635 Industrial Drive, Easton, PA 18042), construction blasting for land-fill expansion in Williams Township, **Northampton County**, expected duration to be 9.5 years. Permit issued: September 10, 2001.

**52014003. Springbrook Enterprises, Inc.**, (HC 8, Box 8210, Hawley, PA 18428), construction blasting in Blooming Grove Township, **Pike County**, expected duration to be 1 year. Permit issued: September 10, 2001.

**06014003. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17583), construction blasting for Lily Field Development in South Heidelberg Township, **Berks County**, expected duration to be 2 years. Permit issued: September 12, 2001.

**15014005. Schlouch, Inc.**, (P. O. Box 69, Blandon, PA 19510), construction blasting for Windridge Development in East Caln Township, **Chester County**, expected duration to be 7 months. Permit issued: September 12, 2001.

**15014005. Brubacher Excavating, Inc.**, (P. O. Box 528, Bowmansville, PA 17507), construction blasting in West Bradford Township, **Chester County**, expected duration to be 1 year. Permit issued: September 12, 2001.

**21014007. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17583), construction blasting

in Penn Township, **Cumberland County**, expected duration to be 1 month. Permit issued: September 12, 2001.

**21014009. 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: September 12, 2001.

**21014010. M & J Explosives, Inc.**, (P. O. Box 608, Carlisle, PA 17013), construction blasting in Silver Spring Township, **Cumberland County**, expected duration to be 1 year. Permit issued: September 12, 2001.

**22014001. ABEL Construction Co., Inc.**, (3925 Columbia Avenue, Mountville, PA 17554), construction blasting in Derry Township, **Dauphin County**, expected duration to be 2 months. Permit issued: September 12, 2001.

**22014002. Keystone Drilling Service**, (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting in Derry Township, **Dauphin County**, expected duration to be 3 months. Permit issued: September 12, 2001.

**36014010. Horst Drilling & Blasting, Inc.**, (141 Ranck's Church Road, New Holland, PA 17557), construction blasting in East Earl Township, **Lancaster County**, expected duration to be 1 week. Permit issued: September 12, 2001.

**36014011. ABEL Construction Co., Inc.**, (3925 Columbia Avenue, Mountville, PA 17554), construction blasting for The Crossing at Rocky Springs in West Lampeter Township, **Lancaster County**, expected duration to be 3 months. Permit issued: September 12, 2001.

**67014007. ABEL Construction Co., Inc.**, (3925 Columbia Avenue, Mountville, PA 17554), construction blasting in Manchester Township, **York County**, expected duration to be 5 weeks. Permit issued: September 12, 2001.

**01014001. Conewago Enterprises**, (660 Edgemoor Road, Hanover, PA 17331), construction blasting in Berwick Township, **Adams County**, expected duration to be 2 years. Permit issued: September 13, 2001.

**06014004. Hall Explosives Inc.**, (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Daniel Boone Elementary School in Amity Township, **Berks County**, expected duration to be 1 day. Permit issued: September 13, 2001.

**09014006. Eastern Blasting Co., Inc.**, (1292 Street Road, New Hope, PA 18938), construction blasting in Bridgeton Township, **Bucks County**. Permit issued: September 13, 2001. Permit expires: September 31, 2001.

**15014009. Rock Work, Inc.**, (1257 DeKalb Pike, R. D. 2, Blue Bell, PA 19422), construction blasting for Eagle View Corp. Center in Upper Uwchlan Township, **Chester County**, expected duration to be 20 days. Permit issued: September 13, 2001.

**22014003. Hall Explosives Inc.**, (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Milton Hershey Homes in Derry Township, **Dauphin County**, expected duration to be 1 month. Permit issued: September 13, 2001.

**36014014. ABEL Construction Co., Inc.**, (3925 Columbia Avenue, Mountville, PA 17554), construction blasting East Donegal Township, **Lancaster County**, expected duration to be 2 months. Permit issued: September 13, 2001.

**36014012. J. Roy's, Inc.**, (Box 125, Bowmansville, PA 17507), construction blasting for Rapho Industrial Park in

Rapho Township, **Lancaster County**, expected duration to be 1 year. Permit issued: September 13, 2001.

**36014013. H. L. Wiker & Sons.**, (709A Hartman Station Road, Lancaster, PA 17601), construction blasting in Manheim Township, **Lancaster County**, expected duration to be 6 months. Permit issued: September 13, 2001.

**38014008. Keystone Drilling Service**, (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Northfield Development in Swatara Township, **Lebanon County**, expected duration to be 5 years. Permit issued: September 13, 2001.

**38014009. Keystone Drilling Service**, (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Creekside Development in North Cornwall Township, **Lebanon County**, expected duration to be 5 years. Permit issued: September 13, 2001.

**40014003. Bruce Huttenstine Home**, (133 Pleasant Ridge, Sugarloaf, PA 18429), construction blasting in Sugarloaf Township, **Luzerne County**. Permit issued: September 13, 2001. Permit expires: October 31, 2001.

**45014004. Explosive Services, Inc.**, (R. R. 3 Box 749, Honesdale, PA 18431), construction blasting in Stroud Township, **Monroe County**. Permit issued September 13, 2001. Permit issued: September 31, 2001.

**46014010. Allan A. Myers, Inc.**, (P. O. Box 98, Worcester, PA 19490), construction blasting for Chitwood Development in Worcester Township, **Montgomery County**, expected duration to be 2 months. Permit issued: September 13, 2001.

**46014011. Allan A. Myers, Inc.**, (P. O. Box 98, Worcester, PA 19490), construction blasting for Hill View Development in Plymouth Township, **Montgomery County**, expected duration to be 2 months. Permit issued: September 13, 2001.

**46014012. Allan A. Myers, Inc.**, (P. O. Box 98, Worcester, PA 19490), construction blasting for Estates at Seaford Lea in Lower Salford Township, **Montgomery County**, expected duration to be 1 year. Permit issued: September 13, 2001.

**46014013. Horst Drilling & Blasting, Inc.**, (141 Ranck's Church Road, New Holland, PA 17557), construction blasting for Northwood Development in Lower Merion Township, **Montgomery County**, expected duration to be 1 month. Permit issued: September 13, 2001.

**48014007. Labrador Construction**, (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting for Hampton Ridge II in Northampton Township, **Northampton County**. Permit issued: September 13, 2001. Permit expires: September 30, 2001.

**52014002. Ski Big Bear**, (HC 1 Box 1H353, Lackawaxen, PA 18435), construction blasting in Lackawaxen Township, **Pike County**. Permit issued September 13, 2001. Permit expires: September 30, 2002.

**52014004. Explosive Services, Inc.**, (R. R. 3 Box 749, Honesdale, PA 18431), construction blasting in Blooming Grove Township, **Pike County**. Permit issued: September 13, 2001. Permit expires: September 30, 2001.

**67014008. J. Roy's, Inc.**, (Box 125, Bowmansville, PA 17507), construction blasting in Springettsbury Township, **York County**, expected duration to be 1 year. Permit issued: September 13, 2001.

**67014009. J. Roy's Inc.**, (Box 125, Bowmansville, PA 17507), construction blasting in Manchester Township, **York County**, expected duration to be 1 year. Permit issued: September 13, 2001.

**21014012. Atristech, Inc.**, (404 Clenfionan Place, Mechanicsburg, PA 17055), construction blasting in South Middleton Township, **Cumberland County**. Permit issued: September 14, 2001. Permit expires: September 30, 2001.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982, (724) 925-5500.*

**02014002. T. A. Ward** (1405 McLaughlin Run Road, Pittsburgh, PA 15241-3199). Blasting activity permit issued for a sewer line construction project located in Findlay Township, **Allegheny County**, specifically RIDC Park West Enterprise Drive. Expected duration of blasting is ten days. Permit issued: September 10, 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

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

**E15-670. PA DOT**, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1925, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To install and maintain a 43-foot long extension to an existing 54-foot long reinforced concrete box culvert consisting of a 16-foot span by 4.5-foot rise across Cedar Hollow Run (EV) impacting 0.04 acre of wetlands (PSS). This work is associated with the construction of a turning lane access from Route 29 to the proposed Atwater Commercial Office Complex (Mining Permit No. 8175SM3A1C2). The site is located approximately 1,000 feet south of the intersection of New Morehall Road (S.R. 0029) and Yellow Springs Road (Malvern, PA-NJ USGS Quadrangle N: 13.0 inches; W: 5.0 inches).

**E46-891. Cheltenham Township**, 8230 Old York Road, Elkins Park, PA 19027, Cheltenham Township, **Montgomery County**, ACOE Philadelphia District.

1. To remove the existing steel bridge (Morgan Park Bridge) and to construct and maintain a 45-foot by 6-foot wide pedestrian steel bridge located just southeast of the intersection of Paxsen Avenue and South Avenue (Germantown, PA Quadrangle N: 17.3 inches; W: 2.1 inches).

2. To remove the exposed remnants of an existing masonry abutment, formerly the Griffin Field Bridge which was destroyed by Hurricane Floyd and to construct and maintain a 57-foot by 6-foot wide pedestrian steel bridge which is located 250 feet northwest of the intersection of Tookany Creek Parkway and Central Avenue (Frankford, PA-NJ Quadrangle N: 10.9 inches; W: 13.6 inches).

3. To remove the existing steel bridge (Little League Bridge) and to construct and maintain a 71-foot by 6-foot wide pedestrian bridge which is located approximately 120 feet south of the intersection of Tookany Creek Parkway and Ashbourne Road (Frankford, PA-NJ Quadrangle N: 10.2 inches; W: 13.6 inches).

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

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

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

**E39-399. Whitehall Township**, 3219 MacArthur Road, Whitehall, PA 18052. Whitehall Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To remove the remains of an existing structure and to construct and maintain a single-span prefabricated steel-truss pedestrian bridge with timber deck and railings having a span of 47.5 feet and an underclearance of approximately 9 feet across Coplay Creek and to construct and maintain a gravel parking area within the floodway of and along the left bank of Coplay Creek. The project is located within the Whitehall Parkway Recreational Area approximately 850 feet west of the intersection of Chestnut Street and S.R. 0145. (Cementon, PA Quadrangle N: 8.7 inches; W: 2.8 inches).

**E40-575. Andrew J. Sordoni, III**, R. R. 1, Box 298, Pole 48, Harveys Lake, PA 18618. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Philadelphia District.

To repair and maintain an existing dock and boathouse in Harveys Lake, with work including the replacement of an existing pile supporting the dock. The structure extends approximately 80 feet from the shoreline and has an overall width of approximately 110 feet. The project is located at Pole No. 48 (Harveys Lake, PA Quadrangle N: 22.3 inches; W: 5.3 inches).

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

**E01-223. Latimore Township**, P. O. Box 218, York Springs, PA 17372 in Latimore Township, **Adams County**, ACOE Baltimore District.

To remove the existing structure and to construct and maintain a timber bridge having a clear span of 22.5-feet with an underclearance of 3-feet over an unnamed tributary to Latimore Creek (CWF) on Bonners Hill Road (T-630) (Dillsburg, PA Quadrangle N: 5.8 inches; W: 14.5 inches) in Latimore Township, Adams County.

**E05-294. Chestnut Ridge Area Joint Municipal Authority**, 320 Lane Metal Road, New Paris, PA 15554 in East St. Clair Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain one sewage treatment tank and relocate an existing berm closer to the stream along Dunning Creek (WWF), (Bedford, PA Quadrangle N: 18.9 inches; W: 5.0 inches) in East St. Clair Township, Bedford County

**E21-326. Cumberland Valley Trout Unlimited & Letort Regional Authority**, 3519 Ada Drive, Mechanicsburg, PA 17050 in Carlisle Borough, **Cumberland County**, ACOE Baltimore District.

To construct and maintain a stream restoration project in the Letort Spring Run (CWF, HQ-CWF, EV) watershed. The project's purpose is to stabilize stream banks, enhance sediment transport and improve water quality along with aquatic and fisheries habitat associated with the recreational and educational values of the stream. The watershed project will implement a natural stream channel design approach. Construction activities which will be utilized throughout the watershed include limited channel relocation; stream and floodway excavation and filling; rock vane, cross vane and j-hook installation; riprap, root wad and log spur placement; stream bank retaining wall removal and reconstruction and construction of stream flow deflectors, water jacks, mud sill

cribbing, bank cover cribbing, channel blocks, half and whole log structures, midstream boulders, log frame channel blocks, log overhead bank cover, stone saw tooth deflectors, access ramps, modified mud sill and soil/rock sills.

The initial restoration site of this multi-phase project consists of 1,400 feet of stream improvements located in Carlisle Borough's Letort Park; (Carlisle, PA Quadrangle: N: 2.5 inches; W: 8.4 inches) in Carlisle Borough, Cumberland County. During this initial phase, a 1,400-foot long stone stream bank retaining wall will be reconstructed, including related excavation and structural backfill work. Twelve stone deflectors will also be installed in the stream.

**E22-421. Bendigo Airport**, 11079 Clarks Valley Road, Tower City, PA 17980 in Rush Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a 60-inch diameter, 197-foot long corrugated metal pipe stream enclosure, with a trash rack at the inlet end of the culvert, in an unnamed tributary to the Wiconisco Creek (CWF) for the purpose of constructing the realignment and 2,325-foot lengthening of the Bendigo Airport runway located on the south side of SR0325 about 1.3 miles southwest of its intersection with Gold Mine Road (Tower City, PA Quadrangle N: 10.3 inches; W: 8.8 inches) in Rush Township, Dauphin County.

**E22-433. Sarah Hopkins**, 1620 Hemlock Lane, Dauphin, PA 17018 in Middle Paxton Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a 10-foot by 12-foot, 120 square foot, one story addition attached to an existing residential home situated in the floodway of Stony Creek (CWF) located on Hemlock Lane about 3.3 miles northeast of the Borough of Dauphin (Halifax, PA Quadrangle N: 0.2 inch; W: 0.1 inch).

**E28-277. Whiskey Run Association**, 3891 Mark Avenue, Harrisburg, PA 17110 in Hamilton Township, **Franklin County**, ACOE Baltimore District.

Giving its consent to construct and maintain a 18.58-foot by 5.33-foot concrete box culvert and remove existing twin 57-inch by 36-inch squash pipes from the channel of an unnamed tributary to Back Creek (TSF) in order to construct Echo Springs Road in a housing development called Whiskey Run, Phase II. A waived 60-inch diameter corrugated metal pipe will also be constructed on a smaller tributary. These sites are located off SR 4010 about 2,500 feet west of Strassburg Church (Chambersburg, PA Quadrangle N: 14.8 inches; W: 12.2 inches and N: 15.0 inches; W: 12.22 inches respectively).

**E28-288. Franklin County Commissioners**, 157 Lincoln Way East, Chambersburg, PA 17201 in Hamilton Township, **Franklin County**, ACOE Baltimore District.

To remove a temporary pipe crossing and construct and maintain a single span reinforced concrete slab deck supported on reinforced concrete abutments with a clear span of 24 feet and a minimum underclearance of 4.15 feet across an unnamed tributary to Dennis Creek (CWF) at a point at T-464 (St. Thomas, PA Quadrangle N: 20.1 inches; W: 3.1 inches) in Hamilton Township, Franklin County.

**E36-703. Dogwood Valley Residential Development**, 20 Red Oak Drive, Lititz, PA 17543 in Warwick Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a concrete bridge having a single span of 16 feet with an underclearance of 4 feet



across an unnamed tributary to Lititz Run (WWF) and to fill in 0.24 acre of wetlands in order to construct Dogwood Valley Road located in Dogwood Valley Residential Development—Phase III (Lititz, PA Quadrangle N: 2.3 inches; W: 3.6 inches) in Warwick Township, Lancaster County. The applicant is required to provide a minimum of 0.55 acre of replacement wetland.

**E44-108. Mifflin County Commissioners**, 20 North Wayne Street, Lewistown, PA 17044 in Derry Township, **Mifflin County**, ACOE Baltimore District.

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

**E44-109. Mifflin County Commissioners**, 1309 Bridge Street, New Cumberland, PA 17070 in Lewistown Borough, **Mifflin County**, ACOE Baltimore District.

To fill a scour hole with riprap and to maintain an existing bridge across the channel of Kishacoquillas Creek (TSF) at a point at Dorcas Street (Lewistown, PA Quadrangle N: 17.6 inches; W: 9.7 inches) in Lewistown Borough, Mifflin County.

**E44-110. Mifflin County Commissioners**, 20 North Wayne Street, Lewistown, PA 17044 in Decatur Township, **Mifflin County**, ACOE Baltimore District.

To fill scour holes with riprap and to construct a temporary cofferdam to make repairs to an existing concrete abutment and to maintain an existing bridge across the channel of Meadow Creek (CWF) at a point at T-321 (Alfarata, PA Quadrangle N: 4.4 inches; W: 10.8 inches) in Decatur Township, Mifflin County.

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

**E19-215. Pennsylvania Department of Transportation, Engineering District 3-0**, 715 Jordan Avenue, Montoursville, PA 17754. Bridge, in Hemlock Township, **Columbia County**, ACOE Baltimore District (Millville, PA Quadrangle N: 1.7 inches; W: 0.3 inch).

To remove two 2-span prestressed concrete spread box-beam bridges. Both bridges have a 65° skew to the stream. The eastbound structure has two clear spans of 61.3 feet, normal openings of 55.6 feet with a minimum underclearance of 18.7 feet. The westbound structure has two clear spans of 54.1 feet, normal openings of 49.0 feet and a minimum underclearance of 15.0 feet. Both bridges have a curb-to-curb width of 40.0 feet and an out-to-out width of 45.5 feet. The existing bridges cross Hemlock Creek; and to construct and maintain two single span prestressed concrete I-beam bridges on concrete stub abutments with clear spans of 112.8 feet and normal spans of 102.2 feet, a curb-to-curb width of 60.0 feet (east bound) and 64.0 feet (west bound) with R-8 rock protection in front of each abutment and to construct a temporary stream crossing between the bridges and a temporary stream crossing downstream of the east bound structure. The project is located on SR 80, section 057 approximately 1,200 feet east of the intersection of LR 19026 with Route 80 over Hemlock Creek in Hemlock Township, Columbia County. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-483. Brady Township Supervisors**, 1986 Elimsport Road, Montgomery, PA 17752. Sewer Extension, in Brady Township, **Lycoming County**, ACOE

Baltimore District (Montoursville South, PA Quadrangle N: 9.61 inches; W: 8.26 inches).

To construct, operate and maintain 18,700 feet of 8 inch gravity collectors, 1,600 feet of laterals, 2,400 feet of 2.5 inch and 4 inch force mains, one duplex submersible pump station and a 30,000 gallon per day package wastewater treatment plant in the flood fringe of an unnamed tributary of Black Hole Creek. This project is located 1.5 miles west on Elimsport Road from the intersection with SR 15.

**E41-484. Weis Markets, Inc.**, 1000 South Second Street, P. O. Box 471, Sunbury, PA 17801-0471. Weis Markets Grocery Store, in Muncy Creek Township, **Lycoming County**, ACOE Baltimore District (Muncy, PA Quadrangle N: 15.25 inches; W: 1.50 inches).

To place fill into a 0.43 acre isolated palustrine emergent wetland for the purpose of constructing a new grocery store. The applicant proposes to meet the wetland replacement requirement by constructing a 0.9 acre replacement wetland south of the proposed impact area. The project site is located approximately 600 feet southwest from the intersection of SR 405 and SR 442 and 1.5 miles east-northeast of the Borough of Muncy.

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

The proposed application proposes to install 28 15 inch diameter cross culverts that will discharge into White Deer Hole Creek. The proposed culverts are associated with numerous improvements to Gap Road for the Dirt and Gravel Road Program. This project is located 6.5 miles west on Gap Road From Elimsport (Carroll, PA Quadrangle, N: 15.75 inches, W: .25 inch) Washington Township, Lycoming County. This project proposes to effect 2.5 miles of roadway, which will minimize the amount of sedimentation to White Deer Hole Creek, which is, designated a High Quality Cold Water Fishery. This project does not propose to impact any wetlands. This permit was issued under § 105.13. This permit also includes 401 Water Quality Certification

**E55-181. Pennsylvania Department of Transportation, Engineering District 3-0**, P. O. Box 218 Montoursville, PA 17754-0218. Water Obstruction and Encroachment Permit application, in Franklin Township, **Snyder County**, ACOE Susquehanna River Basin District (Middleburg, PA Quadrangle N: 5.0 inches; W: 16.4 inches).

To a) construct, maintain and remove a temporary causeway consisting of clean R-4 rock and four 30-inch corrugated metal pipes; b) remove existing structure; c) construct and maintain a two span continuous composite prestressed spread box beam bridge having a span of 174.0 feet, with a minimum underclearance of 12.0 feet with a skew of 45° in Middle Creek located 3.3 miles southwest of Middleburg along SR 0522; d) construct, maintain and remove a temporary channel; e) construct a sand bag, concrete barrier cofferdam; f) remove existing T-beam overflow structure; and g) construct and maintain a precast reinforced concrete box culvert having a span of 18 feet 3 inches, with a minimum underclearance of 7.0 feet in an unnamed tributary to Middle Creek located 3.3 miles southwest of Middleburg along SR 0522.

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

**E02-1342. Castle Shannon Borough**, 3310 McRoberts Road, Castle Shannon, PA 15234-2711. Castle Shannon Borough, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain concrete pad depressed 6 inches below the stream bottom and a concrete retaining wall along the right bank of Saw Mill Run (WWF) for a distance of approximately 47 feet to provide stream bank stabilization for an existing culvert discharge. The project is located at the end of James Street (Bridgeville, PA Quadrangle N: 20.8 inches; W: 3.6 inches).

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

**E10-338, Vernon and Margaret Boyer**, 657 Kiester Road, Slippery Rock, PA 16057. Boyer SRSTP Outfall Along Slippery Rock Creek, in Slippery Rock Township, **Butler County**, ACOE Pittsburgh District (West Sunbury, PA Quadrangle N: 8.65 inches; W: 17.0 inches).

To install and maintain an outfall pipe along the right bank of Slippery Rock Creek from a single residence small flow treatment facility approximately 300 feet downstream of Kiester Road.

**E20-502, Cambridge Township**, 22530 Electric Drive, Cambridge Springs, PA 16403. Jericho Road Across Conneauttee Creek, in Cambridge and Venango Townships, **Crawford County**, ACOE Pittsburgh District (Cambridge Springs, PA Quadrangle N: 16.6 inches; W: 11.1 inches).

To construct and maintain a steel truss bridge having a span of 88 feet and an underclearance of 10 feet across Conneauttee Creek on T-305 Jericho Road approximately 1,000 feet west of T-303 Mt. Pleasant Road north of Drakes Mills.

**E25-614, Richard S. Seidel, David A. Bierig, Susan L. Sprague and Rentway, Inc.**, 601 Kahkwa Boulevard, Erie, PA 16505. Presque Isle Bay Lake Erie Shoreline Improvement, in the City of Erie, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 0.1 inch; W: 15.7 inches).

To conduct the following activities in and along Presque Isle Bay, Lake Erie west of the mouth of Cascade Creek associated with improvements to the shoreline along property of Rentway, Inc., Richard S. Seidel and David A Bierig and Susan L. Sprague:

1. To remove/excavate rubble from approximately 0.06 acre of Presque Isle Bay and fill 0.04 acre of Presque Isle Bay.
  2. Install and maintain approximately 288 feet of new sea wall with rock riprap protection.
  3. Place and maintain rock riprap shore protection along approximately 550 feet of existing concrete sea wall.
- Install and maintain a 5-foot wide by 30-foot long floating boat dock.

**ENVIRONMENTAL ASSESSMENTS**

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

**EA07-002. City of Altoona**, 1301 12th Street, Altoona, PA 16601 in the City of Altoona and Logan and Allegheny Townships, **Blair County**.

To construct and maintain a stream restoration project in a 2.8 mile reach of Mill Run (WWF) using natural stream channel design techniques including the placement of rock vortex weirs, J-hook rock vanes, W-weirs, single rock vanes, channel deflectors, channel constrictors, root wads, vegetated geogrids, live stakes, rock toes and stream and floodway cuts and fills to stabilize stream banks, improve water quality and improve the fisheries habitat between the 5th Avenue Bridge and a point approximately 1,800 feet downstream of the 58th Street Bridge (Hollidaysburg, PA Quadrangle N: 16.3 inches, W: 6.4 inches; N: 21.6 inches, W: 5.0 inches respectively) in the City of Altoona and Logan and Allegheny Townships, Blair County.

**SPECIAL NOTICES**

**Notice of Planning Grant Awards under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101**

The Department of Environmental Protection hereby announces the following grants to counties under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101), section 901 and section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

**Act 101, Section 901 Planning Grant**

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Corrected Grant Award</i>
Southeast	Montgomery County	Montgomery County	Plan Revision	\$157,914
Southcentral	Dauphin County	Dauphin County	Plan Revision	\$168,320

[Pa.B. Doc. No. 01-1775. Filed for public inspection September 28, 2001, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are on DEP's website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center page. The "July 2001 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its nonregulatory documents, as necessary, throughout 2001.

#### *Ordering Paper Copies of DEP Technical Guidance*

DEP encourages the use of the Internet to view guidance documents. When this option is not available, 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](http://www.dep.state.pa.us)) at the Public Participation Center page, see Final Technical Guidance, BLRWM.

#### *Draft Technical Guidance*

DEP ID: 254-5400-001 Title: Best Management Practices for Storage, Processing or Disposal of Land-Clearing, Grubbing and Excavation Wastes Description: The Commonwealth's Municipal Waste Regulations, amended and published as final on December 23, 2000, retained the permit exemption for activities relating to the use of waste from land clearing, grubbing and excavation, including trees, stumps and vegetative materials. However, due to problems associated with mismanagement of these materials, the final regulations include mandatory implementation of best management practices (BMPs).

This manual discusses the BMPs that should be followed for the storage, processing and disposal of land clearing, grubbing and excavation wastes, including the

environmental concerns that precipitated the need for these practices. The performance-based BMPs vary depending on the location, size and ultimate disposition of the clearing, grubbing and excavation wastes. Anticipated Effective Date: February, 2002 This document is now available for a 60-day public comment period. Comment Period Ends: November 30, 2001 Contact: Habib Sharifi at (717) 787-7564 or e-mail: [HSharifiho@state.pa.us](mailto:HSharifiho@state.pa.us).

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-1776. Filed for public inspection September 28, 2001, 9:00 a.m.]

### Stream Redesignation Evaluations; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use) the Department of Environmental Protection (Department) hereby gives notice that it is undertaking an evaluation of Stone Creek in East St. Clair Township, Bedford County, to determine the proper aquatic life use designation. Stone Creek is currently not listed in the Water Quality Standards. This evaluation will lead to a recommendation to the Environmental Quality Board for designation.

Persons who have technical data concerning the water quality, instream habitat or biological condition of Stone Creek are encouraged to make it available to the Department for consideration in the assessment.

Data should be submitted to Robert F. Frey, Division of Water Quality Assessment and Standards, Bureau of Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467, e-mail [roffrey@state.pa.us](mailto:roffrey@state.pa.us). Data should be submitted no later than October 29, 2001. Questions concerning this evaluation can be directed to Robert Frey at (717) 787-9637.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Robert Frey directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-1777. Filed for public inspection September 28, 2001, 9:00 a.m.]

### Water Resources Advisory Committee Meeting Notice

The Water Resources Advisory Committee (WRAC) of the Department of Environmental Protection (DEP) will hold a meeting on Thursday, October 18, 2001, at 9:30 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg. The agenda and handouts for the meeting may be viewed on the DEP website (choose public participation).

For more information, contact Carol Young, Bureau of Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 783-2952 or e-mail cayoung@state.pa.us.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-1778. Filed for public inspection September 28, 2001, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### State Surplus Property Division

The Department of General Services, State Surplus Property Division is offering off road equipment and dump trucks for sale at public auction on October 20, 2001, at 9 a.m. located at the Pennsylvania Department of Transportation's equipment shed in Nazareth, Northampton County.

Some of the equipment for sale will consist of loaders, miscellaneous shop equipment and dump trucks. (Note that the Commonwealth reserves the right to withdraw any or all items from this sale.)

For more information, call (717) 787-4085.

KELLY P. LOGAN,  
*Acting Secretary*

[Pa.B. Doc. No. 01-1779. Filed for public inspection September 28, 2001, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Pennsylvania Conservation Corps; Grants for Projects

Grants for projects related to conservation, recreation, historical preservation, graffiti removal and the repair of institutional vandalism will be available under the Pennsylvania Conservation Corps (PCC) program.

Agencies eligible to apply for PCC projects are:

- The Departments of Labor and Industry, Conservation and Natural Resources, Public Welfare, Corrections, Military and Veterans Affairs, Aging, Education and Community and Economic Development
- The Pennsylvania Game, Fish and Boat and Historical and Museum Commissions
- The Pennsylvania Emergency Management Agency
- Political subdivisions
- Nonprofit agencies in cities of the first class (for projects involving the removal of graffiti and the repair of institutional vandalism only)

The PCC program is designed to provide work experience and educational opportunities to unemployed young adults as they undertake needed projects on this Commonwealth's public lands. Funds available through the program may be used to purchase approved construction materials and contracted services (political subdivisions must provide a 25% cash match). The wages of corpsmembers and crewleaders are paid directly by the Department of Labor and Industry (Department).

Applications for PCC projects will be accepted from political subdivisions and eligible nonprofits through Friday, January 4, 2002. State agency applications will be accepted through Friday, February 1, 2002.

For more information or to obtain a grant application packet, contact Pennsylvania Conservation Corps, 1304 Labor and Industry Building, Seventh and Forster Streets, Harrisburg, PA 17120, (717) 783-6385. E-mail inquiries may be directed to pcc@dli.state.pa.us. Grant application materials are also available for download from the Department website. Go to [www.dli.state.pa.us](http://www.dli.state.pa.us) and type "PCC Grants" into the search box at the top of the page.

JOHNNY J. BUTLER,  
*Secretary*

[Pa.B. Doc. No. 01-1780. Filed for public inspection September 28, 2001, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Availability of the FY 2002 Low-Income Home Energy Assistance Program State Plan

The Department of Public Welfare (Department) is making available to the public the 2002 Low-Income Home Energy Assistance Program State Plan. This document describes how the Department plans to use block grant funds provided under the Low-Income Home Energy Assistance Act, Title XXVI of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. No. 97-35) (42 U.S.C.A. § 8621 et seq.), as amended, during the 2001-02 program year.

Copies of the State Plan are available for all interested individuals and groups at County Assistance Offices, or upon written request to Nancy Poindexter, Director, Division of Federal Programs and Program Management, Department of Public Welfare Building Complex #2, Room 224 Willow Oak Building #42, Harrisburg, PA 17105.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users).

FEATHER O. HOUSTON,  
*Secretary*

[Pa.B. Doc. No. 01-1781. Filed for public inspection September 28, 2001, 9:00 a.m.]

# DEPARTMENT OF REVENUE

## Pennsylvania Snowflake Bingo Instant Lottery Game

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

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

2. *Price:* The price of a Pennsylvania Snowflake Bingo instant lottery game ticket is \$3.00.

3. *Play Symbols:* Each Pennsylvania Snowflake Bingo instant lottery game ticket will contain six play areas designated as "Card 1," "Card 2," "Card 3," "Card 4," "Card 5" and "Card 6." The 77 play symbols and their captions located in the six play areas are: The numbers 1 through 75, FREE and a Snowflake Symbol. Each ticket will also contain a "Caller's Card" area. The "Caller's Card" area will consist of 30 squares in a 3 x 10 grid. The play symbols that may be located in each square are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

4. *Prizes:* The prizes that can be won in this game are \$3, \$5, \$9, \$15, \$30, \$45, \$60, \$90, \$120, \$150, \$300, \$1,000, \$3,000 and \$30,000. The player can win up to six times on a ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 3,840,000 tickets will be printed for the Pennsylvania Snowflake Bingo instant lottery game.

### 6. *Determination of Prize Winners:*

(a) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 6," shall be entitled to a prize of \$30,000.

(b) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners with one of the spaces in the "X" pattern containing a Snowflake Symbol, on "Card 4" or "Card 5," shall be entitled to a prize of \$3,000.

(c) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 4" or "Card 5," shall be entitled to a prize of \$1,000.

(d) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 6," shall be entitled to a prize of \$300.

(e) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 2" or "Card 3," shall be entitled to a prize of \$300.

(f) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 1," shall be entitled to a prize of \$150.

(g) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 4" or "Card 5," shall be entitled to a prize of \$120.

(h) Holders of tickets matching the "Caller's Card" play symbols in the four corners with one of the four corners containing a Snowflake Symbol, on "Card 2," "Card 3" or "Card 4," shall be entitled to a prize of \$90.

(i) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns with one of the spaces in the diamond pattern containing a Snowflake Symbol, on "Card 1," shall be entitled to a prize of \$90.

(j) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 5" or "Card 6," shall be entitled to a prize of \$60.

(k) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 2" or "Card 3," shall be entitled to a prize of \$60.

(l) Holders of tickets matching the "Caller's Card" play symbols in the four corners with one of the four corners containing a Snowflake Symbol, on "Card 1," shall be entitled to a prize of \$45.

(m) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 2," "Card 3" or "Card 4," shall be entitled to a prize of \$30.

(n) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 1," shall be entitled to a prize of \$30.

(o) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line with one of the five spaces in the line containing a Snowflake Symbol, on "Card 4," "Card 5" or "Card 6," shall be entitled to a prize of \$15.

(p) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 1," shall be entitled to a prize of \$15.

(q) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line with one of the five spaces in the line containing a Snowflake Symbol, on "Card 1," "Card 2" or "Card 3," shall be entitled to a prize of \$9.

(r) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 4," "Card 5" or "Card 6," shall be entitled to a prize of \$5.

(s) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 1," "Card 2" or "Card 3," shall be entitled to a prize of \$3.

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

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,840,000 Tickets</i>
Line Card 1	\$3	1:16.95	226,560
Line Card 2	\$3	1:17.24	222,720
Line Card 3	\$3	1:17.24	222,720
Line Card 4	\$5	1:100	38,400
Line Card 5	\$5	1:100	38,400
Line Card 6	\$5	1:100	38,400
Line Card 1 + Line Card 4	\$8	1:250	15,360
Line Card 2 + Line Card 6	\$8	1:333.33	11,520
Line Card 3 + Line Card 5	\$8	1:333.33	11,520
Line Card 1 (SNOWFLAKE)	\$9	1:58.82	65,280
Line Card 2 (SNOWFLAKE)	\$9	1:58.82	65,280
Line Card 3 (SNOWFLAKE)	\$9	1:62.50	61,440
Line Card 4 + Line Card 5	\$10	1:500	7,680
Line Card 4 + Line Card 6	\$10	1:1,000	3,840
Line Card 5 + Line Card 6	\$10	1:1,000	3,840
4 Corners Card 1	\$15	1:1,000	3,840
Line Card 4 + Line Card 5 + Line Card 6	\$15	1:1,000	3,840
Line Card 4 (SNOWFLAKE)	\$15	1:1,000	3,840
Line Card 5 (SNOWFLAKE)	\$15	1:1,000	3,840
Line Card 6 (SNOWFLAKE)	\$15	1:1,000	3,840
4 Corners Card 1 + Line Card 3	\$18	1:500	7,680
Line Card 1 + Line Card 2 + Line Card 3 + Line Card 4 + Line Card 5 + Line Card 6	\$24	1:1,000	3,840
4 Corners Card 1 + Line Card 4 + Line Card 6	\$25	1:500	7,680
Diamond Card 1	\$30	1:3,000	1,280
4 Corners Card 2	\$30	1:3,000	1,280
4 Corners Card 3	\$30	1:3,000	1,280
4 Corners Card 4	\$30	1:3,000	1,280
4 Corners Card 1 + Line Card 4 + Line Card 5 + Line Card 6	\$30	1:3,000	1,280
Line Card 5 (SNOWFLAKE) + Line Card 6 (SNOWFLAKE)	\$30	1:300	12,800
4 Corners Card 1 + 4 Corners Card 4	\$45	1:8,000	480
4 Corners Card 1 (SNOWFLAKE)	\$45	1:1,714	2,240
4 Corners Card 2 + Line Card 4 + Line Card 5 + Line Card 6	\$45	1:8,000	480
Diamond Card 2	\$60	1:10,000	384
Diamond Card 3	\$60	1:10,000	384
4 Corners Card 5	\$60	1:10,000	384
4 Corners Card 6	\$60	1:10,000	384
Diamond Card 1 + 4 Corners Card 4	\$60	1:10,000	384
4 Corners Card 1 + 4 Corners Card 2 + Line Card 4 + Line Card 5 + Line Card 6	\$60	1:8,000	480
4 Corners Card 4 + 4 Corners Card 6	\$90	1:40,000	96
Diamond Card 2 + 4 Corners Card 4	\$90	1:40,000	96
Diamond Card 1 (SNOWFLAKE)	\$90	1:15,000	256
4 Corners Card 2 (SNOWFLAKE)	\$90	1:15,000	256
4 Corners Card 3 (SNOWFLAKE)	\$90	1:15,000	256
4 Corners Card 4 (SNOWFLAKE)	\$90	1:15,000	256
Diamond Card 4	\$120	1:30,000	128
Diamond Card 5	\$120	1:30,000	128
Diamond Card 2 + 4 Corners Card 6	\$120	1:15,000	256
Diamond Card 1 + 4 Corners Card 2 + 4 Cor- ners Card 3 + 4 Corners Card 4	\$120	1:8,571	448
X Card 1	\$150	1:60,000	64
4 Corners Card 3 + Diamond Card 5	\$150	1:20,000	192
X Card 2	\$300	1:120,000	32
X Card 3	\$300	1:120,000	32
Diamond Card 6	\$300	1:120,000	32
X Card 1 + 4 Corners Card 3 + Diamond Card 5	\$300	1:60,000	64
X Card 1 + X Card 2	\$450	1:60,000	64
X Card 3 + Diamond Card 5 + 4 Corners Card 4	\$450	1:60,000	64
X Card 4	\$1,000	1:120,000	32
X Card 5	\$1,000	1:120,000	32

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 3,840,000 Tickets</i>
X Card 4 (SNOWFLAKE)	\$3,000	1:60,000	64
X Card 5 (SNOWFLAKE)	\$3,000	1:120,000	32
X Card 6	\$30,000	1:640,000	6

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

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

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

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

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 01-1782. Filed for public inspection September 28, 2001, 9:00 a.m.]

**Revenue-Neutral Reconciliation Rate Notice for the Tax Year Beginning January 1, 2002**

Title 66 Pa.C.S. § 2810(a) provides “It is the intention of the General Assembly that the restructuring of the electric industry be accomplished in a manner that allows Pennsylvania to enjoy the benefits of competition, promotes the competitiveness of Pennsylvania’s electric utilities and maintains revenue neutrality to the Commonwealth. This section is not intended to cause a shift in proportional tax obligations among customer classes or individual electric distribution companies. It is the intention of the General Assembly to establish this revenue replacement at a level necessary to recoup losses that may result from the restructuring of the electric industry and the transition thereto.”

Title 66 Pa.C.S. § 2810(c) requires the Secretary of Revenue to publish the rate of the revenue-neutral recon-

ciliation (RNR) tax in the form of a notice in the *Pennsylvania Bulletin* by December 1, 1998, and each October 1 thereafter until and including October 1, 2002. The tax rate established in 66 Pa.C.S. §§ 2810(c) shall be imposed upon gross receipts as provided in 66 Pa.C.S. § 2810(b) for the period beginning the next January 1. In the event the RNR tax rate is negative, a credit is provided under 66 Pa.C.S. § 2810(c)(5). This credit is available only to a taxpayer upon which tax is imposed under 66 Pa.C.S. § 2810(b).

The result of the revenue-neutral reconciliation calculation provided in 66 Pa.C.S. § 2810 is +0.016 for tax periods beginning on or after January 1, 2002. Therefore, the combined utility gross receipts tax rate for electric distribution companies and electric generation suppliers is effectively 0.060 for tax periods beginning on or after January 1, 2002, rather than 0.044.

The utility gross receipts tax rate, however, remains 0.050 for all gross receipts taxable under 72 P. S. § 8101(a).

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 01-1783. Filed for public inspection September 28, 2001, 9:00 a.m.]

**DEPARTMENT OF TRANSPORTATION**

**Bureau of Driver Licensing; Increase of Cost of the Photograph for Photo Driver’s License or Photo Identification Card**

The Department of Transportation, Bureau of Driver Licensing, pursuant to the authority contained in 67 Pa. Code 73.5(d) hereby gives notice that, effective November 5, 2001, the cost of the photograph associated with the issuance of a photo driver’s license or photo identification card will be \$5.00.

Although the cost of producing the Pennsylvania driver’s license and identification card has increased during the past six (6) years, the photo fee has remained constant (i.e., \$4.00). Additionally, the Pennsylvania Department of Transportation recently has deployed a new generation of Photo License Systems across the Commonwealth. This new generation of equipment features the first significant technological and product improvements in more than seven (7) years. Several features have been added to increase durability while taking added steps toward preventing tampering and fraud. These improvements and added steps have increased production costs.

Since the overall cost of producing the drivers' licenses and identification cards has increased, there will be a \$1.00 increase in the photo fee, effective November 5, 2001.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-1784. Filed for public inspection September 28, 2001, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Rulemaking Petition for Study

At its September 18, 2001, meeting, the Environmental Quality Board (EQB) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy).

The petition requests redesignation of Furnace Run in Lancaster and Lebanon Counties from the current existing use designation of Cold Water Fishes (CWF) to High Quality—Cold Water Fishes (HQ-CWF) or Exceptional Value (EV) status. Conestoga Valley High School science teacher Kerrie Snavelly submitted the petition on behalf of a group of her senior high school students.

Department of Environmental Protection (DEP) staff will review the petition and supporting documentation to determine whether a higher classification for Furnace Run is warranted.

The petition is available from the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and on DEP's website at the following address: <http://www.dep.state.pa.us/dep/subject/eqb/2001/Sep/Petition.pdf>.

DAVID E. HESS,  
*Chairperson*

[Pa.B. Doc. No. 01-1785. Filed for public inspection September 28, 2001, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

### *Final-Omit*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-453	Department of Public Welfare Outpatient Drug and Alcohol Clinic Services	09/18/01

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-1786. Filed for public inspection September 28, 2001, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Arson and Insurance Fraud Reporting; Notice 2001-08

This notice is issued to advise and remind insurers of their obligations under Pennsylvania law in the reporting of suspected arson and insurance fraud.

Arson and insurance fraud are recognized in Pennsylvania as serious crimes. Pennsylvania law explicitly requires insurer reporting of suspected arson (40 P. S. § 1610.3(b)(1)) and suspected insurance fraud (75 Pa.C.S. § 1817 and 18 Pa.C.S. § 4117) to a law enforcement agency for consideration of criminal investigation and prosecution. Pennsylvania law provides immunity to encourage and protect persons in that reporting. Accordingly, the Insurance Department (Department) releases the following guidance to insurers seeking to meet their statutory obligation for reporting of suspected arson and insurance fraud:

1. Each insurer has the burden of determining through their investigation when the probable cause of a fire loss is arson or when a reasonable basis exists to believe that insurance fraud has occurred, is occurring or is to occur.
2. Upon reaching such a determination, insurers will within 30 days make a written report of the suspected arson or insurance fraud to a Federal, State or local criminal law enforcement agency.
3. An insurer's entry of the suspected arson or suspected insurance fraud matter to a claims database or other information system serving the insurance industry will not in and of itself be viewed by the department as satisfying that insurer's statutory obligation to report suspected arson or insurance fraud to a criminal law enforcement agency.
4. Examination of insurer fraud control programs will include a review of insurer determination of suspected arson and insurance fraud, and a confirmation of the insurer's written reporting to a criminal law enforcement agency.

Questions regarding this notice may be addressed to the Chief, Anti-fraud Compliance Division, Bureau of Enforcement, Insurance Department, 12th Floor, Strawberry Square, Harrisburg PA 17120 by letter or via e-mail at [ra-in-fraud@state.pa.us](mailto:ra-in-fraud@state.pa.us).

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1787. Filed for public inspection September 28, 2001, 9:00 a.m.]



# LIQUOR CONTROL BOARD

## Expiration of Leases

The following Liquor Control Board lease will expire:

Franklin County, Wine & Spirits Shoppe #2804, 9 South Main Street, Mercersburg, PA 17236-1515.

*Lease Expiration Date:* September 30, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,200 to 2,000 net useable square feet of new or existing retail commercial space within the Borough of Mercersburg or the Townships of Montgomery and Peters.

*Proposals due:* October 19, 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. 01-1788. Filed for public inspection September 28, 2001, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before October 22, 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.

**Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-00118244. Affordable Medical Transportation, Inc.** (500 Avenue O, Matamoras, Pike County, PA 18336), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the counties of Pike and Wayne, and from points in said counties, to points in Pennsylvania, and return. *Attorney:* Christopher B. Jones, 406 Jefferson Street, Scranton, PA 18510.

**A-00118248. Delcine Pamela Wheeler** (144 South 62th Street, Philadelphia, PA 19139)—persons in paratransit service, from points in the city and county of Philadelphia, to State and Federal correctional facilities located in Pennsylvania, and return.

**A-00118257. Joan B. Remmey, t/d/b/a Precious Cargo** (74 Cavendish Drive, Ambler, Montgomery County,

PA 19002)—persons in paratransit service, between points in the borough of Ambler, Montgomery County, and within an airline distance of 10 statute miles of the limits thereof, and from points in said area, to points in Pennsylvania, and return.

**Applications of the following for approval of the right and privilege to partially discontinue/abandon operating as common carriers by motor vehicle for the transportation of persons as described under each application.**

**A-00096279, F.4, AM-A. G.G. & C. Bus Co., Inc.** (2924 Jefferson Avenue, Washington, Washington County, PA 15301), a corporation of the Commonwealth of Pennsylvania—*partial* discontinuance of service—persons upon call or demand in the township of North Strabane, Washington County.

**A-00096279, F.3, AM-J. G.G. & C. Bus Co., Inc.** (2924 Jefferson Avenue, Washington, Washington County, PA 15301), a corporation of the Commonwealth of Pennsylvania—*partial* discontinuance of service—(a) Persons on schedule between the village of Wolfdale, Washington County, and the borough of Canonsburg, Washington County, over the following route: Beginning in the village of Wolfdale, Canton Township, Washington County, thence via State Highway Route 844 to Jefferson Avenue in the city of Washington, thence via Jefferson Avenue, West Beau Street and North Main Street to the village of Arden, thence via Route 62189 to West Pike Street in the village of Meadowlands, Chartiers Township, thence via West Pike Street, to the borough of Houston, thence in said borough on West Pike Street to the borough of Canonsburg, thence in said borough on West Pike Street, East Pike Street and Adams Avenue to the plant site of McGraw-Edison Poser Systems Division, and vice versa. Subject to the following conditions: That no right, power or privilege is granted to transport passengers locally between points either within the city of Washington or Canton Township, or locally between the city of Washington and Canton Township, or to transport passengers between either the city of Washington or Canton Township and the intersection of East Pike Street and Adams Avenue in the Borough of Canonsburg; and That no right, power or privilege is granted to pick up or discharge passengers at points on said route situated between the intersection of Tyler Avenue and Jefferson Avenue in the city of Washington and the intersection of North Main Street and Route 62100 in South Strabane Township. (b) Persons on schedule between the borough of Canonsburg, Washington County, and the village of Midland, Chartiers Township, over the following route: Beginning at the plant site of McGraw-Edison Power Systems Division in the borough of Canonsburg, Washington County, thence on Adams Avenue, East Pike Street, Strabane Avenue, Latimer Avenue and Boone Avenue to South Main Street in the borough of Houston, thence in said borough on South Main Street and North Main Street, thence via Route 62090 to the village of Midland, Chartiers Township, and vice versa, all in Washington County. With the right to render shuttle service between points on the aforesaid routes and through service without a change of buses between points on the said routes.

**A-00096279, F.3, AM-K. G.G. & C. Bus Co., Inc.** (2924 Jefferson Avenue, Washington, Washington County, PA 15301), a corporation of the Commonwealth of Pennsylvania—*partial* discontinuance of service—Persons on schedule, over the following route in the counties of Washington and Allegheny: Beginning in the village of Bishop, Cecil Township, Washington County, thence via

Pennsylvania Highway Route 50 to the Bridgeville Exit of Interstate Highway Route 79, thence north via I-79 to its intersection with Interstate Highway Route 279, thence east on I-279 to the Fort Pitt Bridge, thence via the Fort Pitt Bridge to Liberty Avenue in the city of Pittsburgh, Allegheny County, thence via Liberty Avenue to its intersection with Commonwealth Place, thence via Commonwealth Place, to its intersection with Fort Duquesne Boulevard, thence via Fort Duquesne Boulevard to its intersection with 11th Street, thence via 11th Street to its intersection with Liberty Avenue, thence via Liberty Avenue to its intersection with the 10th Street Bypass, thence via the 10th Street Bypass to its intersection with Fort Duquesne Bridge, thence via the Fort Duquesne Bridge to Three Rivers Stadium, thence via Fort Duquesne Bridge and Fort Pitt Bridge to I-279, thence via I-279 to its intersection with I-79 to the Bridgeville Exit (Route 50), thence via Pennsylvania Highway Route 50 to the place of beginning. Subject to the following condition: That no right, power or privilege is granted to provide service between points in Allegheny County.

**Application of the following for the approval of the transfer of stock as described under each application.**

**A-00086357, Folder 5000. Carl R. Bieber, Inc.** (320 Fair Street, Kutztown, Berks County, PA 19530), a corporation of the Commonwealth of Pennsylvania—stock transfer—for the approval of the transfer of all of the issued and outstanding shares of stock (6,311 shares) from Carl R. Bieber, Jr. and Victoria L. Bieber (Husband and Wife), to Steven G. Haddad and Eileen M. Haddad (Husband and Wife). *Attorney:* Charles A. Haddad, 209 North Monroe Street, Boyertown, PA 19512.

**A-00109651, Folder 5000. Londies Limousine Service, Inc.** (5909 Torresdale Avenue, Philadelphia, PA 19135-0672), a corporation of the Commonwealth of Pennsylvania—stock transfer—for the approval of the transfer of all of the issued and outstanding shares of stock (100,000 shares) from Barbara Tulio, to Escape Limousine, LLC. *Attorney:* David P. Temple, 1700 Market Street, Suite 1100, Philadelphia, PA 19103.

**Complaint**

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Michael J. Alexander, t/a Alexander's Delivery; Doc. No. A-00112496C9901 A-00112496 F. 1*

*Complaint*

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Michael J. Alexander, t/a Alexander's Delivery, respondent, maintains its principal place of business at 1119 Fifth Street, Sandusky, Ohio 17660.

2. That respondent was issued a certificate of public convenience by this Commission on April 11, 1996, at Application Docket No. A-00112496.

3. That on or before March 31, 1999, respondent abandoned or discontinued service without having submitted a letter to this Commission containing a statement that the service is no longer being rendered.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5).

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke Michael J. Alexander, t/a Alexander's Delivery's certificate of public convenience at A-00112496.

Respectfully submitted,

George T. Mahan, Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

*Verification*

I, George T. Mahan, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

George T. Mahan

*Notice*

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include the revocation of your certificate of public convenience or other remedy.

C. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty (see B).

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Technical Unit at (717) 783-5945.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Diplomat Limousine Service, Inc.; Doc. No. A-00104714C01 F. 1*

*Complaint*

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Diplomat Limousine Service, Inc., respondent, maintains a principal place of business at 7423 N. 20th Street, Philadelphia, PA 19138.

2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00104714, F. 1.

3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.

5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Diplomat Limousine Service, Inc. at Docket No. A-00104714, F. 1, for failure to maintain evidence of current insurance on file with the Commission.

Respectfully submitted,

Michael E. Hoffman, Acting Director  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

*Verification*

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

George T. Mahan

*Notice to Plead*

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 Pa. Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include

the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed. *ACORD Certificates of Insurance are unacceptable as evidence of insurance.*

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

\_\_\_\_\_  
JET LINES INC  
P O BOX 512  
643 W GLENSIDE AVENUE  
GLENSIDE PA 19038

In re: A-00110033C0102  
A-00110033

Dear Respondent:

On July 26, 2001, the Bureau of Transportation and Safety instituted a complaint against Jet Lines, Inc., respondent, alleging failure to maintain proper evidence of current insurance in violation of the Public Utility Code. The respondent was duly notified that if acceptable evidence of insurance or an answer was not filed, the Bureau would request that the Secretary of the Commission revoke the certificate of public convenience issued to the respondent at A-00110033.

The complaint and notice were published in the August 25, 2001 issue of the *Pennsylvania Bulletin*; to date, more than twenty (20) days later, neither evidence of insurance nor an answer to the complaint has been filed. Therefore, the allegation in the complaint is deemed to be admitted.

The complaint at A-00110033C0102 is hereby sustained and the right(s) and the certificate of public convenience issued to the respondent at A-00110033 be and are hereby revoked; and the respondent has no other operating

authority. The respondent is hereby notified to cease and desist from providing service previously authorized under the certificate of public convenience.

James J. McNulty,  
Secretary

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1789. Filed for public inspection September 28, 2001, 9:00 a.m.]

### Telecommunications

**A-310850F0003; A-310779F0007; and A-310369F0002. Conestoga Telephone and Telegraph Company, Buffalo Valley Telephone Company and CEI Networks, Inc.** Joint application of Conestoga Telephone and Telegraph Company, Buffalo Valley Telephone Company and CEI Networks, Inc., for approval of the acquisition, by merger, of their parent corporation, Conestoga Enterprises, Inc., by NTELOS, Inc., and the transfer of control to NTELOS, 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 15, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* Conestoga Telephone and Telegraph Company, Buffalo Valley Telephone Company, CEI Networks, Inc.

*Through and By Counsel:* Derrick P. Williamson, Pamela C. Polacek, Karen S. Miller Orner, McNeese Wallace and Nurick, LLC, 100 Pine Street, P. O. Box 1166, Harrisburg, PA 17108-1166.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1790. Filed for public inspection September 28, 2001, 9:00 a.m.]

### Telecommunications

**A-311120F7001. Verizon North Inc. and Devon Mobile Communications, L.P.** Joint petition of Verizon North Inc. and Devon Mobile Communications, L.P. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and Devon Mobile Communications, L.P. filed on August 27, 2001, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and Devon Mobile Communications, L.P. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1791. Filed for public inspection September 28, 2001, 9:00 a.m.]

### Telecommunications

**A-310456F7001. Verizon North Inc. and McLeodUSA Telecommunications Services, Inc.** Joint petition of Verizon North Inc. and McLeodUSA Telecommunications Services, Inc. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and McLeodUSA Telecommunications Services, Inc. filed on August 27, 2001, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and McLeodUSA Telecommunications Services, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1792. Filed for public inspection September 28, 2001, 9:00 a.m.]

### Telecommunications

**A-310927F7000. Verizon Pennsylvania Inc. and Broadstreet Communications, Inc.** Joint petition of Verizon Pennsylvania Inc. and Broadstreet Communications, Inc. for approval of adoption of a replacement interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Broadstreet Communications, Inc. filed on August 27, 2001, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a replacement interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Broadstreet Communications, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director,  
Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1793. Filed for public inspection September 28, 2001, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

[Correction]

### Hearings Scheduled

An error occurred in the notice which was published at 31 Pa.B. 5340 (September 15, 2001). The hearings to be held were reflected incorrectly. The hearing schedule is as follows:

October 3, 2001	Sherry Ann Dulsky (Purchase of Service)	1 p.m.
	Thomas S. Semple (Effective Date of Retirement)	2:30 p.m.
October 17, 2001	Gerald L. Reed (Accelerated Option)	1:30 p.m.
November 7, 2001	Nancy E. Long (Purchase of Service)	1 p.m.
December 5, 2001	Lynne K. Furman (Contribution and Interest Rate)	1 p.m.
	Michelle A. Emery (D) (Death Benefit)	2:30 p.m.
December 19, 2001	Mary Kathleen Burns (Mandatory Membership)	1 p.m.

DALE H. EVERHART,  
*Secretary*

[Pa.B. Doc. No. 01-1712. Filed for public inspection September 14, 2001, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Late Retirement Actuarial Increase

Under section 5902(j) of the State Employees' Retirement Code (71 Pa.C.S. § 5902(j)), the State Employees' Retirement Board (Board) is to adopt by resolution the actuarial tables and factors used in the calculation of annuities and benefits, and the secretary of the Board is to have adopted tables published in the *Pennsylvania Bulletin*.

On September 19, 2001, the Board by resolution determined that the actuarial increase factor defined in 71 Pa.C.S. § 5102, definition of "Actuarial Increase Factor," shall be calculated by using the 1983 Group Annuity Mortality Unisex tables for all members of the State Employees' Retirement System to whom the factor is applicable. Table I contains the actuarial increase factors for ages 70 to 95.

The tables and factors adopted by the Board on September 19, 2001, shall be effective upon publication in the *Pennsylvania Bulletin*.

**TABLE 1**

#### Actuarial Increase Factors

Age	
70	1.101
71	1.105
72	1.109
73	1.114
74	1.119
75	1.124
76	1.130
77	1.137
78	1.143
79	1.151
80	1.158
81	1.167
82	1.176
83	1.185
84	1.196
85	1.207
86	1.219
87	1.233
88	1.247
89	1.263
90	1.281
91	1.301
92	1.322
93	1.346
94	1.373
95	1.403

Underlying assumptions are as follows:

—Interest Rate: 4% compounded annually

—1983 Group Annuity Mortality Unisex Table

*Note:* The factor for any age is applicable to the 1-year period beginning upon attainment of that age. The increase factor for a partial year shall be determined by: (1) subtracting 1 from the table factor; then (2) dividing the difference by 12; then (3) multiplying the result by the number of whole months of service since the prior birthday; then (4) adding 1 to the result; and (5) rounding the result to the third decimal place.

JOHN BROSIUS,  
*Secretary*

[Pa.B. Doc. No. 01-1794. Filed for public inspection September 28, 2001, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

- The payment date specified in the contract.
- 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
- The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

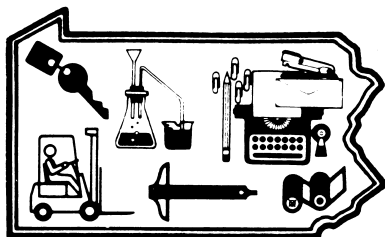
The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**

Pennsylvania State Treasury  
Room G13 Finance Building  
Harrisburg, PA 17120  
717-787-2990  
1-800-252-4700

BARBARA HAFER,  
State Treasurer

Effective October 1, 2001, the Department of General Services website, [www.dgs.state.pa.us](http://www.dgs.state.pa.us) (under "Bidding Opportunities"), will be the official site for public notice of Commonwealth executive and independent agency contracting opportunities for supplies, services and construction over \$10,000. All public notices of invitations for bids and requests for proposals for those procurements which are under the policy control of the Department of General Services shall be published electronically at the Department of General Services website. Until September 30, 2001, these notices will appear both in the *Pennsylvania Bulletin* and the Department of General Services website. After September 30, 2001, Commonwealth executive and independent agencies will be given the option of including notices of contracting opportunities in the *Pennsylvania Bulletin*. Therefore, as of October 1, 2001, the *Pennsylvania Bulletin* will not include all Commonwealth agency contracting opportunities.



### Commodities

**1090111** Equipment and Upgrade for the production of soap plant. For a copy of bid package fax request to (717) 787-0725.

**Department:** Corrections  
**Location:** Huntingdon, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services (717) 787-2199

**1124181** #10 Double Window Envelope—24# White Wove—Recycled Paper. 4-1/8" x 9 1/2". Printed in black ink on face side only. For a copy of bid package fax request to (717) 787-0725.

**Department:** Revenue  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services (717) 787-2199

**260145** Form, continuous, six (6) part, carbonless, 9-1/2 x 11 total, 8-1/2 x 11 usable, 1 - white 16#, 2 - pink 12/14#, 3 - green 12/14#, 4 - blue 12/14#, 5 - gold/buff 12/14#, 6 - canary 13/15#, all parts must be legible, 600 sets/carton.

**Department:** Liquor Control Board  
**Location:** 3525 North Sixth Street, Harrisburg, Pa 17110  
**Duration:** Single purchase 144,000 sets.  
**Contact:** Jim Hanks (717) 787-1893

**5850-01** Microcomputer, LAN Hardware & Peripherals. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Hardware & Peripherals, 5850-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5850-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services (717) 787-2199

**6350-01** Security System Services. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Security System Services, 6350-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services (717) 787-2199

**6350-03** Surveillance & Security Equipment & Supplies. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Surveillance & Security Equipment & Supplies, 6350-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services (717) 787-2199

**8506070** High Pressure Spray Tanks, 3 Gallon. For a copy of bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services (717) 787-2199

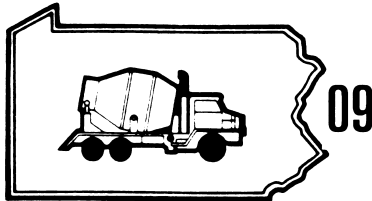
**5810-03** Microcomputer & Local Area Network (LAN) Software. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Software, 5810-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5810-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services (717) 787-2199

**X20428** Provide 1 (one) Siemens Ultramat/Oxymat 6E (CO/02 Analyzer).

**Department:** Environmental Protection  
**Location:** Harrisburg, PA  
**Duration:** November 13, 2001  
**Contact:** Sharon Peterson (717) 787-2471

## SERVICES



### Construction & Construction Maintenance

**FD-107-816.4** Rehabilitate electrical system at Denton Hill State Park in Potter County. Work includes replacement of transformers and above ground electric service (includes enclosures, panels, disconnects, conduit, coordination with local utility company, and miscellaneous cast-in-place concrete). Estimate is \$100,000.00 to \$500,000.00. NOTE: Requests for Bid Documents may be made ON or AFTER October 1, 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:** Ulysses Township  
**Duration:** 270 days  
**Contact:** Construction Management Section (717) 787-5055

**DGS 700-41ME2** PROJECT TITLE: Pennsylvania Farm Show Complex, Exposition Center—All Remaining Work Package. BRIEF DESCRIPTION: The work for this project will generally include furnishing and installation of the plumbing distribution systems for the Exposition Center. ESTIMATED RANGE: \$2,000,000.00 to \$5,000,000.00. Plumbing Construction. PLANS DEPOSIT: \$75.00 per set. Payable to: REYNOLDS CONSTRUCTION MANAGEMENT, INC. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$25.00 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management, Inc., 3300 North Third Street, Harrisburg, PA 17110, Contact Carol Harner, Tel: (717) 238-5737 (Extension 3328). Bid Date: WEDNESDAY, October 10, 2001 at 2:00 P.M. Questions and comments must be submitted to Matt McCoy, via FAX (717) 238-9410, Reynolds Construction Management, Inc. The final date for all questions will be 12:00 P.M. on Friday, September 28, 2001.

**Department:** General Services  
**Location:** PA Farm Show Complex, Harrisburg, Dauphin County, PA  
**Duration:** 314 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit (717) 787-6556

**DGS 700-41ME4** PROJECT TITLE: Pennsylvania Farm Show Complex, Exposition Center—All Remaining Work Package. BRIEF DESCRIPTION: The work for this project will generally include furnishing and installation of the HVAC System for the Exposition Center. ESTIMATED RANGE: \$2,000,000.00 to \$5,000,000.00. HVAC Construction. PLANS DEPOSIT: \$75.00 per set. Payable to: REYNOLDS CONSTRUCTION MANAGEMENT, INC. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$25.00 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management, Inc., 3300 North Third Street, Harrisburg, PA 17110, Contact Carol Harner, Tel: (717) 238-5737 (Extension 3328). Bid Date: WEDNESDAY, October 10, 2001 at 2:00 P.M. Questions and comments must be submitted to Matt McCoy, via FAX (717) 238-9410, Reynolds Construction Management, Inc. The final date for all questions will be 12:00 P.M. on Friday, September 28, 2001.

**Department:** General Services  
**Location:** PA Farm Show Complex, Harrisburg, Dauphin County, PA  
**Duration:** 314 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit (717) 787-6556

**DGS A 304-9** PROJECT TITLE: Garage/Warehouse. BRIEF DESCRIPTION: Provide and construct a 60'-0" x 90'-0" (Base Bid No. 1) 60'-0" x 60'-0" (Base Bid No. 2) uninsulated pre-engineered rigid frame/ slab on grade building including all required and specified components. Site work and bituminous paving work will be included in the project. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. General Construction. PLANS DEPOSIT: \$25.00 per set. Payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Bid Date: WEDNESDAY, October 10, 2001 at 2:00 P.M.

**Department:** General Services  
**Location:** Elizabethtown Training Academy, Elizabethtown, Lancaster County, PA  
**Duration:** 120 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit (717) 787-6556

**10981032** Contractor is to furnish all labor and materials to construct a 16' x 31' greenhouse on the grounds of the Youth Development Center at New Castle, PA. Call the YDC New Castle purchasing department, 724-656-7310, for the complete specification package.

**Department:** Public Welfare  
**Location:** Youth Development Center, Frew Mill Road, R. R. 6, Box 21A, New Castle, PA 16101  
**Duration:** Undetermined  
**Contact:** Thomas E. Mateja, PA (724) 656-7310



**DGS 700-41IN1** PROJECT TITLE: Pennsylvania Farm Show Complex, Exposition Center—All Remaining Work Package. BRIEF DESCRIPTION: The work for this project will generally include furnishing and installation of the interior finishes. ESTIMATED RANGE: \$2,000,000.00 to \$5,000,000.00. General Construction. PLANS DEPOSIT: \$75.00 per set. Payable to: REYNOLDS CONSTRUCTION MANAGEMENT, INC. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$25.00 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management, Inc., 3300 North Third Street, Harrisburg, PA 17110, Contact Carol Harner, Tel: (717) 238-5737 (Extension 3328). Bid Date: WEDNESDAY, October 10, 2001 at 2:00 P.M. Questions and comments must be submitted to Matt McCoy, via FAX (717) 238-9410, Reynolds Construction Management, Inc. The final date for all questions will be 12:00 P.M. on Friday, September 28, 2001.

**Department:** General Services  
**Location:** PA Farm Show Complex, Harrisburg, Dauphin County, PA  
**Duration:** 314 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit (717) 787-6556

**DGS 700-41EX1** PROJECT TITLE: Pennsylvania Farm Show Complex, Exposition Center—All Remaining Work Package. BRIEF DESCRIPTION: The work for this project will generally include furnishing and installation of the exterior masonry for the Exposition Center and the Connector Link. ESTIMATED RANGE: \$2,000,000.00 to \$5,000,000.00. Masonry (including Connector Link) Construction. PLANS DEPOSIT: \$75.00 per set. Payable to: REYNOLDS CONSTRUCTION MANAGEMENT, INC. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$25.00 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management, Inc., 3300 North Third Street, Harrisburg, PA 17110, Contact Carol Harner, Tel: (717) 238-5737 (Extension 3328). Bid Date: WEDNESDAY, October 10, 2001 at 2:00 P.M. Questions and comments must be submitted to Matt McCoy, via FAX (717) 238-9410, Reynolds Construction Management, Inc. The final date for all questions will be 12:00 P.M. on Friday, September 28, 2001.

**Department:** General Services  
**Location:** PA Farm Show Complex, Harrisburg, Dauphin County, PA  
**Duration:** 314 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit (717) 787-6556

**DGS 700-41EX2** PROJECT TITLE: Pennsylvania Farm Show Complex, Exposition Center—All Remaining Work Package. BRIEF DESCRIPTION: The work for this project will generally include furnishing and installation of the roof system for the Exposition Center. ESTIMATED RANGE: \$500,000.00 to \$1,000,000.00. Roofing Construction. PLANS DEPOSIT: \$75.00 per set. Payable to: REYNOLDS CONSTRUCTION MANAGEMENT, INC. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$25.00 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management, Inc., 3300 North Third Street, Harrisburg, PA 17110, Contact Carol Harner, Tel: (717) 238-5737 (Extension 3328). Bid Date: WEDNESDAY, October 10, 2001 at 2:00 P.M. Questions and comments must be submitted to Matt McCoy, via FAX (717) 238-9410, Reynolds Construction Management, Inc. The final date for all questions will be 12:00 P.M. on Friday, September 28, 2001.

**Department:** General Services  
**Location:** PA Farm Show Complex, Harrisburg, Dauphin County, PA  
**Duration:** 314 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit (717) 787-6556

**DGS A 251-482 REBID** PROJECT TITLE: Replace Existing Heating System. BRIEF DESCRIPTION: Remove asbestos containing equipment and pipe insulation. Demolish entire steam heat system, including two (2) boilers. Install new HVAC systems including small hydronic heat boilers for basement heat and snow melting, infrared radiant heating systems, rooftop HVAC unit, vehicle exhaust hose reels, makeup air unit, electric heat equipment and associated natural gas piping system, air distribution duct systems, suspended acoustical ceilings and lighting. Upgrade electrical system. ESTIMATED RANGE: \$500,000.00 to \$750,000.00. HVAC, Electrical and Asbestos Abatement Construction. PLANS DEPOSIT: \$25.00 per set payable to: COMMONWEALTH OF PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5.00 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Bid Date: WEDNESDAY, October 10, 2001 at 11:00 A.M.

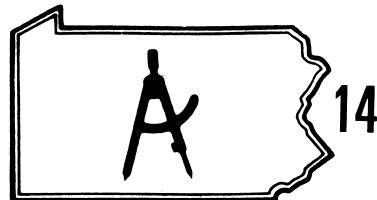
**Department:** General Services  
**Location:** PennDOT Maintenance Facility, Warren, Warren County, PA  
**Duration:** 140 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit (717) 787-6556

**DGS 700-41ME3** PROJECT TITLE: Pennsylvania Farm Show Complex, Exposition Center—All Remaining Work Package. BRIEF DESCRIPTION: The work for this project will generally include furnishing and installation of the Fire Protection System for the Exposition Center. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. Fire Protection Construction. PLANS DEPOSIT: \$75.00 per set. Payable to: REYNOLDS CONSTRUCTION MANAGEMENT, INC. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$25.00 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management, Inc., 3300 North Third Street, Harrisburg, PA 17110, Contact Carol Harner, Tel: (717) 238-5737 (Extension 3328). Bid Date: WEDNESDAY, October 10, 2001 at 2:00 P.M. Questions and comments must be submitted to Matt McCoy, via FAX (717) 238-9410, Reynolds Construction Management, Inc. The final date for all questions will be 12:00 P.M. on Friday, September 28, 2001.

**Department:** General Services  
**Location:** PA Farm Show Complex, Harrisburg, Dauphin County, PA  
**Duration:** 314 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit (717) 787-6556

**DGS 700-41ME5** PROJECT TITLE: Pennsylvania Farm Show Complex, Exposition Center—All Remaining Work Package. BRIEF DESCRIPTION: The work for this project will generally include furnishing and installation of the Electrical Distribution Systems for the Exposition Center. ESTIMATED RANGE: \$2,000,000.00 to \$5,000,000.00. Electrical Construction. PLANS DEPOSIT: \$75.00 per set. Payable to: REYNOLDS CONSTRUCTION MANAGEMENT, INC. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$25.00 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management, Inc., 3300 North Third Street, Harrisburg, PA 17110, Contact Carol Harner, Tel: (717) 238-5737 (Extension 3328). Bid Date: WEDNESDAY, October 10, 2001 at 2:00 P.M. Questions and comments must be submitted to Matt McCoy, via FAX (717) 238-9410, Reynolds Construction Management, Inc. The final date for all questions will be 12:00 P.M. on Friday, September 28, 2001.

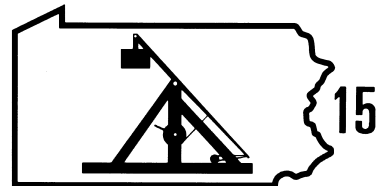
**Department:** General Services  
**Location:** PA Farm Show Complex, Harrisburg, Dauphin County, PA  
**Duration:** 314 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit (717) 787-6556



### Engineering Services

**PennDOT-ECMS** The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at [www.dot2.state.pa.us](http://www.dot2.state.pa.us).

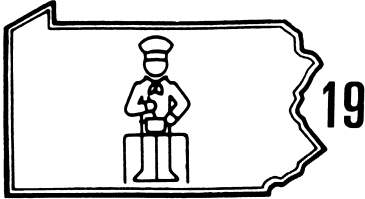
**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us) [www.dot2.state.pa.us](http://www.dot2.state.pa.us)



### Environmental Maintenance Service

**BF 462-101.1** Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine project. Letters of interest must be received by Roderick A. Fletcher, P.E., Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, 400 Market Street, P.O. Box 8476, Harrisburg, PA 17105-8476, no later than 4:00 p.m., Local Time, October 29, 2001, to be considered.

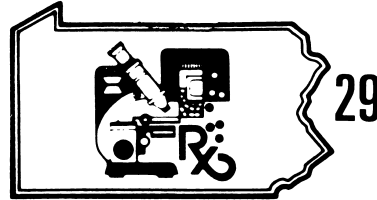
**Department:** Environmental Protection  
**Location:** 10 acres of reclamation located in Venango Township, Butler County.  
**Contact:** Chuck Siders (717) 783-0474



## Food

**0400CS** Catering service for selected Department functions to be held from the District 4-0 office. Food and beverages to include light fare for pre-functions and breaks, and cold and hot buffet selections for working luncheons, as needed. The contractor shall also provide necessary equipment, tableware, utensils and napkins for each function.

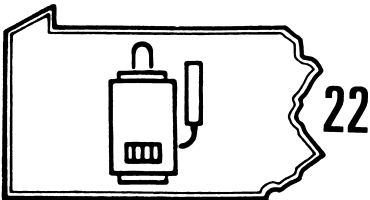
**Department:** Transportation  
**Location:** PA Dept of Transportation, Engineering District 4-0, O'Neill Highway, Dunmore, PA 18512  
**Duration:** One (1) year with three (3) one-year renewals.  
**Contact:** Gerald Pronko (570) 963-4039



## Medical Services

**111350007** Vendor to provide registered nurses and license practical nurses to the State Correctional Inst. Graterford. Nurses will be required to provide a full range of nursing duties to include working in infirmary, dispensary and on the inmate housing units distributing medications and assisting in sick call. Nursing staff will be required 7 days a week—Shifts: 6:00 AM to 2:00 PM, 2:00 PM to 10:00 PM and 10:00 PM to 6:00 AM. (or as required by SCIG).

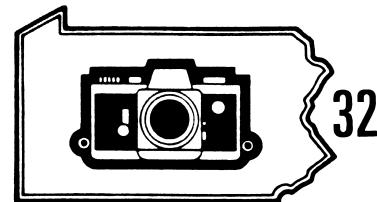
**Department:** Corrections  
**Location:** State Corr. Inst. Graterford, Box 246, Off Rt. 29 Graterford, PA 19426  
**Duration:** 12 Months  
**Contact:** Kelly Richardson (610) 489-4151



## HVAC Services

**09-D-01** Provide HVAC Services for Erie Job Center, Labor and Industry, 1316 State Street, Erie, Pa 16501.

**Department:** Labor and Industry  
**Location:** Erie Job Center, 1316 State Street, Erie, Pa 16501  
**Duration:** Upon Approval to Dec. 31, 2002 with 4- 1- year options.  
**Contact:** Cherianita Thomas/Harry Krause (717) 787-2877/(717) 705-0450



## Photography Services

**436-aerial** Provide vertical aerial photography on projects within the Commonwealth of Pennsylvania utilizing a 9" x 9" format vertical aerial precision mapping camera capable of meeting the Department's camera standard and rigid lens calibration requirements. The vertical aerial photography shall meet the specifications in the Department's December 1995 Edition, Surveying and Mapping Manual, Publication 122M, Part B - Photogrammetric Mapping, Chapter 2 - Aerial Photography Acquisition.

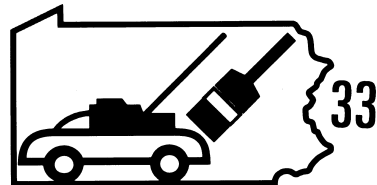
**Department:** Transportation  
**Location:** Bureau of Design, Photogrammetry & Surveys Div. Bldg. 28, Harrisburg International Airport, Middletown, PA 17057  
**Duration:** This will be a one year contract from the effective date with one-year renewal options for a total of two such renewals.  
**Contact:** Nancy Baker (717) 787-3311



## Laundry/Dry Cleaning &amp; Linen/Uniform Rental

**916693** Uniform Rental Bid to provide Equipment Maintenance Personnel with comfortable, durable uniforms that assure a professional appearance.

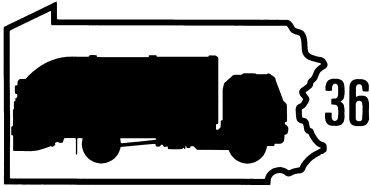
**Department:** Transportation  
**Location:** PA. Dept. of Transportation, Dauphin County Maintenance, 2140 Herr Street, Harrisburg, PA 17103 and 217 State Drive, Elizabethville, PA 17023  
**Duration:** Three consecutive years  
**Contact:** Gary A. Snyder (717) 787-5284



## Property Maintenance

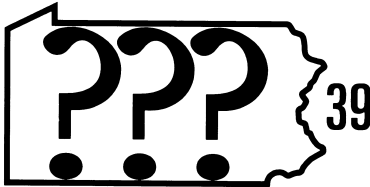
**MI-821** Millersville University of Pennsylvania is issuing a Request for Interest (RFI) for Project MI-821, Tanger House Renovations (President's Campus Residence). The project consists of the renovation of an existing residential structure that houses the University's President and family. This is a prevailing wage project with four primes: General Construction, Plumbing, Mechanical, and Electrical. Anticipated Start and Completion Dates: 01/02/2002 - 07/03/2002 Project Estimate: \$408,000 - \$469,000 The Construction Contracting Office will hold a prebid conference in September 2001. We have not established the prebid and opening dates at this time. Interested contractors should contact Bernadette Boyer, Construction Contracting, by fax or email (717-872-3846F, Bernadette.Boyer@millersville.edu). Please include the name of the company, trade, POC, address, phone and fax number, and email address (if applicable). Construction Contracting will send those contractors showing interest in the project a Notice to Contractors, summarizing bidding and project requirements. Plans and specifications will be available after August 31, 2001.

**Department:** State System of Higher Education  
**Location:** Tanger House, Millersville University, Millersville, PA 17551  
**Duration:** Approximately 180 calendar days.  
**Contact:** Jill M. Coleman (717) 872-3730



## Sanitation

**056002** Install and maintain dumpsters throughout Schuylkill County stockpiles.  
**Department:** Transportation  
**Location:** Stockpiles located in Schuylkill County.  
**Duration:** Two years from effective date with two, two-year renewals. Total of six years.  
**Contact:** Jerry Richter Sr., Purchasing Agent (570) 385-0800



## Miscellaneous

**TSCT00-0016** Electric power winder for winding gym floor cover sections.  
**Department:** Education  
**Location:** Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602  
**Duration:** September  
**Contact:** Earla Ament (717) 396-7163

**TSCT00-0020** Electric power winder for winding gym floor cover sections.  
**Department:** Education  
**Location:** Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602  
**Duration:** September  
**Contact:** Earla Ament (717) 396-7163

**0370**trash Pickup and disposal of refuse and trash from department buildings and/or right-of-ways within Tioga County as specified in the bid proposal. Bid packages may be obtained from Michele Gundersen by phoning 570-724-4142 or fax at 570-724-1168 or e-mail to mgunder@dot.state.pa.us. Fax or e-mail requests must contain Company name, address, phone number, and contact person.

**Department:** Transportation  
**Location:** Maintenance District 0370, 6 Berwart Street, Wellsboro, PA  
**Duration:** One year, with three one year renewals  
**Contact:** Michele Gundersen (570) 724-4142

**20873004** Professional Disc Jockey for hospital's Monday Evening Dances. Disc Jockey is to provide all equipment and recordings necessary to ensure current and popular tunes. There are an estimated fifty-two (52) Monday Evening Sessions per year this service will be required. The actual session time is from 7:30 p.m. to 8:45 p.m. It is the responsibility of the bidder to calculate the set-up and take down time in bid prices.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Cameron & Maclay Streets, Harrisburg, PA 17106-1260  
**Duration:** The term of this contract is anticipated to begin July 1, 2002 and end June 30, 2005, a period of three years.  
**Contact:** Jack W. Heinze, PA III (717) 772-7435

**1040-011** Pa Department of Transportation in Indiana County is in need of 3 calcium chloride tanks and a salt brine generator. Two (2) tanks and generator will be for Indiana stockpile on SR 286W the other tank is for stockpile at Marion Center SR 119N. Any Information should be faxed to 724-357-2999.

**Department:** Transportation  
**Location:** Pa. Department of Transportation, Maintenance District 10-4, 2550 Oakland Ave., P. O. Box 429, Indiana, Pa. 15701  
**Duration:** Tanks must be installed and working by 12-31-01  
**Contact:** Tom Betzold (724) 357-2813

**CU-4557** Cheyney University is seeking proposals from qualified firms to develop a comprehensive strategic enrollment and retention plan. The plan shall include the efficient use of current staff for enrollment/retention management. To obtain a bid packet, fax your request to: Office of Contracts @ 610-399-2128. Bids are due in the Office of Contracts 2:00 p.m., Tuesday, October 23, 2001.

**Department:** State System of Higher Education  
**Location:** Cheyney University, Cheyney and Creek Roads, Cheyney, PA 19319-0200  
**Duration:** 90 Days  
**Contact:** Antonia Williams (610) 399-2360

**0973-01-11** Medicine carts, MMP MedCart MC-21 series, as manufactured by S & S Technologies or approved equal.

**Department:** Public Welfare  
**Location:** Torrance State Hospital, State Route 1014, Torrance, PA 15779  
**Duration:** Delivery before 01/15/02  
**Contact:** Linda J. Zoskey (724) 459-4547

**8111480020** The Office of Administration is requesting bids from vendors to provide hardware and graphics for a custom modular display system. It should be noted that the OA/OIT is looking for "creativity" of design and use of elements balanced by the best value. The system should be modular so that it can be broken down and used for a variety of smaller displays and purposes. In addition, the system should have at least two different configuration options to afford the OA/OIT with flexibility based on circumstance.

**Department:** Office of Administration/Executive Offices  
**Duration:** To be used for December 2001 conference.  
**Contact:** Susan L. Rojas (717) 787-8767

**TSCT00-0015** Gymnasium floor cover system specifications: Size 10' X 113'- all seams thermally welded, minimum 1" overlap. Material properties: Fabric core-single layer, woven polyester. Filament Size - 1500 denier, weight of core 10 oz/sq yd, Weave Count 30 X 30; coating-PVC, coated equally on both sides; total cover weight-32 oz/sq yd. Mechanical Properties: Slip resistant surface 1.80 co-efficient of friction; tensile strength 850 X 800 lbs. Tear strength 200 X 180 lbs.; Fire resistant-UL214 NFPA 701. Warranty: Ten years on materials and workmanship.

**Department:** Education  
**Location:** Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602  
**Duration:** September  
**Contact:** Earla Ament (717) 396-7163

**110-1500-008** The contractor shall provide interpreter services to the deaf and hard of hearing inmates at the State Correctional Institution at Camp Hill.

**Department:** Corrections  
**Location:** State Correctional Institution at Camp Hill, PO Box 8837 - 2500 Lisburn Rd, Camp Hill, Pa. 17001-8837  
**Duration:** July 1, 2001 to June 30, 2004  
**Contact:** Delores Stephens (717) 975-5200

**SP3881131003** Woven Wire Deer Fencing for DCNR - Elk State Forest. Services shall include, but not be limited to the furnishing of all labor, superintendence, material, tools and equipment for the installation of woven wire deer fence at the following locations: Whitehead, approximately 9,700 lineal feet perimeter in Lumber Township, Cameron County, Four (4) Walk-through gates, and two (2) Two-part vehicle gates; Canoe Dead, approximately 6,700 lineal feet perimeter in Shippen Township, Cameron County, three (3) Walk-through gates, and one (1) Two-part vehicle gates; Canoe Blowdown, approximately 4,400 lineal feet perimeter in Shippen Township, Cameron County, three (3) walk-through gates and one (1) Two-part vehicle gate. Site visit will be October 10, 2001 at 8:00 AM meet at District Office, Bid opening will be October 17, 2001 at 2:00 PM at the District 13 Office, RR 4 Box 212, Suite 1, Emporium PA 15834.

**Department:** Conservation and Natural Resources  
**Location:** Cameron County  
**Duration:** November 30, 2002  
**Contact:** John E. Sidelinger (814) 486-3353

**2010010043** Provide a study guide and entry-level written examination for the position of Pennsylvania State Police Liquor Enforcement Officer (LEO) Trainee. Other related services such as scoring and notifying candidates of test results, analyzing test results, and providing testimony to challenges shall also be part of the resulting contract.

**Department:** State Police  
**Location:** Bureau of Personnel, Personnel Management Division, 1800 Elmerton Avenue, Harrisburg, PA  
**Duration:** One year - Upon award of contract through December 2002  
**Contact:** Dan Nettling, Exam. Development & Administration (717) 787-6383

[Pa.B. Doc. No. 01-1795. Filed for public inspection September 28, 2001, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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- |  |   |
|--|---|
| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
|--|---|

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	PR Award Date or Contract Effective Date	To	In the Amount Of	
7370-01 rip#2	09/20/01	XpedX	26,234.25	7810-01 sup#3	09/11/01	Miracle Recreation dba/ Mid Atlantic Park/ Playground Concepts	31,125.00
7810-01 sup#3	09/11/01	Advantage Sport & Fitness	31,125.00	7810-01 sup#3	09/11/01	Pendley Quality Trailer Supply dba/ The Pendley Group	31,125.00
7810-01 sup#3	09/11/01	Aluminum Athletic Equipment	31,125.00	7810-01 sup#3	09/11/01	Playworld Systems	31,125.00
7810-01 sup#3	09/11/01	Anthony F. Ramondo & Son	31,125.00	7810-01 sup#3	09/11/01	Precor	31,125.00
7810-01 sup#3	09/11/01	B E A R of Pennsylvania	31,125.00	7810-01 sup#3	09/11/01	Progressive Products & Materials Distributors	31,125.00
7810-01 sup#3	09/11/01	Bitting Recreation	31,125.00	7810-01 sup#3	09/11/01	R. J. Thomas Mfg.	31,125.00
7810-01 sup#3	09/11/01	Brunswick dba/Life Fitness	31,125.00	7810-01 sup#3	09/11/01	Recreation Resources	31,125.00
7810-01 sup#3	09/11/01	Cybox International	31,125.00	7810-01 sup#3	09/11/01	Sofsurfaces	31,125.00
7810-01 sup#3	09/11/01	Flaghouse	31,125.00	7810-01 sup#3	09/11/01	Specialty Plastics Unlimited	31,125.00
7810-01 sup#3	09/11/01	General Recreation	31,125.00	7810-01 sup#3	09/11/01	Sport Supply Group dba/ Passions Sports	31,125.00
7810-01 sup#3	09/11/01	George Ely Assoc	31,125.00	7810-01 sup#3	09/11/01	Sportex	31,125.00
7810-01 sup#3	09/11/01	Hoist Fitness Systems	31,125.00	7810-01 sup#3	09/11/01	Wabash Valley Mfg.	31,125.00
7810-01 sup#3	09/11/01	Jamestown Advanced Products	31,125.00	7810-01 sup#3	09/11/01	York Barbell	31,125.00
7810-01 sup#3	09/11/01	John Curtiss Design	31,125.00	7930-06	09/20/01	Diamond Chemical	343,503.64
7810-01 sup#3	09/11/01	Ken J. Barrick	31,125.00	7930-06	09/20/01	Ecolab	343,697.02
7810-01 sup#3	09/11/01	Kompan	31,125.00	1049071-01	09/17/01	Female Health Co.	61,600.00
7810-01 sup#3	09/11/01	Lawn & Golf Supply	31,125.00	1071181-01	09/17/01	Frank Parsons Paper	33,180.00
7810-01 sup#3	09/11/01	Leisure Fitness	31,125.00	8176480-01	09/17/01	Moore North America	107,615.00
7810-01 sup#3	09/11/01	Little Tikes Commercial Play	31,125.00	8506010-01	09/17/01	Airline Hydraulics	22,129.50
7810-01 sup#3	09/11/01	Mid-Atlantic Products	31,125.00				

KELLY P. LOGAN,  
Acting Secretary

[Pa.B. Doc. No. 01-1796. Filed for public inspection September 28, 2001, 9:00 a.m.]

STATE CONTRACTS INFORMATION

United States Postal Service

Statement of Ownership, Management, and Circulation

1. Publication Title <b>Pennsylvania Bulletin</b>		2. Publication Number 0 1 6 2 - 2 1 3 7		3. Filing Date 09/26/01
4. Issue Frequency Weekly		5. Number of Issues Published Annually 52		6. Annual Subscription Price \$82.00
7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4) Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg Dauphin County, PA 17120-0033				Contact Person Gary R. Hoffman Telephone 717-783-1530
8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer) Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg Dauphin County, PA 17120-0033				

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)  
 Publisher (Name and complete mailing address)

Gary R. Hoffman, Director PA Bulletin, Leg. Ref. Bur., Harrisburg, PA 17120-0033  
 Editor (Name and complete mailing address)

Mary Jane Phelps, PA Bulletin, Leg. Ref., Harrisburg, PA 17120-0033  
 Managing Editor (Name and complete mailing address)

10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)

Full Name	Complete Mailing Address
Commonwealth of Pennsylvania	Commonwealth of Pennsylvania
Legislative Reference Bureau	Legislative Reference Bureau
641 Main Capitol Building	641 Main Capitol Building
Harrisburg, PA 17120-0033	Harrisburg, PA 17120-0033

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box  None

Full Name	Complete Mailing Address

12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one)  
 The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes:  
 Has Not Changed During Preceding 12 Months  
 Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

13. Publication Title  
Pennsylvania Bulletin

14. Issue Date for Circulation Data Below  
September 22, 2001

15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run)		8627	8145
b. Paid and/or Requested Circulation	(1) Paid/Requested Outside-County Mail Subscriptions Stated on Form 3541. (Include advertiser's proof and exchange copies)	8305	7823
	(2) Paid In-County Subscriptions Stated on Form 3541 (Include advertiser's proof and exchange copies)	0	0
	(3) Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Paid Distribution	0	0
	(4) Other Classes Mailed Through the USPS	0	0
c. Total Paid and/or Requested Circulation (Sum of 15b. (1), (2), (3), and (4))		8305	7823
d. Free Distribution by Mail (Samples, complimentary, and other free)	(1) Outside-County as Stated on Form 3541	0	0
	(2) In-County as Stated on Form 3541	0	0
	(3) Other Classes Mailed Through the USPS	0	0
e. Free Distribution Outside the Mail (Carriers or other means)		0	0
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g. Total Distribution (Sum of 15c. and 15f.)		8305	7823
h. Copies not Distributed		322	322
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16. Publication of Statement of Ownership  
 Publication required. Will be printed in the September 29, 2001 issue of this publication.  Publication not required.

17. Signature and Title of Editor, Publisher, Business Manager, or Owner  
 Gary R. Hoffman  
 Date: 9/24/01

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

# RULES AND REGULATIONS

## Title 28—HEALTH AND SAFETY

### DEPARTMENT OF HEALTH

#### [28 PA. CODE CH. 23]

#### School Immunization

The Department of Health (Department), with the approval of the State Advisory Health Board (Board), amends § 23.83 (relating to immunization requirements) to read as set forth in Annex A.

#### I. Purpose and Background

This rulemaking promulgates immunization requirements that children seeking to enter and attend school in this Commonwealth shall meet, and is based upon recommendations of the Advisory Committee on Immunization Practices (ACIP), an advisory committee of the Federal Centers for Disease Control and Prevention (CDC). It also reverses the order of subsections in § 23.83, adds new requirements for chickenpox (varicella) immunity, and expands requirements for hepatitis B immunization.

This rulemaking is intended to control the spread of diseases in schools, which are known to be ideal settings for the transmission of communicable diseases. Requiring immunity before a child enters school in first grade or kindergarten, or before the child is permitted to attend a school in this Commonwealth, protects that child before the child enters an environment which readily lends itself to the transmission of disease. Further, ensuring that children are appropriately immunized carries with it advantages for the public as a whole, including other high-risk populations, as well as for the child. There is less chance of other persons contacting a highly infectious disease if children are vaccinated, and less chance of outbreaks of contagious diseases occurring.

The Department published proposed rulemaking at 30 Pa.B. 4591 (September 2, 2000), and provided a 30-day public comment period. The Department received several comments to the proposed rulemaking. The comments and the Department's responses to them appear in the summary of this final rulemaking.

#### II. Summary

The Department received approximately 50 comments on its proposed rulemaking. Most of these comments were from individuals, parents and other concerned citizens, who feel strongly that the varicella vaccine should not be required. Some of these commentators oppose vaccination in general. Several blamed vaccination, specifically the measles, mumps and rubella (MMR) vaccine, for causing conditions such as autism in their own children. Other commentators, however, wrote to support the varicella vaccine, and to relate personal tragedies resulting from the failure to have a child immunized for chicken pox. The Department respects the personal viewpoints of all these commentators. The Department acknowledges, as several of these commentators noted, that there is no absolutely safe vaccine. The Department also understands that several commentators believe that the decision whether to vaccinate their children should be made by them alone, and that immunizations should not be mandated. The Department, however, is charged with protecting the health and safety of the citizens of this Common-

wealth, and with choosing the most efficient and effective way of doing so. See section 2102(a) of The Administrative Code of 1929 (71 P. S. § 532(a)). After reviewing all the comments and its proposed rulemaking, the Department stands firm on its belief that the benefit of requiring varicella immunity outweighs the risks. Therefore, the Department has made no change to the proposal. Specific comments follow.

#### *General Comments on Vaccination.*

Several commentators opposing vaccination in general stated that the Department's rulemaking would make it illegal for parents to delay or not to give a vaccination at all, and that the rulemaking would put parents in the position of being criminals if they conscientiously object to the vaccine.

The rulemaking allows for exemptions from the required vaccines for medical or religious reasons. If a parent or guardian is objecting to a vaccine for these reasons, or believes that their objection rises to the level of a religious belief, they may attempt to obtain an exemption. It is not the Department's intention to hold a parent criminally liable for failing to ensure that a child has the required immunizations. The child would, however, be excluded from school until the immunization requirements can be met.

One commentator commented that scientists were concerned about long-term effects of viral DNA from live virus vaccines being incorporated into human genes.

The Department is unaware of any scientific studies that state that DNA from a live virus will have a deleterious effect on human genes.

Another commentator raised a concern that healthy children are given so many vaccines that their immune systems are becoming severely compromised.

The Department disagrees with this comment. Children are exposed to many foreign antigens every day. Eating food introduces new bacteria into the body, and numerous bacteria live in the mouth and nose, exposing the immune system to still more antigens. An upper respiratory viral infection exposes a child to from 4 to 10 antigens, and a case of "strep throat" exposes a child to from 25 to 50 antigens. According to *Adverse Events Associated with Childhood Vaccines*, a 1994 report from the Institute of Medicine, "In the face of these normal events, it seems unlikely that the number of separate antigens contained in childhood vaccines . . . would represent an appreciable added burden on the immune system that would be immunosuppressive." Available scientific data show that simultaneous vaccination with multiple vaccines has no adverse effect on the normal childhood immune system.

A number of studies have been conducted to examine the effects of giving various combinations of vaccines simultaneously. In fact, neither ACIP nor the American Academy of Pediatrics (AAP) would recommend the simultaneous administration of any vaccines until these studies showed the combinations to be both safe and effective. These studies have shown that the recommended vaccines are as effective in combination as they are individually, and that these combinations carry no greater risk for adverse side effects. Consequently, both the ACIP and AAP recommend simultaneous administration of all routine childhood vaccines when appropriate.

One commentator asked that the Department stop mandating unnecessary immunizations.

The Department disagrees that the required immunizations listed in § 23.83 are unnecessary. Vaccines have prevented millions of deaths each year from preventable infectious diseases. School settings are an ideal place for unprotected children to contract communicable and potentially dangerous diseases. Requiring immunity for school attendance protects that child and others from unnecessary illnesses.

One commentator asked that the Department create a medical exemption in the event a physician determines the immunization of a child may be detrimental to the health of a household contact. The Independent Regulatory Review Commission (IRRC) also raised this issue.

The Department has taken the exemption language included in § 23.84 (relating to exemption from immunization) from the statute. The Public School Code of 1949 (code) (24 P. S. §§ 1-101—27-2702) provides for exceptions in two instances: (1) when the parent or guardian of the child objects to the immunization in writing on religious grounds, under section 1303a(d) of the code (24 P. S. § 13-1303a(d)); and (2) when a child is deemed to have a medical contraindication which may contraindicate immunization and a physician certifies to that fact. *Id.* at subsection (c). It is the Department's opinion that if a physician believes the vaccination to be medically contraindicated for an individual in the child's household, that physician may certify an exemption under section 1303a(c) of the code. The certification should be unnecessary, however, since none of the vaccinations required by § 23.83 have contraindications for an immunocompromised person residing in the household of a vaccinated child.

Two commentators raised concerns that neither parents nor medical practitioners are adequately advised of the potential for adverse reaction to the currently mandatory vaccines. The commentators stated that in their experience, no doctor has ever discussed the risks associated with the vaccinations with the parent to help the parent determine the risks to the child of undergoing the vaccination.

The Department agrees that practitioners should, as a matter of prudent practice, discuss with parents and guardians the risks associated with the provision of a vaccine. The Department does not have the authority to set standards for health care practitioners in this Commonwealth. The Department's authority is to create a list of diseases for which a child must be immunized before attending school. See section 1303a(a) of the code. The assumption is that the practitioner will carry out his legal and ethical responsibilities to his patient.

The Department does note, however, that the National Vaccine Program (42 U.S.C.A. §§ 300aa-1—300aa-34) requires all health care providers in the United States who administer vaccines covered in the Injury Compensation Table, prior to the administration of each dose of the vaccine, to provide copies of the relevant Vaccine Information Statements (VIS). See 42 U.S.C.A. § 300aa-26(d). The vaccines included in § 23.83 are all included on the Injury Compensation Table. The required materials are produced by the CDC, the Committee on Childhood Vaccines, the Food and Drug Administration, and various health care provider and parent groups. *Id.* at subsection (b). The information to be included in the materials is set by statute, and includes the benefits and risks associated with the vaccine. *Id.* at subsection (c). The statute also requires that the materials be supplemented with visual presentations or oral explanations, as appropriate. *Id.* at subsection (d). If a parent or guardian has a question

concerning a vaccination, the Department's Division of Immunization is available to provide information. That Division may be contacted at (717) 787-5681.

IRRC also questioned whether it was the Department's intention to follow ACIP guidelines in establishing requirements for school immunization, and, if so, recommended that the Department consider incorporating ACIP guidelines by reference into the regulation. IRRC noted that ACIP is recognized as the authority in this area by Pennsylvania law, citing section 2 of the Hepatitis B Prevention Act (35 P. S. § 630.2) which requires the Department to establish a program for the prevention of hepatitis B through immunization of children consistent with the recommendations of ACIP. Another commentator also suggested that allowing for automatic approval of ACIP updates would eliminate lag time between the recommendation and the regulation.

With respect to IRRC's comment regarding ACIP as the authority recognized by the General Assembly, the General Assembly has also recognized the Department and the Board as authoritative on the issue of immunizations. In the Disease Prevention and Control Law of 1955 (see section 16(a)(6) (35 P. S. § 521.16(a)(6))), The Administrative Code of 1929 (see section 2111(c.1) (71 P. S. § 541(c.1))) and the code (see section 1303a (24 P. S. § 13-1303a(a))), the General Assembly has authorized the Department, with the Board, without reference to ACIP, to create a list of diseases against which children must be immunized.

The Department does consider ACIP guidelines and recommendations in determining what immunizations to require for attendance at school. The Department is not, however, required by any body to accept all ACIP recommendations, neither for the immunizations the Department will require, nor for the standards applicable to those immunizations. It is up to the Department, with the approval of the Board, to determine when and how to add required immunizations to the list. In some cases, ACIP's recommendations may not be readily applicable to school age children. Dosages may differ depending on the age the child begins the vaccine regimen. The Department, with the Board's approval, includes in its regulations the minimum dosages necessary for protection. Adopting ACIP recommendations would, among other things, be confusing for schools and school nurses. Further, ACIP recommendations could change in the middle of a school year. This, too, would be difficult for schools to track. The Department does not wish to be tied to ACIP's recommendations, since it requires the flexibility to apply its and the Board's expertise to the question of what immunizations to require.

#### *Section 23.83(a)(1) and (8) and (c)*

The Department received comments both in support of, and against, its proposed rulemaking requiring varicella immunity for school entry (see subsection (a)(1) and (8)), and hepatitis B and varicella immunity for entry into the seventh grade (see subsection (c)(1) and (2)). Opposition came from individual commentators. Support came from individuals, providers' professional associations and public interest groups.

One commentator expressed his support, and requested that the Department consider and encourage the incorporation of evolving technologies into the immunization information gathering process.

The Department agrees that utilizing advancing technology would make tracking immunization levels State-wide easier to accomplish. The Department is currently



incorporating a Statewide immunization information system into public clinic sites. This system will enable certain approved health care providers to easily access a child's immunization history, hopefully preventing unnecessary vaccinations, and facilitating updating a child's immunizations. The Department is intending to extend this system Statewide in the private sector following implementation at all public sites.

IRRC questioned why the Department had included chickenpox and hepatitis B in subsection (a), which set out requirements for first-time entry into school at kindergarten and the first grade, but had not included them in subsection (b), which included requirements for attendance at school. IRRC asked what the impact would be if a child moved to this Commonwealth from another state and failed to have these two immunizations.

The Department has made the determination that hepatitis B and varicella immunization and immunity requirements should be phased into the school system. The Department has done so by requiring hepatitis B and varicella immunization or immunity at first-time entry into school at kindergarten and first grade, and then to include the requirement for entry into the seventh grade, or at the age of 12. See subsection (c). This is consonant with ACIP recommendations, and allows the school some flexibility in working out administrative arrangements to accomplish this requirement, as well as affords parents time to obtain the required vaccinations or provide the necessary history of immunity for an older child. Parents should be encouraged to have all children protected from these two diseases.

Because the Department is now requiring either immunization or immunity at school entry in the first grade or kindergarten, the number of children without immunity to these diseases should decrease over succeeding years. In the seventh year after the regulation's implementation, the number of children without these immunities should be close to zero. The entry of a child without immunity to hepatitis B and varicella into school after the first grade or kindergarten and prior to the seventh grade, will pose little problem since the chances of the child contracting the disease from a increasingly immunized student body will be small, and the child's ability to cause an outbreak if the child does succeed in contacting the disease will also be small.

Several individual commentators commented that varicella was a benign childhood disease that would give a child lifelong immunity. These commentators felt that it was unnecessary to force a vaccine on a healthy child for whom the disease would most likely be no more than an inconvenience, and that an adult could choose to be vaccinated if the adult chose. These commentators stated that varicella was not a public health threat. One commentator stated that the disease should not be labeled as severe since CDC statistics show that most cases are free from complication. In response to these comments, and others raising opposition to the vaccine, IRRC has asked that the Department provide additional explanation or documentation of the need to require varicella immunity as a prerequisite for school entry.

The Department is the State agency with the responsibility for preserving and protecting the health of the citizens of this Commonwealth. See section 2101(a) of The Administrative Code 1929. The General Assembly has recognized that the Department, in conjunction with the Board, has the expertise to determine what vaccinations and immunizations should be required to protect the public health. See section 1303a(a) of the Code; and

section 2111(c.1) of The Administrative Code of 1929 (71 P. S. § 541(c.1)). In the opinion of the Department and the Board, varicella is a public health threat. The Department and the Board base their decision on the recommendations of ACIP. These recommendations are included in the following publications: *CDC. Prevention of varicella. Recommendations of the Academy Committee on Immunization Practices.* MMWR 1996;45(RR-11):1-36; *CDC. Prevention of varicella. Recommendations of the Advisory Committee on Immunization Practices (ACIP).* MMWR 1996;45(RR-11):1-36; *CDC. Prevention of varicella. Updated recommendations of the Advisory Committee on Immunization Practices (ACIP).* MMWR 1999;48(RR-6):1-5; *CDC. Hepatitis B virus: a comprehensive strategy for eliminating transmission in the United States through universal childhood vaccination. Recommendations of the Advisory Committee on Immunization Practices (ACIP).* MMWR 1991;40(RR-13):1-25; *CDC. Immunization of adolescents. Recommendations of the Advisory Committee on Immunization Practices, the American Academy of Pediatrics, the American Academy of Family Physicians, and the American Medical Association.* MMWR 1996;45(RR-13):1-16; *CDC. Update: recommendations to prevent hepatitis B virus transmission—United States.* MMWR 1995;44:574-5.

Prior to the availability of varicella vaccine, there were approximately 4 million cases of varicella a year in the United States. It is correct that most cases are free from complications. However, although varicella is frequently perceived as a disease that does not cause serious illness, especially among healthy children, 11,000 hospitalizations and 100 deaths from complications relating to varicella occurred every year in the United States before the varicella vaccine became available. The majority of deaths and complications occurred in previously healthy individuals.

Experience with vaccination programs, both in the United States and elsewhere, has consistently demonstrated that childhood vaccination programs are much more successful than those aimed at adolescents and adults. Finally, it is not possible to predict which child or adult will suffer serious complications from varicella. Now that a reasonably safe and effective vaccine is available, the benefits of that vaccination outweigh the risks.

The decision to vaccinate an individual child benefits both the individual and the wider community. Having school requirements for vaccination achieves high levels of protection in schools, preschools and child care centers, resulting in less illness and school time missed by healthy children (some of whom may have serious complications) and less danger of severe infection among children who cannot be vaccinated. Persons who are not able to receive chickenpox vaccine include children with leukemia and other cancers, persons taking high doses of steroid medications for a variety of medical conditions (including asthma), pregnant women and infants less than 1 year of age. These people have a higher risk of developing severe chickenpox with complications. The best way to protect them is to achieve high levels of vaccination among persons in the community so that they are less likely to come in contact with a person with chickenpox.

Two commentators mentioned that an AMA publication recommended exposing children to varicella, and asked what had changed over the last 6 years to invalidate that recommendation. Another commentator also mentioned an article in the *Journal of the American Medical Association* claiming it stated primary care physicians were not recommending the vaccine.

The varicella vaccine was licensed in 1995 in the United States. Prior to the availability of that vaccine, it would have been safer for a child to contract chickenpox than for an adult to run the risk of contracting the disease. Several physicians' organizations have indicated their support for the vaccination, both Nationally, and within this Commonwealth. The American Academy of Pediatrics has recommended the vaccine, along with ACIP, and the Pennsylvania Medical Society and the Pennsylvania Academy of Family Physicians have written the Department in support of the Department's proposed varicella immunity requirement.

Several commentators commented that there is insufficient data to show that the administration of the varicella vaccine with other vaccines is safe. Several commentators stated there was not sufficient data to show that administering the vaccine individually is safe. One commentator also raised the question of "break through" cases of varicella (cases of disease that occur in vaccinated persons are almost always less severe) and asked whether deaths from the vaccine were comparable to deaths from the disease Nationwide.

The Department disagrees that the varicella vaccine is not sufficiently safe to be required. The CDC has recommended the use of the vaccine because, based on the testing done, the benefits of the vaccine outweigh the risks of its use. The Department has discussed the dangers of the disease previously mentioned. Further, there are more deaths Nationwide from the disease than can be attributed to the varicella vaccine.

Available scientific data show that simultaneous vaccination with multiple vaccines has no adverse effect on the normal childhood immune system. The study cited by two commentators in their comments was intended to detect potential hazards, including rare events associated with the varicella vaccine, and to assess case reports for clinical and epidemiological implications. Wise, *Postlicensure Safety Surveillance for Varicella Vaccine*, 284 JAMA 1271, 1271 (Sept. 13, 2000). In giving case backgrounds of case reports, the article made mention of other vaccinations provided the individual, but the study was not intended to review the effect of the combination of vaccinations, and reaches no conclusion on that matter. In conclusion, the article states the following:

Chickenpox can be serious and even deadly, but varicella vaccine can now prevent serious varicella infections with a high degree of reliability. (Footnotes omitted). Safety surveillance through [the Vaccine Adverse Event Reporting System] confirms that most of the vaccine's adverse effects are minor. Although reports to VAERS provide either tentative or clear evidence for a variety of serious vaccine risks, all appear to be rare, and the majority, while plausible, lack confirmation of causation by [the vaccine given].

*Id.* at p. 1278.

A number of studies have been conducted to examine the effects of giving various combinations of vaccines simultaneously. These studies have shown that the recommended vaccines are as effective in combination as they are individually, and that such combinations carry no greater risk for adverse side effects. Consequently, both the ACIP and AAP recommend simultaneous administration of all routine childhood vaccines when appropriate.

Another commentator specifically raised the concern that vaccines include mercury.

The varicella vaccine does not contain mercury. Mercury has been eliminated from most of the routine childhood vaccines, and the CDC projects that totally mercury-free vaccines will be available within the next year.

One commentator commented that the manufacturer of the varicella vaccine has admitted that immunization is only temporary, and several other commentators questioned the long term effectiveness of the varicella vaccine. One commentator suggested that the vaccine could require continuous "booster shots" to create lifetime immunity. The commentator suggested that since the vaccine could fail in adults and the disease is more serious in adults, the vaccine should not be required, but children should be allowed to get the disease naturally.

The length of protection or immunity from any new vaccine is never known when it is first introduced. Available data from following up children vaccinated in prelicensure clinical trials indicate that protection from varicella vaccine lasts for at least 25 years (Japanese data) and 14 years (United States data). The vaccine has been licensed in the United States since 1995, and clinical trials were occurring prior to that time. The vaccine has been in use in Japan for a longer period of time. Experience with other live viral vaccines (such as, measles, rubella) has shown that, postvaccination, immunity remains high throughout life. For these vaccines, second doses are needed to cover the small percentage of people who fail to seroconvert (that is, whose systems fail to create antibodies as protection against the disease) after the first dose. This is known as primary vaccine failure. Follow-up studies continue to assess levels of immunity in persons who have been vaccinated as disease incidence declines. The CDC's advisory committee, ACIP, taking into account all the available information relating to the varicella vaccine, has made the determination that the vaccine is sufficiently effective to recommend its use.

Further, the Department believes that it is precisely because of the serious complications for adults that the vaccine should be given to children.

With respect to manufacturer's labels, manufacturers of products warn users of products of possible problems with products in part out of concern for liability. Because a manufacturer cannot prove that a vaccine is effective for a lifetime, it cannot say so without the possibility of legal difficulties. The studies previously discussed show sufficient longevity for ACIP and the AAP to determine that the vaccine's benefits outweigh its risks. The Department has accepted, and the Board has approved, these recommendations.

Several commentators commented that there was evidence that the varicella vaccine, along with other vaccines, could be responsible for the increasing incidence of rare childhood conditions. A few commentators suggested that the vaccine could be a cause of infertility, behavioral problems and increases in other rare childhood conditions.

The currently available scientific evidence does not support the hypothesis that vaccines cause autism, or any other syndrome, infertility or behavioral problems. There is considerable parent interest in these issues, and research regarding these concerns is ongoing by National and private entities. The Department does not believe these scientifically unsupported suspicions outweigh the benefit to the child or the public from requiring varicella immunization.

Commentators also raised concerns about potentially carcinogenic materials in the varicella vaccine. Some also objected to the vaccine, stating that it contained formaldehyde and aluminum.

Millions of doses of vaccines are administered to children in this country each year. Ensuring that those vaccines are potent, sterile and safe requires the addition of minute amounts of chemical additives. Chemicals are added to vaccines to inactivate a virus or bacteria and stabilize the vaccine, helping to preserve the vaccine and prevent it from losing its potency over time. The amount of chemical additives found in vaccines is very small. Again, the Department does not believe this concern necessitates the deletion of the regulation. The possibility that the small amount of additives may cause a serious allergic response is outweighed by the efficacy of the vaccine in preventing serious disease and disease outbreaks. Formaldehyde is used to inactivate toxic properties in vaccines that contain toxins (for example, tetanus). It is also used to kill unwanted viruses and bacteria that might be found in cultures used to produce vaccines. Aluminum gels or salts of aluminum are added as adjuvants to help the vaccine stimulate production of antibodies to fight off diseases and aid other substances in their action. In vaccines, adjuvants may be added to help promote an earlier response, more potent response or more persistent immune response to disease.

Several commentators objected to the varicella vaccine stating that it was manufactured from human fetal cells.

The Department has not changed the rulemaking in response to this comment. Fetal tissue is not currently used to produce vaccines; cell-lines generated from a single fetal tissue source are used. Vaccine manufacturers obtain human cell-lines from FDA-certified cell banks. Some vaccines, including varicella vaccine, are made from human cell-line cultures. No new fetal tissue will be needed to produce cell-lines to make these vaccines, now or in the future.

One commentator raised the concern that a "black and white" rule requiring the varicella vaccine for school entry in kindergarten or first grade and for entry into the seventh grade would mean that children who had had the disease would need an unnecessary injection or laboratory test to prove immunity.

The Department's regulation requires chickenpox immunity. This is demonstrated by proof of having received varicella vaccine (see subsections (a)(8)(i) and (c)(2)), or a history of chickenpox immunity proved by laboratory testing or a written statement of history from a parent, guardian or physician. See subsections (a)(8)(ii) and (c)(2)(iii). Therefore, a child is neither required to undergo an unnecessary vaccination, or have blood drawn for a laboratory test unless the parent, guardian or physician is unable to provide a history of immunity.

Several commentators focused on the Department's statement in the preamble to the proposed rulemaking that part of the cost associated with not requiring varicella immunity for children entering or attending school is the cost resulting from a parent or guardian taking time off from work to care for the child. The commentators stated that it was not the function of a health agency to determine how much work a parent was allowed to miss to care for children, and that children belong to the parent, and not the State. According to these commentators, this was solely a parental decision.

The commentators have misconstrued the Department's statement. The Department is required to address the

fiscal impact of a regulation when it proposes or adopts the regulation. The Department's reason for requiring varicella immunity is not to have less work disruption due to illness. This is not the main reason for proposing this requirement. It is a statement of parental and societal economic impact. The major reason for vaccination with chickenpox vaccine is the reduction of serious complications from an otherwise preventable disease, or has been previously discussed.

Further, the Department's statement in the preamble to proposed rulemaking was not intended to set a standard for how much work a parent may miss to care for a child, nor does the regulation set a standard. The Department is required, by law, to assess the costs and benefits of the proposed rulemaking to the regulated community, to State and local government, to the private sector and to the public. See section 5(a)(4) of the Regulatory Review Act (71 P. S. § 745.5(a)(4)). Part of the cost-savings of requiring varicella immunity is, in the Department's opinion, the reduction of lost time and productivity on the part of parents and guardians required to miss work to care for their children. This is not to say that parents and guardians may not or should not stay home from work to care for their sick children, it merely projects that the need of parents and guardians to do so will diminish as the requirements of the Department's regulation are implemented.

One commentator raised the issue of reimbursement, but noted the Department had no jurisdiction to resolve that issue. The Department has no need to address that comment.

#### C. *Affected Persons*

This final-form rulemaking affects those children entering school for the first time in kindergarten or first grade in this Commonwealth, and those entering the seventh grade, who have not yet been vaccinated for hepatitis B or chickenpox (varicella). This rulemaking also affects their parents or guardians.

The final-form rulemaking also affects school districts and their employees, since school districts are required to ensure that children attending school have the appropriate vaccinations. To the extent that physicians may be requested by parents and guardians to provide vaccination histories or other proof of vaccination, physicians could also be affected tangentially.

#### D. *Cost And Paperwork Estimate*

##### 1. *Cost*

###### a. *Commonwealth*

The Commonwealth would incur some costs for the purchase and administration of the additional vaccines. The savings, however, in terms of the amount of funds that would not be needed to coordinate disease outbreak investigations and control measures, would outweigh the additional program and vaccine costs.

###### b. *Local Government*

There would be no additional cost to local governments. Local governments should see some cost savings from the prevention of disease outbreaks, since local governments do bear some of the cost of disease outbreak investigations and control measures.

###### c. *Regulated Community*

Families whose children's vaccinations are covered by their insurance plans (public or private) under State law should not see any out-of-pocket cost for the vaccinations. Families whose insurance plans do not cover these vacci-

nations, or who do not have insurance, will need to seek other assistance to pay for vaccinations, or pay out-of-pocket. In general, there is other assistance provided for vaccinations from the Department, if no third party payer is available. The Department provides vaccinations either free of charge, or charges a fee based on a sliding fee scale according to the family's income. The savings in prevention of childhood illness would outweigh the minimal cost of the vaccine.

School districts already have mechanisms in place for determining whether or not children have been appropriately immunized, and taking action based on that determination. This final-form rulemaking would add two additional immunizations to review, which should not add to the school districts' current cost of ensuring immunizations are up to date. Again, the savings in prevention of an outbreak of a childhood illness in a school district should outweigh the minimal cost in staff time to review two additional immunizations.

d. *General Public*

The general public should not see an increase in cost.

2. *Paperwork Estimates*

a. *Commonwealth and the Regulated Community*

There are minimal additional paperwork requirements for the Commonwealth and the regulated community. There is a requirement that school districts report the number of children with up-to-date immunizations, the number of children in the process of obtaining the required immunizations and the number of children not meeting the immunization requirement. The final-form regulation adds two additional immunization requirements to the current list of required immunizations.

Although physicians could be requested by a parent or guardian to provide an immunization history for varicella, the Department does not mandate that physicians provide an immunization history. The final-form regulation merely states that the Department will accept such a history in lieu of the actual vaccination requirement.

Parents and guardians will need to present information relating to varicella immunity when children enter school for the first time in this Commonwealth in kindergarten or the first grade. Parents, guardians and emancipated children will need to present information relating to hepatitis B and varicella immunity when children enter the seventh grade.

b. *Local Government*

There is no additional paperwork requirement for local government.

c. *General Public*

There is no additional paperwork requirement for the general public.

E. *Statutory Authority*

The Department obtains its authority to promulgate regulations relating to immunizations in schools from several sources. Generally, the Disease Prevention and Control Law of 1955 (35 P. S. §§ 521.1—521.21) (act) provides the Board with the authority to issue rules and regulations on a variety of issues relating to communicable and noncommunicable diseases, including what control measures are to be taken with respect to which diseases, provisions for the enforcement of control measures, requirements concerning immunization and vaccination of persons and animals, and requirements for the prevention and control of disease in public and private

schools. Section 16(b) of the act (35 P. S. § 521.16(b)) gives the Secretary of Health (Secretary) the authority to review existing regulations and make recommendations to the Board for changes the Secretary considers to be desirable.

Section 2102(g) of The Administrative Code of 1929 (71 P. S. § 532(g)), gives the Department this general authority. Section 2111(b) of The Administrative Code of 1929 (71 P. S. § 541(b)) provides the Board with additional authority to promulgate regulations deemed by the Board to be necessary for the prevention of disease, and for the protection of the lives and the health of the people of this Commonwealth. That section further provides that the regulations of the Board shall become the regulations of the Department.

The Department's specific authority for promulgating regulations relating to school immunizations is found in The Administrative Code of 1929 and in the code. Section 2111(c.1) of The Administrative Code of 1929 provides the Board with the authority to make and revise a list of communicable diseases against which children are required to be immunized as a condition of attendance at any public, private or parochial school, including kindergarten. The section requires the Secretary to promulgate the list, along with any rules and regulations necessary to insure the immunizations are timely, effective and properly verified.

Section 1303a of the code provides that the Board will make and review a list of diseases against which children must be immunized, as the Secretary may direct, before being admitted to school for the first time. The section provides that the school directors, superintendents, principals or other persons in charge of any public, private, parochial or other school including kindergarten, shall ascertain whether the immunization has occurred. It further provides that certificates of immunization will be issued in accordance with rules and regulations promulgated by the Secretary with the sanction and advice of the Board.

The Hepatitis Prevention Act (35 P. S. §§ 630.1—630.3) provides the Department with authority to implement a program for the prevention of hepatitis B through immunization of children consistent with ACIP's recommendations. See section 2 of the Hepatitis Prevention Act (35 P. S. § 630.2).

F. *Effectiveness/Sunset Dates*

The final-form regulation will become effective upon final publication in the *Pennsylvania Bulletin*. No sunset date has been established. The Department will continually review and monitor the effectiveness of this regulation.

G. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 23, 2000, the Department submitted a copy of the notice of proposed rulemaking published at 30 Pa. B. 4591 to IRRC and the Chairpersons of the House Health and Human Services Committee and the Senate Public Health and Welfare Committee for review and comment. In compliance with section 5(c) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of all comments received, as well as other documentation.

In compliance with section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)), the Department submitted a copy of the final-form rulemaking to IRRC and the Committees on April 9, 2001. In addition, the Department

provided IRRC and the Committees with information pertaining to commentators and a copy of a detailed regulatory analysis form prepared by the Department in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

In preparing this final-form regulation, the Department has considered all comments received from IRRC, the Committees and the public.

This final-form rulemaking was deemed approved by the House Health and Human Services Committee and the Senate Public Health and Welfare Committee on April 30, 2001. IRRC met on May 3, 2001, and approved the regulation in accordance with section 5.1(e) of the Regulatory Review Act. The Attorney General approved the final-form rulemaking on May 16, 2001.

#### H. Contact Person

Questions regarding this final-form rulemaking may be submitted to: Alice Gray, Director, Division of Immunization, Department of Health, P. O. Box 90, Harrisburg, PA 17108-0090 (717) 787-5681. Persons with disabilities may submit questions in alternative formats such as audio tape, Braille or by using V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984[TT]. Persons who require an alternative format of this document may contact Alice Gray at the previously mentioned address or telephone numbers so that necessary arrangements may be made.

#### I. Findings

The Department, with the approval of the Board, finds that:

(1) Public notice of the intention to adopt the amendment adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202), and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided as required by law and all comments were considered.

(3) The adoption of the final-form rulemaking in the manner provided by this order is necessary and appropriate for the administration of the authorizing statutes.

#### J. Order

The Department, with the approval of the Board, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 28 Pa. Code Chapter 23, are amended by amending § 23.83 to read as set forth in Annex A.

(b) The Secretary of Health shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as required by law.

(c) The Secretary of Health shall submit this order and Annex A to IRRC, the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare for their review and action as required by law.

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

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

ROBERT S. ZIMMERMAN, Jr.,  
Secretary

**Fiscal Note:** Fiscal Note 10-162 remains valid for the final adoption of the subject regulation.

### Annex A

## TITLE 28. HEALTH AND SAFETY

### PART III. PREVENTION OF DISEASES

#### CHAPTER 23. SCHOOL HEALTH

##### Subchapter C. IMMUNIZATION

#### § 23.83. Immunization requirements.

(a) *Required for entry.* The following immunizations are required for entry into school for the first time at the kindergarten or first grade level, at public, private or parochial schools in this Commonwealth, including special education and home education programs:

(1) *Hepatitis B.* Three properly-spaced doses of hepatitis B vaccine or a history of hepatitis B immunity proved by laboratory testing.

(2) *Diphtheria.* Four or more properly-spaced doses of diphtheria toxoid, which may be administered as a single antigen vaccine, in combination with tetanus toxoid or in combination with tetanus toxoid and pertussis vaccine. One dose shall be administered on or after the 4th birthday.

(3) *Tetanus.* Four or more properly-spaced doses of tetanus toxoid, which may be administered as a single antigen vaccine, in combination with diphtheria toxoid or in combination with diphtheria toxoid and pertussis vaccine. One dose shall be administered on or after the 4th birthday.

(4) *Poliomyelitis.* Three or more properly-spaced doses of any combination of oral polio vaccine or enhanced inactivated polio vaccine.

(5) *Measles (rubeola).* Two properly-spaced doses of live attenuated measles vaccine, the first dose administered at 12 months of age or older, or a history of measles immunity proved by serological evidence showing antibody to measles as determined by the hemagglutination inhibition test or a comparable test. Each dose of measles vaccine may be administered as a single antigen vaccine.

(6) *German measles (rubella).* One dose of live attenuated rubella vaccine, administered at 12 months of age or older or a history of rubella immunity proved by serological evidence showing antibody to rubella determined by the hemagglutination inhibition test or any comparable test. Rubella vaccine may be administered as a single antigen vaccine.

(7) *Mumps.* One dose of live attenuated mumps vaccine, administered at 12 months of age or older or a physician diagnosis of mumps disease indicated by a written record signed by the physician or the physician's designee. Mumps vaccine may be administered as a single antigen vaccine.

(8) *Chickenpox (varicella).* One of the following:

(i) One dose of varicella vaccine, administered at 12 months of age or older.

(ii) A history of chickenpox immunity proved by laboratory testing or a written statement of history of chickenpox disease from a parent, guardian or physician.

(b) *Required for attendance.* The following immunizations are required as a condition of attendance at school in this Commonwealth if the child has not received the immunizations required for school entry listed in subsection (a).

(1) *Diphtheria*. Three or more properly spaced doses of diphtheria toxoid, which may be administered as a single antigen vaccine, in combination with tetanus toxoid or in combination with tetanus toxoid and pertussis vaccine.

(2) *Tetanus*. Three or more properly spaced doses of tetanus toxoid, which may be administered as a single antigen vaccine, in combination with diphtheria toxoid or in combination with diphtheria toxoid and pertussis vaccine.

(3) *Poliomyelitis*. Three or more properly spaced doses of either oral polio vaccine or enhanced inactivated polio vaccine. If a child received any doses of inactivated polio vaccine administered prior to 1988, a fourth dose of inactivated polio vaccine is required.

(4) *Measles (rubeola)*. Two properly spaced doses of live attenuated measles vaccine, administered at 12 months of age or older or a history of measles immunity proved by serological evidence showing antibody to measles determined by the hemagglutination inhibition test or a comparable test. Each dose of measles vaccine may be administered as a single antigen vaccine.

(5) *German measles (rubella)*. One dose of live attenuated rubella vaccine, administered at 12 months of age or older or a history of rubella immunity proved by serological evidence showing antibody to rubella determined by the hemagglutination inhibition test or any comparable test. Rubella vaccine may be administered as a single antigen vaccine.

(6) *Mumps*. One dose of live attenuated mumps vaccine, administered at 12 months of age or older or a

physician diagnosis of mumps disease indicated by a written record signed by the physician or the physician's designee. Mumps vaccine may be administered as a single antigen vaccine.

(c) *Required for entry into 7th grade*. In addition to the immunizations listed in subsection (b), the following immunizations are required at any public, private, parochial or vocational school in this Commonwealth, including special education and home education programs, as a condition of entry for students entering the 7th grade; or, in an ungraded class, for students in the school year that the student is 12 years of age:

(1) *Hepatitis B*. Three properly-spaced doses of hepatitis B vaccine or a history of hepatitis B immunity proved by laboratory testing.

(2) *Chickenpox (varicella)*. One of the following:

(i) One dose of varicella vaccine, administered at 12 months of age or older.

(ii) Two properly-spaced doses of varicella vaccine for children 13 years of age and older.

(iii) A history of chickenpox immunity proved by laboratory testing, or a written statement of history of chickenpox disease from the parent, guardian, emancipated child or physician.

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