

PENNSYLVANIA BULLETIN

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Agencies in this issue:

The Courts
Department of Agriculture
Department of Banking
Department of Community and Economic
Development
Department of Conservation and Natural
Resources
Department of Environmental Protection
Department of General Services
Department of Health
Department of Transportation
Independent Regulatory Review Commission
Insurance Department
Liquor Control Board
Milk Marketing Board
Municipal Police Officers' Education and
Training Commission
Pennsylvania Public Utility Commission
Public School Employees' Retirement Board
State Board of Cosmetology
State Board of Dentistry
Turnpike Commission

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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 323, October 2001

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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THE COURTS

Title 255—LOCAL COURT RULES

CARBON COUNTY

Revision of Rule of Civil Procedure L1915.4-1 Alternative Hearing Procedures for Partial Custody or Visitation Cases; No. 01-1115

Administrative Order 22-2001

And Now, this 27th day of September, 2001, it is hereby *Ordered and Decreed* that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Court of Common Pleas of Carbon County *Amends* Local Rule of Civil Procedure L1915.4-1 governing Alternative Hearing Procedures for Partial Custody and Visitation Cases.

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

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

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

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

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

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

6. Keep continuously available for public inspection copies of the Order in the Prothonotary's Office.

By the Court

RICHARD W. WEBB,
President Judge

Rule L1915.4-1. Alternative Hearing Procedures for Partial Custody or Visitation Cases

1. Upon the filing of any claim for partial custody or visitation, the moving party shall deposit with the Prothonotary the sum of \$300.00 unless excused by the Court.

2. All actions commenced under these rules shall be scheduled for a pre-hearing conference. The pre-hearing conference shall be held to focus on issues of fact and law and to explore the possibility of a negotiated settlement and consent order.

3. A continuance of the pre-hearing conference may be granted by the Court upon good cause shown.

4. If the parties agree on a custodial arrangement, two hundred dollars shall be refunded to the depositing party and a consent order shall be entered in substantially the same form as set forth in "Form A" following Carbon County Local Rule L1915.7.

5. If the parties are unable to agree, the hearing officer shall immediately contact Court Administration for a hearing date, insert this date on a Hearing Notice as set forth in "Form A", file the original with the Prothonotary, and deliver a copy of same forthwith to the parties, counsel, and Court Administration.

6. Where no agreement is reached, the hearing officer shall prepare a recommended Interim Order which said officer believes is in the best interest of the child(ren) and forward it to the Court within 10 days of the pre-hearing conference. The Interim Order shall require the parties to file a Pre-Trial Memorandum with the Prothonotary's Office within five (5) days prior to hearing, and shall contain the following:

(A) A clear concise statement of the principal custody issues to be resolved by the Court;

(B) Principles of law to be applied;

(C) List of witnesses to be called and exhibits;

(D) Listing of any evidentiary disputes; and Legal Argument.

(E) Proposed Findings of Fact

(F) Proposed Custody Order

7. The moving party shall be responsible to secure the services/attendance of an outside court reporter for said hearing and shall be responsible for the payment of said outside court reporter unless the Court places the payment responsibility on the other party.

8. Within 10 days of the conclusion of the hearing, the hearing officer shall file and serve a copy upon all parties a report stating the reasons for the recommendation along with a proposed order including a specific schedule of partial custody or visitation.

9. If exceptions are filed, no exceptions shall be argued before the Court unless written briefs have been filed. The moving party shall file three (3) copies of a brief and exceptions with the Prothonotary's Office no later than ten (10) days after filing of the hearing officer's report, and forthwith serve one (1) copy of the brief upon each adverse party or counsel of record. Each adverse party or his counsel of record shall file in the appropriate filing office three (3) copies of a brief in answer, not later than five (5) days after receipt of moving party's brief and forthwith serve a copy thereof upon all opposing parties or their counsel of record. All briefs shall be prepared in conformity with Local Rule L210. Transcription of the proceedings shall be filed of record by the party raising the objections. The cost of transcription shall be borne by the party filing the original exceptions unless otherwise ordered by the Court.

10. Argument shall be held within 45 days of the date that the last party files exceptions.

11. In all custody proceedings where the interests of children under the age of eighteen (18) are involved, the parties shall attend and complete one 4-hour session entitled "Education Program for Divided Families", referred to in these local rules as "Program."

12. In all custody proceedings, each complaint or petition shall be in compliance with Local Rule L206.1 or Local Rule L205.3.

13. At the time of the filing of the Complaint/Petition, the attorney and/or unrepresented party shall attached to the Complaint/Petition and provide all parties with the Court Order requiring attendance at the Program as set forth in Form "B," a registration form, and Program description.

14. The parties shall register for the Program within fifteen (15) days after he or she is served with the Court Order.

15. Every party shall attend the Program within sixty (60) days from the date of the Order requiring attendance. Any request for an extension of time to complete the Program shall be made to the Court.

16. The fee for the Program is \$25.00 per party and must be submitted with the registration form. Certified check or money order will be accepted for payment. Checks and money orders shall be made payable to the Kathryn James. NOTE: NO PERSONAL CHECKS OR CASH WILL BE ACCEPTED. NO REFUNDS GIVEN.

17. No final hearing shall be held or final order entered until all parties have attended and completed the Program, unless the Court waives the requirement upon

petition filed for good cause shown or by leave of Court. Refusal of the non-moving party to attend the Program shall be considered good cause by the Court. Failure to comply with the Order may result in the dismissal of the action, striking of pleadings, or other appropriate action, including sanctions for contempt.

18. Upon filing of the Certificate of Completion, the Prothonotary shall provide a copy to Court Administration.

19. Copies of this Rule, Program Registration Form, and Program Description shall be available in the Prothonotary's Office of the Court of Common Pleas of Carbon County.

"FORM A"

IN THE COURT OF COMMON PLEAS OF CARBON COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW

_____	:	
Plaintiff	:	
vs.	:	NO. _____
_____	:	
Defendant	:	
_____	-	Attorney for Plaintiff
_____	-	Attorney for Defendant

NOTICE OF HEARING

You, _____, Defendant, have been sued in court to obtain partial custody or visitation of the child(ren):

You are ordered to appear in person at the 1st floor Conference Room, Carbon County Courthouse, Jim Thorpe, Pennsylvania, on _____, 20____ at _____ A.M./P.M., prevailing time, for a hearing. If you fail to appear as provided by this order, an order for partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

PLAINTIFF SHALL DEPOSIT THE SUM OF _____ DOLLARS (\$0.00) WITH THE PROTHONOTARY OF CARBON COUNTY NO LATER THEN TEN (10) DAYS PRIOR TO DATE OF HEARING.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LEGAL SERVICES OF NORTHEASTERN PENNSYLVANIA, INC.
122 IRON STREET
LEHIGHTON, PA 18235
(610-377-5400)

COUNSEL IS ATTACHED FOR THESE PROCEEDINGS.

Dated: _____, 20____ Esquire - Hearing Officer
I/We hereby acknowledge receipt of the Notice of Hearing.

_____	_____
Plaintiff	Defendant
_____	_____
Attorney for Plaintiff	Attorney for Defendant

“FORM B”
IN THE COURT OF COMMON PLEAS OF CARBON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

:
:
vs. : NO.
: CUSTODY ACTION

ORDER OF COURT

You are ORDERED to attend a program entitled “Education Program for Divided Families” in connection with the above-captioned custody action. You must register for the Program using the registration form attached within fifteen (15) days of the date that you receive this Order. Further, you must attend and complete the Program within sixty (60) days from the date of this Order.

FAILURE TO ATTEND AND COMPLETE THE PROGRAM IN ACCORDANCE WITH THE INSTRUCTIONS ATTACHED TO THIS ORDER WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN A FINDING OF CONTEMPT AND THE IMPOSITION OF SANCTIONS BY THE COURT.

No final hearing shall be held or final order entered where there are children under the age of eighteen (18) until all parties have attended the Program or by leave of Court.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Legal Services of Northeastern Pennsylvania, Inc.
122 Iron Street
Lehighton, PA 18235
(610) 377-5400

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Carbon County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the District Court Administrator’s Office at (570) 325-8556. All arrangements must be made at least seventy-two (72) hours prior to any hearing or business before the Court. You must attend the scheduled Program.

BY THE COURT:

DATED: _____
_____ J.

EDUCATION PROGRAM FOR DIVIDED FAMILIES

In cases involving custody of minor children, mandatory attendance at one 4-hour session entitled “Education Program for Divided Families” is required. MINOR CHILDREN SHALL NOT BE BROUGHT TO THE PROGRAM.

PROGRAM CONTENT

The Program focuses on the impact of divorce on parents and children, with an emphasis on fostering a child’s emotional health and well being during the periods of stress. The program is informative, supportive, and directs people desiring additional information or help to appropriate resources.

The Program addresses the following items:

- A. Impact of Divorce on Parents and Children: tasks adults face; tasks children face; common reactions of children of different ages; and do’s and don’ts of parenting.
- B. Identifying and dealing with feelings such as anger toward your children, from your children, and toward your ex-spouse, as well as the healing process.

C. Open Discussion: explaining divorce, visitation problems, new relationships, parents at war with co-parent, etc.

WHO

Kathryn M. James
Masters In Education
Family Living Educator
P. O. Box 184
Brodheadsville, PA 18322
Telephone: (570) 992-2027

WHEN

The Program is offered every month on one (1) Saturday from 9:00 A.M. until 1:00 P.M.

WHERE

The Program will be presented at the Carbon County Conservation District building located at 5664 Interchange Road, Lehighton, PA 18235 (located next to the Pennsylvania State Police Barracks on Route 209 North - building is between Gensis Day Care and the PA State Police Barracks). Directions: From the south (Palmerton, Lehighton), take 209 North (about 5 miles past the

Turnpike entrance); From the northwest (Jim Thorpe, Lansford, Summit Hill) take 209 North; and from the north (Weatherly, Beaver Meadows) take 93 South to 209 North.

ATTENDANCE

Attendance at the Program is required of parties in a custody case where the interests of children under the age of eighteen (18) years are involved and is ordered by the Court. Additional interested persons may attend the seminar upon prior approval of the provider with the payment of ten (\$10.00) dollars.

PRESENTERS

A qualified counselor selected by the Court of Common Pleas of Carbon County will present the program.

NOTIFICATION

A copy of the Order requiring the parties to attend the Program, a Registration Form, and Program Description will be provided to the parties by the Attorney or unrepresented party upon filing of a custody action.

FEES

A fee of \$25.00 per party is required and will be used to cover all program costs. The fee must be submitted with the registration form directly to the Provider. Certified check or money order will be accepted as payment. **NO PERSONAL CHECKS OR CASH WILL BE ACCEPTED. NO REFUNDS GIVEN.**

REGISTRATION

Register by MAIL, only. The provider must receive the registration form and program fee at least seven (7) days prior to the selected date. Each party shall attend the Program without further notification by the Court. Any changes in scheduling must be arranged through the provider.

VERIFICATION OF ATTENDANCE

Upon presentation of photo identification, the provider will record the party as "present" and shall provide to the Prothonotary of Carbon County a Certificate of Completion, which shall be filed of record. The Provider will give a Certificate of Attendance to each person who successfully completes the Program.

EVALUATION

Each participant shall complete a written evaluation of the Program upon the conclusion of the session. Said evaluation forms shall be presented to the Court upon request.

Kathryn M. James
Masters In Education
Family Living Educator
P. O. Box 184
Brodheadsville, PA 18322
Telephone: (570) 992-2027

REGISTER BY MAIL, ONLY: Choose the date you want to attend, complete the attached form, and send it with your certified check or bank money order payable to Kathryn James to: Kathryn M. James, P. O. Box 184, Brodheadsville, PA 18322. If you have any questions regarding the program or scheduling, call: (570) 992-2027.

2001 Registration Form—Education Program for Divided Families Carbon County, Pennsylvania

The Program is held at the Carbon County Conservation District building located at 5664 Interchange Road, Lehighton, PA 18235 (located next to the Pennsylvania

State Police Barracks on Route 209 North- building is between Gensis Day Care and the PA State Police Barracks).

You are required to attend one 4-hour Saturday session. The cost of the Program is \$25.00 per party.

Other guests can attend for an additional \$10.00 fee.

Photo identification is required.

Parking is available on site.

Register at least seven (7) days prior to the date you want. **IF TEN (10) PARTICIPANTS ARE NOT REGISTERED, THE CLASS WILL BE CANCELLED AND YOU WILL NEED TO RE-SCHEDULE. CONFIRMATIONS ARE NOT SENT.** Come to the program you choose, unless notified that the class is full. Class may be cancelled due to snow. You will be informed of this cancellation by telephone.

If you cannot attend the class you registered and paid for, you must call Kathryn James at (570) 992-2027 to let her know of the change in plans. If the cancellation is made a week prior to the scheduled date, you may attend the next scheduled class at no additional charge. **IF NO NOTICE OF CANCELLATION IS GIVEN OR IT IS NOT MADE ONE WEEK PRIOR TO CLASS, YOU MUST PAY AN ADDITIONAL \$10.00 TO TAKE THE NEXT CLASS.**

Children **SHALL NOT** be brought to the Program.

Please be prompt. Latecomers are not admitted and must reschedule.

In case of a snowstorm, listen to the radio and/or television for cancellations —WYNS 11.60 A.M., WLSH 14.10 A.M., or TV WYOU—News 22. Call (570) 992-2027 to reschedule.

Docket Number: of custody case _____ Docket Number **MUST** be filled in for attendance credit. Please indicate County of jurisdiction: _____

Your Name: _____

Guest: _____
(Name and Relationship to Child)

Your Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: _____ (Home) _____ (Work)

Saturdays—9:00 a.m. to 1:00 p.m.

Jan. 5, 2002 _____

Feb. 2, 2002 _____

March 2, 2002 _____

April 13, 2002 _____

May 4, 2002 _____

June 2, 2002 _____

July 6, 2002 _____

August 3, 2002 _____

Sept. 7, 2002 _____

Oct. 5, 2002 _____

Nov. 2, 2002 _____

Jan. 5, 2002 _____

Dec. 7, 2002 _____

Send completed registration form and fee by certified check or money order payable to Kathryn James to:

Kathryn M. James
P. O. Box 184
Brodheadsville, PA 18322
Telephone: (570) 992-2027

**NO PERSONAL CHECKS OR CASH WILL BE
ACCEPTED. NO REFUNDS GIVEN.**

[Pa.B. Doc. No. 01-1833. Filed for public inspection October 12, 2001, 9:00 a.m.]

RULES AND REGULATIONS

Title 7—AGRICULTURE

DEPARTMENT OF AGRICULTURE

[7 PA. CODE CH. 128]

Fees

The Department of Agriculture (Department) amends § 128.3 (relating to fees) to read as set forth in Annex A. This final-omitted regulation is adopted under the general authority of the Secretary of the Department to promulgate appropriate regulations to carry out section 7(b) of the Pesticide Control Act of 1973 (act) (3 P. S. § 111.27(b)) and the specific authority in section 37.1 of the act (3 P. S. § 111.57a). This final-omitted regulation will adjust the fees the Department may assess for pesticide product registration, certification, registration and licensing of pesticide applicators, as well as pesticide application businesses.

Contact with Affected Parties

Public notice of intention to amend § 128.3 under the procedures specified in sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) (CDL), has been omitted as authorized under section 204(3) of the CDL (45 P. S. § 1204(3)), because the Department finds that these procedures under the circumstances, are unnecessary and impracticable. The Department first proposed the fee increase at the Pesticide Advisory Board (Board) public meeting in May 1999. In June 1999, over 6,000 copies of the private pesticide applicator newsletter, "*Pesticide Highlights*," were mailed to all pesticide application businesses and pesticide dealers licensed by the Department. The newsletter contained an article announcing the proposed fee increase and solicited comments. As a result, the Department received 22 comments from these groups of affected businesses. Over 21,700 copies of "*Pesticide Highlights*" were mailed November 1999 to all private certified pesticide applicators and to members of the General Assembly. The newsletter again contained an article announcing the proposed fee increase and solicited comments. As a result, the Department received 14 comments from private applicators. The Department mailed an informational notice of the proposed fee increase requesting comments in November 1999 to all pesticide registrants along with the year 2000 product-renewal application (1,100 copies). The Department received and responded to seven comments from product registrants.

The proposed fee increase regulation and the public comments were discussed at the September 1999, December 1999, March 2000, November 2000 and the most recent Board public meeting in March 2001. The Department also met with the three largest trade associations for the pesticide registrant groups on March 28, 2000, to discuss the proposed fee increase and to discuss any suggested comments or changes. *The Reading Times* newspaper published an article on August 2, 1999, regarding the Department's proposed fee increases. Representatives of the Department attended board meetings of the Pennsylvania Pest Control Association, Lawn Care Association of Pennsylvania and PennAg Industries Association to discuss the fiscal analysis regarding the proposed fee increase. These professional associations represent the majority of the regulated businesses and individuals affected by the regulation. The Department presently regulates 1,100 Pesticide Product Registrants

(Manufacturers & Distributors); 10,500 Commercial Applicators; 5,750 Pesticide Application Businesses; and 2,500 Registered Pesticide Technicians. As part of its out-reach program, eight different regulatory proposals were considered by the Department, the Board and the affected groups. The final-omitted regulation represents a compromise developed through consensus and years of cooperation with regulated individuals and businesses.

Rationale for Fee Increase

The pesticide program in this Commonwealth is required by the act to be a self-funding program. Specifically, section 37.1 of the act provides that if the revenues raised by fees, fines and civil penalties imposed under the act are not sufficient to meet expenditures for the administration and enforcement of the act over a 2-year period, the Secretary is authorized to increase fees by regulation so that the "projected revenues will meet or exceed projected expenditures." The Department is projecting a deficit from the year 2001 and beyond. The "fees" were set by regulation and with the exception of the pesticide product registration—which was modified in 1991—have not changed since 1986. During the past 15 years, the Department has been able to provide the citizens of this Commonwealth with protection and services as required by both Federal and State laws, without increasing the cost to the regulated community. It is the Department's opinion that to continue to carry out its legislative mandate to protect the health and welfare of the citizens of this Commonwealth and the environment, it is necessary to increase the fees charged to the regulated industries and individuals. As part of its discussions and agreement with the regulated community, the Department has determined that it will not increase the current fee structure for agronomic producers, public applicators and restricted-use pesticide dealers.

Fiscal Impact

Commonwealth

The Department has determined that the final-omitted regulation will have no adverse fiscal impact on the Commonwealth other than a one-time cost of approximately \$3,500 for postage and billing/ form conversion and data processing and programming.

Political Subdivisions

The final-omitted regulation will have direct fiscal impact on political subdivisions in that the approximate 400 local governments which hold a pesticide business license will incur a \$10 per year renewal fee increase.

Private Sector

The final-omitted regulation will have a direct fiscal impact on the private sector as set forth more fully in Annex A.

General Public

The final-omitted regulation will not have any fiscal impact on the general public.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on August 21, 2001, the Department submitted a copy of the regulation with proposed rule-making omitted to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate and House Agriculture and Rural Affairs Committees. On the same date, the final-omitted regulation was

submitted to the Office of Attorney General for review and approval as provided in the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506). In addition to submitting the final-omitted regulation, the Department has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department in compliance with Executive Order 1996-1.

Under section 5.1(d) of the Regulatory Review Act, the final-omitted regulation was deemed approved by the House and Senate Committees on September 10, 2001. IRRC met on September 20, 2001, and approved the final-omitted regulation.

Contact Person

Individuals interested in further information may contact Lyle Forer, Director, Bureau of Plant Industry, Department of Agriculture, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5200.

Findings

The Department finds that:

(1) Public notice of intention to amend § 128.3 by this order under the procedures specified by sections 201 and 202 of the CDL has been omitted under section 204(2) of the CDL because the Department has, for good cause, found that notice is unnecessary and impractical in that the regulated community participated in the drafting of the amended regulation and previously commented on the fee increases as more fully set forth in this Preamble.

(2) The persons subject to and affected by the final-omitted regulation as adopted by this order have received actual notice of the Department's intention to amend § 128.3 in advance of final-omitted rulemaking under section 204(2) of the CDL.

(3) The amendment of regulation of the Department relating to fee increases in the manner provided in this order is necessary and appropriate for the proper administration of its authorizing statute.

Order

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 7 Pa. Code Chapter 128, are amended by amending § 128.3 to read as set forth in Annex A.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and Office of Attorney General for approval as to form and legality as required by law.

(c) The Secretary of Department 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 upon publication in the *Pennsylvania Bulletin*.

SAMUEL E. HAYES, Jr.,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 31 Pa.B. 5622 (October 6, 2001).)

Fiscal Note: 2-134. (1) General Fund; (2) Implementing Year 2001-02 is \$3,500; (3) 1st Succeeding Year 2002-03 is \$-0-; 2nd Succeeding Year 2003-04 is \$-0-; 3rd Succeeding Year 2004-05 is \$-0-; 4th Succeeding Year 2005-06 is \$-0-; 5th Succeeding Year 2006-07 is \$-0-; (4) Fiscal Year 2000-01 \$2,205,638; Fiscal Year 1999-00

\$1,858,419; Fiscal Year 1998-99 \$2,036,087; (7) General Government Operations; (8) recommends adoption.

Annex A

TITLE 7. AGRICULTURE

PART V. BUREAU OF PLANT INDUSTRY

CHAPTER 128. PESTICIDES

Subchapter A. GENERAL PROVISIONS

§ 128.3. Fees.

(a) *Pesticide dealer's license.* The annual fee for a pesticide dealer's license is \$10. The fee for a duplicate pesticide dealer's license is \$3.

(b) *Pest management consultant's license.* The annual fee for a pest management consultant's license is \$25. The fee for a duplicate pest management consultant license is \$8.

(c) *Pesticide application business' license.* The annual fee for a pesticide application business' license is \$35. The fee for a duplicate pesticide application business license is \$8.

(d) *Commercial applicator's certificate.* The annual fee for the commercial applicator's certificate is \$40. When the initial certification requires examination, no fee will be charged. The fee for a duplicate commercial applicator's certificate is \$10.

(e) *Public applicator's certificate.* The triennial fee for a public applicator's certificate is \$10. A fee is not required when the initial certification requires examination. The fee for a duplicate public applicator's certificate is \$3.

(f) *Examination fees.* Examination fees are nonrefundable. The following examination fees, with payment made in advance, will be charged:

(1) Commercial/public applicator's core examination—\$50.

(2) Commercial/public applicator's category examination—\$10.

(3) Private applicator's examination—no charge.

(4) Pest management consultant's examination—no charge except that a fee of \$5 will be charged if an examination is requested on other than a regularly scheduled examination date.

(g) *Registration fee for a pesticide application technician.*

(i) *Commercial pesticide application technician.* An annual registration fee of \$30 will be charged to register a commercial pesticide application technician with the Department. The fee for a duplicate technician registration is \$7.

(ii) *Public pesticide application technician.* An annual registration fee of \$20 will be charged to register a public pesticide application technician with the Department. The fee for a duplicate technician registration is \$7.

(h) *Private applicator's permit.* The triennial fee for a private applicator's permit is \$10. The fee for a duplicate private applicator's permit is \$3. A fee will not be charged for a special permit which may be issued in conjunction with the private applicator's permit.

(i) *Product registration.* The annual fee to register a pesticide is \$135.

[Pa.B. Doc. No. 01-1834. Filed for public inspection October 12, 2001, 9:00 a.m.]

Title 37—LAW

MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

[37 PA. CODE CH. 203]

Administration of the Training Program

The Municipal Police Officers' Education and Training Commission (Commission) by this order amends Chapter 203 (relating to administration of the program) to read as set forth in Annex A.

A. *Effective Date*

These final-form regulations will be effective upon publication in the *Pennsylvania Bulletin*.

B. *Statutory Authority*

These final-form regulations are adopted under the authority of 53 Pa.C.S. Chapter 21, Subchapter D (relating to municipal police education and training) (act).

C. *Background and Purpose*

These final-form regulations implement the act which establishes the training and education requirements for employment as a police officer. The purpose of final-form regulation is to clarify and correct various aspects of the existing regulations. The following is a summary of the changes.

The amendment of § 203.11 (relating to qualifications) allows previously certified police officers and enlisted members of the State Police who are not currently employed as police officers 2 years to obtain employment as a police officer with another police department without going through the certification process provided the employment takes place within 2 years of the termination of police employment and that the member has already had a psychological evaluation.

The amendment of § 203.11(9)(ii)(F)(I) requires retesting of a failed subject area upon the successful completion of course work in the failed subject. An applicant's failure to pass the retest results in the requirement that the applicant shall retake the entire basic police-training course.

The amendment of §§ 203.33(b)(1) and 203.36(5) (relating to minimum school standards and requirements; and revocation of school certification) will permit schools to conduct only one basic recruit training class every 3 years instead of every year to retain school certification.

The amendment of § 203.83(a)(2) (relating to grants for nonmandatory in-service training programs) will allow law enforcement officers presently not eligible for reimbursement to attend nonmandatory training classes after paying tuition to the Commission.

D. *Comments Received*

Notice of proposed rule making was published at 28 Pa.B. 2925 (June 27, 1998) with an invitation to submit comments within 30 days of publication. The Commission received comments from Chief Charles Snyder of the Lower Allen Township Police (Dept. 91993 Hummel Ave., Camp Hill, PA 17011). Chief Detective Paul Gourley of the Bucks County District Attorney's office (Bucks County Courthouse, Doylestown, PA 18901) and the Independent Regulatory Review Commission (IRRC). The following is a summary of the comments received:

1. Chief Snyder suggested several nonregulatory Commission administrative concerns related to providing cer-

tified training to civilian employees of municipal police departments. Whereas the comments received from the chief are more properly considered statements, the Commission does not see the need to amend the regulations.

2. Detective Gourley's comments concerned § 203.11 of the proposed rulemaking. Specifically Detective Gourley requested that the current qualification requirements be upheld and that a 2-year certification waiver should be granted to an officer leaving a police department so long as the officer meets the minimum requirements of the act. The Commission concurred with the detective's comment and the final-form regulation was amended in § 203.11 to provide a 2-year waiver to an officer who held a valid Commission certification 2 years prior to the date of his next employment as a police officer.

3. IRRC made three comments on the proposed rulemaking which were focused on § 203.11 in the following areas:

a. IRRC first commented that the 2-year waiver of certification exemption provided by this section to applicants who were members of the State Police or act certified police officers should not waive the requirements that the applicant must have a criminal history record check prior to being hired as a municipal police officer. Secondly, IRRC commented that the members of the State Police seeking to take advantage of this 2-year exemption waiver should not be exempt from the one of the certification minimum standards which requires all certification applicants to undergo a psychological evaluation prior to employment.

In response to IRRC's first comment, for a police officer to be recertified under the act each department shall continually check the criminal history record of each certified police officer. Accordingly, any further requirement that would mandate a criminal history check for individuals who meet the requirements of this section would be duplicitous.

The Commission concurs with IRRC's second comment to this section and has changed the section to require a former member of the State Police who meets the exemption under this section to undergo a psychological evaluation prior to subsequent employment. This requirement is effective for all members who enlisted with the State Police prior to May 1998. This date was included because members of the State Police who enlisted after May 1998 were required to undergo a psychological evaluation prior to employment with the State Police.

b. IRRC's final comment recommended that the Commission not delete § 203.11(9)(ii)(F)(I) but instead redraft the section to specify conditions for an applicant who fails a section of an examination in the basic police training course. The Commission concurs with this recommendation and has redrafted the section in the final-form regulations.

E. *Compliance with Executive Order 1996-1*

In accordance with the requirements of Executive Order 1996-1, the Commission solicited input and suggestions from the regulated community and members of the Commission. These final-form regulations address a the compelling public interest as described in Section C of the Preamble and otherwise comply with Executive Order 1996-1.

F. *Benefits*

These final-form regulations will clearly benefit the citizens of this Commonwealth by further establishing and clarifying certification requirements for municipal police officers.

Specifically, amending § 203.11 will benefit those currently employed municipal police officers and State Police officers who cease their employment by waiving requirements for certification. Officers will have 2 years from the date they ceased their employment to be reemployed and have all requirements for certification waived. The 2-year waiver is valid so long as the officer was honorably discharged.

In addition, adding § 203.83(a)(2) benefits those law enforcement officers that are not permitted to attend nonmandatory in-service courses by allowing them to attend the training provided they pay tuition to the Commission. This also benefits the employer and the public due to the additional training provided.

G. *Effect*

The final-form regulations will effect certified police officers and members of the State Police.

The impact of the final-form regulations will effect both recruits and veteran police officers. Recruits will be required to be retrained at the school they presently attend. This will be a new policy. Also, veteran officers will be able to change departments within 2 years of leaving a police department without having to meet the certification standards.

Allowing schools to conduct one class every 3 years puts less of a burden on those schools that cannot get enough recruits to hold a class every year.

Amending the certification section allows those individuals that leave a police department or the State Police 2 years from the date of departure to obtain another police position without going through the certification process so long as the members of the State Police have previously undergone a psychological evaluation. This change will make the process used to change employment more consistent with other professions and will save the Commission an enormous amount of time as far as processing applications.

By allowing law enforcement officers who are not eligible for reimbursement to attend nonmandatory in-service training classes after paying a tuition to the Commission those agencies will have better trained officers and be able to be trained along with municipal police officers.

H. *Paperwork Requirements and Fiscal Impact*

The final-form regulations do not create additional paperwork requirements other than those already utilized by the Commission and the regulations will have no fiscal impact on the Commonwealth.

I. *Input*

These final-form regulations were drafted with input from the members of the Commission, the Pennsylvania State Police Chief Counsel's and Policy Office, members of the Pennsylvania Chiefs of Police Association, the Fraternal Order of Police and the Pennsylvania State Troopers Association.

J. *Review*

Due to the nature of these final-form regulations and the compelling public interest in having properly trained and certified municipal police officers, the Commission will continue to review its regulations and update them if necessary to ensure their overall effectiveness and monitor whether they continue to serve the interests of the citizenry of this Commonwealth.

K. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 19, 2000, the Commission, through the State Police, submitted a copy of these final-form regulations to IRRC and to the Chairpersons of the House Judiciary Committee and the Senate Law and Justice Committee. In addition to submitting the final-form regulations in accordance with section 5(b) of the Regulatory Review Act, the Department has also provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form in compliance with Executive Order 1982-2, "Improving Government Regulations." A copy of the material is also available to the public upon request.

In preparing these final-form regulations, the Commission considered the comments received from IRRC, other commentators, the Committees and the regulated community.

IRRC contacted the Commission on August 3, 2000, and expressed concerns regarding several provisions in the final-form regulations relating to qualifications. On August 4, 2000, the Commission requested that the final-form regulations be tolled to permit the Commission to address the concerns expressed by IRRC. On August 8, 2000, IRRC approved the tolling request. The Department submitted revised final-regulations on September 6, 2000, to IRRC, the House Judiciary Committee and the Senate Law and Justice Committee. These final-form regulations were deemed approved by the House Judiciary Committee and the Senate Law and Justice Committee on September 16, 2000. IRRC met on September 21, 2000, and approved these final-form regulations in accordance with section 5(c) of the Regulatory Review Act.

L. *Contact Person*

The contact person is Major Richard C. Mooney, Executive Director, Municipal Police Officers' Education and Training Commission, 75 East Derry Road, Hershey, PA 17033. (717) 533-5987 Ext. 205.

M. *Findings*

The State Police and the Commission find that:

(1) Public notice of intention to amend these regulations amended 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 promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendment of the regulations of the State Police and the Commission in the manner provided in this order is necessary and appropriate. A public comment period was provided as required by law and that the comments received were considered.

(3) The modifications that were made to these final-form regulations in response to comments received do not enlarge the purpose or scope of the proposed rulemaking published at 28 Pa.B. 2925

(4) The adoption of the regulations in the manner provided is necessary and appropriate for the administration of the authorizing statute.

N. *Order*

The Commission, through the State Police, acting under the authorizing statutes, orders that:

(a) The regulations of the State Police, 37 Pa. Code Chapter 203, are amended by amending §§ 203.11,

203.33, 203.36 and 203.83 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Commissioner of the State Police shall submit this order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as required by law.

(c) The Commissioner of the State Police 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 immediately upon publication in the *Pennsylvania Bulletin*.

COLONEL PAUL J. EVANKO,
Commissioner

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 30 Pa.B. 5209 (October 7, 2000).)

Fiscal Note: Fiscal Note 17-62 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 37. LAW

PART IV. MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION

Subpart A. MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING PROGRAM

CHAPTER 203. ADMINISTRATION OF THE PROGRAM

Subchapter B. POLICE OFFICER CERTIFICATION REQUIREMENTS

§ 203.11. Qualifications.

(a) Except as provided in subsection (b), persons who are to be employed as police officers by police departments within this Commonwealth from December 21, 1996, shall:

- (1) Be 18 years of age or older.
- (2) Possess a high school diploma or GED Equivalency.
- (3) Be citizens of the United States.
- (4) Be free from convictions of disqualifying criminal offenses.
- (5) Be personally examined by a Pennsylvania licensed physician. The examination shall include the following:
 - (i) Applicants shall be free from the addictive or excessive use of either alcohol or drugs which shall be determined using current laboratory testing procedures.
 - (ii) Applicants shall be free from the use of illegal controlled substances which shall be determined using current laboratory testing procedures.
 - (iii) Applicants physical condition shall be such that applicants could reasonably be expected to withstand significant cardiovascular stress.

(iv) Applicants shall be free from any debilitating conditions such as tremor, incoordination, convulsion, fainting episodes or other neurological conditions which may affect the applicants' ability to perform as police officers.

(v) Applicants shall have visual acuity of at least 20/70, uncorrected in the stronger eye, correctable to at least 20/20; and at least 20/200, uncorrected in the weaker eye, correctable to at least 20/40. In addition, the applicant

shall have normal depth and color perception and be free of any other significant visual abnormality.

(Editor's Note: Subparagraph (v) is suspended pending resolution of a lawsuit filed against the Pennsylvania State Police (Wilson v. Pennsylvania State Police, et al. No. 94-6547 U.S. District Court—Eastern District of Pennsylvania. See 28 Pa.B. 2924 (June 27, 1998).)

(vi) Applicants shall have audio acuity sufficient to distinguish a normal whisper at a distance of 15 feet. The test shall be independently conducted for each ear while the tested ear is facing away from the speaker and the other ear is firmly covered with the palm of the hand. The applicant may not use a hearing aid or other aid to perform the test. If the applicant fails this test, the applicant shall be required to take and pass a decibel audio test.

(vii) Applicants may not be missing any extremities, including digits, which would prevent performance of required police duties or meeting minimum training requirements.

(viii) Applicants shall be free from any other significant physical limitations or disabilities which would, in the physician's opinion, impair the applicant's ability to perform the duties of a police officer or complete the required minimum training requirements.

(6) Be personally examined by a Pennsylvania licensed psychologist and found to be psychologically capable to exercise appropriate judgment or restraint in performing the duties of a police officer. The examination shall include the following elements:

(i) *Interview and history.* The psychologist shall personally interview the applicant. The interview shall include a summary of the applicant's personal, educational, employment and criminal history.

(ii) *Required psychological test.* Applicants shall be administered a current standard form of the Minnesota Multiphasic Personality Inventory (MMPI).

(iii) *Other testing methods.* If the licensed psychologist is unable to certify the applicant's psychological capability to exercise appropriate judgment and restraint to perform the duties of a police officer including the handling of a lethal weapon, the psychologist shall employ whatever other appropriate techniques to form a professional opinion of the applicant's ability. The use of these additional techniques requires a full and complete written explanation to the Commission on a form submitted by the psychologist to the Commission indicating what additional testing has been performed and the results of the tests.

(7) Certify whether they have taken a physical examination or psychological evaluation conducted in conjunction with an application for police employment within the previous year and the outcome of the examination or evaluation.

(8) Be subject to a thorough background investigation conducted by the applicant's employing police department. The investigation shall include the following:

(i) A criminal history check including the submission of fingerprints to the Central Repository for the Commonwealth and to the Federal Bureau of Investigation.

(ii) A check of the applicant's credit history.

(iii) Personal interviews conducted with at least 3 people that have personal knowledge of the applicant but are not related to the applicant.

(iv) Interviews of the applicant's employers, if any, for the past 5 years to determine the applicant's work history.

(v) A check of the applicant's driving record verifying that the applicant has a valid driver's license.

(9) Successfully complete a basic police training course given at a Commission-certified school or obtain a waiver of training as enumerated in § 203.12 (relating to waiver of training).

(i) Successful completion of a basic police training course shall be determined by the training school, based upon Commission standards.

(ii) To qualify for this certification, an applicant shall:

(A) Achieve a minimum qualifying firearms score of 75%.

(B) Receive certification for First Aid and CPR from the American Red Cross, the Department of Health, the American Heart Association or other agencies approved by the Department of Health.

(C) Comply with Commission and school rules and regulations.

(D) Pass the same certification exam administered to those seeking waiver of training as set forth in § 203.12(4).

(E) Attend 100% of all classes.

(I) Excused absences shall be mutually agreed upon by the police officer's department head and school director. School directors shall determine excused absences for applicants not employed as police officers.

(II) Excused absentees shall include personal illness or injury, illness in the immediate family requiring the applicant's attention or death in the immediate family.

(F) Complete the basic training course approved by the Commission with a minimum grade as established by the Commission. The Commission will publish a notice in the *Pennsylvania Bulletin* and in the Commission newsletter whenever the minimum grade on each tested area of examination changes.

(I) Applicants not achieving the minimum grade in any tested area shall repeat the failed training in that area before being eligible to take the examination in that tested area at a Commission-certified school. If the applicant fails to achieve the minimum grade on the applicant's second attempt, the applicant shall be required to successfully retake and pass the entire basic police training course to qualify for certification.

(II) Applicants not achieving the minimum grade in two separate tested areas during one basic police training course shall be required to retake and pass the entire basic police training course in order to qualify for certification.

(b) Subsection (a) does not apply to persons who meet one of the following conditions:

(1) Previously held valid certification issued by the Commission within 2 years prior to the date of employment on the application. Persons who received a certification prior to 1988 and who did not have a psychological evaluation shall obtain a psychological evaluation to obtain certification.

(2) Were sworn and full duty members honorably discharged from the Pennsylvania State Police within 2 years prior to the date of employment on the application for certification. A past member who enlisted in the

Pennsylvania State Police prior to May 1998 and who did not have a psychological evaluation shall obtain a psychological evaluation to obtain certification.

Subchapter C. SCHOOL REQUIREMENTS

§ 203.33. Minimum school standards and requirements.

* * * * *

(b) In addition to subsection (a), schools shall comply with the following requirements:

(1) Conduct at least one basic police training course every 3 years the school is certified.

* * * * *

§ 203.36. Revocation of school certification.

The Commission may, after notice and hearings in compliance with Subchapter G (relating to notice and hearings), revoke the certification of a school for one of the following reasons:

(1) Failure to comply with the minimum school standards in this chapter.

(2) Submission of a known false or fraudulent document or allowing the submission of known false or fraudulent documents to the Commission.

(3) Subcontracting of police training to another noncertified entity.

(4) Failure to take corrective action after suspension under § 203.35 (relating to emergency suspension of school certification).

(5) Failure to conduct one basic police training course every 3 years the school is certified.

Subchapter F. REIMBURSEMENT OF EXPENSES

§ 203.83. Grants for nonmandatory in-service training programs.

(a) The Commission will provide grants only for actual expenses incurred by political subdivisions for providing nonmandatory in-service training programs to police officers within this Commonwealth in accordance with the act and this chapter.

(1) Allowable nonmandatory in-service training expenses shall be limited to the following:

(i) *Instructors.* Reasonable expenditures.

(ii) *Services.* Reasonable expenditures for rental and contractual services.

(iii) *Supplies.* Expenditure for necessary supplies for course instruction not including nonexpendable equipment purchases.

(iv) *Administration.* Reasonable expenditures for developing and implementing the training program. This expenditure will not exceed 5% of the total grant amount unless otherwise approved by the Commission or In-Service Training Committee. This expenditure may not exceed 10% of the total grant amount.

(2) The Commission has the discretion to approve additional expenditures not explicitly provided for in this chapter. Expenses which are not approved by the Commission shall be borne by the political subdivision providing the training program. Law enforcement officers employed by a law enforcement agency not eligible for reimbursement under the act may attend nonmandatory in-service training courses after the law enforcement agency pays the tuition established for the course to the Commission.

(b) The Commission has the authority to establish the maximum amount of funds which may be granted to each county for providing nonmandatory in-service training to police officers. The allocation will be based on the number of police officers employed in the county.

(c) The Commission will disburse moneys approved for nonmandatory in-service training grants in the following manner:

(1) The Commission will disburse one half of the grant to the political subdivision within 45 days of the Commission's approval, except for good cause.

(2) To receive the remaining grant moneys, the political subdivision shall submit a final audit and course roster to the Commission within 120 days following the conclusion of the training course. Requests for reimbursement will not be considered after 120 days following the conclusion of the training course.

(3) The Commission has the discretion to request an

independent audit of the political subdivision to verify its actual nonmandatory training expenditures prior to disbursing the remaining grant amount.

(d) Nonmandatory in-service training grant funds that have been disbursed to a political subdivision in error or as a result of an unauthorized or improper request for reimbursement shall immediately be returned to the Commission. A political subdivision which fails to comply with the Commission's demand for the return of funds in accordance with this section shall be ineligible for further funding from the Commission until the funds are returned.

(e) The allocation of grants for nonmandatory in-service training programs shall be contingent upon the availability of funds appropriated for the programs.

[Pa.B. Doc. No. 01-1835. Filed for public inspection October 12, 2001, 9:00 a.m.]

PROPOSED RULEMAKING

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

[22 PA. CODE CH. 213]
Contributions and Benefits

The Public School Employees' Retirement Board (Board) proposes to amend Chapter 213 (relating to contributions and benefits). The amendments are being proposed to delete the restrictions for purchasing retirement credit thereby allowing the costs of purchase to be deducted from the actuarial value of the retirement account.

This proposal is being made to conform the Board's regulations with the policy adopted by the Board at its December 2, 1998, meeting allowing actuarial debt reduction for purchases of service.

A. *Effective Date*

These amendments will go into effect upon publication in the *Pennsylvania Bulletin* as a final-form rulemaking.

B. *Contact Person*

For further information contact Frank Ryder, Director of Government Relations, Public School Employees' Retirement System, 5 North Fifth Street, P. O. Box 125, Harrisburg, PA 17108, (717) 720-4733; or Charles K. Serine, Deputy Chief Counsel, Public School Employees' Retirement System, 5 North Fifth Street, P. O. Box 125, Harrisburg, PA 17108, (717) 720-4679. Information regarding submitting comments on this proposal appears in Section H of this Preamble.

C. *Statutory Authority*

This proposed rulemaking is being made under the authority of the Public School Employees' Retirement Code, 24 Pa.C.S. §§ 8502(h) and 8507(d) (code).

D. *Background and Purpose*

The Board is responsible for implementing the purchase of service provisions of the code, and a component of that purchase program is a method of paying for the purchase by eligible members, that is, their contributions. Although the code authorizes the contributions to be made in any manner agreed upon by the Board and member, the current regulations limit payment methods. Deletion of these provisions will restore the Board's statutory authority to authorize the actuarial debiting of the member's account as an agreed upon way to make these contributions.

The purpose of these proposed amendments is to permit the member and Board to agree upon how member contributions for the purchase of service can be made. Members would still have the option of paying by lump sum or payroll deduction but also would have the option to authorize an actuarial reduction in the value of their account to pay for the requested purchase. This would substantially reduce or eliminate out-of-pocket costs for members to avail themselves of service purchases authorized by the code. As noted, by policy of the Board, the Public School Employees' Retirement System (PSERS) currently permits the actuarial reduction of school member accounts for service purchases. These regulatory

repeals will conform the regulations to the current administrative policy. The State Employees' Retirement System is proposing a similar amendment of its regulations that will allow purchases of service to be paid by actuarial debt of State employees' accounts. This amendment will harmonize the regulations of the PSERS and State Employees Retirement Systems, especially with regard to multiple service members.

E. *Benefits, Costs and Compliance*

Executive Order 1996-1 requires a cost/benefit analysis of the proposed amendments.

Benefits

This proposed rulemaking would benefit school employees eligible for service purchases under the code. By reducing the potential out-of-pocket costs to members with an offsetting actuarial reduction in the value of their accounts, easier access to statutorily authorized service purchases would ensue without any loss in the fiscal integrity of the PSERS. Customer service would be improved together with a corresponding reduction in bookkeeping and recordkeeping to the extent that payroll deductions would be reduced.

Costs

There are nominal additional costs to the Commonwealth, its citizens or school employees associated with this proposal. There will be additional cost savings for both school employers and PSERS associated with this proposal.

Compliance Costs

The proposed amendments are not expected to impose additional compliance costs on school employees or employers.

F. *Sunset Review*

A sunset date for these regulations has not been assigned by the Board.

G. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on October 2, 2001, the Board submitted a copy of these proposed amendments to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Education Committee and the Senate Finance Committee. In addition to submitting the proposed amendments, the Board has provided IRRC and the Committees with a detailed regulatory analysis form prepared by the PSERS in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendments, it will notify the Board within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria which have not been met by the portion of the proposed amendments to which an objection has been made. The Regulatory Review Act specifies detailed procedures for review by the General Assembly and the Governor of objections raised by IRRC prior to final publication of the amendments by the Board.

H. *Public Comments*

Written Comments. Interested persons are invited to submit comments, suggestions or objections regarding the

proposed amendments to the Public School Employees' Retirement System, 5 North Fifth Street, P. O. Box 125, Harrisburg, PA 17108-0125. Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by November 13, 2001. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed 1 page in length and must be received by November 2, 2001. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final-form regulations will be considered.

Electronic Comments. Comments may also be submitted electronically to the Board at fryder@state.pa.us and must also be received by the Board by November 13, 2001. A subject heading of the proposal and a return name and address must be included in each transmission. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be transmitted by mail to ensure receipt.

DALE H. EVERHART,
Secretary

Fiscal Note: 43-8. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 22. EDUCATION

PART XIII. PUBLIC SCHOOL EMPLOYEES'

RETIREMENT BOARD

CHAPTER 213. CONTRIBUTIONS AND BENEFITS

GENERAL PROVISIONS

§ 213.3. Eligibility points for retention and reinstatement of service credits.

* * * * *

(c) In all instances when creditable school or nonschool service may be purchased, an active member, having elected to purchase the service, is not permitted to cancel the purchase [**once payment has been made by lump sum, or once the member has agreed, in writing, to payroll deductions upon the terms and conditions as provided in this part**].

* * * * *

CONTRIBUTIONS

§ 213.23. Member contributions for creditable school service.

* * * * *

(d) [**The payment for the purchase of all credit authorized by this chapter, except that for sabbatical leave and activated military service leave, shall be payable in a lump sum within 90 days after certification of the amount due or, in the case of an active member, may be authorized through payroll deductions over a period of years not in excess of 6 years, if statutory interest at 4% annually is charged through the repayment period. The amount certified by the Board for the purchase of this credit shall be in accordance with methods approved by the actuary.**

(e)] * * *

§ 213.24. Contributions for the purchase of credit for creditable school and nonschool service.

* * * * *

(b) *Contributions for purchase of nonintervening military service.* The amount due for the purchase of nonintervening military service shall be calculated as follows: The average of the first 3 years' salaries subsequent to the military service, multiplied by the sum of the member's basic contribution rate and the normal contribution rate as determined by section 8328 of the Retirement Code (relating to actuarial cost method), relating to Commonwealth and district shares, and multiplied by the number of years or fractional years of military service.

[**The amount due for the purchase of the military service, as calculated under this subsection, may be paid in a lump sum within 90 days after certification of the amount due, or in the case of an active member, may be amortized through payroll deductions over a period of years not in excess of 5 years without interest.**] All amounts certified by the Board for the purchase of the service shall be in accordance with methods approved by the actuary. Nonintervening military service may not be purchased unless the active member has completed at least 3 years of subsequent credited school service as a Class T-C member.

(c) *Contributions for purchase of intervening military service.* An active member eligible to purchase credit for intervening military service shall pay the amount due in accordance with the following formula: The member's basic contribution rate at the time of entry into the active military service multiplied by the member's then compensation and by years of the military service together with statutory interest during all periods of subsequent school and State service to the date of purchase, if all the amounts due shall be in accordance with methods certified and approved by the actuary. [**The amounts due for the purchase of the service may be paid under one of the following methods:**

(1) **Regular monthly payments submitted through the school district based on the compensation of the member which the member would have received at the time of entry into active military service without statutory interest since the payments are made on a current contributing basis.**

(2) **A lump sum payment within 90 days of the date of the amount certified to be due and owing.**

(3) **Through amortized salary deductions over a period not to exceed 5 years.]**

(d) *Contributions for purchase of other creditable nonschool service.* An active member shall pay the amount due for creditable nonschool service in accordance with the following formula: The member's basic contribution rate plus the normal contribution rate, applied to the member's first year salary of credited school service subsequent to the creditable nonschool service sought to be purchased, multiplied by the number of years or fractional parts of a year of the service purchased, together with statutory interest during all subsequent years of school or State service to the date of purchase. [**The active member may pay the amount due in a lump sum payment within 90 days after the date of certification by the Board of the amount due or through salary deductions amortized over a 1, 2, but not more than 3-year period, if the statutory interest is charged through the repayment period, and if the amounts due are in accordance with**

methods certified and approved by the actuary.]
 This formula for purchase does not apply in the case of purchase of creditable nonschool service rendered to a county board of school directors. In this event, the member shall only pay the amount due based on the member's basic contribution rate exclusive of the normal contribution rate.

* * * * *

§ 213.25. Incomplete payments.

* * * * *

[(c) *Payments under certain conditions.* If a member agrees to make payments for purchase of certain service, as provided in sections 8323 and 8324 of the Retirement Code (relating to member contributions for creditable school service; and contributions for purchase of credit for creditable nonschool service), and dies in school service, or terminates school service before any payments are made, the request for purchase of the service shall be canceled, unless payment is made in a lump sum payment, within 30 days after the event, by the member or anyone acting on his behalf.]

[(d)] (c) * * *

[(e)] (d) * * *

[Pa.B. Doc. No. 01-1836. Filed for public inspection October 12, 2001, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

[49 PA. CODE CH. 7] Examination Fees

The State Board of Cosmetology (Board) proposes to amend § 7.2 (relating to fees) to read as set forth in Annex A. The proposed rulemaking deletes references to the fees charged by testing organizations from the schedule of fees for the theory and performance examination for cosmetologists, cosmeticians, manicurists and teachers, and theory examination for managers.

A. Effective Date

This proposed rulemaking is effective on final publication in the *Pennsylvania Bulletin*.

B. Statutory Authority

Section 12 of the Beauty Culture Law (law) (63 P. S. § 522) prescribes the time place and materials for examinations for licensure. Section 13(b) of the law (63 P. S. § 519(b)) requires the Bureau of Professional and Occupational Affairs (Bureau) to contract with a professional testing organization to prepare and administer examinations in accordance with section 812.1(a) of The Administrative Code of 1929 (71 P. S. § 279.3(a)). Under section 812.1(b) of The Administrative Code of 1929 each board has the discretionary power to charge a fee for the administration of and cost of each examination. Section 812.1(c) of The Administrative Code of 1929 defines cost as "all contractual charges relating to the preparation, administration, preparing, administering, grading and recording of the examination."

C. Background and Need for Amendment

Provision and Submission of Applications

The proposed amendment to § 7.2 reflects that the professional testing organization, not the Board, determines the fees charged for the examinations. The proposed amendment deletes references to the cost of the examinations in the Board's schedule of fees.

Elimination of References to Examination Fees

The proposed amendment to § 7.2 deletes references to the fees for the theory and performance examination for cosmetologists, cosmeticians, manicurists and teachers, and theory examination for managers. These fees are set by the administrators of the examinations, not by the Board. To avoid the necessity of amending the regulations whenever the examination administrator changes the fees, the Board proposes to delete references to the fees.

D. Description of Proposed Amendments

The proposed rulemaking deletes references to the fees for the theory and performance examination for cosmetologists, cosmeticians, manicurists and teachers, and theory examination for managers. The fees are set by the professional testing organizations.

E. Compliance with Executive Order 1996-1, Regulatory Review and Promulgation

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

F. Fiscal Impact and Paperwork Requirements

The proposed rulemaking will have no fiscal impact on the Board or its licensees. The proposed rulemaking should have no fiscal impact on the private sector, the general public or political subdivisions. The amendment will avoid preparation of new regulations each time an examination fee is changed and should not create additional paperwork for the private sector.

G. Sunset Date

The Board monitors its regulations on a continuing basis. Therefore, no sunset date has been assigned.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on September 27, 2001, the Board submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee and Senate Consumer Protection and Professional Licensure Committee for review and comment. In addition to submitting the proposed rulemaking, the Board has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed rulemaking, it will notify the Board within 10 days after the expiration of the Committees' review period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for review, prior

to final-form publication of the regulation, by the Board, the General Assembly and the Governor of objections raised.

I. Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Sara Sulpizio, Administrator, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days following publication of this proposed rulemaking in the Pennsylvania Bulletin.

CAROL M. THOMPSON,
Chairperson

Fiscal Note: 16A-4510. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 7. STATE BOARD OF COSMETOLOGY GENERAL PROVISIONS

§ 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] Fees charged by the Board are as follows:

- 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. 01-1837. Filed for public inspection October 12, 2001, 9:00 a.m.]

STATE BOARD OF DENTISTRY

[49 PA. CODE CH. 33]

Application Fees

The State Board of Dentistry (Board) proposes to amend § 33.3 (relating to fees) by revising certain application fees to read as set forth in Annex A.

A. Effective Date

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

B. Statutory Authority

The proposed amendment is authorized under section 4(b) of the Dental Law (law) (63 P. S. § 123(b)).

C. Background and Purpose

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

In a recent systems audit of the operations of the Board within the Bureau of Professional and Occupational Affairs (Bureau), the fees for services to licensees and applicants were analyzed to determine if the fees reflected the actual cost of providing the services. Actual cost calculations are based upon the following formula:

Number of minutes to perform the function
x
Pay rate for the classification of personnel performing the function
+
A proportionate share of administrative overhead

The analysis, with regard to the Board, determined that there are currently no fees for two services, which do not support the actual cost of providing those services: application for dental radiology authorization and notification application—postgraduate training or faculty member.

Section 11.4 of the law (63 P. S. § 130e) provides that no auxiliary personnel may perform radiologic procedures unless under the direct supervision of the dentist who is on the premises at the time that the X-ray is taken, and unless the person has passed the radiologic examination. Section 33.302 (relating to auxiliary personnel performing radiologic procedures) implements these provisions. Persons who have passed the Board approval dental radiologic procedure examination file an application requesting authorization to perform those radiologic procedures under the direct supervision of a dentist. A letter of authorization is issued by the Board.

Section 2(d) of the law (63 P. S. § 121(d)) allows dentists who are licensed in another state or country to practice without Pennsylvania licensure in this Commonwealth for the limited purpose of teaching, including clinical teaching, in a dental school or advanced dental education program in this Commonwealth approved by the Board after notification to the Board and in accordance with Board regulations. Section 2(f) of the law also allows the practice of dentistry without a license by persons in a dental clinic operated not for profit during the duration of an internship, residency or other approved graduate training program, by persons with the required education for admission into the program, and after notification to the Board.

In this proposal, fees for the services identified previously would be adjusted to allocate costs to those who use the service or make application. The Board would continue to apportion enforcement and operating costs to the general licensing population by means of its license renewal fee through the biennial reconciliation of revenue and expenditures.

Administrative Overhead

During reviews of similar proposed application fee regulations for other boards, the Independent Regulatory Review Commission (IRRC) requested that the Bureau and the boards: (1) itemize the overhead cost to be recouped by the fees; and (2) reexamine the method that is used to determine the administrative overhead factor for each fee.

IRRC commented that although the Bureau's method was reasonable, there was no assurance that the fees would recover the actual overhead cost because the charge was not related to the service, and because the charge was based on the actual rather than the projected expenditures. IRRC also commented that there was no certainty that the projected revenues would meet or exceed projected expenditures over a 2-year period, as required under enabling statutes.

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 the 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, 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 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 ½ hour of processing time would pay one-half 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 charges obtained by applying the IRRC suggested time factor versus the current method.

This review of board operations 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 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 note that the computation of projected expenditures based on amount actually expended has been the basis for biennial reconciliations for the past 12 years. During these 6 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.

For these reasons, the boards have not made changes in the method by which administrative expenditures are allocated and the resulting fees will remain as proposed.

D. Description of Services

Professional licensing boards other than the Board have also been proposing revisions to nonrenewal fees. Review of the proposed new fee regulations by the House Professional Licensure Committee and Senate Consumer Protection and Professional License Committee indicated that certain explanations of the services for which fees are charged would be helpful for an understanding of the need to set appropriate fees.

Application Fee for Dental Radiology Authorization

This fee is necessary to offset costs incurred by the Board to process a request for authorization to perform radiologic procedures under the direct supervision of a dentist.

Applicants apply to and are examined by a professional testing contractor. Candidates who pass the examination are reported to the Bureau by the contractor. This information is entered into the Bureau's database and an authorization letter is issued to the applicant. The information must be maintained in the database perpetually, for informational purposes and also for providing duplication authorization letters upon request. This fee is the only contribution applicants make to the operational expenses of the Board since the authorization is not subject to renewal. The administrative overhead charge has been averaged for the boards offering the radiology examination.

Notification Application—Postgraduate Training or Faculty Member

This fee is necessary to offset costs incurred by the Board to process a notification application for postgraduate training or faculty member.

The Board receives the application and supporting documents, reviews for completeness, contacts the applicant to request any missing information or documents, or both, confirms the status of the applicant's license in another state or foreign education, if applicable, and issues a letter of authorization, or discrepancy notice, as appropriate.

G. Description of Proposed Amendments

A \$20 fee would be established for Board authorization to perform radiologic procedures under the direct supervision of a dentist. A \$25 fee is proposed to issue an approval of training.

H. Compliance with Executive Order 1996-1

In accordance with Executive Order 1996-1 (February 6, 1996), in drafting and promulgating the proposed amendment, the Board considered the least restrictive alternative to regulate costs for services requested by licensees and applicants. The Board solicited predraft comments from 133 dental organizations, schools and individuals on July 18, 2001.

I. Fiscal Impact and Paperwork Requirements

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

J. Sunset Date

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

K. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on September 27, 2001, the Board submitted a copy of this proposed rulemaking to the House Professional Licensure Committee, the Senate Consumer Protection and Professional Licensure Committee and IRRC. In addition to submitting the proposed rulemaking, the Board has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed rulemaking, it will notify the Board within 10 days after the expiration of the Committees' review period. The notification shall specify detailed procedures for review, prior to final publication of the regulation, by the Board, the General Assembly and the Governor, of objections raised.

L. Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendment to Lisa Burns, Administrator, State Board of Dentistry, P. O. Box 2649, Harrisburg, PA 17105-2649, within 30 days of publication of this proposed rulemaking. Please reference No. 16A-4611 (Application Fees), when submitting comments.

NORBERT O. GANNON, D.D.S.,
Chairperson

Fiscal Note: 16A-4611. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 33. STATE BOARD OF DENTISTRY

Subchapter A. GENERAL PROVISIONS

§ 33.3. Fees.

Following is the schedule of fees charged by the Board:

* * * * *

Application fee—dental radiology authorization	\$20
Notification application—postgraduate training or faculty member	\$25

[Pa.B. Doc. No. 01-1838. Filed for public inspection October 12, 2001, 9:00 a.m.]

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 October 2, 2001.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
10-1-01	Parkvale Financial Corporation, Monroeville, to acquire 100% of the voting shares of The Second National Bank of Masontown, Masontown	Monroeville	Filed

New Charters

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-15-01	Sageworth Trust Company Lancaster Lancaster County	160 N. Pointe Blvd. Lancaster Lancaster County	Commenced Operations
10-1-01	Parkvale Interim Savings Bank Monroeville Allegheny County	Monroeville	Filed

Application to form interim savings bank being filed solely to facilitate the merger of The Second National Bank of Masontown, Masontown, and Parkvale Savings Bank, Monroeville.

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-27-01	CSB Bank Curwensville Clearfield County	Curwensville	Effective

Purchase of assets/assumption of liabilities of one branch of AmeriServ Financial Bank, Johnstown, Located at:
356 Main Street
Coalport
Clearfield County

Note: Upon completion of this transaction, CSB Bank will transfer the assets and liabilities of the 356 Main Street office to its existing office at Main and Linwood Streets, Coalport, and close the 356 Main Street office.

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-26-01	Leesport Bank Leesport Berks County	350 West Main St. Birdsboro Berks County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-27-01	AmeriServ Financial Bank Johnstown Cambria County	356 Main Street Coalport Clearfield County	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1839. Filed for public inspection October 12, 2001, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Emergency Shelter Grant Program

The Department of Community and Economic Development (DCED), Center for Community Building, is anticipating applying for funding through the United States Department of Housing and Urban Development.

The Emergency Shelter Grant Program (program) is established within subtitle B of Title IV of the Stewart B. McKinney-Vento Homeless Assistance Act (42 U.S.C.A. §§ 11371—11378). The program authorizes grants for the rehabilitation or conversion of buildings for use as emergency shelters for the homeless, for the payment of certain operating expenses and essential services in connection with emergency shelters for the homeless and for homeless prevention activities. The program is designed to be the first step in a continuum of assistance to enable homeless individuals and families to move toward independent living as well as to prevent homelessness.

Local government entities must submit one copy of the application to the Customer Service Center, DCED, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120 in accordance with DCED's Single Application requirements. A copy of the application must also be sent to the appropriate regional office. The application window will open on October 15, 2001, and close at 5 p.m. on December 17, 2001. Applications received prior to or after these dates may not be considered for funding.

Application guidelines and instructions may be obtained by contacting the Center for Community Building, (717) 720-7404 or the regional offices. Persons with a disability who wish to submit an application in accordance with the provisions stated herein and who require assistance with the application and persons who require copies of this notice in an alternate format (large type, Braille and the like) should contact Edward Geiger, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120, (717) 787-5327 to discuss how DCED may best accommodate their needs. The following is the listing of DCED regional offices and the counties they serve:

DCED Regional Offices

Southeast

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Community and Economic Development
908 State Office Building
Broad and Spring Garden Streets
Philadelphia, PA 19130
(215) 560-2256

Northeast

Berks, Bradford, Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties

Department of Community and Economic Development
Suite 201 Samters Building
101 Penn Avenue
Scranton, PA 18503-2025
(570) 963-4571

Central

Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, York, Bedford, Blair, Cambria, Centre, Clinton, Columbia, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Montour, Northumberland, Snyder, Somerset and Union Counties

Department of Community and Economic Development
4th Floor, Commonwealth Keystone Building
Harrisburg, PA 17120
(717) 787-7347

Southwest

Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Washington and Westmoreland Counties

Department of Community and Economic Development
1405 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
(412) 565-5002

Northwest

Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties

Department of Community and Economic Development
1200 Lovell Place
Erie, PA 16503
(814) 871-4241

Main Office

Center for Community Building
Office of Community Development
4th Floor, Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 720-7404

SAMUEL A. MCCULLOUGH,
Secretary

[Pa.B. Doc. No. 01-1840. Filed for public inspection October 12, 2001, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council; Meeting Notice

A meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will be held on Wednesday, October 24, 2001. The meeting will be held at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

PAULETTE JOHNSON,
Chairperson

[Pa.B. Doc. No. 01-1841. Filed for public inspection October 12, 2001, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Action and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0052493	Roman Delight Restaurant 168 Cheesefactory Road Doylestown, PA 18901	Bucks County Plumstead Township	North Branch of Neshaminy Creek	Renewal

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0054721	Joseph and Sondra McGreever 2390 N. Feathering Road Media, PA 19063	Delaware County Upper Providence Township	UNT of Ridley Creek	Renewal
PA0055085	Nancy L. Winslow Route 100 South and Murphy Rd. P. O. Box 373 Chadds Ford, PA 19317	Delaware County Birmingham Township	UNT to Brandywine Creek	Renewal

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0061026 (Minor)	Big Pocono Utilities, Inc. R. R. 1, Box 299 Tannersville, PA 18372	Pocono Township Monroe County	Pocono Creek (1E)	Yes
PA-0061506 (Minor)	George F. Maxson Preston Country Market Route 370 P. O. Box 2 Preston Park, PA 18455-0002	Preston Township Wayne County	Unnamed tributary to Shehawken Creek (1A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0246352	All American Plazas, Inc. P. O. Box 302 Bethel, PA 19507	Berks County Bethel Township	UNT to Crosskill Creed	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0111066 IW	USR Metals, Inc. 4150 B Old Berwick Road Bloomsburg, PA 17815	S. Centre Township Columbia County	Fishing 5C	Y
PA0035815 Sewerage Non Public	John R. Dillion and Barbara L. Saulsbury 2381 Jacksonville Road Bellefonte, PA 16823	Centre Marion Township Centre County	Unnamed tributary to Nittany Creek 9C	Y

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

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

PA 0088901, Concentrated Animal Feeding Operation (CAFO), **Franklin Family Farms (Mountain View #1 and #2 Farms)**, 419 West High Street, Elizabethtown, PA 17022-2189.

Franklin Family Farms has submitted an application for an individual NPDES permit for an expanding CAFO known as Mountain View Farms (#1 Farm existing, #2 Farm proposed), located on Frystown Road in Bethel Township, **Berks County**.

The CAFO is situated near an unnamed tributary of Little Swatara Creek in Watershed 7-D, which is classified for cold water fishery. The CAFO will be designed to maintain an animal population of approximately 1,796 animal equivalent units (AEUs) consisting of 14,300 swine (7,700 swine existing, 6,600 swine proposed). The animals will be housed in a total of seven barns (six barns containing 2,200 swine and one barn containing 1,100 swine). Manure from the existing Mountain View #1 operation is stored in a two-stage HDPE-lined holding pond system with a design storage capacity of approximately 2.2 million gallons. Manure from the proposed Mountain View #2 operation would be stored in a similar facility as the #1 operation, with a design storage capacity of approximately 2.4 million gallons. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate Pennsylvania Technical Guide Standards. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

The EPA permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

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

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

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

PA0228478, Sewerage SIC, 4952, **East Chillisquaque Township**, 305 James Street, Milton, PA 17847. This proposed facility is located in East Chillisquaque Township, **Northumberland County**.

Description of Proposed Activity: This proposed action is for issuance of an NPDES permit for a proposed discharge of treated sewage wastewater.

The receiving stream, Chillisquaque Creek, is in the State Water Plan watershed 10D and classified for: Warm Water Fishes (WWF). The nearest downstream public water supply intake for Sunbury Municipal Authority is located on the Susquehanna River is 15 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.04 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Daily Maximum (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40		50
TSS	30	45		60
Total Cl ₂ Residual	1.0			2.3
Fecal Coliforms:				
(5-1 to 9-30)	200 col/100 ml as a geometric mean			
10-1 to 4-30)	2,000 col/100 ml as a geometric mean			
pH	6.0 to 9.0 at all times			

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

PA0006254, Industrial Waste, SIC 2821 and 2869, **NOVA Chemicals**, 400 Frankfort Road, Monaca, PA 15061.

This application is for renewal of an NPDES permit to discharge treated process water, sewage, stormwater and cooling water from the Beaver Valley Plant in Potter Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River and Raccoon Creek, classified as a warm water fisheries with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Midland Borough Water Authority, located at Midland, 6.5 miles below the discharge point.

Outfall 001: existing discharge, design flow of 174 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor & Report				
Total Residual Chlorine					0.2
Temperature				110°F	
Styrene				Monitor Only	
TOC	NOVA shall continue to use their Total Carbon Analyzer and notify the Department in the event of any spills that result in discharge of hydrocarbons through Outfall 001.				
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: existing discharge, design flow of 2.5 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Chromium	12.13	30.3	1.11	2.77	
Copper			0.083	0.166	
Lead	3.50	7.5	0.32	0.69	
Nickel	18.5	43.5	1.69	3.98	
Total Cyanide	4.6	13.1	0.42	1.20	
Zinc			0.48	0.96	
2-Chlorophenol	0.34	1.07	0.031	0.098	
2,4-Dichlorophenol	0.43	1.22	0.039	0.112	
2,4-Dimethylphenol	0.20	0.39	0.018	0.036	
4,6-Dinitro-O-Cresol	0.85	3.03	0.078	0.277	
2,4-Dinitrophenol	0.78	1.34	0.071	0.123	
2-Nitrophenol	0.45	0.75	0.041	0.069	
4-Nitrophenol	0.79	1.35	0.072	0.124	
Phenol	0.16	0.28	0.015	0.026	
Acrylonitrile	1.05	2.64	0.096	0.242	
Benzene	0.40	1.49	0.037	0.136	
Carbon Tetrachloride	0.20	0.42	0.018	0.038	
Chlorobenzene	0.16	0.31	0.015	0.028	
Chloroethane	1.14	2.92	0.104	0.268	
Chloroform	0.23	0.50	0.021	0.046	
1,1-Dichloroethane	0.24	0.64	0.022	0.059	
1,2-Dichloroethane	0.74	2.31	0.068	0.211	
1,1-Dichloroethylene	0.17	0.27	0.016	0.025	
1,2-Dichloropropane	1.7	2.5	0.153	0.230	
1,3-Dichloropropylene	0.32	0.48	0.029	0.044	
Ethylbenzene	0.35	1.18	0.032	0.108	
Methyl Chloride	0.94	2.1	0.086	0.190	
Methylene Chloride	0.43	0.97	0.04	0.089	
Tetrachloroethylene	0.24	0.61	0.022	0.056	
Toluene	0.28	0.87	0.026	0.080	
1,2-trans-Dichloroethylene	0.23	0.59	0.021	0.054	
1,1,1-Trichloroethane	0.23	0.59	0.021	0.054	
1,1,2-Trichloroethane	0.23	0.59	0.021	0.054	
Trichloroethylene	0.23	0.59	0.021	0.054	
Vinyl Chloride			0.086	0.172	
Acenaphthene	0.24	0.64	0.022	0.059	
Acenaphthylene	0.24	0.64	0.022	0.059	
Anthracene	0.24	0.64	0.022	0.059	
Benzo(a)Anthracene			0.013	0.026	
Benzo(a)Pyrene			0.013	0.026	
3,4-Benzofluoranthene			0.013	0.026	
Benzo(k)Fluoranthene			0.013	0.026	
Bis(2-Ethylhexyl)Phthalate	1.13	3.05	0.103	0.279	
Chrysene			0.013	0.026	
1,2-Dichlorobenzene	0.84	1.78	0.077	0.163	
1,3-Dichlorobenzene	0.39	0.48	0.031	0.044	
1,4-Dichlorobenzene	0.16	0.31	0.015	0.028	
Diethyl Phthalate	0.88	2.22.01	0.081	0.203	
Dimethyl Phthalate	0.21	0.51	0.019	0.047	
Di-N-Butyl Phthalate	0.29	0.62	0.027	0.057	
2,4-Dinitrotoluene	1.23	3.1	0.113	0.285	
2,6-Dinitrotoluene	2.79	7.0	0.255	0.641	
Fluoranthene	0.273	0.74	0.025	0.068	
Fluorene	0.24	0.64	0.022	0.059	
Hexachlorobenzene			0.0031	0.0062	
Hexachlorobutadiene	0.22	0.53	0.020	0.049	
Hexachloroethane	0.23	0.59	0.021	0.054	
Naphthalene	0.24	0.64	0.022	0.059	
Nitrobenzene	0.29	0.74	0.027	0.068	
Phenanthrene	0.24	0.64	0.022	0.059	
Pyrene	0.27	0.73	0.025	0.067	
1,2,4-Trichlorobenzene	0.74	1.53	0.068	0.140	
Styrene					
BOD ₅ *	311	795	15	39	

Monitor/Report

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
TSS*	734	2,345	36	116	
Dissolved Oxygen	5.0 mg/l minimum				
Total Residual Chlorine			0.5	1.25	
Oil and Grease	125	167	15	30	
Flow	Monitor/Report	Monitor/Report			
pH	not less than 6.0 nor greater than 9.0 standard units				

*Influent sampling (at the inlet pond) is included in the permit.

Outfalls 020, 021 and 022:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Discharge shall solely consist of uncontaminated stormwater runoff only.					

Outfall 102: ($W_f = 0.055$ mgd to Outfall 002)

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
CBOD ₅			25		50
TSS			30		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average				
(10-1 to 4-30)	2,000/100 ml as a geometric average				
Flow (MGD)	Monitor and Report				
pH	Not less than 6.0 nor greater than 9.0				

Outfalls 004 and 005: new outfalls, flow—0.01 mgd

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Uncontaminated Potable/River water leakage only.					

The EPA waiver is not in effect.

PA0098035, Industrial Waste, SIC, 5171, **Kinder Morgan Transmix Company, LLC**, 2010 William Pitt Way, Pittsburgh, PA 15238.

This application is for renewal of an NPDES permit to discharge treated process water and stormwater from the Indianola Facility in Indiana Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Deer Creek, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Fox Chapel Water Authority, located at 255 Alpha Drive, RIDC Industrial Park, Pittsburgh, PA 15238, 7.4 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.72 mgd. Effective from issued date through 3 years after issued date.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	M&R	0.72			
Total Recoverable Petroleum Hydrocarbons			Monitor and Report		
Methyl-t-butyl ether			Monitor and Report		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Benzene			Monitor and Report		
Total Residual Chlorine			Monitor and Report		
Iron			Monitor and Report		
Iron, Dissolved			Monitor and Report		

Outfall 001: existing discharge, design flow of 0.72 mgd. Effective from 3 years after effective date through expiration date.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	M&R	0.72			
Total Recoverable Petroleum Hydrocarbons			Monitor and Report		
Methyl-t-butyl ether			Monitor and Report		
Benzene			0.01		0.025
Total Residual Chlorine			0.05		1.25
Iron			2.9		7.3
Iron, dissolved			0.6		1.5

Outfall 002: existing discharge, design flow of 0.01 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Suspended Solids			30		75
Oil and Grease			15		30
Iron, dissolved			Monitor and Report		7.0
Benzene			0.005		0.013
Naphthalene			Monitor and Report		
Total BTEX			0.1		0.25
Ethylbenzene			Monitor and Report		
Toluene			Monitor and Report		
Xylenes, Total			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 003: existing discharge, design flow of 0.072 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)		0.072			
Total Recoverable Petroleum Hydrocarbons					Monitor and Report

The EPA waiver is in effect.

PA0090573-A2, Sewage, **Hempfield Suburban MHC, LLC**, 9073 Nemo Street, West Hollywood, CA 90069.

This application is for Amendment of an NPDES permit to discharge treated sewage from The Suburban Acres MHP Sewage Treatment Plant in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Little Sewickley Creek, which are classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the McKeesport Municipal Water Authority.

Outfall 001: existing discharge, new design flow of .072 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen (5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.5			7.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

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).

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

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

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

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

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

WQM Permit No. 4001406, Sewerage, **CANDO, Inc.**, One South Church St., Hazleton, PA 18202. This proposed facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action/Activity: The project is an extension of the existing Humboldt Industrial Park sewer collection and conveyance system. The extension will serve seven proposed lots located on 236 acres of land known as Humboldt Industrial Park East located in

Hazle Township, PA. The extension of the existing system will consist of 4,160 l.f. of 8" gravity sewer pipe, 5,235 l.f. of 6" force main, 19 precast manholes and one sanitary sewage pump station. The resultant projected sewer flow for the proposed subdivision is 146,000 GPD.

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

WQM Permit No. 6401403, Sewerage, **Beach Lake Municipal Authority**, P. O. Box 151, Beach Lake, PA 18405. This proposed facility is located in Berlin Township, **Wayne County**.

Description of Proposed Action/Activity: The proposed project will replace the existing sewage collection system with a new PVC pipe collection system and will provide for the construction of a 90,000 GPD wastewater treatment plant. The treatment plant will utilize a Sequence Bath Reactor process for the treatment of wastewater. The system will be designed to treat wastewater from existing users of the collection system and anticipated growth in the service area over the next 20 years.

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

WQM Permit No. 2191403 Amendment 01-1, Sewerage, **Hampden Township Sewer Authority**, 230 South Sporting Hill Road, Mechanicsburg, PA 17055. This proposed facility is located in Hampden Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to construct a short length of gravity sewer, a pump station, a force main and modifications to the headworks of the Roth Lane Wastewater Treatment Plant.

WQM Permit No. 0101408, Sewerage, **Conewago Enterprises, Inc.**, P. O. Box 407, Hanover, PA 17331. This proposed facility is located in Mount Pleasant Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to construct a 5,000 gpd sewage treatment system and spray field.

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

Application No. 6501411, Sewerage, **John E. Hixon**, 100 Greensburg Street, Delmont, PA 15626. Application for the construction and operation of a small flow sewage treatment plant to serve the Weaver Plan of Lots located in Washington Township, **Westmoreland County**.

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

WQM Permit No 2501421, Sewerage, **Kenneth R. Fugagli**, 2995 Morehouse Road, Erie, PA 16509. This proposed facility is located in Greene Township, **Erie County**.

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

NPDES Stormwater Individual Permit

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted 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 who require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified regional office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

NPDES Permit PAS10 G487, Stormwater. **Suburbia Shopping Center**, 1030 West Germantown Pike, Fairview Village, PA 19409, has applied to discharge stormwater associated with a construction activity located in North Coventry Township, **Chester County** to Pigeon Creek (HW-TSF).

NPDES Permit PAS10 G488, Stormwater. **Jand Enterprise**, 126 Aspen Drive, Downingtown, PA 19335, has applied to discharge stormwater associated with a construction activity located in East Brandywine Township, **Chester County** to UNT to Culbertson Run (HQ).

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

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10V040	Phillip Rizzo 10 Kerby Lane Mendham, NJ 07945	Pike County Lehman Township	Saw Creek, HQ-CWF Bushkill Creek, HQ-TSF Little Bushkill Creek, EV

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

NPDES Permit PAS105508, Stormwater. **The Golf Club at Wending Creek Farms**, 1 North Main St., Coudersport, PA 16915, has applied to discharge stormwater associated with a construction activity located in Allegany Township, **Potter County** to an unnamed tributary to Allegheny River (CWF) and Dwights Creek (HQ).

Potter Conservation District: 107 Market Street, Coudersport, PA 16915, (814) 274-8411.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS105508	Golf Club at Wending Creek Farms One North Main St. Coudersport, PA 16915	Allegany Township Potter County	Unt. Allegheny River (CWF) Dwight Creek (HQ)

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

NPDES Permit PAS10X099, Stormwater. **Maria Toscano**, 601 Route 22, Delmont, PA 15626, has applied to discharge stormwater associated with a construction activity located in Salem Township, **Westmoreland County** to UNT Beaver Run (HQ-CWF).

Westmoreland County Conservation District: Donohoe Center, R. D. 12, Box 202B, Greensburg, PA 15601-9217, (724) 837-5271.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10X099	Maria Toscano 601 Route 22 Delmont, PA 15626	Westmoreland County Salem Township	UNT Beaver/HQ-CWF

NOTICE OF INTENT FOR COVERAGE UNDER CAFO NPDES GENERAL PERMITS

The following parties have submitted: (1) Notices of Intent (NOI) for Coverage under the Department's CAFO General NPDES Permit—PAG 12—to develop and operate a facility that may discharge wastewater into the surface waters of this Commonwealth.

The EPA Region III Administrator has not waived the right to review or object to this permit action under the waiver provision 40 CFR 123.24(d).

The NOI and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the regional office noted. Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before the application, within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The new or renewal notice of intent, including other 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.

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

CAFO Notices of Intent Received

PAG124808, CAFO, Patrick and Kathie Blow, R. R. 2, Box 251, Towanda, PA 18848. This proposed facility is located in Terry Township, **Bradford County**.

Description of Size and Scope of Proposed Operation/Activity: The application is for a swine finishing operation which will house approximately 600 animal equivalent units. Two finishing barns with concrete manure storage vaults underneath the main floor of each barn will be utilized. An estimated 1.8 million gallons of manure per year will be produced. Manure will be spread on a total of 139 acres owned or rented by the applicant. The Nutrient

Management Plan was approved by the Bradford County Conservation District on September 11, 2001.

The operation will be conducted within the watershed of an unnamed tributary of the Susquehanna River which enters the river near the village of Terrytown. The tributary is classified for Warm Water Fishery aquatic life uses.

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

PUBLIC WATER SUPPLY PERMIT

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

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

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

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

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

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

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

Permit No. 4501505, Public Water Supply.

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

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

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

Application No. 2450136, Minor Amendment.

Applicant	Carolyn Yetter
Township or Borough	Pocono Township Monroe County
Responsible Official	John M. Yetter 88 South Courtland Street East Stroudsburg, PA 18301 (570) 421-5110
Type of Facility	Community Water System
Consulting Engineer	Donald C. Frederickson, P.E. 54 Main Street West Easton, PA 18042-6149 (610) 559-1000
Application Received Date	September 12, 2001
Description of Action	Installation of chemical feed facilities for injection of soda ash.

Application No. 2580026, Minor Amendment.

Applicant	Pennsylvania-American Water Co.
Township or Borough	Thompson Borough Susquehanna County

Responsible Official	William C. Kelvington Vice-President—Operations 800 West Hersheypark Drive P. O. Box 888 Hershey, PA 17033-0888
Type of Facility	Community Water System
Consulting Engineer	Pennsylvania-American Water Co. Mark P. Cross, P.E. 20 East Union Street Wilkes-Barre, PA 18701 (570) 830-6505
Application Received Date	September 10, 2001
Description of Action	Improvements to chemical feed system at Thompson Well No. 1

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 listed before the notice. 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:

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

Proposed Allentown Tower (former Union Carbide/Linde Gases property), City of Allentown, **Lehigh County**. William F. Schmidt, P.E., Pennoni Associates, One Drexel Plaza, 3001 Market Street, Suite 200, Philadelphia, PA 19104-2897 has submitted a Notice of Intent to Remediate (on behalf of his client, Trainer Enterprises, Inc., Investments in Real Estate, 219 North 9th Street, Allentown, PA) concerning the remediation of site soils found or suspected to have been contaminated with lead and site groundwater found or suspected of being contaminated with selenium. The applicant proposes to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reportedly published in Allentown's *The Morning Call* on or about September 18, 2001.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Big Beaver Falls Area School District, Beaver Falls, **Beaver County**. Dean Gerber, P.G., URS, 2020 Ardmore Blvd., Suite 205, Pittsburgh, PA 15221 (on behalf of Big Beaver Falls Area School District, 820 16th Street, Beaver Falls, PA 15010-4065) has submitted a Notice of Intent to Remediate soil contaminated with lead, heavy metals and PAHs. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Beaver County Times* on July 20, 2001.

6260 Broad Street, City of Pittsburgh, **Allegheny County**. Civil & Environmental Consultants, Inc., William G. Weir, 333 Baldwin Road, Pittsburgh, PA 15205 and Plumbers Equipment Company, 8150 North Lehigh Street, Morton Grove, IL 60053 (on behalf of URA of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with PAHs and solvents. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Tribune-Review* on August 25, 2001.

American Refining Group—Indianola Plant, Indiana Township, **Allegheny County**. Key Environmental Inc., Don Blackert, 1200 Arch Street, Suite 200, Carnegie, PA 15106 and American Refining Group, Inc., 3240 William Pitt Way, Pittsburgh, PA 15238 (on behalf of Kinder Morgan Inc., 2010 William Pitt Way, Pittsburgh, PA 15238) has submitted a Notice of Intent to Remediate

soil and groundwater contaminated with BTEX, PAHs and MTBE. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Valley News Dispatch* on September 8, 2001.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Applications received, withdrawn, denied or returned under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste treatment, storage or disposal facility.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

PAD004835146. MAX Environmental Technologies, Inc., Yukon Facility, R. D. #1, Box 135A, Cemetery Road, Yukon, PA 15698-9703. Mill Service, Inc., R. D. #1, Box 135A, Cemetery Road, Yukon, PA 15698-9703. An application for a Permit Renewal/Major Permit Modification for operational changes/Name Change, for a Hazardous Waste Treatment and Storage Facility with Residual Waste Disposal in South Huntingdon Township, **Westmoreland County** was received in the regional office on October 1, 2001.

RESIDUAL WASTE GENERAL PERMITS

Department Initiated Permit Modifications under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.

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

Waste Oil General Permits. The Department intends to unilaterally amend all general permits involving the transfer or processing of waste oil to reflect changes due to the June 2, 2001, rulemaking on waste oil. The modifications will involve mixtures of hazardous waste and waste oil, storage requirements, limits to facilities applying for determination of applicability and other aspects. These amendments were proposed by the Central Office on October 1, 2001.

The following general permits will be amended under this proposal:

General Permit Number WMGR007
 General Permit Number WMGR023
 General Permit Number WMGR026
 General Permit Number WMGR029
 General Permit Number WMGR035
 General Permit Number WMGR039
 General Permit Number WMGR040
 General Permit Number WMGR041
 General Permit Number WMGR066

Comments concerning the permit amendments should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit amendments may contact the Division

of Municipal and Residual Waste, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 400593. American Ref-Fuel of Delaware Valley LP, 10 Highland Avenue, Chester, PA 19013. This application was received for a radiation protection action plan. Facility located in the City of Chester, **Delaware County**. Application was received in the Southeast Regional Office on September 24, 2001.

Permit Application No. 400682. East Norriton-Plymouth-Whitpain Joint Sewer Authority, 200 Ross Street, Plymouth Meeting, PA 19462. This application was received for a radiation protection action plan. Facility located in Plymouth Township, **Montgomery County**. Application was received in the Southeast Regional Office on September 24, 2001.

Permit Application No. 400658. Hatfield Township Municipal Authority (HTMA), 3200 Advance Lane, Colmar, PA 18915-9766. This application was received for a radiation protection action plan. Facility located in Hatfield Township, **Montgomery County**. Application was received in the Southeast Regional Office on September 21, 2001.

Southwest Region: Regional Solid Waste Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit Application No. 101648. Genesis Environmental, Ltd., 380 Locust Street, McKeesport, PA 15132. Genesis Autoclave and Transfer Facility, RIDC Industrial Center of McKeesport, Parcel 3-1, McKeesport, PA 15132. A Major Permit Modification application for a Radiation Protection Action Plan at a Municipal Waste Processing Facility in McKeesport, **Allegheny County** was received in the regional office on September 24, 2001.

Permit Application No. 101674. McCutcheon Enterprises, Inc., 250 Park Road, Apollo, PA 15613. McCutcheon Enterprises, Inc., 250 Park Road, Apollo, PA 15613. A major permit modification application for a Radioactivity Material Monitoring and Detection Plan for a municipal waste processing facility in Allegheny Township, **Westmoreland County** was received in the regional office on September 25, 2001.

AIR QUALITY

NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (DEP) has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for DEP, the regulated community and the public. This approach allows the owner or

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

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

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

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

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

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

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

07-03034B: Fry Metals, Inc. (4100 Sixth Avenue, Altoona, PA 16602) to add a total of eight new melting kettles to the soft metal melting area or Casting Department at their facility in Altoona, **Blair County**. Three kettles will be controlled by the existing Aeropulse baghouse and five will be controlled by a new Flex Kleen baghouse.

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

53-329-011: Tennessee Gas Pipeline Co. (9 Greenway Plaza, 1626B, Houston, TX 77046) for construction of two natural gas-fired 2,365 horsepower reciprocating internal combustion compressor engines and associated air cleaning devices (oxidation catalysts) and a 250 horsepower natural gas-fired emergency generator at the Ellisburg Booster Station in Genesee Township, **Potter County**.

53-00005B: Dominion Transmission Corp. (Dominion Tower, 625 Liberty Avenue, Pittsburgh, PA 15222-3199) for construction of a 4,735 horsepower natural gas-fired reciprocating internal combustion compressor engine and associated air cleaning device (an oxidation catalyst) at the Greenlick Compressor Station in Stewardson Township, **Potter County**.

17-309-024: Mt. Savage Specialty Refractories Co. (P. O. Box 60, Curwensville, PA 16833) for reactivation of various pieces of refractory manufacturing equipment and associated air cleaning devices (fabric collectors) in Pike Township, **Clearfield County**.

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

43-326A: Buckeye Leasing, Inc. (Ohio Street, Hermitage, PA 16148) for construction of a steel slag processing facility (400 tons/hour) in Hermitage, **Mercer County**.

25-069G: Engelhard Corp. (1729 East Avenue, Erie, PA 16503) for replacement of dust collector (25-313-031A) in Erie, **Erie County**.

10-001F: AK Steel Corp. (Route 8 South, P. O. Box 832, Butler, PA 16003) for conversion of the #4 Pickle Line from hydrochloric/hydrofluoric/nitric acid pickling line to a hydrochloric/hydrofluoric/hydrogen peroxide pickling operation in Butler, **Butler County**. The facility currently has a Title V Operating Permit, No. 10-00001. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

42-197A: M&M Royalty, LTD, Irishtown Processing Plant (Route 307, Lewis Run, PA 16738) for construction of a compressor, dehydrator and extraction plant located in Lafayette Township, **McKean County**. The facility is subject to the New Source Performance Standards (NSPS) of 40 CFR Part 60 Subpart KKK pertaining to Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants.

62-141A: NFG Supply Corp.—Roystone Compression Station (Route 6, Star Route Box 574, Sheffield, PA 16347) for minor modification of Plan Approval 62-329-004A to increase CO and NMHC emissions in Sheffield Township, **Warren County**. The facility is a Title V Facility.

24-131D: SGL Carbon, LLC (900 Theresia Street, St. Marys, PA 15857) for installation of a dust collector and construction of a bulk bag loading station in St. Marys, **Elk County**. The facility is a Title V facility.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

01078: Sunoco Inc. (R&M)—Belmont Terminal (1801 Market Street 15/10 PC, Philadelphia, PA 19103) for replacement of the existing truck loading vapor control unit with two John Zink combustion style vapor control units in the City of Philadelphia, **Philadelphia 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.

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

06-03091: The Rose Corp. (P. O. Box 15208, Reading, PA 19612-5208) for construction of a paint spray booth and a grit blast booth in the City of Reading, **Berks County**. This is a non-Title V facility. The operation has the potential to annually emit about 7.1 tons of VOC and 3.7 tons of HAPS. The plan approval will contain additional emission, monitoring, record keeping, reporting and work practice standards designed to keep the facility within applicable requirements.

07-05036: Tarmac-It Materials, Inc. (515 West 17th Street, Tyrone, PA 16686) for installation of a bituminous concrete batch plant controlled by a fabric collector at the Tyrone Plant in Snyder Township, **Blair County**. This is a non-Title V facility. The plan approval will contain both annual production and hourly operational conditions limiting the emissions of nitrogen oxides below 5 tons per year. The plan approval will include emission restrictions, work practice standards, monitoring, record keeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

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

59-399-013: Truck-Lite Co., Inc. (R. R. 7 Box 942, Wellsboro, PA 16901) for construction of two wave soldering machines and eight associated hand soldering stations in Wellsboro Borough and Charleston Township, **Tioga County**.

The two wave soldering machines and eight associated hand soldering stations have the potential to emit 5.98 tons of volatile organic compounds per 12 consecutive month period, 0.17 ton of lead per 12 consecutive month period and 0.77 ton of hazardous air pollutants (including lead) per 12 consecutive month period.

The Department has determined that the proposed equipment will comply with all applicable regulatory requirements pertaining to air contaminant sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue plan approval for the installation of the respective equipment. Additionally, if the Department determines that equipment is operating in compliance with all applicable plan approval conditions and regulatory requirements following their construction, the conditions established in the plan approval will be incorporated into an operating permit.

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

1. The company shall not use more than 800 gallons of flux or 800 gallons of thinner or 3.6 tons of solder paste in the two wave soldering machines and eight associated hand soldering stations during a 12 consecutive month period.

2. The eight hand soldering stations shall not use more than 2 tons of solder per 12 consecutive month period or use a solder that contains a lead content greater than 40% by weight.

3. The two wave soldering machines shall not use more than 3.6 tons of solder per 12 consecutive month period or use solder that contains a lead content greater than 35% by weight.

4. The company shall keep monthly records of the amount of each solder, flux and thinner that is used in association with the two wave soldering machines and eight hand soldering stations.

49-309-007K: Meckley's Limestone Products, Inc. (R. D. 1 Box 1682, Herndon, PA 17830-9799) for construction of a 1,000 ton capacity pulverized limestone storage silo, incorporating a bulk tank truck loadout spout and associated air cleaning device (fabric collector) in Lower Mahanoy Township, **Northumberland County**.

The air contaminant emissions from the new limestone silo will be controlled by a new fabric collector, while the air contaminant emissions from the bulk tank truck loadout spout will be controlled by an existing fabric collector. The maximum potential for air contaminants to be emitted into the atmosphere from the exhaust of the new fabric collector is 0.38 ton of particulate matter in any 12 consecutive month period. There will be no increase in any air contaminant emissions from the existing fabric collector.

The Department has determined that the proposed storage silo, truck loadout spout and associated fabric collector will comply with all applicable regulatory requirements pertaining to air contaminant sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue plan approval for the construction of the respective equipment. Additionally, if the Department determines that equipment is operating in compliance with all applicable plan approval conditions and regulatory requirements following its construction, the conditions established in the plan approval will be incorporated into an operating permit via administrative amendment under 25 Pa. Code § 127.450.

The Department intends to place conditions in the plan approval to be issued pertaining to the operation and monitoring of the storage silo, bulk tank truck loadout spout and associated fabric collector. These conditions are intended to assure proper operation of the equipment as well as maintenance of compliance with all applicable air quality regulatory requirements. The following is a summary of these conditions:

1. The loadout spout shall be used to load tank trucks only; no open top trucks are to be loaded with this loadout spout. When not in use, the loadout spout shall be gated or valved off from the fabric collector.

2. The new fabric collector exhaust shall not contain particulate matter in excess of 0.02 grain per dry standard cubic foot of exhaust.

3. The fabric collectors shall be equipped with instrumentation to continuously monitor the differential pressure across the collector. The air compressor supplying

compressed air to the fabric collectors shall be equipped with an air dryer and oil trap.

4. The company shall keep onsite a sufficient quantity of spare fabric collector bags for the fabric collectors in order to be able to immediately replace any bags requiring replacement due to deterioration resulting from routine operation of the sources and fabric collectors.

5. No more than a total of two bulk loadout spouts controlled by the fabric collector associated with the loadout spout approved herein shall be in simultaneous use at any given time.

18-313-018C: Avery Dennison Chemical Division (US) (R. R. 2, Box 70, Mill Hall, PA 17751) for construction of a reactor and several pieces of chemical processing equipment and for the modification of a reactor and several pieces of chemical processing equipment in Bald Eagle Township, **Clinton County**. These sources may potentially result in the emission of 0.742 ton per 12 consecutive month period of volatile organic compounds, 0.631 ton of which may also be hazardous air pollutants. A preliminary review of the information submitted by Avery Dennison Chemical Division (US) indicates that the sources 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/modify the sources. Additionally, if the Department determines that the sources are operating in compliance with all applicable plan approval conditions and regulatory requirements, the conditions established in the plan approval will be incorporated into an operating permit via administrative amendment in accordance with 25 Pa. Code § 127.450.

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. The air contaminant emissions from all sources shall be controlled by an existing Yorkaire "vertical 500 cfm" thermal fume oxidizer and an existing Con-Serve model #1500-M3 thermal fume oxidizer.

2. The sources shall be covered at all times during use and shall not be vented to atmosphere other than through the two thermal fume oxidizers except as may be allowed under condition 5 herein.

3. No more than 40 cfm shall be vented to either one of the thermal fume oxidizers. If the sources identified herein and the sources identified in Operating Permit 18-313-018B are, in total, venting in excess of 40 cfm, both thermal fume oxidizers must be in use, except as may be allowed by condition 5 herein.

4. The thermal fume oxidizers, when in use, shall be operated so that the oxidizer exit gas temperature is at least 1600°F at all times, except as may be allowed under condition 7 herein.

5. The thermal oxidizers may be bypassed or operated at a temperature of less than 1600°F for up to 30 minutes per month, during which time the reactors and chemical processing equipment may continue to operate. The permittee shall maintain accurate records of all occurrences and shall provide these records to the Department upon request.

6. The outlet temperature of the thermal fume oxidizers shall be continuously monitored and recorded. These records shall be retained onsite for at least 5 years and made available to the Department upon request.

7. The products produced in the new reactor (R-800) shall be water-based polymer or copolymer products used as adhesives, coatings or resins, manufactured from a monomer mixture containing no more than 37% vinyl acetate by weight (measured as a percentage of total monomer content), containing no monomer with a vapor pressure higher than vinyl acetate and containing no halogenated solvents. Additionally, production in reactor R-800 shall not exceed 876 batches per calendar year.

8. Modified reactor R-700 may be used to produce solvent-based polymer or copolymer products used as adhesives, coatings or resins, as described in the application and supplemental materials submitted for this plan approval. Reactor R-700 may also continue to be used to produce water-based polymer or copolymer products used as adhesives, coatings or resins, in accordance with the provisions of condition 13 of Operating Permit 18-313-018B. The production rate of both solvent-based and water-based products shall, in total, never exceed 876 batches per year.

9. The use of any hazardous air pollutants differing from those described in any applicable plan approval application must be approved by the Department, in writing, prior to their use.

49-310-007: Central Builders Supply Co. (P. O. Box 152, Sunbury, PA 17801) for construction of a new wet sand and gravel processing plant in West Chillisquaque Township, **Northumberland County**.

The plant will incorporate various crushing, conveying and screening equipment. Particulate matter emissions from the wet sand and gravel processing equipment are expected to be minimal due to the moist nature of the initial material being processed and the water which will be applied throughout the process. The main entrance/exit road of the facility will be concreted or paved in order to reduce any possible road dust.

The Department has determined that the proposed wet sand and gravel processing plant will comply with all applicable regulatory requirements pertaining to air contaminant sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue plan approval for the construction of the respective equipment. Additionally, if the Department determines that equipment is operating in compliance with all applicable plan approval conditions and regulatory requirements following its construction, the Department intends to issue an operating permit.

The Department intends to place conditions in the plan approval to be issued to assure proper operation of the equipment as well as maintenance of compliance with all applicable regulatory requirements. The following is a summary of these conditions:

1. If at any time it is determined that the air contaminant emissions from the crushing, screening, conveying and the like, equipment are in excess of any applicable air contaminant emission limitations, the company shall install water spray dust suppression nozzles and/or take other control measures as are necessary to reduce the air contaminant emissions to within the applicable limitations.

2. The air contaminant emissions from the wet sand and gravel plant shall comply with the applicable requirements specified in Subpart OOO of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.670—60.676.

3. No generators or engines shall be constructed.

4. The company shall have onsite an operable water truck equipped with a pressurized spray bar to be used, as needed, for the prevention and control of fugitive air contaminant emissions from the roadways, stock piles, truck loading activities and so on.

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

43-040A: AK Steel Corp. (Box 11, 200 Clark Street, Sharon, PA 16146) for installation of two wet scrubbers on the existing galvanizing lines in Sharon, **Mercer County**. The facility currently has a Title V Operating Permit, No. 43-00040. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

37-023C: Orion Power MidWest, LP, New Castle Plant (Route 168, New Castle, PA 16101) for installation of selective noncatalytic reduction on Boiler Unit Nos. 3, 4 and 5 in New Castle, **Lawrence County**. The facility currently has a Title V Operating Permit No. 37-00023. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. This installation will result in no increase in air emissions.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

01033: Children's Hospital of Philadelphia (34th Street and Civic Center Boulevard, Philadelphia, PA 19104) for installation of one 1081 hp peak shaving generator and for converting one existing 1081 hp emergency generator to peak shaving generator in the City of Philadelphia, **Philadelphia County**. This is a Synthetic Minor facility. These generators has to comply with two grams per bhp hr, BAT NOx emission limit. The plan approval will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

OPERATING PERMITS

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

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

06-05036A: Cryovac, Inc.—Division of Sealed Air Corp. (P. O. Box 295, Reading, PA 19603) for operation of an expandable polystyrene foam tray manufacturing facility in Muhlenberg Township, **Berks County**. The facility is a Title V facility with the potential to emit 2,000 tons per year of volatile organic compounds. The facility will have limits on the emissions from new and some existing sources. The facility will be required to monitor the usage of pentane in various products being manufactured. The permit will contain record keeping and reporting requirements to keep the facility within all applicable air quality requirements.

07-05004: Eldorado Properties Corp. (P. O. Box 2621, Harrisburg, PA 17105) for the administrative amendment to Title V Operating Permit No. 07-05004 for the Altoona Terminal to incorporate Tank 30, storage tank for gasoline and distillate, installed as per Plan

Approval 07-05004A, in Allegheny Township, **Blair County**. This change will increase the facility's VOC potential by 3.8 tpy. The facility's major sources of emissions include loading racks and storage tanks which primarily emit VOC. The Title V operating permit will contain monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: Mark Wayner, Facilities Permitting Chief, (412) 442-4174.

32-00266: Evergreen Landfill, Inc. (P. O. Box 195, Coral, PA 15731) for their Evergreen Landfill in Center Township, **Indiana County**. This facility is a nonmajor emitter of VOC, NO_x, PM-10, SO_x and CO. This source is defined as a Title V facility and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

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

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

36-05032: Versatek Enterprises, LLC (508 Front Street, Lititz, PA 17543) for operation of its woodworking facility in Lititz Borough, **Lancaster County**. The facility's emissions of volatile organic compounds (VOC) will be limited to less than 50 tons per year. 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.

67-03078: Snyder's of Hanover, Inc. (1250 York Street, Hanover, PA 17331) for operation of pretzel, tortilla chip and potato chip lines located in Penn Township, **York County**. The facility's sources of emissions include pretzel ovens and chip fryers which primarily emit VOC. The natural minor operating permit will contain monitoring and recordkeeping requirements designed to keep the facility operating within all applicable requirements.

67-03086: Electro-Platers of York, Inc. (209 East Willow Street, Wrightsville, PA 17368) for operation of metal plating systems in Wrightsville Borough, **York County**. Emission sources at the facility include plating tanks and wet scrubbers. A decorative chrome plating tank is subject to 40 CFR Part 63, Subpart N—National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. The natural minor operating permit will contain monitoring and record keeping requirements designed to keep the facility operating within all applicable requirements.

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

08-302-042: Oak Hill Veneer, Inc. (P. O. Box 304, Troy, PA 16947) for operation of a 16.26 million BTU per hour wood-fired boiler in Troy Township, **Bradford County**.

The air contaminant emissions from the boiler are controlled by a multiclone flyash collector. The boiler will emit particulate matter at a rate of up to 4.88 pounds per

hour, nitrogen oxides at a rate of up to 1.3 pounds per hour and carbon monoxide at a rate of up to 21.95 pounds per hour.

The Department has determined that the respective boiler was constructed and is operating, in conformance with all conditions of Plan Approval 08-302-042 as well as with all applicable regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently plans to issue an operating permit for the boiler.

The Department intends to place conditions in the operating permit to be issued which are intended to assure proper operation of the boiler and continued compliance with all applicable regulatory requirements and plan approval conditions. The following is a summary of these conditions:

1. The emission of particulate matter, nitrogen oxides and carbon monoxide shall not exceed .3 pound, .08 pound and 1.35 pounds per million BTU of heat input, respectively.
2. The boiler shall only be fired on green or kiln-dried wood. No coated or treated wood, laminated wood, particleboard, flakeboard or materials other than green or kiln-dried wood shall be burned.
3. All wood fuel placed in the storage silo associated with the boiler shall be blended at a consistent ratio to avoid fuel stratification and consequent boiler combustion upsets.
4. The multiclone collector shall be equipped with a differential pressure gauge.
5. The multiclone collector ash discharge system shall remain sealed from the open air except when changing collection drums and the level of accumulated ash in the collection drum shall be checked daily.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: Mark Wayner, Facilities Permitting Chief, (412) 442-4174.

04-00226: Better Materials Corp. (1000 Big Sewickley Creek Road, Sewickley, PA 15143) for operation of Asphalt Plant at Sewickley Creek Plant in Economy Borough, **Beaver County**.

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

33-00168: Miller Welding and Machine Co. (1000 Miller Drive, Brookville, PA 15825) for a Natural Minor Permit to operate a surface coating facility in Rose Township, **Jefferson County**.

16-00131: Georgia-Pacific Corp.—Marble Hardwood Sawmill (Highway 208, Marble, PA 16334) for a Synthetic Minor Permit to operate a Hardwood Sawmill in Washington Township, **Clarion County**.

10-00312: Purvis Brothers, Inc.—Mars Facility (321 Mars-Valencia Road, Mars, PA) for a Synthetic Minor Permit to operate a Petroleum Bulk Station in Adams Township, **Butler County**.

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 any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—83.34 (relating to public notices of filing of permit applications, opportunity for comment and informal conferences).

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

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

Coal Applications Received

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

65-01-06. Coal Loaders, Inc. (P. O. Box 556, Ligonier, PA 15658). Received a government financed construction contract located in Unity and Mt. Pleasant Townships,

Westmoreland County affecting 21 acres. Receiving stream: Brinker Run. Application received: September 17, 2001.

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

56960107. PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541), permit renewal for continued operation of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 129.9 acres. Receiving streams: unnamed tributaries to/and Quemahoning Creek. Application received: September 20, 2001.

32960101. Dunamis Resources, Inc. (One Energy Place, Suite 4000, Latrobe, PA 15650-9628). Permit Renewal for continued operation of a bituminous surface and auger mine in Brushvalley Township, **Indiana County**, affecting 87.9 acres. Receiving streams: unnamed tributary to Little Brush Creek to Brush Creek. Application received: September 24, 2001.

56860101. Croner, Inc. (P. O. Box 260, Friedens, PA 15541). Permit Renewal for continued restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 156.8 acres. Receiving streams: unnamed tributary to Buffalo Creek. Application received: September 24, 2001.

Noncoal Applications Received

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

40960302C. Hanover Nursery (5 Crystal Street, Hanover Green, Wilkes-Barre, PA 18702) renewal of NPDES Permit #PA0223671 in Plymouth Township, **Luzerne County**. Receiving river: Susquehanna River. Application received: September 20, 2001.

38870301C4. Pennsylvania Lime, Inc. (P. O. Box 160, Annville, PA 17003) renewal of NPDES Permit #PA0595543 in Annville Borough, North and South Annville and North Londonderry Townships, **Lebanon County**. Receiving stream: Killinger Creek and Quit-tapahilla Creek. Application received: September 24, 2001.

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

37900308. Atlantic States Materials of PA, Inc. (P. O. Box 146, Slippery Rock, PA 16057). Transfer of an existing sand and gravel operation in New Beaver Borough, **Lawrence County** affecting 55.9 acres. Receiving streams: North Fork of Little Beaver Creek, classified for the following uses: Statewide water uses: HQW and CWF. No public water supplies are within 10 miles downstream of this proposed operation. Transfer from Russell Minerals (Pennsylvania) t/d/b/a Darlington Ready Mix Co. Application received: September 24, 2001.

37900303. Atlantic States Materials of PA, Inc. (P. O. Box 146, Slippery Rock, PA 16057). Transfer of an existing sand and gravel operation in Taylor Township, **Lawrence County** affecting 53.5 acres. Receiving streams: unnamed tributary to the Beaver River, classified for the following uses: Statewide water uses. No public water supplies are within 10 miles downstream of this proposed operation. Transfer from Russell Minerals (Pennsylvania), t/d/b/a Darlington Ready Mix Co. Application received: September 24, 2001.

37930307. Atlantic States Materials of PA, Inc. (P. O. Box 146, Slippery Rock, PA 16057). Transfer of an existing sand and gravel operation in North Beaver Township, **Lawrence County** affecting 44.5 acres. Re-

ceiving streams: Beaver River, classified for the following uses: Statewide water uses: WWF. No public water supplies are within 10 miles downstream of this proposed operation. Transfer from Russell Minerals (Pennsylvania) t/d/b/a Darlington Ready Mix Co. Application received: September 24, 2001.

37950303. Cemex, Inc. (1200 Smith Street, Suite 2400, Houston, TX 77002). Renewal of NPDES No. PA0227129, Shenango and Taylor Townships, **Lawrence County**. Receiving streams: McKee Run and Beaver River, classified for the following uses: Statewide water uses: WWF. No public water supplies are within 10 miles downstream of this proposed operation. NPDES Renewal application received: September 25, 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. 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.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E09-822. East Rockhill Township, 1622 Ridge Road, Perkasio, PA 18944, East Rockhill Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain an 8-foot wide by 80-foot long single span pedestrian footbridge across the East Branch of Perkiomen Creek (TSF). This work also includes construction and maintenance of the pathway approaching the bridge. The site is located approximately 400 feet west of the intersection of Blooming Glen Road and Branch Road, (Quakertown, PA USGS Quadrangle N: 1.1 inches; W: 3.1 inches).

E51-194. Philadelphia Regional Port Authority, 3460 North Delaware Avenue, Philadelphia, PA 19134, **Philadelphia County**, ACOE Philadelphia District.

To perform the following activities associated with the construction of the United States S Navy LMSR Layberth Project at the existing Tioga Marine Terminal along Delaware River (WWF-MF) (Camden, NJ-PA Quadrangle N: 19.0 inches, W: 11.25 inches).

1. To install and maintain two 25-foot wide by 36-foot long by 6-foot thick breasting dolphins.
2. To install and maintain four 20-foot wide by 28.5-foot long by 6-foot thick mooring dolphins.
3. To install and maintain a 5-foot wide by 750-foot long gangway.
4. To install approximately 25 mooring bollards.
5. To modify and maintain the existing facility by installing a security fence, guard house, fender system, sewage grinder pump system, steam generator, sewage holding tanks, trash receptacle, crane tie down pins and various utility connections.

This work will utilize a total of 200 various diameter pipe piles with a total impact area of approximately 300 sq.ft in the river.

E51-193. Fairmount Park Commission, West Park, Memorial Hall, Philadelphia, PA 19131, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To construct and maintain a sculptural landscape structure within Fairmont Park along the Schuylkill River (WWF-MF) where tidal flows overtop the existing, partially constructed bulkhead. The structure will mostly consist of stone and concrete centered on the existing bulkhead. The proposed Schuylkill River Tidal Park project is located beneath and just to the south of the Walnut Street bridge on the Schuylkill River's eastern bank (Philadelphia, PA Quadrangle N: 13.5 inches; W: 8.0 inches).

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

E39-404. Berks Products Corporation, P. O. Box 421, Reading, PA 19603, in South Whitehall Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To maintain fill placed within the floodway along approximately 300 linear feet of the left bank of Little Cedar Creek (HQ-CWF), at the Berks Products Allentown plant and existing cement concrete manufacturing facility. The project is located along the southside of Crackersport Road, at the northwest corner of the intersection of S.R. 0022 and the Pennsylvania Turnpike Northeast Extension (Allentown West, PA Quadrangle N: 17.5 inches; W: 10.0 inches).

E58-243. Pennsylvania Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501, in Rush Township, **Susquehanna County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a road crossing of a tributary to Deer Lick Creek (CWF), consisting of a 15.0-foot x 7.0-foot precast concrete box culvert, with its invert depressed 1.0-foot below streambed elevation. The project includes a temporary road crossing of the tributary, including a 0.03-acre wetland impact. The project is located along S.R. 0267, Section 574, approximately 1.1 miles southeast of the intersection of S.R. 0267 and S.R. 0367 (Lawton, PA Quadrangle N: 4.3 inches; W: 8.0 inches).

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

E17-363. City of DuBois, P. O. Box 408, DuBois, PA 15801. Dredging-Sandy Lick Creek, in the City of DuBois and Sandy Township, **Clearfield County**, ACOE Pittsburgh District (Fall Creek, PA Quadrangle N: 0.1 inch; W: 1.9 inches).

To excavate and maintain the channel Sandy Lick Creek (Cold Water Fishery) in perpetuity for the protection of public and private property. The stream channel excavating and maintenance activities shall be limited to a 4.9-mile reach of Sandy Lick Creek. The upstream limit of the channel excavating and maintenance is at the confluence of Sandy Lick Creek and Laborde Branch; the downstream limit of the channel excavating and maintenance is at Clearfield/Jefferson County line.

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

E32-434. Norfolk Southern Corporation, 99 Spring Street, Atlanta, GA 30303-0142. Armstrong Township, **Indiana County**, ACOE Pittsburgh District.

To remove the existing steel deck of Norfolk Southern Railroad Bridge No. KF-33.09 and to construct and maintain a concrete deck on the existing abutments across Anthony Run (CWF). Also to rehabilitate and maintain the existing abutments. The proposed bridge has a clear span of 23.6 feet and an underclearance of 10.1 feet. The structure is located approximately 600 feet north of S.R. 3039 (Elderton, PA Quadrangle N: 4.21; W: 4.49).

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

E20-503, Titusville Redevelopment Authority, P. O. Box 425, Titusville, PA 16354-0425. Titusville Opportunity Park, in City of Titusville, **Crawford County**, ACOE Pittsburgh District (Titusville North, PA Quadrangle N: 22.1 inches; W: 3.5 inches).

To fill 1.61 acres of wetland and impact a total of approximately 440 feet of tributaries to Oil Creek having contributory drainage area less than 100 acres for development of Titusville Opportunity Park industrial park project on the former Cytemp Specialty Steel property south of S.R. 27 approximately 0.5 mile east of S.R. 8. Project includes creation of 5.5 acres of replacement wetlands including 3.89 acres of replacement for impacts associated with the Act 2 remediation.

E25-639, Pennsylvania Department of Transportation, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. S.R. 3002, Segment 0190, Offset 0000 Across West Branch Conneaut Creek, in Springfield

Township, **Erie County**, ACOE Pittsburgh District (Springfield, PA Quadrangle N: 3.5 inches; W: 0.5 inch)

To remove the existing structure and to construct and maintain a Prestressed Box Beam Bridge having a clear span of 65 feet and an underclearance of 10.4 feet on a 65 degree skew across West Branch Conneaut Creek on S.R. 3002, Segment 0190 offset 0000 approximately .07 mile north of SR.6N.

ACTIONS

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

INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

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

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

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

NPDES Permit No. PA-0061204, Sewage, **Kidder Township**, P. O. Box 576, Lake Harmony, PA 18624. This proposed facility is located in Kidder Township, **Carbon County**.

Description of Proposed Action: Modification and renewal of an NPDES Permit for discharge of treated sewage into Shingle Mill Run.

NPDES Permit No. PA-0064149, Sewage, **Lehigh Valley Water Co., LLC**, (Arcadia West Industrial Park), 54 South Commerce Way, Suite 175, Bethlehem, PA 18017-8966. This proposed facility is located in Weisenberg Township, **Lehigh County**.

Description of Proposed Action: Issuance of NPDES Permit to discharge treated sewage into an unnamed tributary to Mill Creek.

NPDES Permit No. PA-0064131, Sewage, **Sonny Singh, d/b/a Raceway Truckstop**, P. O. Box 239, Harford, PA 18823. This proposed facility is located in Tremont Township, **Schuylkill County**.

Description of Proposed Action: issuance of a new NPDES Permit for a treated sewage discharge to Swatara Creek.

WQM Permit No. 4001404, Sewerage, 1 South Church Street, Hazleton, PA 18201. This proposed facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action/Activity: Permit approval for the construction of a sewer extension and one pumping station to serve a proposed industrial park—the Humboldt Industrial Park North. The collected sewage (about 500,000 gpd) will be ultimately treated at the Greater Hazleton Joint Sewer Authority facility.

WQM Permit No. 1301401, Sewerage, **Split Rock Country Club, Inc.**, Box 592, Lake Harmony, PA 18624. This proposed facility is located in Kidder Township, **Carbon County**.

Description of Proposed Action/Activity: Permit approval to use tertiary treated domestic wastewater for the seasonal irrigation of a 27-hole golf course.

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

WQM Permit No. 3601405, Sewerage, **Black Rock Retreat Association**, 1345 Kirkwood Pike, Quarryville, PA 17566. This proposed facility is located in Colerain Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of Sewage Treatment Facilities.

WQM Permit No. 3601202, Industrial Waste, **John Cope's Food Products, Inc.**, 156 West Harrisburg Avenue, P. O. Box 419, Rheems, PA 17570-0429. This proposed facility is located in West Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of Land Application Facilities and Impoundments and Liner System.

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

NPDES Permit No. PA0000515. Sewage. **James Haber**, 5745 Ellsworth Avenue, Pittsburgh, PA 15232 is authorized to discharge from a facility located at Allison Park Industrial Park STP, Hampton Township, **Allegheny County** to receiving waters named Pine Creek.

NPDES Permit No. PA0026522. Sewage. **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902 is authorized to discharge from a facility located at New England Sewage Treatment Plant, West Mifflin Borough, **Allegheny County** to receiving waters named unnamed Tributary of Monongahela River.

NPDES Permit No. PA0204340. Sewage. **Anna H. and Ray E. Newhouse**, R. D. # 1, Box 407, New Alexandria, PA 15670 is authorized to discharge from a facility located at New Alexandria Mobile Home Park STP, Derry Township, **Westmoreland County** to receiving waters named Loyalhanna Creek.

NPDES Permit No. PA0218880. Sewage. **HIS Enterprises**, 930 Merwin Road, New Kensington, PA 15068 is authorized to discharge from a facility located at Morrow Mobile Home Park Sewage Treatment Plant, Upper Burrell Township, **Westmoreland County** to receiving waters named unnamed tributary of Pucketa Creek.

NPDES Permit No. PA0218901. Sewage. **Totteridge Limited Partnership**, R. R. #4, Box 121, Greensburg, PA 15601 is authorized to discharge from a facility located at Totteridge Sewage Treatment Plant, Salem Township, **Westmoreland County** to receiving waters named Crabtree Creek

NPDES Permit No. PA0218910. Sewage. **Charlie Vrabel, Jr.**, 130 Dewy Lane, Gibsonia, PA 15044 is authorized to discharge from a facility located at Frabel Small Flow STP, Richland Township, **Allegheny County** to receiving waters named unnamed tributary South Branch Glade Run.

Permit No. 9084-S-A3. Sewerage. **City of Jeannette Municipal Authority**, P. O. Box 294, Penn, PA 15675-0294. Construction of Sewage Treatment Plan Pump Station, Force Main, Influent Structure Modifications and Bull Run Interceptor Modifications located in Penn Township, **Westmoreland County** to serve the Jeannette Wastewater Treatment Plant and Bull Run Interceptor.

Permit No. 0201410. Sewerage. **Charlie Vrabel, Jr.**, 13 Dewy Lane, Gibsonia, PA 15044. Construction of a small flow sewage treatment plant located in Richland Township, **Allegheny County** to serve the Vrabel property.

Permit No. 6301405. Sewerage. **Robert Zelinsky**, 2192 Route 88, Finleyville, PA 15332. Construction of Single Resident Sewage Treatment Plant located in Union Township, **Washington County** to serve Zelinsky Residence.

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10 G452	S&S Development Company 1155 W. Lancaster Ave, Suite 212 Berwyn, PA 19312	Chester	Tredyffrin Township	Valley Creek (EV)
PAS10 G469	Green Point Farm, Inc. 402 Bayard Road, Suite 100 Kennett Square, PA 19348	Chester	Londonderry Township	UNT to Big Elk Creek (HQ, TSF, MF)
PAS10 J050	Roll International Corporation The Franklin Mint Franklin Center, PA 19091	Delaware	Newtown Township	UNT to Crum Creek (HQ-CWF)

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

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

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

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
East Marlborough Township Chester County	PAR10 G416	Bentley Homes 1595 Paoli Pike West Chester, PA 19380	East Branch Red Clay Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Kennett Township Chester County	PAR10 G446	Dewson Construction 7 South Lincoln Street Wilmington, DE 19805	Tributary Red Clay Creek (CWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Aston Township Delaware County	PAR10 J224	Fortress PA LLC 2 EF Raymond Drive Havertown, PA 19083	West Branch Chester Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Montgomery Township Montgomery County	PAR10 T417-1	The Cutler Group P. O. Box 629 Horsham, PA 19044	Little Neshaminy Creek (WF, M)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Girard Township Clearfield County	PAR101768	Clearfield Area School District 438 River St. Clearfield, PA 16830	Stony Hollow Balo Hill Run (CWF)	Clearfield County Conservation District 650 Leonard St. Clearfield, PA 16830 (814) 765-2629
Goshen Township Clearfield County	PAR101764	Clearfield Area School District 438 River St. Clearfield, PA 16830	West Branch Susquehanna River (WWF)	Department of Environmental Protection Water Management 208 W. 3rd St., Suite 101 Williamsport, PA 17701 (570) 327-3574

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Fayette County Franklin Township	PAR10L072	Franklin Township Sewer Authority 353 Town and Country Road Vanderbilt, PA 15486	Redstone Creek WWF	Fayette County Conservation District (724) 438-4497
Washington County Canton Township	PAR10W189	Maronda Homes 202 Parkwest Drive Pittsburgh, PA 15275	Chartiers Creek WWF	Washington County Conservation District (724) 228-6774
Allegheny County South Park Township	PAR10A525	Port Authority of Allegheny County One Gateway Center 13 West Pittsburgh, PA 15222	Peters Creek TSF	Allegheny County Conservation District (724) 241-7645
Allegheny County Harrison Township	PAR10A531	Highlands School District P. O. Box 288 Natrona Heights, PA 15065	Allegheny River WWF	Allegheny County Conservation District (724) 241-7645
Allegheny County Castle Shannon Borough	PAR10A532	A&L Construction, Inc. 951 Killarney Drive Pittsburgh, PA 15234	Sawmill Run WWF	Allegheny County Conservation District (724) 241-7645

NOTICES

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Allegheny County Collier Township	PAR10A533	Grecian Construction & Development Co., LLC 8 Aloe Street Pittsburgh, PA 15205	UNT Chartiers Creek WWF	Allegheny County Conservation District (724) 241-7645
Somerset County Shade Township	PAR106143	Castleman Enterprise, Inc. 150 West Union Street Somerset, PA 15501	Oven Run WWF	Somerset County Conservation District (814) 445-4652
Washington County Peters Creek	PAR10W185	Louis Olivia 6149 Boxer Drive Bethel Park, PA 15103- 3213	UNT Beaver Run WWF	Washington County Conservation District (724) 228-6774
<i>General Permit Type—PAG-3</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Norristown Borough Montgomery County	PAR800108	Airborne Express P. O. Box 662 Seattle, WA 98111	Indian Creek-3F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR800064	BFI Waste Services of PA 3000 E. Hedley St. Philadelphia, PA 19137	Frankford Creek-3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Franklin County Waynesboro Borough	PAR113511	Landis Gardner 20 East 6th Street Waynesboro, PA 17268	West Branch of Antietam Creek	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County North Woodbury Township	PAR803606	Blair County Airport Authority 2 Airport Drive Martinsburg, PA 16662	Plum Creek WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Adams County Littlestown Borough	PAR203502	Littlestown Foundry, Inc. P. O. Box 69 150 Charles Street Littlestown, PA 17340	Piney Creek WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Huntingdon County Warriors Mark Township	PAR213538	New Enterprise Stone & Lime Co., Inc. P. O. Box 77 New Enterprise, PA 16664	Logan Spring Run WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County Snake Spring Township	PAR213505	New Enterprise Stone & Lime Co., Inc. P. O. Box 77 New Enterprise, PA 16664	Cove Creek CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County East Earl Township	PAR213530	New Enterprise Stone & Lime Co., Inc. P. O. Box 77 New Enterprise, PA 16664	Farmland	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Huntingdon County Walker Township	PAR803522	New Enterprise Stone & Lime Co., Inc. P. O. Box 77 New Enterprise, PA 16664	Crooked Creek WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Fulton County Bethel Township	PAR703503	New Enterprise Stone & Lime Co., Inc. P. O. Box 77 New Enterprise, PA 16664	Tonoloway Creek WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
<i>General Permit Type—PAG-4</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Jefferson Borough Allegheny County	PAG046109	James B. Husser 4043 Bedell Road Finleyville, PA 15332	Tributary to Lobbs Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Union Township Washington County	PAG046229	Robert Zelinsky 2192 Route 88 Finleyville, PA 15332	Froman Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Farmington Township Warren County	PAG048415	Leonard B. Riel R. R. #4, Box 377 Sugar Grove, PA 16350	Mud Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-10</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Statewide Use	PAG109609	Equitrans, LP 100 Allegheny Center Mall Pittsburgh, PA 15212	Statewide Use—water body information to be provided to the Department before discharge	DEP Central Office 400 Market Street Harrisburg, PA 17105 (717) 787-8184
<i>General Permit Type—PAG-12</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Franklin County Fannett Township	PAG123516	Hostetter Management Company New Hope Farm P. O. Box 526 Ephrata, PA 17522	UNT to Doylestown Stream / CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Spring Township Snyder County	PAG124807	BHMW Partnership CAFO operation. 693 AEUUs—swine	North Branch Middle Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3666

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 (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. 0901512, Public Water Supply.

Applicant **New Hope Senior Housing Corporation, L.P.**
7321 New Falls Road
Levittown, PA 19055

Borough New Hope

County **Bucks**

Type of Facility Public Water Supply System

Consulting Engineer Mecuri and Associates, Inc.
627 New Hampton Avenue
Southampton, PA 18966

Permit to Construct September 21, 2001
Issued

Permit No. 1501501, Public Water Supply.

Applicant **Modern Mushroom Farms**
1330 Newark Road
Toughkenomon, PA 19874

Township New Garden

County **Chester**

Type of Facility Public Water Supply System

Consulting Engineer Betz Dearborn
3331 Street Road
Suite 151
Bensalem, PA 19020

Permit to Construct September 21, 2001
Issued

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

Operations Permit issued to: **The Sheperds In Monroe County, Inc.**, P. O. Box 302, Cresco, PA 18326, Barrett Township, **Monroe County** on September 25, 2001.

Operations Permit issued to: **Pennsylvania-American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, Swoyersville Borough, **Luzerne County** on September 25, 2001.

Operations Permit issued to: **Citizens Utilities Water Co.**, 4 Wellington Blvd., P. O. Box 6342, Wyomissing, PA 19610, Pen Argyl Borough, **Northampton County** on August 28, 2001.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bedford Township	P. O. Box 148 Bedford, PA 15522	Bedford

Plan Description: The approved plan provides for approval of a revision to the Official Sewage Plan of Bedford Township, Bedford County. Project involves construction of a small flow sewage treatment facility to serve a proposed residential dwelling located on Briar Valley Road. Treated effluent is to be discharged to a unnamed tributary to Dunning 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 as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Porter Township	R. D. 1 Box 80 Alexandria, PA 16611	Huntingdon

Plan Description: The approved plan provides for the extension of public sewers to the Barree, Davis Way and Loop areas defined in the plan. The sewage will be conveyed to Alexandria Borough-Porter Township Joint Sewer Authority treatment plant for disposal. The plan also provides for the implementation of a township wide Sewage Management Program to be instituted in a phased approach identified in the plan. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

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

The Department has received the following final reports:

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Boutronics Corporation, Greensburg, Westmoreland County. J. Christopher Hartigan, The Fourth River Company, 1550 Obey Street, Suite 201, Pittsburgh, PA 15205 (on behalf of Boutronics Corporation, 3000 Lillian Drive, Murrysville, PA 15668) has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Fogg Property (1265 Eckert Road) and Satterfield Property (1266 Cascade Road), Borough of Monaca, Beaver County. Kenneth J. Bird, Cummings/Riter Consultants, 339 Haymaker Road, Suite 201, Monroeville, PA 15146 and Newell Rubbermaid, 6833 Stalter Drive, Suite 101, Rockford, IL 61108 (on behalf of Richard B. Fogg and Ruth Ann Fogg, 579 Jefferson Street, Rochester, PA 15074 and Beatrice Satterfield, 1266 Cascade Road, Monaca, PA 15061) has submitted a Final Report concerning remediation of site soil contaminated with lead and heavy metals. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LTV South Side, Soffer South Side Works, Ltd., City of Pittsburgh, Allegheny County. Martin C. Knuth, Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205-9702 (on behalf of Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15222 and Soffer South Side Works, LTD,

400 Penn Center Blvd., Suite 2H, Pittsburgh, PA 15235) has submitted a Final Report concerning remediation of site soil contaminated with PCB, lead, PHCs and PAHs. The report is intended to document remediation of the site to meet the Site Specific Standard.

Lectromelt Corporation Facility, City of Pittsburgh, Allegheny County. Civil & Environmental Consultants, Inc., Karen E. Souza, Rosslyn Commons, 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Urban Redevelopment Authority of Pittsburgh 200 Ross Street, 12th Floor, Pittsburgh, PA 15219) has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals, solvents, PHCs and PAHs. The report is intended to document remediation of the site to meet the Site Specific Standard.

The Buncher Company, 11th and Etna Streets, City of Pittsburgh, Allegheny County. Earth Sciences Consultants, Inc., Frank Benaquista, One Triangle Lane, Export, PA 15632 (on behalf of The Buncher Company, Joseph Jackovic, 5600 Forward Avenue, Pittsburgh, PA 15217) has submitted a Baseline Environment Report concerning remediation of site soil and groundwater contaminated with PCBs, lead, heavy metals, BTEX, PHCs, PAHs and solvents. The Baseline Environmental Report is intended to document remediation of the site to meet the special industrial area requirements.

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:

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

Najaka Residence, Union Township, **Luzerne County**. Eric J. Raes, President, Engineering and Land Planning Associates, Inc., P. O. Box 5283, Clinton, NJ 08809 submitted a Final Report (on behalf of his clients, Mr. and Mrs. B. Bruce Najaka, Cherokee Drive, Shickshinny Lake, PA 18655) concerning the remediation of soils contaminated with no. 2 fuel oil. The Final Report was unable to demonstrate remediation of the site to meet the Statewide health standard and was disapproved on September 6, 2001.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Lectromelt Corporation Facility, City of Pittsburgh, **Allegheny County**. Civil & Environmental Consultants, Inc., Karen Souza, Rosslyn Commons, 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, 12th Floor, Pittsburgh, PA 15219) has submitted a Final Report concerning the remediation of site soil contaminated with lead, heavy metals, solvents, PHCs and PAHs. The Final Report demonstrated attainment of the Site Specific Standard and was approved by the Department on September 11, 2001.

The Buncher Company, 11th and Etna Streets, City of Pittsburgh, **Allegheny County**. Earth Sciences Consultants, Inc., Frank W. Benaquista, One Triangle Lane, Export, PA 15632 (on behalf of The Buncher Company, Joseph Jackovic, 5600 Forward Avenue, Pittsburgh, PA 15217-0930) has submitted a Baseline Environmental Report concerning the remediation of site soil and groundwater contaminated with PCBs, lead, heavy metals, BTEX, PHCs, PAHs and solvents. The Baseline Environmental Report demonstrated attainment of the Special Industrial Area Requirements and was approved by the Department on February 14, 2001.

Shady Hill Plaza (Shakespeare Street Associates), City of Pittsburgh, **Allegheny County**. Steven Clites, Kappa Properties, 701 Alpha Drive, Pittsburgh, PA 15238 and The Fourth River Company, 1550 Obey Street, Suite 201, Pittsburgh, PA 15205 (on behalf of Shakespeare Street Associates, 6320 Shakespeare Street, Pittsburgh, PA 15204) has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with lead, BTEX and PHCs. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 17, 2001.

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

Waste Recovery Solutions, Inc., 343 King Street, Myerstown, PA 17067. License No. **PA-AH 0683**. Effective September 27, 2001.

HAZARDOUS WASTE TRANSPORTER LICENSE RENEWED

Auchter Industrial Vac Service, Inc., 4801 S. Wood Avenue, Linden, NJ 07036. License No. **PA-AH 0444**. Effective September 13, 2001.

Midwest Environmental Transport, Inc., 3010 Cincinnati-Dayton Road, Cincinnati, OH 45232. License No. **PA-AH 0368**. Effective September 13, 2001.

Safety-Kleen (TG), Inc., J. J. Keller & Associates, Inc., 3003 W. Breezewood Lane, Neenah, WI 54957-0368. License No. **PA-AH 0271**. Effective September 14, 2001.

Emerald Environmental Services, Inc., 4030 State Rt. 43, Suite 201, Brimfield, OH 44240. License No. **PA-AH 0641**. Effective September 27, 2001.

SMP, Inc., 402 Rt. 519, Phillipsburg, NJ 08865. License No. **PA-AH S221**. Effective September 28, 2001.

Eaglebrook Transport of Ohio, Inc., 17877 St. Clair Avenue, Cleveland, OH 44110. License No. **PA-AH 0369**. Effective September 14, 2001.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

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

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE RENEWED

Bestrans, Inc., 107 Delancy Road, Elkton, MD 21921. License No. **PA-HC 0209**. Effective September 14, 2001.

Bridgeview, Inc., 1525 Chestnut Hill Road, Morgan, PA 19543. License No. **PA-HC 0084**. Effective September 14, 2001.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

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

PAD000606285. Eastman Chemical Resins, Inc., P. O. Box 567, State Highway 837, West Elizabeth, PA 15088-0567. Operation of a captive hazardous waste storage facility in Jefferson Hills Borough, **Allegheny County**. Permit transfer issued in the Regional Office on September 25, 2001, to reflect the change in ownership of the Jefferson Plant at which the storage of hazardous waste fuel in containers and aboveground storage tanks at an existing resin manufacturing facility is permitted.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR056. This Department-initiated general permit authorized the operation of transfer facilities for the processing of used oil filters prior to beneficial use by State inspection facilities, oil retailers, retail service stations or captive processing facilities which collect used oil generated only by the operator of the facility and by the employees of the operator who change their used oil in their vehicles which accepts used oil for recycling. This activity is now authorized by permit-by-rule under 25 Pa. Code § 298.30, promulgated June 2, 2001. The permit was revoked by Central Office on October 1, 2001.

Persons interested in obtaining more information about the decision to revoke the general permit may contact the Division of Municipal and Residual Waste, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 101565. Ambridge Transfer Station (Formerly Steel Valley Recycling Center), Waste Management of Pennsylvania, Inc., 2097 Duss Avenue, Ambridge, PA 15003. Operation of a municipal waste transfer station in Ambridge Borough, **Beaver County**.

Permit renewal for a 10 year period issued in the regional office on September 26, 2001.

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.

13-310-011GP: Jamico Materials (Division of Haines and Kibblehouse, Inc., P. O. Box 196, Skippack, PA 19474) for construction and operation of a Hazmag portable stone crushing plant and associated air cleaning device in Penn Forest Township, **Carbon County**.

13-310-012GP: Jamico Materials (Division of Haines and Kibblehouse, Inc., P. O. Box 196, Skippack, PA 19474) for construction and operation of a Cedar Rapids portable stone crushing plant and associated air cleaning device in Penn Forest Township, **Carbon County**.

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

GP1-44-03012: Lewistown Hospital (400 Highland Avenue, Lewistown, PA 17044) on September 20, 2001, was authorized to operate a small gas and No. 2 oil fired combustion unit under GP1 in Derry Township, **Mifflin County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

00169, 00170, 00171: Kirkbride Center (111 North 49th Street, Philadelphia, PA 19139) for installation of three natural gas and No. 2 oil fired 16.4 mmBtu/hr boilers in the City of Philadelphia, **Philadelphia County**.

01088, 01089: Ready Food Products Inc. (10975 Dutton Road, Philadelphia, PA 19154) for installation of one 33.6 mmBtu/hr and one 11.25 mmBtu/hr natural gas and No. 2 oil fired boilers in the City of Philadelphia, **Philadelphia County**.

01078: Sunoco R&M Inc.—Belmont Terminal (801 Market Street 15/10 PC, Philadelphia, PA 19103) for installation of 5,000 gallon horizontal storage tank for storing water contaminated with volatile organic compounds in the City of Philadelphia, **Philadelphia County**.

01083: Sunoco R&M, Inc.—Fort Mifflin Terminal (1801 Market Street 15/10 PC, Philadelphia, PA 19103) for installation of two prefab frac tanks in the City of Philadelphia, **Philadelphia County**.

01110: St. Joseph's University (5930 City Avenue, Philadelphia, PA 19124) for installation of one 20 mmBtu/hr natural gas and No. 2 oil fired boiler in the City of Philadelphia, **Philadelphia 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.

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

40-399-047: Bemis Co., Inc. (20 Jaycee Drive, West Hazleton, PA 18201-1142) on September 20, 2001, for construction of laser engraved rubber plate making operation and associated air cleaning device in West Hazleton Borough, **Luzerne County**.

40-399-046: Bemis Co., Inc. (20 Jaycee Drive, West Hazleton, PA 18201-1142) on September 20, 2001, for construction of a photopolymer plate making system and associated air cleaning device in West Hazleton Borough, **Luzerne County**.

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

36-05092A: Greiner Industries, Inc. (1650 Steel Way, Mount Joy, PA 17552) on September 24, 2001, for construction of three paint booths controlled by an American air filter 120,000 ACFM glass fiber paint arrestor in Mount Joy Township, **Lancaster County**.

36-03124: Crest Truck Equipment Co., Inc. (1363 Bowmansville Road, P. O. Box 555, Bowmansville, PA 17507) on September 24, 2001, for modification of a coating operation in Brecknock Township, **Lancaster County**.

67-05004B: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on September 27, 2001, for modification of a LVHC Project in Spring Grove Borough, **York County**. This source is subject to 40 CFR Part 63, Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.

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

42-193A: Allegheny Bradford Corp. (1522 South Avenue, Lewis Run, PA 16738) on September 17, 2001, for operation of a baghouse on the polishing line in Lewis Run, **McKean 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.

09-0087A: Air Products and Chemicals, Inc. (351 Philadelphia Avenue, Morrisville, PA 19067) on September 25, 2001, for operation of an Ammonia Scrubber in Falls Township, **Bucks County**.

15-0086A: Bakery Feeds, Inc. (97 Westbrook Drive, Honey Brook, PA 19344) on September 27, 2001, for operation of a Regenerative Thermal Oxidizer (RTO) in West Brandywine Township, Chester County.

46-0015: Occidental Chemical Corp.—Vinyl Division (375 Armand Hammer Boulevard, Pottstown, PA 19464) on September 25, 2001, for 3-98 MMBtu/hr Boilers in Lower Pottsgrove Township, **Montgomery County**.

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

67-05004A: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on September 17, 2001, for operation of a hardpiping system to convey process condensates to the wastewater treatment plant in Spring Grove Borough, **York County**. This plan approval was extended. This source is subject 40 CFR Part 63, Subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.

22-301-058. Department of Agriculture (2301 North Cameron Street, Harrisburg, PA 17110) on September 16, 2001, for operation of an animal health laboratory multi-chambered incinerator controlled by a venturi-wet scrubber and a mist eliminator in Susquehanna Township, **Dauphin County**. This plan approval was extended.

36-310-027G: Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506) on September 20, 2001, for operation of a stone crushing and screening plant controlled by wet suppression and an aeropulse fabric filter in East Calocolo Township, **Lancaster County**. This plan approval was extended. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

49-331-001: Merck and Co., Inc. (P. O. Box 600, Danville, PA 17821-0600) on September 18, 2001, to authorize operation of a tray tower scrubber to be used for the control of air contaminant emissions from a hazardous waste incinerator at a minimum pressure drop of 12 inches w.g. (1 hour rolling average) instead of 20 inches, to require the monitoring of specific power rather than secondary power input for a wet electrostatic precipitator which will also be used for the control of air contaminant emissions from a hazardous waste incinerator, to allow the monitoring and recording of the waste feed streams to the hazardous waste incinerator on a mass as well as a volumetric basis and to clarify that a required incinerator operating training and certification program is to conform to the requirements specified for programs in the most current version of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants in Riverside Borough, **Northumberland County**.

18-313-019D: Croda, Inc. (P. O. Box 178, Mill Hall, PA 17751-0178) on September 14, 2001, to extend the authorization to operate various batch reaction vessels used to produce quaternary ammonium compounds and associated air cleaning devices (a thermal oxidizer and a packed bed scrubber) on a temporary basis until January 12, 2002, in Bald Eagle Township, **Clinton County**.

55-0005B: Wood-Mode, Inc. (1 Second Street, Kreamer, PA 17833) on September 19, 2001, to extend the deadline for the performance of volatile organic compound stack testing on a wood cabinet molding finishing operation and associated air cleaning device (a regenerative thermal oxidizer) to January 17, 2002, as well as to extend the authorization to operate the respective finishing operation on a temporary basis until January 17, 2002, in Middlecreek Township, **Snyder County**.

53-00004A: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on September 21, 2001, to extend the authorization to operate a 25.2 million BTU per hour natural gas-fired boiler on a temporary basis until January 19, 2002, at the Harrison Compressor Station in Harrison Township, **Potter County**.

53-0009D: National Fuel Gas Supply Corp. (P. O. Box 2081, Erie, PA, 16512) on September 21, 2001, to extend the authorization to operate a 4,445 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine 1A) on a temporary basis until January 19, 2002, as well as to extend the deadline for the performance of nitrogen oxides, carbon monoxide, volatile organic compounds and formaldehyde stack testing on said engine to January 19, 2002, at the Ellisburg Compressor Station in Allegheny Township, **Potter County**.

53-0003D: Dominion Transmission Corp. (Dominion Tower, 625 Liberty Avenue, Pittsburgh, PA 15222-3199) on September 27, 2001, to extend the authorization to operate a 12.8 million BTU per hour natural gas-fired regeneration heater on a temporary basis until January 25, 2002, and to extend the expiration date of the approval to construct four 3,200 horsepower natural gas-fired reciprocating internal combustion compressor engines, a 536 horsepower natural gas-fired emergency generator and a 3.0 million BTU per hour natural gas-fired boiler until January 25, 2002, at the Greenlick Compressor Station in Stewardson Township, **Potter County**.

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

56-281A: Dunamis Resources, Inc. (One Energy Place, Suite 4000, Latrobe, PA 15650) on August 27, 2001, for operation of coal crushing, stockpiling and truck loading at Outten Mine in Milford Township, **Fayette County**.

26-402A: CBF Landfill Management, Inc. (Route 21, P. O. Box 266, McClellandtown, PA 15458) on August 30, 2001, for temporary operation control device at J & J Landfill in German Township, **Fayette County**.

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

37-013A: Cemex, Inc. (2001 Portland Park, Wampum, PA 16157) on August 30, 2001, for slag feed equipment in Wampum Borough, **Lawrence County**.

10-300D: Spang and Co.—Magnetics Division (796 East Butler Road, Butler, PA 16003) on September 30, 2001, for an automated paint line and integrated curing oven in East Butler Borough, **Butler County**.

10-307-050A: AK Steel Corp. (Route 8 South, P. O. Box 832, Butler, PA 16003) on September 26, 2001, for #22 pickle line in Butler, **Butler County**.

10-399-018: Resolite, A United Dominion Co. (Route 19 North, Box 338, Zelienople, PA 16063) on August 30, 2001, for a fiberglass pultrusion process in Jackson Township, **Butler County**.

20-040C: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335) on September 30, 2001, for an induction holding furnace in Vernon Township, **Crawford County**.

20-040D: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335) on September 30, 2001, for an induction holding furnace and snag grinding stations in Vernon Township, **Crawford County**.

20-258A: Andover Industries, BMPI (R. D. 2, Dunham Road, Meadville, PA 16335) on August 31, 2001, for a new coating process in Vernon Township, **Crawford County**.

24-083D: Carbone of America—Graphite Materials Division (215 Stackpole Street, St. Marys, PA 15857) on September 30, 2001, for carbon baking kilns in Benzinger Township, **Elk County**.

24-120A: Dominion Transmission Corp.—Ardell Station (State Route 2004, St. Marys, PA 15857) on September 30, 2001, for a turbine, two engines, generator and dehydrator in Benezette Township, **Elk County**.

25-952C: Bush Industries of PA, Inc. (2455 Robison Road West, Erie, PA 16509) on September 30, 2001, for a woodworking system in Summit Township, **Erie County**.

42-192A: IA Construction Corp. (Route 59, P. O. Box 568, Franklin, PA 16323) on September 30, 2001, for a drum mix asphalt plant in Lafayette Township, **McKean County**.

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

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: Mark Wayner, Facilities Permitting Chief, (412) 442-4174.

11-00332: Cambria CoGen Co. (243 Rubisch Road, Ebensburg, PA 15931) for their cogeneration power plant in Cambria Township, **Cambria County**. Process operations used at this site to generate steam and electricity are two waste coal-fired circulating fluidized bed boilers, a natural gas-fired auxiliary boiler, a backup air heater and ancillary system that include the fuel handling, crushing and storage, limestone and ash storage/handling system and some other insignificant sources.

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

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

55-00009: Conestoga Wood Specialties, Inc.—Beavertown Plant (441 West Market Street, Beavertown, PA 17813-9795) on September 26, 2001, for operation of their woodworking facility, which includes two natural gas/No. 2/No. 4 fuel oil fired boilers, one emergency lighting generator, one emergency fire sprinkler pump, one spray booth and seven woodworking areas in Beavertown Borough, **Snyder County**. This State Only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

25-00720: Erie Advanced Manufacturing, Co., Inc. (3150 West 22nd Street, Erie, PA 16506) on September 19, 2001, for a Natural Minor Operating Permit for a

pyrolysis cleaning furnace at the Plant 1 powder coating facility in Millcreek Township, **Erie County**.

43-00321: Northeast Industrial Manufacturing, Inc. (640 Keystone Road, Greenville, PA 16125) on September 19, 2001, for a Natural Minor Permit to operate a surface coating facility in Hempfield Township, **Mercer County**.

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.

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

67-05052: New York Wire Co. (P. O. Box 1749, York, PA 17405-1749) administratively amended on September 25, 2001, to incorporate requirements from Plan Approval No. 67-05052A at their screen wire manufacturing facility in York City, **York County**. This is Revision No. 1 of the operating permit.

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

97-003: Frankford Candy (2101 Washington Avenue, Philadelphia, PA 19146) administratively amended on September 25, 2001, to change the facility contact, permit contact and responsible official for their facility in the City of Philadelphia, **Philadelphia County**. The Natural Minor Operating Permit was originally issued on October 14, 1999.

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 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

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

54773005R3. Reading Anthracite Company (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in East Norwegian and Blythe Townships and St. Clair Borough, **Schuylkill County** affecting 2108.0 acres, receiving stream—none. Renewal issued: September 27, 2001.

54851340R3. Neumeister Coal Company (28 Frank Lane, Ashland, PA 17921), renewal of an existing anthra-

cite underground mine operation in Foster Township, **Schuylkill County** affecting 5.0 acres, receiving stream—none. Renewal issued: September 27, 2001.

1960101C2. City of Philadelphia (Girard Estate) (21 S. 12th Street, Philadelphia, PA 19107-3684), correction to an existing anthracite surface mine operation in Conyngham, Union and Butler Townships, **Columbia and Schuylkill Counties** affecting 876.0 acres, receiving stream—Mahanoy Creek associated with NPDES Permit #PA0223719. Correction issued: September 27, 2001.

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

03910101. NPDES PA0592421. Thomas J. Smith, Inc. (R. D. 1, Box 260-D, Shelocta, PA 15774). Renewal for commencement, operation and reclamation of a bituminous surface mine located in Boggs Township, **Armstrong County**, affecting 208.5 acres. Receiving stream: unnamed tributary to North Fork Pine Creek. Renewal application received: July 5, 2001. Renewal permit issued: September 28, 2001.

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

33990113. Cookport Coal Company, Inc. (425 Market Street, Kittanning, PA 16201) Revision to an existing bituminous strip operation to change the post-mining land use from forestland to pastureland/land occasionally cut for hay on the John W. Dinger property in Perry Township, **Jefferson County**. Receiving streams: unnamed tributary to Rose Run. Application received: May 24, 2001. Permit Issued: September 14, 2001.

10950106. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous strip operation in Muddy Creek Township, **Butler County** affecting 72.9 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributary to Little Yellow Creek. Application received: July 30, 2001. Permit Issued: September 19, 2001.

33930102. John R. Yenzi, Jr. (P. O. Box 287, Anita, PA 15711) Renewal of an existing bituminous strip and auger operation in Oliver Township, **Jefferson County** affecting 120.3 acres. Receiving streams: two unnamed tributaries to Little Sandy Creek. Application received: July 23, 2001. Permit Issued: September 19, 2001.

33970109. MSM Coal Company, Inc. (P. O. Box 243, DuBois, PA 15801) Revision to an existing bituminous strip operation to change the postmining land use from forestland to unmanaged natural habitat on the Allen E. and Ruth L. Park and the Donald L. and Donna J. Hoffman properties in Oliver Township, **Jefferson County**. Receiving streams: unnamed tributaries to Lick Run and unnamed tributaries to Little Sandy Creek. Application received: June 13, 2001. Permit issued: September 24, 2001.

Noncoal Permits Actions

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

53010801. Groff Family Enterprises, Inc. (2228 Silver Lane, Willow Street, PA 17584), commencement, operation and restoration of a Small Industrial Minerals (Bluestone) permit in Roulette Township, **Bradford County** affecting 2 acres. Receiving streams: Laninger Creek, tributary to Allegheny River. Application received: April 12, 2001. Permit issued: September 27, 2001.

59010802. Steve Hanes (209 Harvey Avenue, Westfield, PA 16950), commencement, operation and restoration of a Small Industrial Minerals (Gravel) permit in Westfield Township, **Tioga County** affecting 1 acre. Receiving streams: Cowanesque River, tributary to Susquehanna River. Application received: July 19, 2001. Permit issued: September 27, 2001.

08010809. Richard A. Voda (R. R. 1, Box 1469, Laceyville, PA 18623), commencement, operation and restoration of a Small Industrial Minerals (stone, flagstone) permit in Tuscarora Township, **Bradford County** affecting 1 acre. Receiving streams: unnamed stream, tributary to Tuscarora Creek. Application received: June 5, 2001. Permit issued: September 27, 2001.

18012801. Harger Utility Contractors, Inc. (108 W. Clinton Street, Lock Haven, PA 17745), commencement, operation and restoration of a General Permit for Short Term Construction located in Castanea Township, **Clinton County** affecting 4.5 acres. Receiving streams: West Branch Susquehanna, tributary to Susquehanna River. Application received: August 2, 2001. Permit issued: September 28, 2001.

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

20010801. Jeffrey C. Benlisa (13011 Shadeland Road, Springboro, PA 16435) Commencement, operation and restoration of a small noncoal sand and gravel operation in Cussewago Township, **Crawford County** affecting 5.1 acres. Receiving streams: Cussewago Creek. Application received: July 30, 2001. Permit Issued: September 14, 2001.

25930305. Wroblewski Sand and Gravel, Inc. (12907 Half Moon Road, Wattsburg, PA 16442) Revision to an existing sand and gravel operation to add 3.5 acres in Venango Township, **Erie County**. New SMP acreage is 36.3 acres. Receiving streams: unnamed tributary to West Branch of French Creek. Application received: February 12, 2001. Permit Issued: September 14, 2001.

ABANDONED MINE RECLAMATION

Cambria Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, (814) 472-1800.

Bond Forfeiture	BF 455-201.1
Contract Awarded	
Location	Speers and Dunlevy Boroughs Washington County
Description	Abandoned Mine Land Reclamation
Contractor	J & J Snyder, Inc.
Amount	\$47,300.00
Date of Award	September 28, 2001

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

45014005. Stroudsburg Municipal Authority (410 Stokes Ave., East Stroudsburg, PA 18301), construction blasting located in Stroudsburg Borough, **Monroe County**, with an expiration date of November 26, 2001. Permit issued: September 25, 2001.

45014006. F & F Paving (HC 1 Box 5, Bartonsville, PA 18321), construction blasting located in Jackson Township, **Monroe County**, with an expiration date of November 30, 2001. Permit issued: September 25, 2001.

23014003. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380), construction blasting for Bethel Springs Elementary School in Bethel Township, **Delaware County**, with an expiration date of January 2, 2002. Permit issued: September 27, 2001.

46014016. Joao & Bradley Construction Co., Inc. (4211 Tracy Lane, Bethlehem, PA 18020), construction blasting in Lower Morland Township, **Montgomery County**, with an expiration date of August 23, 2002. Permit issued: September 27, 2001.

48014004. Grand Central Sanitary Landfill (1963 Pen Argyl Road, Pen Argyl, PA 18072), blasting for landfill in Plainfield Township, **Northampton County**, with an expiration date of April 30, 2002. Permit issued: September 27, 2001.

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

65014001. Brentzel Contracting, Inc. (Box 549, Irwin, PA 15642). Blasting activity permit issued for a construction project at Sunset Valley Elementary located in North Huntingdon Township, **Westmoreland County**. Expected duration of blasting is 5 days. Permit issued: September 26, 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 (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.

E15-650. South Coventry Township, 1002 Ridge Road, Pottstown, PA 19465, South Coventry Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain an 8-inch sewer line, a raw sewage pump station and a 4-inch force main across unnamed tributaries of French Creek (EV), its 100-year floodplain and adjacent wetlands (PEM). The sewer system will serve 181 proposed townhouses, 100 proposed assisted living units, a proposed 35,000 square foot office building and 50 existing parcels within the Pughtown Village area. The utility crossings are located approximately 1,500 feet south of Route 23 along Route 100 (Pottstown, PA USGS Quadrangle N: 7.5 inches; W: 5.8 inches).

E51-188. Fairmount Park Commission, 42 and North Concourse Drive, Memorial Hall West Park, Philadelphia, PA 19131-0901, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To perform the following work associated with Fairmount Park Commission's Wissahickon Valley Park Forbidden Drive Trail Improvements Project:

1. To place and maintain approximately 210 linear feet of riprap bank stabilization.
2. To place and maintain a timber barrier in the floodway.
3. To replace and maintain a twin 15-inch diameter storm drain and to install and maintain riprap scour protection.
4. To install and maintain a 15-inch diameter storm drain with inlet, endwall and riprap scour protection within the floodway.

This work occurs in and along Wissahickon Creek (TSF) (Germantown, PA Quadrangle N: 10.5 inches; W: 13.1 inches and N: 5.0 inches; W: 9.5 inches).

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

E52-172. The Forest Lake Club, R. R. 1, Box 333, Hawley, PA 18428. Lackawaxen Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a 26-foot x 42-foot boathouse, extending approximately 20 feet lakeward from the shoreline, in Wolf Lake. The boathouse will be supported by a 42-foot x 6-foot concrete pad along the shore and pressure-treated piers. The project is located approximately 0.6 mile northwest of the intersection of S.R. 4003 and T-441 (Narrowsburg, NY-PA Quadrangle N: 6.0 inches; W: 13.4 inches).

E40-570. Certain Teed Corporation, 1220 Oak Hill Road, Mountain Top, PA 18707-2199. Wright Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a precast concrete stairway along Watering Run, for the purpose of providing access to an existing stormwater outfall. The project is located in the Crestwood Industrial Park, approximately 1.5 miles northwest of the intersection of S.R. 0437 and T-395 (Wilkes-Barre West, PA Quadrangle N: 0.2 inch; W: 1.0 inch).

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

E14-394. Trout Unlimited Spring Creek Chapter, 150 Village Drive, State College, PA 16803. Spring Creek Watershed Stream Restoration Demonstration, in Benner Township, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 7.5 inches; W: 5.8 inches).

To reconstruct a 600 linear foot reach of Buffalo Run with fluvial geomorphic principles such as cross veins, rock vanes, bioengineering, vegetated riparian buffers, regarded streambanks and boulder placement to a enhance fish habitat and stabilize the stream banks located 500-feet north on Maple Drive from SR 550.

E53-353 Denied. John P. Kio, 1703 Promise Lane, Coudersport, PA 16915, Eulalia Township, **Potter County**, ACOE Baltimore District.

To construct, operate and maintain a road crossing an unnamed tributary to Mill Creek to provide access to a commercial facility (Sweden Valley, PA Quadrangle N: 3 inches; W: 15.5 inches) in Eulalia Township, Potter County.

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

E10-339. Minnock Development Company, 7202 Old McKnight Road, Pittsburgh, PA 15237. Lot No. 51 in St. Leonard's Woods Phase II Residential Development, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 13.0 inches; W: 11.0 inches).

To fill a 0.025 acre wetland area on Lot No. 51 in St. Leonard's Woods Phase II residential development along St. Leonards Lane south of Beacon Hill Road approximately 0.75 mile west of Franklin Road.

E20-497. Titusville Redevelopment Authority, P. O. Box 425, Titusville, PA 16354. Walnut Street Across

Church Run, in City of Titusville, **Crawford County**, ACOE Pittsburgh District (Titusville North, PA Quadrangle N: 0.75 inch; W: 6.4 inches).

To remove the remaining stone wall abutments, relocate an 8-inch diameter waterline and a 15-inch diameter stormwater outfall and to construct and maintain a 105-foot long, 17-foot wide by 6-foot high reinforced concrete box stream enclosure providing a 3.5-foot high waterway opening in Church Run on Walnut Street east of Martin Street.

E61-245, Pennsylvania Fish and Boat Commission, 450 Robinson Lane, Bellefonte, PA 16823. Franklin Access Along Allegheny River, in City of Franklin, **Venango County**, ACOE Pittsburgh District (Franklin, PA Quadrangle N: 1.2 inches; W: 9.6 inches).

To modify and maintain the existing Franklin Access along the right bank of the Allegheny River approximately 0.5 mile downstream of the S.R. 322 bridge. Work authorized by this permit includes augmenting the existing riprap deflector by adding rock riprap, constructing a concrete cap extending approximately 55 feet to the end of the existing rock riprap deflector, widening the existing 31-foot long launch ramp by 8 feet to a total width of 20 feet and constructing a concrete handicap parking stall adjacent to the ramp.

E62-376, Sheffield Volunteer Fire Department, 318 South Main Street, Sheffield, PA 16347. Sheffield Volunteer Fire Department Parking Lot Along West Branch Tionesta Creek and Two Mile Creek, in Sheffield Township, **Warren County**, ACOE Pittsburgh District (Sheffield, PA Quadrangle N: 3.8 inches; W: 4.5 inches).

To maintain fill placed within the flood plain and floodway of West Branch Tionesta Creek and Two Mile Creek measuring approximately 150 feet long, 100 feet wide and 2 feet deep for a parking lot adjacent to the Sheffield Volunteer Fire Department along South Main Street (S.R. 948).

ENVIRONMENTAL ASSESSMENTS

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

EA10-017NW, Stream Restoration Incorporated, 3016 Unionville Road, Cranberry Township, PA 16066. Erico Bridge Abandoned Mine Restoration Project, in Venango Township, **Butler County**, ACOE Pittsburgh District (Eau Claire, PA Quadrangle N: 0.25 inch; W: 15 inches).

To conduct the following activities associated with the abatement of numerous abandoned mine drainage seeps located at an approximately 20 acre site, 1.7 miles southeast of Murrinsville (intersection of Route 58 and Route 308):

1. To remove approximately 25,500 cubic yards of coal refuse and to construct and maintain a passive acid mine drainage treatment system including an anoxic limestone drain, a settling pond/wetland complex and a horizontal flow limestone bed within 50 ft of Seaton Creek (CWF) to treat discharges (300 gpm) contributing acidity, iron, manganese, sulfates and sediments to Seaton Creek, a tributary in the headwaters of Slippery Rock Creek (CWF).

2. To impact approximately 8 acres of degraded wetlands from the construction of the passive treatment system and from the removal of the coal refuse.

3. To create approximately 10 acres of wetlands within the passive treatment system and the footprint of the removed coal refuse.

To restore existing adjacent wetlands that have been impacted by the abandoned mine drainage.

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

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

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504 and 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01-26-001	Kevin D. Grant Duke Energy Fayette 5400 Westheimer Court Houston, TX 77056	Fayette	German Township	1 AST Sulfuric Acid 2 ASTs Sodium Hypochlorite 1 AST Betz Continuum AEC3109 1 AST Sodium Hydroxide 1 AST Alum 2 ASTs Fuel Oil	6,000 gallons 8,000 gallons total 3,000 gallons 6,000 gallons 6,000 gallons 2,500,000 gallons each

SPECIAL NOTICES

CERTIFIED EMISSION REDUCTION CREDITS IN PENNSYLVANIA'S ERC REGISTRY

Emission reduction credits (ERC) are surplus, permanent, quantified and Federally enforceable emission reductions used to offset emission increases of oxides of nitrogen (NOx), volatile organic compounds (VOCs) and the following criteria pollutants: carbon monoxide (CO), lead (Pb), oxides of sulfur (SOx), particulate matter (PM), PM-10 and PM-10 precursors.

The Department of Environmental Protection (Department) maintains an ERC registry in accordance with the requirements of 25 Pa. Code § 127.209. The ERC registry system provides for the tracking of the creation, transfer and use of ERCs. Prior to registration of the credits, ERC Registry Applications are reviewed and approved by the Department to confirm that the ERCs meet the requirements of 25 Pa. Code §§ 127.206—127.208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. The following registered and certified ERCs in the ERC Registry are currently available for use as follows:

- (1) To satisfy new source review (NSR) emission offset ratio requirements;
- (2) To “net-out” of NSR at ERC-generating facilities;
- (3) To sell or trade the ERCs for use as emission offsets at new or modified facilities.

The certified ERCs shown, expressed in tons per year (tpy), satisfy the applicable ERC requirements contained in 25 Pa. Code §§ 127.206—127.208. ERCs created from the curtailment or shutdown of a source or facility expires for use as offsets 10 years after the emission reduction occurs. ERCs generated by the overcontrol of emissions by an existing facility do not expire for use as offsets. However, credits in the registry which are not used in a plan approval will be discounted if new air quality requirements are adopted by the Department or United States Environmental Protection Agency.

For additional information concerning this listing of certified ERCs, contact Virendra Trivedi, Bureau of Air Quality, Division of Permits, Department of Environmental Protection, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Rexam Beverage Can Company County: Lehigh Ozone Nonattainment Status: Moderate Contact Person: Geoffrey A. Wortley Telephone Number: (773) 399-3389	VOCs	166.7	11/06/2002	Trading
National Fuel Gas Supply Corp. Knox Compressor Station County: Jefferson Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young Telephone Number: (814) 871-8657	NOx	95.7	06/30/2002	Internal Use and Trading
National Fuel Gas Supply Corp. Roystone Compressor Station County: Warren Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young Telephone Number: (814) 871-8657	NOx	103.3	12/28/2002	Internal Use and Trading
U. S. Naval Hospital County: Philadelphia Nonattainment Status: Severe Contact Person: Mark Donato Telephone Number: (215) 897-1809	NOx	30.5	3/31/2005	Trading
Lord Corporation Source: Two coal fired boilers County: Erie Ozone Nonattainment Status: Moderate Contact Person: Robert E. Nipper Telephone Number: (814) 868-0924	NOx	9.5	12/20/2004	Trading
R. R. Donnelley & Sons Co. County: Lancaster Ozone Nonattainment Status: Moderate Contact Person: David A. York Telephone Number: (717) 293-2056	VOCs	33.0		Internal Use

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Kurz Hastings Inc. County: Philadelphia Nonattainment Status: Severe Contact Person: Robert Wallace Telephone Number: (215) 632-2300	VOCs	323.0	ERCs will be proportionally reduced to comply with MACT standards for rotogravure and flexographic facilities.	Trading
Sharon Steel Corp. Source Location: Farrell County: Mercer Ozone Nonattainment Status: Moderate Contact Person: Robert Trbovich Telephone Number: (412) 983-6161	VOCs	4.7	11/30/2002	Trading
Pennsylvania Power Company (PA Power) Source Location: New Castle Plant County: Lawrence Ozone Nonattainment Status: Moderate Contact Person: Donald R. Schneider Telephone Number: (412) 652-5531	NOx	214.0	4/02/2003	Trading
Ford New Holland, Inc Source Location: Mountville County: Lancaster Ozone Nonattainment Status: Moderate Contact Person: William E. Knight Telephone Number: (717) 355-4903	NOx VOCs	4.0 78.0	1/22/2003	Trading
Mercersburg Tanning Company Source Location: Mercersburg County: Franklin Ozone Nonattainment Status: Moderate Contact Person: David W. Warne Telephone Number: (717) 765-0746	VOCs	20.00	10/1/2004	Trading
I.H.F.P., Inc. Source Location: Milton Borough County: Northumberland Ozone Nonattainment Status: Moderate Contact Person: Michael West Telephone Number: (717) 742-6639	NOx VOCs	24.45 12.88	4/1/2006	Trading
3M Minnesota Mining & Manufacturing Plant Location: Bristol, Bucks Ozone Nonattainment Status: Severe Contact Person: Jeff Muffat Telephone Number: (651) 778-4450	VOCs	120.99	10/18/2001	Trading

NOTICES

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Scranton-Altoona Terminal Corporation Source Location: Pittston Township County: Luzerne Ozone Nonattainment Status: Moderate Contact Person: John M. Arnold Telephone Number: (717) 939-0466	VOCs	18.36	1/1/2003	Trading
Metallized Paper Corporation of America Recipient/Holder: PNC Bank, National Association, assignee (by private lien foreclosure) from Metallized Paper Corp. Source Location: McKeesport County: Allegheny Ozone Nonattainment Status: Moderate Contact Person: Martin Mueller Telephone Number: (412) 762-5263	VOCs	41.70	06/30/2006	Trading
PPG Industries, Inc. Source Location: Springdale Complex County: Allegheny Ozone Nonattainment Status: Moderate Contact Person: Lori Burgess Telephone Number: (412) 274-3884	VOCs	171.82		Trading
York International Corporation Sources: Trichloroethylene Vapor Degreaser (151) Trichloroethylene Vapor Degreaser (152) Source Location: Spring Garden Township County: York Ozone Nonattainment Status: Moderate Contact Person: Garen Macdonald Telephone Number: (717) 771-7346	VOCs VOCs	12.20 2.70	06/01/2006 10/01/2005	Trading
Pennzoil Wax Partner Company Source Location: Rouseville County: Venango Ozone Nonattainment Status: Moderate Contact Person: David W. Dunn Telephone Number: (713) 546-6941	NOx	31.60	04/15/2002	Trading
REXAM DSI Source Location: Muhlenberg Township County: Berks Ozone Nonattainment Status: Moderate Contact Person: LeRoy H. Hinkle Telephone Number: (610) 916-4248	NOx SOx	9.42 51.05	11/22/2005	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
ERC Generating Facility: Fasson Div. of Avery Dennison Corp. Recipient/Holder of ERC: Coastal Aluminum Rolling Mills Inc. ERC-generating facility location: Quakertown, Bucks Ozone Nonattainment Status: Severe Contact Person: Jesse Hackenberg Telephone Number: (570) 323-4430	VOCs	3.62		Internal Use/ Trading
Baldwin Hardware Corporation Source Location: Reading County: Berks Ozone Nonattainment Status: Moderate Contact Person: D. David Hancock, Jr. Telephone Number: (215) 777-7811	VOCs	18.00	7/28/2005	Trading
Magee Rieter Automotive Systems Source Location: Bloomsburg County: Columbia Ozone Nonattainment Status: Moderate Contact Person: Tim Bergerstock Telephone Number: (717) 784-4100	NOx VOCs	0.39 0.02	4/17/2006	Internal Use
Congoleum Corporation Source Location: Marcus Hook County: Delaware Ozone Nonattainment Status: Severe Contact Person: Theresa C. Garrod Telephone Number: (609) 584-3000	NOx	5.20		Trading
CNG Transmission Corporation Source Location: Leidy Township County: Clinton Ozone Nonattainment Status: Moderate Contact Person: Sean R. Sleigh Telephone Number: (304) 623-8462	NOx VOCs	39.28 0.55	10/27/2004	Internal use and trading
Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Ozone Nonattainment Status: Moderate Contact Person: Joseph E. Schindler Telephone Number: (610) 694-5104	NOx VOCs	1312.00 473.80	Varies from 3/28/2008 to 6/19/2008	Trading
Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Ozone Nonattainment Status: Moderate Contact Person: Joseph E. Schindler Telephone Number: (610) 694-5104	NOx	487.00	Varies from 11/18/2005 to 3/3/2007	Trading

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Morgan Adhesives Company (MACTac) Source Location: Scranton County: Lackawanna Ozone Nonattainment Status: Moderate Contact Person: Tim Owens Telephone Number: (330) 688-1111	VOCs	75.00	6/30/2008	Trading
Meritor Heavy Vehicle Systems LLC Source Location: New Castle County: Lawrence Ozone Nonattainment Status: Moderate Contact Person: Harry Klodowski Telephone Number: (412) 281-7997	NOx	64.20	5/31/2003	Trading
ERC Generating Facility: Superpac, Inc. Recipient/Holder of ERC: Dominion Energy, Inc. ERC-generating facility location: Southampton, Bucks County Ozone nonattainment status: Severe Contact Person: David H. Testa Telephone Number: (412) 690-1815	VOCs	13.09	Varies from 11/15/2001 to 9/30/2003	Trading
National Fuel Gas Supply Corpora- tion Sources: Generators, # 1 Source Location: Ellisburg Station County: Potter Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young Telephone Number: (814) 871-8657	NOx VOCs	16.14 1.80	2/1/2009	Internal Use
General Electric Company Source Location: Lawrence Park County: Erie Ozone Nonattainment Status: Moderate Contact Person: Scott Gowdy Telephone Number: (814) 875-2427	VOCs	44.20	Varies from 12/31/2003 to 12/31/2005	Internal Use/ Trading
Sun Company, Inc. Source: API Separator 10 and 1-F Source Location: Marcus Hook County: Delaware Ozone Nonattainment Status: Severe Contact Person: John A. Rossi	VOCs	2.37	9/30/2004	Internal Use
TYK America, Inc. Source Location: Irvona Facility County: Clearfield Ozone Nonattainment Status: Moderate Contact Person: David B. Orr Telephone Number: (412) 384-4259	NOx VOCs PM-10	0.30 0.02 0.24	11/6/2008	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
SmithKline Beechman Pharmaceu- ticals Sources: Two boilers and oxidizer Source Location: Spring Garden Street Facility Ozone Nonattainment Status: Severe Contact Person: Eileen Ackler Telephone Number: (610) 239-5239	NOx VOCs	5.72 0.10	12/31/2008	Trading
Global Packaging, Inc. Source: Wolverine Press No. 1 and 2 Source Location: Oaks Plant County: Montgomery Ozone Nonattainment Status: Severe Contact Person: Gerald R. Lawrence Telephone Number: (610) 666-1608	VOCs	7.70	9/1/2006	Trading
The Procter & Gamble Paper Prod- ucts Company Source Location: Mehoopany Plant County: Wyoming Ozone Nonattainment Status: Moderate Contact Person: Jim Brogan Telephone Number: (717) 833-6022	NOx VOCs PM	136.00 127.43 100.00	5/3/2009	Internal Use/ Trading
Cogentrix of Pennsylvania, Inc. Source Location: Ringgold Township County: Jefferson County Ozone nonattainment status: Moderate Contact Person: Tracy L. Patterson Telephone Number: (804) 541-4246	NOx VOCs	658.72 31.61	9/1/2010	Trading
Caparo Steel Company Source: EAF Furnace #2 and Ladle Preheater #2 Source Location: Farrell Plant County: Mercer County Ozone nonattainment status: Moderate Contact Person: Richard A. Her- man Telephone Number: (724) 983-6464	NOx VOCs	36.73 12.07	08/18/2007	Trading
Caparo Steel Company Source Location: Farrell Plant County: Mercer County Ozone nonattainment status: Moderate Contact Person: Richard A. Her- man Telephone Number: (724) 983-6464	NOx VOCs CO PM10	9.10 0.17 1.75 0.15	11/9/2002	Trading

QUARTERLY SUMMARY OF ERC TRANSACTION

The following ERC transactions are approved by the Bureau of Air Quality. The ERC transaction requirements are specify in 25 Pa. Code § 127.208.

ERC GENERATING FACILITY INFORMATION

ERC Generating Facility Name: Bethlehem Steel Corporation
Location of Source: Bethlehem Plant, Northampton County, PA
Certified ERCs (tpy): 1312 tpy of NOx and 778.8 tpy of VOCs
Amount of ERCs traded to Purchaser/Recipient: 305 tpy of VOCs
Date of ERCs Transfer: July 17, 2001
ERCs available for future use: 1312 tpy of NOx and 473.8 tpy of VOCs

PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: Dart Container Corporation of America
Location of Source: Lancaster County, PA
VOCs credits used: 0
VOCs credits available for future use: 305 tpy

ERC GENERATING FACILITY INFORMATION

ERC Generating Facility Name: Minnesota Mining & Manufacturing, Inc. (3M)
Location of Source: Bristol Township, Bucks County
Certified ERCs (tpy): 186.95 tpy of VOCs
Amount of ERCs traded to Purchaser/Recipient: 41 tpy; and 25 tpy of VOCs
Date of ERCs Transfer: July 17, 2001; and September 12, 2001
ERCs available for future use: 120.95 tpy of VOCs

Purchaser/Recipient of ERCs: New York Power Authority (NYPA)

Location of Source: Poletti Site, Queens County, New York

Plan Approval Number: 2-6301-0084/00015

VOCs credits used: 41 tpy

VOCs credits available for future use: 0

Purchaser/Recipient of ERCs: Merck & Co. Inc.

Location of Source: Upper Gwynedd Township, Montgomery County, PA

Plan Approval Number: 46-0005P

VOCs credits used: 25

VOCs credits available for future use: 0

ERC GENERATING FACILITY INFORMATION

ERC Generating Facility Name: Progress Lighting, Inc.
Location of Source: Philadelphia, PA
Certified ERCs (tpy): 31.5 tpy of VOCs
Amount of ERCs traded to Purchaser/Recipient: 31.5 tpy of VOCs

Date of ERCs Transfer: July 17, 2001

ERCs available for future use: 0

PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: Ramapo Energy Limited Partnership

Location of Source: Ramapo, Rockland County, NY

Plan Approval Number: 3-3926-00377

VOCs credits used: 31.5 tpy

VOCs credits available for future use: 0

ERC GENERATING FACILITY INFORMATION

ERC Generating Facility Name: Sharon Steel Corporation
Location of Source: Farrell Plant, Mercer County
Certified ERCs (tpy): 10 tpy of VOCs

Amount of ERCs traded to Purchaser/Recipient: 6 tpy of VOCs

Date of ERCs Transfer: August 2, 2001

ERCs available for future use: 4.7 tons per year of VOCs

PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: Dominion Transmission Corporation

Location of Source: Greenlick Compressor Station, Potter County, PA

Plan Approval Number: None

VOCs credits used: 0

VOCs credits available for future use: 6 tpy

ERC GENERATING FACILITY INFORMATION

ERC Generating Facility Name: Julian B. Slevin Co., Inc.
ERC Holder/Transferor: Leonardo Academy Incorporated
Location of Source: Upper Darby, Delaware County, PA
Certified ERCs (tpy): 85.22 tpy of VOCs

Amount of ERCs traded to Purchaser/Recipient: 85.22 tpy of VOCs

Date of ERCs Transfer: September 4, 2001

ERCs available for future use: 0

PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: Astoria Generating Company L.P.

Location of Source: Queens, Queens County, PA

Plan Approval Number: NYSDEC # 2-6301-00185

VOCs credits used: 85.22 tpy

VOCs credits available for future use: 0

ERC GENERATING FACILITY INFORMATION

ERC Generating Facility Name: Kodak Polychrome Graphics

Location of Source: Binghamton, Broome County

Certified ERCs (tpy): 25 tpy of VOCs

Amount of ERCs traded to Purchaser/Recipient: 25 tpy of VOCs

Date of ERCs Transfer: September 18, 2001

ERCs available for future use: 0

PURCHASER/RECIPIENT OF ERCs

Purchaser/Recipient of ERCs: National Fuel Gas Supply Corporation

Location of Source: Ellisburg Compressor Station, Potter County, PA

Plan Approval Number: None

VOCs credits used: 0

VOCs credits available for future use: 25 tpy

NOTICE OF CERTIFICATION TO PERFORM RADON-RELATED ACTIVITIES IN PENNSYLVANIA

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

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>	<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Scott Alderfer	6336 Meadowview Road Germansville, PA 18053	Mitigation	Brian Reuss Radon Control Services, LLC	20300 Route 19 Suite 127 Cranberry Township, PA 16066	Mitigation
Joseph Baicker	P. O. Box 900 Rocky Hill, NJ 08553	Laboratory	Lance Schweizer	101 Locust Knoll Road Downingtown, PA 19335	Testing
George Basista	1336 Seaborn Street, Suite 6 Mineral Ridge, OH 44440	Testing	James Wandless	1424 West 30th Street Erie, PA 16508	Mitigation
Stephen Beloyan	308 Hill Avenue Langhorne, PA 19047	Testing			
Terrance Best Best Bldg. Insp. Service, Inc.	10 South Main Street Pittston, PA 18640	Testing			
David Bigley, Jr. AmeriSpec	1061 Easton Road Roslyn, PA 19001	Testing			
Bill Brodhead WPB Enter- prises, Inc.	2844 Slifer Valley Road Riegelsville, PA 18077	Mitigation Laboratory			
Kenneth DeFelice	95 Big Ridge Drive East Stroudsburg, PA 18301	Testing			
Michael Israel	165 Red Haven Drive North Wales, PA 19454	Testing			
David Kapturowski Environmental Services Group, Inc.	11 Awl Street Medway, MA 02053	Laboratory			
Fred Klein	702 Manchester Drive Maple Glen, PA 19002	Testing			
William Kolash, Jr.	R. D. 2 Box 203 DuBois, PA 15801	Testing Mitigation			
Joseph Kovatch	534 Derstine Avenue Lansdale, PA 19446	Testing			
Timothy Musser Timothy A. Musser, Co., Inc.	213 North 14th Street Allentown, PA 18102	Mitigation			
Thomas O'Hara	104 Spring Street Wilkes-Barre, PA 18702	Testing			
Patrick Orr	10 Clifford Road McDonald, PA 15057	Testing			
Robert Payne	500 Carothers Avenue Carnegie, PA 15106	Testing			
George Prosser Prosser Labora- tories, Inc.	P. O. Box 118 Effort, PA 18330	Laboratory			
Radon Technol- ogy & Environ- mental	84 Longcross Road Limerick, PA 19468	Mitigation			

[Pa.B. Doc. No. 01-1842. Filed for public inspection October 12, 2001, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on DEP's website (www.dep.state.pa.us) at the Public Participation Center page. The "July 2001 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its nonregulatory documents, as necessary, throughout 2001.

Ordering Paper Copies of DEP Technical Guidance

DEP encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes To Technical Guidance Documents

Following is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

Draft Technical Guidance—Substantive Revision

DEP ID: 012-0200-001 Title: Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Permits for Facilities and Infrastructure Description: DEP has amended its permit review process to consider, and under certain conditions, rely upon comprehensive planning and zoning ordinances in our decision making process on authorizations related to facilities and infrastructure. As of January 29, 2001, DEP has had a final policy in place to address the new legal obligations created by Act 247 as amended by Acts 67, 68 and 127 of 2000. This document is a draft substantial revision to the current policy. Specifically, the proposed revisions attempt to clarify some questions raised about interpretation and implementation of the final policy since it became effective and to offer an "early opt-out

option" for those permit applicants meeting certain requirements. Anticipated Effective Date: December 1, 2001 Comment Period Ends: November 14, 2001 Contact: Meredith Hill at (717) 783-8727 or email: mehll@state.pa.us.

DEP ID: 550-3000-001 Title: Compliance Monitoring of Oil and Gas Wells and Related Facilities and Activities Description: DEP's Oil and Gas Management program will conduct inspections and compliance monitoring activities according to strategies and guidelines stated herein. The purpose of this guidance is to provide DEP staff interpretation of applicable laws and regulations, and to provide instructional guidance to oil and gas operators as well as DEP staff. Anticipated Effective Date: December 1, 2001 Comment Period Ends: November 14, 2001 Contact: Frank Bialas at (717) 772-2199 or email: fbialas@state.pa.us.

DEP ID: 550-4000-001 Title: Enforcement Actions by DEP's Oil and Gas Management Program Description: The purpose of this document is to provide guidance to DEP's Oil and Gas Management staff in determining what courses of enforcement to pursue to resolve violations and bring about compliance, and to provide advisory information to the regulated industry. Anticipated Effective Date: December 1, 2001 Comment Period Ends: November 14, 2001 Contact: Frank Bialas at (717) 772-2199 or email: fbialas@state.pa.us.

DEP ID: 550-4180-001 Title: Civil Penalty Assessments in the Oil and Gas Management Program Description: In assessing civil penalties in unilateral penalty actions, and in calculating appropriate penalties in negotiated settlements, DEP's Oil and Gas Management Program will follow the policies stated and referenced herein when pursuing a settlement of complaints for violations or a penalty action. The purpose of this document is provide procedural guidance to DEP staff in calculating civil penalty amounts to seek in settlements or to assess in penalty actions for violations, and to provide advisory information to the regulated industry. Anticipated Effective Date: December 1, 2001 Comment Period Ends: November 14, 2001 Contact: Frank Bialas at (717) 772-2199 or email: fbialas@state.pa.us.

Final Technical Guidance

DEP ID: 362-2207-008 Title: Administration of Fee Collection for Planning Module Reviews Description: The purpose of this guidance is to establish a standardized procedure for collecting fees for the review of planning modules for new land development (planning modules) in accordance with the requirements set forth in the Act 149 of 1994 amendments to the Sewage Facilities Act (Act 537). This guidance will assist DEP regional staff in the Act 537 program in the calculation, collection and disposition of fees received by DEP for reviewing of planning modules. Anticipated Effective Date: October 13, 2001 Contact: Trudy Troutman at (717) 783-3795alalas@state.pa.us.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1843. Filed for public inspection October 12, 2001, 9:00 a.m.]

Oil and Gas Technical Advisory Board Meeting

A meeting of the Oil and Gas Technical Advisory Board is scheduled to be held on October 23, 2001, at 10 a.m. in

the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the agenda can be directed to James Erb at (717) 772-2199 or e-mail at jerb@state.pa.us. The agenda is also available through the Public Participation Center on DEP's website at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact James Erb or Joyce Williams directly at (717) 772-2199 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how DEP may accommodate their needs.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1844. Filed for public inspection October 12, 2001, 9:00 a.m.]

State Solid Waste Plan Subcommittee Meeting of the Pennsylvania Solid Waste Advisory Committee

A meeting of the State Solid Waste Plan Subcommittee of the Pennsylvania Solid Waste Advisory Committee is scheduled for October 15, 2001, at 10 a.m. in the 14th Floor Medium Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The purpose of the meeting is to discuss the development of the Pennsylvania State Solid Waste Plan.

Questions concerning the agenda can be directed to Lawrence Holley at (717) 787-7382 or e-mail at lholley@state.pa.us. The agenda is also available through the Public Participation Center on DEP's website at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Lawrence Holley or Diana Welker directly at (717) 787-7382, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how DEP may accommodate their needs.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1845. Filed for public inspection October 12, 2001, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of HealthSouth Rehab Hospital of Sewickley for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that HealthSouth Rehab Hospital of Sewickley has requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare

Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aide, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1846. Filed for public inspection October 12, 2001, 9:00 a.m.]

Application of Holy Spirit Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Holy Spirit Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1847. Filed for public inspection October 12, 2001, 9:00 a.m.]

Application of Lancaster Neuroscience & Spine Associates for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Holy Spirit Hospital has requested an exception to the requirements of 28 Pa. Code §§ 569.31 and 571.1 (relating to emergency power; and

minimum standards) as set forth in sections 13-3.3.2.2 and 13-3.5.2.1 of the NFPA 99 Standards for Health Care Facilities.

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1848. Filed for public inspection October 12, 2001, 9:00 a.m.]

Application of Lifecare Hospitals of Pittsburgh for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Lifecare Hospitals of Pittsburgh has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 11.2C (relating to seclusion treatment room).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division

of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1849. Filed for public inspection October 12, 2001, 9:00 a.m.]

Application of Sewickley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Sewickley Hospital has requested an exception to the requirements of 28 Pa. Code §§ 138.2, 138.15 and 138.17(c) (relating to definitions; high-risk cardiac catheterizations; and PTCA).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aide, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1850. Filed for public inspection October 12, 2001, 9:00 a.m.]

Application of University Orthopedics Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that University Orthopedics Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards) which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 9.5.D2 (relating to accessibility of public restrooms to facility's lobby area).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1851. Filed for public inspection October 12, 2001, 9:00 a.m.]

Application of Wills Eye Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Wills Eye Hospital has requested an exception to the requirements of 28 Pa. Code §§ 551.21(a)(2) and (b) and 553.21(b) (relating to criteria for ambulatory surgery; and principle).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1852. Filed for public inspection October 12, 2001, 9:00 a.m.]

Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on Wednesday, October 17, 2001, at 10 a.m., in Room 812 Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA.

For additional information or persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact

Joseph May at (717) 772-5298, for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

This meeting is subject to cancellation without notice.

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1853. Filed for public inspection October 12, 2001, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Chester County

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

The Department of Transportation plans to reconstruct the bridge on S.R. 3034, London Tract Road, that lies completely within the White Clay Creek Preserve located in the southeastern part of London Britain Township, Chester County, Pennsylvania. The Project site is 1.25 miles northwest of the Delaware-Pennsylvania border, midway between roadways PA 896 and PA 41.

The scope of the Project involves eliminating weight limit restrictions by providing a new bridge, and correcting the substandard sight distances and horizontal alignments of the approach roadways. The London Tract Road bridge approaches are under Township jurisdiction, while the bridge remains a PENNDOT structure, and therefore, retains the PENNDOT S.R. 3034 nomenclature as per a pre-Project municipal turnback agreement.

The proposed bridge replacement project will impact two (2) Section 2002 resources, the London Tract Historic District which was determined eligible for listing on the National Register of Historic Places, and the White Clay Creek Preserve, a part of the Pennsylvania State Park System. Based upon these studies, there is no feasible and prudent alternative to the minor right of way take of 0.3094 acres from the White Clay Creek Preserve. The State Historic Preservation Office has concurred in a letter dated August 28, 2000, that the Project will have no adverse effect on the National Register eligible London Tract Historic District.

The Project is being designed to be aesthetically compatible with the adjacent London Tract Historic District, and it will not substantially impair protected attributes or contributing elements of this surrounding cultural resource. Roadway embankment that has been affected by roadway reconstruction will be reseeded in accordance with a native species Pennsylvania Department of Conservation and Natural resources landscaping plan. Roadway impacts will be minimized by reducing lane and shoulder widths to minimums allowed, and by providing grass shoulders and timber guiderails on roadway approaches.

The replacement bridge will have a lower profile, longer span superstructure with new abutments behind the existing stream banks. Cast-stone form liners will be implemented on bridge concrete.

Stream environment will be protected wetland fencing, biologists and stream edge plantings, and a Chester County-approved erosion and sedimentation plan. In-stream construction will be prohibited from March 1 through June 15 in order to protect the high quality fish population.

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

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-1854. Filed for public inspection October 12, 2001, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review 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. To obtain a copy of the regulation, contact the promulgating agency.

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-179	Underground Storage Tank Indemnification Board	09/27/01
	Underground Storage Tank Indemnification Fund	

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-1855. Filed for public inspection October 12, 2001, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Arnold Bruce Sapp; Doc. No. SC 01-09-20

Notice is hereby given of the Order to Show Cause issued on September 28, 2001, by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania in the previously-referenced matter. Violation of the following is alleged: sections 604, 633, 633.1 and 639 of the

Insurance Department Act of 1921 (40 P. S. §§ 234, 273, 273.1 and 279); 31 Pa. Code §§ 37.46 and 37.47; section 5(a)(2) of the Unfair Insurance Practices Act (40 P. S. § 1171.5(a)(2)).

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If Respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code §§ 31.1—35.251 (relating to General Rules of Administrative Practice and Procedure); 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Docket Clerk, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing, and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency ADA Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1856. Filed for public inspection October 12, 2001, 9:00 a.m.]

Highmark Inc. d/b/a Pennsylvania Blue Shield; Special Care—Limited Benefit Individual Direct Pay Medical-Surgical Contract; Filing No. 200148

On September 28, 2001, Highmark Inc, d/b/a Pennsylvania Blue Shield submitted filing no. 200148 seeking approval of a Special Care—Limited Benefit Individual Direct Pay Medical-Surgical Benefits Program to be offered in the 21-counties of the Capital Region of South Central Pennsylvania for coverage effective April 1, 2002. This program will complement the Pennsylvania Blue Shield Special Care Hospital Benefits Program and provide for lower cost coverage to low-income individuals.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Richard Stoner, Office of Rate and Policy Regulation, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1857. Filed for public inspection October 12, 2001, 9:00 a.m.]

Inter-County Health Plan, Inc.; Community-Rated 65-Select Plans (Health) Rate Increase; Filing No. MG Health 0901

Inter-County Health Plan requests an overall rate increase of 21.4% for its 65-Select (Health) plans as follows:

<i>65-Select (Health)</i>	<i>Plan A</i>	<i>Plan B</i>	<i>Plan C</i>	<i>Plan D</i>	<i>Plan E</i>	<i>Plan H</i>
New Entrants at First Eligibility	\$42.05	\$43.75	\$55.00	\$45.40	\$43.75	\$53.70
Other Entrants Age 65-69 Year Olds	\$42.05	\$43.75	\$55.00	\$45.40	\$43.75	\$53.70
Other Entrants Age 70-79 Year Olds	\$48.80	\$50.75	\$63.80	\$52.70	\$50.75	\$62.30
Other Entrants Age 79 and Disableds	\$54.70	\$56.90	\$71.45	\$59.05	\$56.90	\$69.80

An effective date of January 1, 2002, is requested. The rate adjustments will affect approximately 1,600 subscribers and produce additional annual income of \$192,000.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1858. Filed for public inspection October 12, 2001, 9:00 a.m.]

Inter-County Hospital Plan, Inc.; Community-Rated 65-Select Plans (Hospital); Filing No. MG Hospital 0901

Inter-County Hospital Plan requests an overall rate increase of 28.1% for its 65-Select (Hospital) plans as follows:

<i>65-Select (Hospital)</i>	<i>Plan A</i>	<i>Plan B</i>	<i>Plan C</i>	<i>Plan D</i>	<i>Plan E</i>	<i>Plan H</i>
New Entrants at First Eligibility	\$25.10	\$39.15	\$53.85	\$55.35	\$57.30	\$113.95
Other Entrants Age 65-69 Year Olds	\$25.10	\$39.15	\$53.85	\$55.35	\$57.30	\$113.95
Other Entrants Age 70-79 Year Olds	\$29.10	\$45.45	\$62.45	\$64.20	\$66.45	\$132.20
Other Entrants Age 79 and Disableds	\$32.60	\$50.90	\$70.00	\$71.95	\$74.45	\$148.15

An effective date of January 1, 2002, is requested. The rate adjustments will affect approximately 1,600 subscribers and produce additional annual income of \$264,000.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1859. Filed for public inspection October 12, 2001, 9:00 a.m.]

Inter-County Health Plan, Inc.; Community-Rated 65 Special B Plans (Health); Filing No. 65B-0901

Inter-County Health Plan requests an overall rate increase of 19.2% for its Medicare health plans as follows:

<i>65 Special B</i>	
Standard	\$50.50
Non-Converter	\$52.75
Low Income	\$50.25

An effective date of January 1, 2002, is requested. The rate adjustments will affect approximately 4,300 subscribers and produce additional annual income of \$420,000.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1860. Filed for public inspection October 12, 2001, 9:00 a.m.]

List of Approved Guide Source Method Vendors; No. 2001-09

Under the authority of the Motor Vehicle Physical Damage Appraisers Act (63 P. S. §§ 851—863), the Insurance Commissioner hereby lists guide source providers approved to calculate the replacement value of total loss or unrecovered vehicles under 31 Pa. Code § 62.3(e)(1)(i), the Motor Vehicle Physical Damage Appraisers regulation.

A listing of approved guide source method providers will be published annually in the *Pennsylvania Bulletin*. In the interim, an updated listing may be obtained by contacting the Insurance Department, Bureau of Consumer Services, 1321 Strawberry Square, Harrisburg, PA 17120. Requests for this information may also be submitted to ra-in-consumer@state.pa.us or (877) 881-6388 or faxed to (717) 787-8585.

Approved Guide Source Vendors

Automobile Blue Book, formerly Red Book
National Market Reports, Inc.
Circulation Department
29 N. Wacker Drive
Chicago, Illinois 60606-3298
(800) 621-9907

CCC Information Services, Inc.
444 Merchandise Mart
Chicago, Illinois 60654-1005
(800) 621-8070

NADA Book
Subscription Department
Post Office Box 7800
Costa Mesa, California 92628-9924
(800) 544-6232

ADP Claims Solution Group, Inc.
4211 S. E. International Way, #A
Milwaukie, Oregon 97222
(800) 959-6237

This document supersedes the notices published at 31 Pa.B. 1927 (April 6, 2001) and shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

(*Editor's Note:* For a final rulemaking affecting this notice, see 29 Pa.B. 5511 (October 23, 1999).)

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1861. Filed for public inspection October 12, 2001, 9:00 a.m.]

Medical Professional Liability Catastrophe Loss Fund; Surcharge Filing

The Medical Professional Liability Catastrophe Loss Fund has filed for a 50% surcharge under the Health Care Services Malpractice Act (40 P. S. §§ 1301.101—1301.1006), commonly known as Act 111, as amended by Act 135 of 1996.

The filing indicates the following:

“This year’s surcharge percentage calculation is premised on the Joint Underwriting Association’s Rates approved as of this date [September 28, 2001], and effective January 1, 2002.”

The surcharge applies to any policies effective on or after January 1, 2002.

Copies of the filing are available for public inspection during normal working hours at the Insurance Department’s regional offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Bureau of Regulation of Rates and Policies, 1311 Strawberry Square, Harrisburg, PA 17120, e-mail at kcreighton@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1862. Filed for public inspection October 12, 2001, 9:00 a.m.]

State Farm Fire and Casualty Company; Homeowners Program; Rate Revision

On September 27, 2001, the Insurance Department received from State Farm Fire and Casualty Company a filing for a rate level change for homeowners insurance.

The company requests an overall 2.6% increase amounting to \$5,948,000 annually, to be effective January 1, 2002, for new business and March 1, 2002, for renewal business.

Unless formal administrative action is taken prior to November 26, 2001, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department’s regional offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120, e-mail at mburkett@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1863. Filed for public inspection October 12, 2001, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The Liquor Control Board seeks the following new site:

Lehigh County, Lower Macungie Township, Willow Lane.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,600 net useable square feet of new or existing retail commercial space on Route 100, within 1 mile of the intersection of Willow Lane, Lower Macungie Township.

Proposals due: November 2, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661

Contact: Willard J. Rhodes, (717) 657-4228

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 01-1864. Filed for public inspection October 12, 2001, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule for all Milk Marketing Areas; Over-Order Premium

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1, 2, 3, 4, 5 and 6 on November 28, 2001, at 9:30 a.m. in Room 202 Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning the continuation of the over-order premium that is scheduled to expire on December 31, 2001, and whether an adjustment should be made to the level of the current over-order premium.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board’s list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on October 26, 2001, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25; or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on October 26, 2001, notification of their desire to be included as a party.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 4 p.m. on November 19, 2001, each party shall file with the Board seven copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as

an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on November 21, 2001, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110. Persons who require this information in an alternate format, should call (717) 787-4194 or (800) 654-5984 (Pennsylvania relay service for TDD users).

LYNDA J. BOWMAN,
Secretary

[Pa.B. Doc. No. 01-1865. Filed for public inspection October 12, 2001, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-310824F7001. Verizon North Inc. and DSLnet Communications LLC. Joint Petition of Verizon North Inc. and DSLnet Communications LLC for approval of amendment no. 1 to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and DSLnet Communications LLC filed on September 20, 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 DSLnet Communications LLC 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. 01-1866. Filed for public inspection October 12, 2001, 9:00 a.m.]

Telecommunications

A-310751F7000. Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc. Joint Petition of Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc. for approval of amendment no. 3 to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, Inc. filed on September 24, 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 Pennsylvania Inc. and Allegiance Telecom of Pennsylvania, 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. 01-1867. Filed for public inspection October 12, 2001, 9:00 a.m.]

Telecommunications

A-311138F7000. Verizon Pennsylvania Inc. and Allpage, Inc. t/a Beeper Street Joint Petition of Verizon Pennsylvania Inc. and Allpage, Inc. t/a Beeper Street for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Allpage, Inc. t/a Beeper Street filed on September 17, 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 Pennsylvania Inc. and Allpage, Inc. t/a Beeper Street 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. 01-1868. Filed for public inspection October 12, 2001, 9:00 a.m.]

Telecommunications

A-310974F7000. Verizon Pennsylvania Inc. and Cbeyond Communications, LLC. Joint Petition of Verizon Pennsylvania Inc. and Cbeyond Communications, LLC for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Cbeyond Communications, LLC filed on September 17, 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 Pennsylvania Inc. and Cbeyond Communications, LLC 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. 01-1869. Filed for public inspection October 12, 2001, 9:00 a.m.]

Telecommunications

A-310824F7000. Verizon Pennsylvania Inc. and DSLnet Communications, LLC d/b/a DSL.net. Joint Petition of Verizon Pennsylvania Inc. and DSLnet Communications, LLC d/b/a DSL.net for approval of a replacement interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and DSLnet Communications, LLC d/b/a DSL.net filed on September 17, 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 Pennsylvania Inc. and DSLnet Communications, LLC d/b/a DSL.net 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. 01-1870. Filed for public inspection October 12, 2001, 9:00 a.m.]

Telecommunications

A-311120F7000. Verizon Pennsylvania Inc. and Devon Mobile Communications, L.P. Joint Petition of Verizon Pennsylvania 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 Pennsylvania Inc. and Devon Mobile Communications, L.P. filed on September 17, 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 Pennsylvania 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. 01-1871. Filed for public inspection October 12, 2001, 9:00 a.m.]

Telecommunications

A-310718F7000. Verizon Pennsylvania Inc. and Eagle Communications, Inc. Joint Petition of Verizon Pennsylvania Inc. and Eagle Communications, Inc. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Eagle Communications, Inc. filed on September 24, 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 Pennsylvania Inc. and Eagle 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. 01-1872. Filed for public inspection October 12, 2001, 9:00 a.m.]

Telecommunications

A-310456F7000. Verizon Pennsylvania Inc. and McLeodUSA Telecommunications Services, Inc. Joint Petition of Verizon Pennsylvania 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 Pennsylvania Inc. and McLeodUSA Telecommunications Services, Inc. filed on September 17, 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 Pennsylvania 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. 01-1873. Filed for public inspection October 12, 2001, 9:00 a.m.]

Telecommunications

A-310743F7000. Verizon Pennsylvania Inc. and PaeTec Communications, Inc. Joint Petition of Verizon Pennsylvania Inc. and PaeTec Communications, Inc. for approval of amendment no. 4 to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and PaeTec Communications, Inc. filed on September 21, 2001, at the Pennsylvania Public Utility Commission, a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and PaeTec 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. 01-1874. Filed for public inspection October 12, 2001, 9:00 a.m.]

Telecommunications

A-310074F7000. Verizon Pennsylvania Inc. and Penn Telecom, Inc. Joint Petition of Verizon Pennsylvania

Inc. and Penn Telecom, Inc. for approval of amendment nos. 1 and 2 to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Penn Telecom, Inc. filed on September 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 Pennsylvania Inc. and Penn Telecom, 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. 01-1875. Filed for public inspection October 12, 2001, 9:00 a.m.]

Water Service Without Hearing

A-221600 F2000. Borough of Hyndman. Application of the Borough of Hyndman for approval of the abandonment or discontinuance of extraterritorial water service to the public located in a portion of Bedford County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before October 29, 2001, under 52 Pa. Code (relating to public utilities).

Applicant: Borough of Hyndman.

Through and By Counsel: Donley C. Logue, Jr., Esquire, 215 West Penn Street, Bedford, PA 15522.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1876. Filed for public inspection October 12, 2001, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School

Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

December 12, 2001	Elizabeth Kirschner (D) (Death Benefit)	1 p.m.
	Harold Spencer (D) (Change of Option)	2:30 p.m.
December 19, 2001	Sean V. Earley (Purchase of Service)	2:30 p.m.

Persons with a disability who wish to attend the above-listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Marilyn Fuller-Smith, Assistant to the Executive Director, at (717) 720-4700 to discuss how the Public School Employees' Retirement System may best accommodate your needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

DALE H. EVERHART,
Secretary

[Pa.B. Doc. No. 01-1877. Filed for public inspection October 12, 2001, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of a Consulting Firm/Team

Value Pricing Study/Implementation/Pilot Project Western, Central and Eastern Regions

Reference No. 3-142

The Turnpike Commission (Commission) will retain a consulting team for a contract to perform a Value Pricing Study and Implementation of a Pilot Program. The consulting team should include the necessary engineering, financial, market research and public involvement skills to perform all project tasks. This contract will be initiated with a 12 month basic study and evaluation phase. Upon a joint agency approval, authorization to be given to begin the second 12 month phase; implementation of short-term pilot variable pricing programs for both commercial and passenger vehicles. If the pilot program sufficiently meets the operational and revenue needs of the Commission, authorization will be given to begin the third phase, implementation of a long term value-pricing program on designated Turnpike facilities.

The proposed study will build upon the results of a preliminary variable pricing analysis performed for the Commission by Wilbur Smith Associates (WSA). Preliminary analysis of congestion pricing alternates for Turnpike facilities was part of an overall traffic, revenue and operations study performed by WSA. This study involved a limited number of motorist surveys, analysis of four

variable pricing scenarios and an evaluation of traffic and revenue impacts. This study did not involve any analysis of social and economic impacts or local road impacts. The results of the prestudy showed the potential to reduce traffic during peak hours by an average 10% to 30%, depending on scenario and peak period surcharge.

The WSA prestudy will be used as a basis for the Phase 1 value pricing study, with congestion management as a basic goal of the study. The concept of pricing differentials will be evaluated throughout the study and implementation phases to assist in congestion management by: (1) providing an economic incentive for traffic to move away from peak period; (2) providing an economic marketing incentive to customers who use electronic toll collection (ETC), which maximizes lane capacity at toll plazas and minimizes traffic queues at the points where commuter traffic enters and exits; (3) promote the safe and efficient movement of traffic; and (4) enhance traffic and revenue growth without compromising existing and projected revenue levels.

The Variable Pricing Study will place emphasis on the development and adoption of Phase 2 piloting strategies that will provide significant relief at congestion points along the system. The three phases are summarized as follows:

Phase 1—Basic Study and Evaluation

This details the general scope of work, budget and schedule for Phase 1 of the Value Pricing Pilot Project. The detailed scope of work prepared by the consultant will be subject to approval by the Commission, the Department of Transportation (PennDOT) and the Federal Highway Administration (FHWA). The initial stage of work will consist of a 12-month study to determine the baseline operating conditions along the Turnpike, at the interchanges and at nearby off-Turnpike locations. Phase 1 will also include a refinement of the previously studied variable pricing scenarios and programs to analyze and estimate impacts based on more detailed inputs from market research studies, including stated preference surveys and focus group surveys. The evaluation of the passenger vehicle component will include a separate review of the motorcycle subset. Phase 1 will include a program of outreach and marketing to promote the goals of congestion management and more efficient processing of traffic through ETC. Phase 1 will also include coordination with the appropriate municipal planning organizations and with the Wilmington-Harrisburg Freight Study being conducted by the Lancaster County Planning Commission. There will be provisions for an ongoing inter-agency review process. The Phase 1 work plan should include a task for evaluating the capability of the Commission's ETC system to support the value pricing scenarios being evaluated for potential implementation. The specific pricing pilot projects, outreach approach and scope of monitoring and evaluation for Phase 2, will be developed as important Phase 1 activities. These will be subject to joint agency approval by the Commission, PennDOT and FHWA. A report will be prepared to document Phase 1 conclusions and recommendations.

Phase 2—Pilot Implementation Programs

This phase will involve implementation of short-term (approximately 12 months) pilot variable pricing programs for both commercial vehicles and passenger vehicles, with emphasis on congestion management in the highly congested Philadelphia region. The Commission has in place an existing discounted commercial hauler fare collection system for most major trucking firms that

utilize the Turnpike system on a recurring basis. Consideration of preservation of this discount system will need to be a part of the evaluation of commercial vehicle pilot scenarios. E-Z Pass has not yet been implemented for commercial vehicles, but will be implemented during the life of this value pricing project.

The passenger vehicle pilot implementation program will be based on the existing E-Z Pass system now operating between the Harrisburg and Philadelphia regions. It will also utilize a larger number of E-Z Pass lanes at the interchange toll plazas, which are scheduled for completion by January 2002, under an ongoing program of ETC improvements and expansions on the Turnpike system.

The short-term pilot implementation programs will be preceded by a program of public outreach and marketing and will involve the collection of operating information similar to that gathered during the baseline data gathering process of Phase 1. The pilot programs will be monitored and evaluated for effectiveness and for achievement of congestion management and forecasted revenue neutrality goals, and the results will be compared with the baseline data. Revealed preference surveys will be conducted on those persons interviewed as part of the stated preference surveys and focus groups.

A task is to be incorporated into the Phase 1 Work Plan for the consultant team to develop a specific Phase 2 monitoring and evaluation plan for approval by the Commission, PennDOT and FHWA prior to undertaking the pilot phase.

Phase 3—Decision Mechanism

Phase 2 activities will include the preparation of a scope of work for Phase 3 and a report including conclusions and recommendations from Phase 2. Information gathered as part of Phase 2 will allow the Commission to determine: whether the pilot program sufficiently meets operational and revenue needs; whether modifications are necessary; and whether value pricing should be implemented along the Turnpike on a long term basis.

Phase 3—Implement Value Pricing Program on Designated Turnpike Facilities

Phase 2 provides an opportunity for the Commission to make an informed decision as to whether to implement value pricing on a permanent basis on designated Turnpike facilities. A schedule and budget would need to be developed for Phase 3 if a decision to implement is made.

The specific facilities to be studied are as follows:

Philadelphia Region

(1) Turnpike Mainline (I-76 and I-276) from Downingtown Interchange to Delaware River Bridge Interchange—Length 47.0 miles

(2) Northeast Extension (I-476) from Mid-County Interchange to Lehigh Valley Interchange—Length 37.2 miles

Pittsburgh Region

Turnpike Mainline (I-76) from Cranberry Interchange to New Stanton Interchange—Length 39.0 miles

Lancaster Region

Congestion on Parallel Route (US 30) Study by Lancaster County. The Commission will cooperate with the Lancaster County study of the Wilmington-Harrisburg freight corridor and evaluate the potential for use of excess Turnpike Mainline (I-76) capacity from Harrisburg East Interchange to Downingtown Interchange—Length 64.6 miles.

The following factors will be considered by the Commission during the evaluation of the firms submitting Statements of Interest:

a. Specialized experience and technical competence with similar projects and their ability to provide innovative solutions to complex technical problems. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop documents to complete the project in a timely and cost effective manner.

b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project and the client.

c. Project team management including subconsultants and how the project manager will manage several disciplines and interact successfully with the Commission.

d. Resource availability to meet multiple assignments in a timely manner.

e. Ability of team to communicate and report project status to the Commission in an effective manner.

Address these items and any necessary further details in a brief yet comprehensive manner in the Statement of Interest.

The Commission is committed to the inclusion of disadvantaged, minority and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10% of the total contract amount. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their statement of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by PennDOT at the time of the submission of the statement of interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Contracts Administration Department, (717) 939-9551 Ext. 4241.

Questions and inquiries concerning this project should be directed to Timothy M. Scanlon, PE at (717) 939-9551 x 5590 or by e-mail at tscanlon@paturnpike.com; direct contractual questions to George M. Hatalowich at (717) 986-8737 or by e-mail at ghatalow@paturnpike.com.

General Requirements and Information

Firms interested in providing the previous work and services are invited to submit a Statement of Interest with the required information. The Statements of Interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. (If the firm has multiple offices, the location of the office performing the work must be identified).

2. A three page Statement of Interest on the advertised project. Each firm should demonstrate their ability to accomplish the tasks previously outlined and provide the services as detailed.

3. An organization chart for the project, identifying key personnel and any subconsultants and their roles. Any

deviation from the subconsultant's listed in the Statement of Interest will require written approval from the Commission.

4. Tabulation or listing of workload for the prime consultant and all subconsultants for all PennDOT and Commission projects. Do not submit the firms workload represented graphically.

5. An Annual Qualification Package containing, at a minimum, the following information for the prime consultant and all subconsultants and should be attached to the back of the Statement of Interest (subs to follow primes):

- Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, not more than 1 year old as of the date of the advertisement.
- Resumes of key personnel expected to be involved in the project. (Limit to one 8 1/2 x 11 page, one side, per person). Only resumes of key personnel should be included.
- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-state headquarters or corporations not incorporated in this Commonwealth.
- A copy of the Department's DBE/WBE Certification, if applicable.

If a Joint Venture responds to a project advertisement, the Commission will not accept separate statements of interest from joint venture constituents. A firm will not be

permitted to submit a statement of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the previous services are invited to submit a statement of interest and required information to George M. Hatalowich, Engineering Contract Manager, Turnpike Commission Administration Building, 700 South Eisenhower Boulevard, Middletown, PA 17057 (Street address). Our mailing address is P. O. Box 67676, Harrisburg, PA 17106-7676.

The Statement of Interest and required information must be received by 12 p.m., Friday, November 2, 2001. Any Statements of Interest received after this date and time will be time-stamped and returned.

The Commission reserves the right to reject all Statements of Interest, to cancel solicitation requested under this notice and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Chairperson

[Pa.B. Doc. No. 01-1878. Filed for public inspection October 12, 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

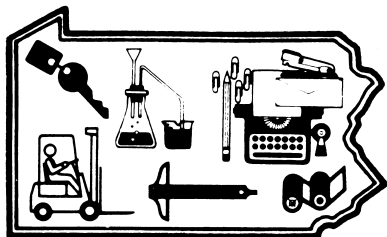
GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

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 (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

SH100101 T-shirts and T-shirts w/pocket, silk-screened for issue to uniformed Bureau of State Park Staff.

Department: Conservation and Natural Resources
Location: Shawnee State Park, 132 State Park Road, Schellsburg, PA 15559
Duration: Delivery of items by January 15, 2002.
Contact: Robert F. Bromley, Park Mgr. (814) 733-4218

1066111 Cloth: Twill. For a copy of bid package fax request to (717) 787-0725.

Department: Corrections
Location: Graterford, PA
Duration: FY 2001-02
Contact: Vendor Services (717) 787-2199

8506090 Pub 95. PA Driver's Manual. 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

5306 Panoramic radiograph machine.

Department: Public Welfare
Location: Torrance State Hospital, State Route 1014, Torrance, PA 15779-0111
Duration: Before June 30, 2002.
Contact: Linda J. Zoskey (724) 459-4547

7920-06 A copy of the complete bid package for Contract #7920-06 Dilution Control Systems can be obtained by contacting Vendor Services at (717) 787-2199. The package, including diskette will be mailed.

Department: General Services
Location: Various, PA
Duration: 12/01/01—11/30/02
Contact: Vendor Services (717) 787-2199

1114201 Cameras. Kodak DCS-660. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

Department: State Police
Location: Allegheny Cty Forensics Lab, Pittsburgh, PA
Duration: FY 2001-02
Contact: Vendor Services (717) 787-2199

8057700 IBM Printer Ink. 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

9985-23 Scrap Rubber Removal Service Contract. During each quarter of the current calendar year, new contracts may seek to be added to the list of qualified contractors for the Scrap Rubber Removal Service Contract, 9985-23. In order to be considered, Contractors must submit a completed bid 9985-23 to ensure receipt by the Commonwealth on or before 1:30 p.m. on the last Commonwealth business day of each quarter (the "deadline"). A quarter is defined as three consecutive calendar months ending with the last business day of the months of March, June, September and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline of the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

Department: General Services
Location: Various, PA
Duration: 06/01/01 to 05/31/03 with three (3) additional one (1) year extensions
Contact: Vendor Services (717) 787-2199

M-5916 GATE VALVES, FLANGED Stainless steel trim, class 300, rising stem Size: 4" & 6".

Department: Corrections
Location: State Correctional Institution at Rockview, Rt. 26, Box A, Bellefonte, PA 16823
Duration: 10-15-01 through 6-30-02
Contact: Cheryl Crispell, P.A. 2 (814) 355-4874, ext. 206

5805-56 Statewide PBX Telephone Systems and Services. For a copy of bid package fax request to (717) 787-0725.

Department: General Services
Location: Various, PA
Duration: Notification of Award—12/31/04
Contact: Vendor Services (717) 787-2199

012033 Erie County would like to purchase a minimum 1,500 gallon capacity self contained anti-icing insert for a tandem dump truck body. Insert will include a tank(s), pump and remote controlled ground spray system to be used for the loading, transportation, unloading and spraying of liquids.

Department: Transportation
Location: PennDOT, Erie Co Maintenance, 9031 Peach St., Waterford, PA 16441
Duration: Delivery to be as soon as possible after award.
Contact: Jean Zarger (814) 871-4411

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 p.m. on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

Department: General Services
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services (717) 787-2199

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 p.m. on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

Department: General Services
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services (717) 787-2199

6350-03 Surveillance & Security Equipment & Supplies. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Surveillance & Security Equipment & Supplies, 6350-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-03 to ensure receipt by the Commonwealth on or before 1:30 p.m. on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

Department: General Services
Location: Harrisburg, PA
Duration: FY 2000-01
Contact: Vendor Services (717) 787-2199

5307 Unit dose packaging machine.

Department: Public Welfare
Location: Torrance State Hospital, State Route 1014, Torrance, PA 15779-0111
Duration: Before June 30, 2002
Contact: Linda J. Zoskey (724) 459-4547

5810-03 Microcomputer & Local Area Network (LAN) Software. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Software, 5810-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5810-03 to ensure receipt by the Commonwealth on or before 1:30 p.m. 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

09709 Bid is for materials for a salt storage bin, finished wall/bin is to measure a minimum sixty (60) feet wide by a minimum one hundred (100) feet long. Bid will include materials necessary to assemble the storage bin, less the wall sealer, joint compound to be included. Materials will be picked up at the Vendors location with the PennDOT's lowboys. Radius of pickup will be within 250 miles of Somerset PA. For bid package and specifications contact Mike Knepper, Somerset County Equipment Manager, at (814) 445-7905.

Department: Transportation
Location: PennDOT, 1312 N. Center Avenue, P. O. Box 509, Somerset, PA 15501
Contact: Mike Knepper (814) 445-7905

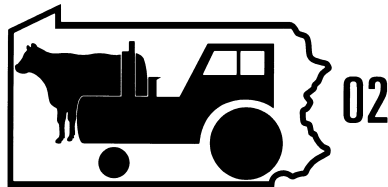
1130211 Various File Folders. For a copy of bid package fax request to (717) 787-0725.

Department: Public Welfare
Location: Harrisburg, PA
Duration: FY 2001-02
Contact: Vendor Services (717) 787-2199

9985-15 Pest Control Services Contract. During each quarter of the current calendar year, new contracts may seek to be added to the list of qualified contractors for the Pest Control Services Contract, 9985-15. In order to be considered, Contractors must submit a completed bid 9985-15 to ensure receipt by the Commonwealth on or before 1:30 p.m. on the last Commonwealth business day of each quarter (the "deadline"). A quarter is defined as three consecutive calendar months ending with the last business day of the months of March, June, September and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline of the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

Department: General Services
Location: Various, PA
Duration: 03/01/00—02/28/02 with three (3) additional one (1) year extensions
Manager: Vendor Services (717) 787-2199

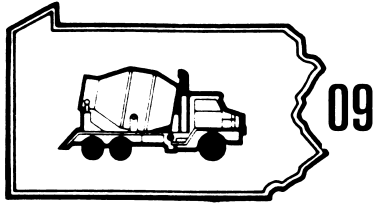
SERVICES



Agricultural Services

FL-1102141 The Bureau of Animal Health is seeking to purchase 100,000 orange vaccination cattle ears tags and 220,000 silver identification cattle ear tags. The tags are to be printed with a series of numbers provided by the Department.

Department: Agriculture
Location: PA Dept of Agriculture, Bureau of Animal Health, 2301 N. Cameron Street, Harrisburg, PA 17110
Duration: 3 months
Contact: Pamela Dailey (717) 772-4221



Construction & Construction Maintenance

FDC-406-942.1 General Construction associated with ADA Accessibility Improvements for Scotts Run Lake and a new Amphitheater in the campground at French Creek State Park, Berks County (paving, sidewalks, retaining wall, unit pavers, concrete, masonry, carpentry, roofing, site furnishings). Cost estimate is between \$100,000.00 to \$500,000.00. NOTE: Requests for Bid Documents may be made ON or AFTER October 15, 2001. Cost for Documents is \$31.80 payable by CREDIT CARD ONLY—American Express, Discover, Master Card or Visa.

Department: Conservation and Natural Resources
Location: Union Township
Duration: 150 Days
Contact: Construction Management Section (717) 787-5055

FDC-406-942.4 All Electrical Work associated with ADA Accessibility Improvements for Scotts Run Lake and a new Amphitheater in the campground at French Creek State Park, Berks County. Cost estimate is less than \$50,000.00. NOTE: Requests for Bid Documents may be made ON or AFTER October 15, 2001. Cost for Documents is \$31.80 payable by CREDIT CARD ONLY—American Express, Discover, Master Card or Visa.

Department: Conservation and Natural Resources
Location: Union Township
Duration: 150 Days
Contact: Construction Management Section (717) 787-5055

10882249 Service to provide all Labor, Parts and equipment necessary to perform various welding repairs (boiler room machinery and equipment, steam lines, water lines, other allied equipment, etc. as requested).

Department: Public Welfare
Location: South Mountain Restoration Center, 10058 South Mountain Road, South Mountain, PA 17261
Duration: Contract period will be January 1, 2002 through December 31, 2006. (5 year contract)
Contact: Jan Blocker (717) 749-4030

DGS 996-16EDF PROJECT TITLE: Orientation Exhibit. BRIEF DESCRIPTION: Design, fabrication and installation services for a new approximately 2400 square foot visitor orientation exhibit at Washington Crossing Historic Park. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. Design Construction. REQUEST FOR PROPOSAL DEPOSIT: \$25.00 per set (Includes PA Sales Tax) per RFP. Checks must be made payable to: COMMONWEALTH OF PA. This price is non-refundable. Contact the office listed below to arrange for delivery of documents. Mail requests to: Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Tel: (717) 787-3923. Receiving Date: FRIDAY, November 9, 2001 at 2 p.m. A Pre-Proposal Conference has been scheduled for Wednesday, October 17, 2001 at 10:00 A.M. at Washington Crossing Historic Park, Washington Crossing, Bucks County, PA. Contact: PHMC Site Administrator, Michael Bertheaud, Tel: (215) 493-4076. All Firms requesting the RFP are invited and urged to attend this Pre-Proposal Conference. All Questions regarding the RFP or to clarify matters concerning the RFP must be submitted in writing to the issuing office by no later than 5 p.m. Monday, October 22, 2001. Only firms requesting the RFP will receive a copy of all submitted questions and answers.

Department: General Services
Location: Washington Crossing Historic Park, Washington Crossing, Bucks County, PA
Duration: PROPOSALS MUST REMAIN FIRM FOR ONE HUNDRED TWENTY (120) CALENDAR DAYS FOLLOWING RECEIPT OF PROPOSALS AND MUST SO STATE
Contact: Contract and Bidding Unit (717) 787-6556

LBLA 6249 Bituminous Paving - ID2A in place, approx. 6000 sq. yds. to be placed at Kilbuck Access Area, Glendfield, PA (Allegheny County).

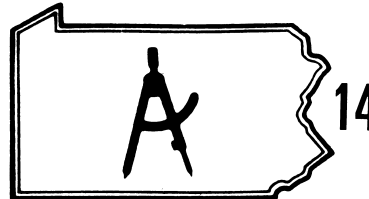
Department: Fish and Boat Commission
Location: Kilbuck Access, Glendfield, PA
Duration: Work to be performed Spring 2002
Contact: Kathi Tibbott, Purchasing Agent (814) 359-5130

DGS 960-25 PROJECT TITLE: Solarium Addition. BRIEF DESCRIPTION: Construct two (2) new Solariums approximately 28' X 30', two (2) open porches, walkway and porte cochere and conversion of existing screened patio to a new multi-purpose room extension, approximately 30' X 54' at the existing Nursing Facilities Building. New heating system, sprinklers, plumbing work, new electrical and lighting work is included. ESTIMATED RANGE: \$500,000.00 TO \$1,000,000.00. General, HVAC, Plumbing and Electrical 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, November 7, 2001 at 11 a.m. A Pre-Bid Conference has been scheduled for Wednesday, October 24, 2001 at 10 a.m. at Soldiers' and Sailors' Home, Erie, PA in the Dining Room. Contact: Jeanette Gaultier, Tel: 814/878-4936. All Contractors who have secured Contract Documents are invited and urged to attend this Pre-Bid Conference.

Department: General Services
Location: Soldiers' and Sailors' Home, Erie, Erie County, PA
Duration: 180 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE
Contact: Contract and Bidding Unit (717) 787-6556

IN-808 Installation of a new central chiller plant to service the University Buildings and provide air conditioning.

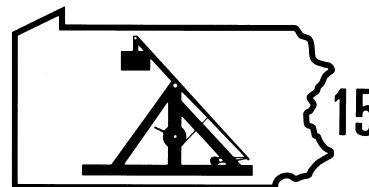
Department: State System of Higher Education
Location: Indiana University of Pennsylvania, Indiana, PA
Duration: 400 days
Contact: Ronald E. Wolf (724) 357-4851



Engineering Services

PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us.

Department: Transportation
Location: Various
Contact: www.dot2.state.pa.us



Environmental Maintenance Service

3518540102 The project intent is to partially dewater the Melcroft No. 3 Mine from an elevation of 1,468 feet to an elevation of approximately 1,443 feet. An estimated 95,000,000 gallons of water will be dewatered. Treatment of the resultant discharge (estimated to be approximately 200 gpm) will be necessary and is expected to continue from 3 to 12 months after the dewatering has been completed.

Department: Environmental Protection
Location: Near the intersection of T736 and S.R. 1007 in Melcroft Village (Saltlick Township)
Duration: Five to 14 months after notice to proceed
Contact: Dan Sammarco or Phyllis Coco (814) 472-1800

OSM 54(3633)102.1 Abandoned Mine Reclamation, Mount Pleasant, involves approximately 256,000 c.y. grading, 760 s.y. rock lining and seeding 34.2 acres. Federal funds are available for this project from the \$27 million Pennsylvania's 2000 AML Grant. This project issues October 12, 2001; payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Foster Township, Schuylkill County
Duration: 340 calendar days after notice to proceed
Contact: Construction Contracts Section (717) 783-7994

OSM 49(6388)201.1 Abandoned Mine Reclamation, Locust Summit Northwest, involves removal of asbestos, and structures, backfilling structures and seeding 4.4 acres. Federal funds are available for this project from the \$27 million Pennsylvania 2000 AML Grant. This project issues October 12, 2001; payment in the amount of \$10.00 must be received before bid documents will be sent.

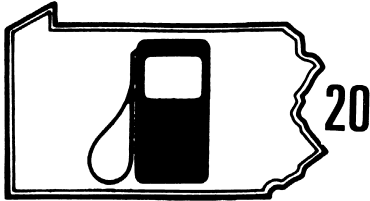
Department: Environmental Protection
Location: Mount Carmel Township, Northumberland County
Duration: 220 calendar days after notice to proceed
Contact: Construction Contracts Section (717) 783-7994

BOGM 01-11R Clean Out and Plug Five (5) Abandoned Gas Wells estimated between 1,000-2,800 feet each in depth; prepare and restore well sites; and mobilize/demobilize plugging equipment. This project issues October 12, 2001; payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Ms. Helen Reed, Mr. and Mrs. E. Frank Davis, Mr. Robert Mt. Joy, Mr. Stanley Zalar and Mr. Jeff Stover properties, New Freeport, Monongahela and Center Townships, Greensboro and Spraggs, Greene County
Duration: 100 calendar days after notice to proceed
Contact: Construction Contracts Section (717) 783-7994

OSM 40(1811)101.1 Abandoned Mine Reclamation, Swoyersville North, involves approximately 455,800 c.y. grading, 8,860 c.y. drainage excavation, 4,290 s.y. rock lining, 428 l.f. pipe and seeding 34.6 acres. Federal funds are available for this project from the \$27 million Pennsylvania 2000 AML Grant. This project issues October 12, 2001; payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Swoyersville, Luzerne County
Duration: 450 calendar days after notice to proceed
Contact: Construction Contracts Section (717) 783-7994



Fuel Related Services

2-2-00044 Contractor shall supply Two (2) 1,000 Gallon Aboveground Concrete Vaulted, Doubled Walled Storage Tanks for District 2, Clearfield County. Site Preparation and tank installation will not be covered under the contract and will be furnished through a separate contract. Tanks shall be delivered to two separate sites within Clearfield County. All requests for bid packages must be requested by fax (814) 765-0681 or telephone (814) 765-0524. Attention: Debbie Swank, Purchasing Agent. PA Prevailing Wage Act does not apply.

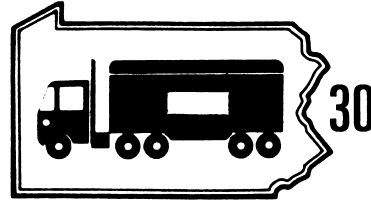
Department: Transportation
Location: Clearfield County 0220
Duration: One year contract
Contact: Debbie Swank (814) 765-0524



Janitorial Services

933855 General cleaning contract for offices, lunch rooms, training room, lavatories, consisting of 5607 square feet. Cleaning to be done at the main office building in Ebensburg.

Department: Transportation
Location: PA Department of Transportation—Maintenance Building, 4595 Admiral Peary Highway, Ebensburg, PA 15931
Duration: 11/01/2001 to 12/31/2001 with three one year renewal options.
Contact: Gail Prave (814) 472-7100



Moving Services

SBC# The Pennsylvania Historical and Museum Commission wishes to contract with a vendor to relocate a Dentzel carousel from Gilbertville, Massachusetts to the Commonwealth Keystone Building, 400 North Street, Harrisburg, Pennsylvania.

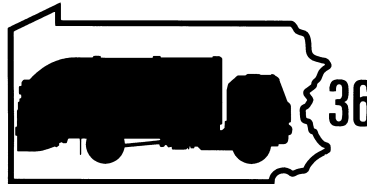
Department: Historical and Museum Commission
Location: From Gilbertville, Massachusetts to Harrisburg, Pennsylvania
Contact: Tobi Gilson (717) 772-8875



Railroad/Airline Related Services

SP 3810039 Rental of aircraft with pilot for forest fire prevention and detection including forest pest management work in PA Forest District 20. A 4-place, single engine, high wing aircraft with 180 horsepower or greater is required. All flights will begin and end at the Bloomsburg Airport.

Department: Conservation and Natural Resources
Location: Forest District 20, Bloomsburg
Duration: January 1, 2002 through December 31, 2005
Contact: Pamela Stouffer (717) 783-0760



Sanitation

0400TR Trash removal from the PennDOT District 4-0 office building, O'Neill Highway, Dunmore, Lackawanna County, 3 times per week on non-consecutive working days. Contractor must provide all containers, 6-cubic for trash and 2-cubic yard for recyclable materials; high-grade office paper, computer paper, bottles and cans in accordance with Legislative Act 101. Contractor must also provide a 2-cubic yard container when needed on an on-call basis. The contract will be for a two-year period with two (2) one-year renewals.

Department: Transportation
Location: Penna. Dept. of Transportation, District 4-0 Office Building, O'Neill Highway, Dunmore, PA 18512.
Duration: Two-year contract followed by two (2) one-year renewals.
Contact: Gerald Pronko (570) 963-4039

MN-01-0308 Furnish/Deliver/Install Ramjet RJ-100 SC Compactor/Container, or approved equal, with power unit and fluid heater. Unit totally UL listed. Total capacity 30 cubic yard. Charge box capacity 1.5 cubic yard. Bid specifications on file in agency purchasing department.

Department: Corrections
Location: Department of Corrections, State Correctional Institution at Cresson, P. O. Box A, Old Route 22, Cresson, PA 16630
Duration: November 1, 2001—June 30, 2002
Contact: Barbara A. Lloyd, Purchasing Agt. (814) 886-8181, X166

SP3862261001 Sealed bids will be received at Dept. of Conservation and Natural Resources, Park Region 2, P. O. Box 387, 195 Park Road, Prospect, PA 16052-0387, until 2 p.m. prevailing time October 22, 2001, and then publicly opened and read. For Solid Waste Collection and Disposal at Pymatuning State Park. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager, Pymatuning State Park.

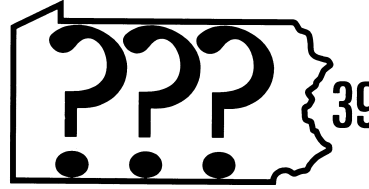
Department: Conservation and Natural Resources
Location: Dept. of Conservation and Natural Resources, Pymatuning State Park, 2660 Williamsfield Road, Jamestown, PA 16134
Duration: January 1, 2002 to December 31, 2005
Contact: Pymatuning State Park (724) 932-3142

113500008 Vendor to provide sludge removal and disposal services to the State Correctional Inst. Graterford. SCI-Graterford generates approximately 750,000 gallons of sludge over a 3 year period.

Department: Corrections
Location: State Corr. Inst. Graterford, Box 246, Off Rt. 29, Graterford, PA 19426
Duration: 3 Years
Contact: Kelly Richardson (610) 489-4151

SP3862021001 Sealed bids will be received at Dept. of Conservation and Natural Resources, Park Region #2, P. O. Box 387, 195 Park Road, Prospect, PA 16052-0387, until 2 p.m. prevailing time October 22, 2001, and then publicly opened and read. For Solid Waste Collection and Disposal at Clear Creek/Cook Forest State Parks. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager, Cook Forest State Park.

Department: Conservation and Natural Resources
Location: Dept. of Conservation and Natural Resources, Cook Forest State Park, P. O. Box 120 River Road, Cooksburg, PA 16217-0120
Duration: January 1, 2002 to December 31, 2004
Contact: Cook Forest State Park (814) 744-8407



Miscellaneous

APR01-2050-53 Vendor to supply two each Webgain studio 4.5 standard licenses. Vendor to supply two each Webgain studio 4.X standard pro. maintenance/support.

Department: Office of Administration/Executive Offices
Location: Vendor to ship product to: JNET, PSP Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110
Duration: Vendor to ship upon receipt of final/approved field limited purchase order.
Contact: Susan L. Rojas (717) 787-8767

20873007 Lease/Service of brake cleaning booths and parts cleaner. The hospital desires one (1) asbestos brake cleaning booth and two (2) parts cleaner tanks. Vendor is to provide the necessary equipment and cleaning services. Cleaning service shall consist of draining of the old solution from the asbestos brake cleaning booth and parts cleaning tanks and refilling with new aqueous solution. Vendor will also properly dispose of old waste solution.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron & Maclay Streets, Harrisburg, PA 17106
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

464104 Department is coordinating the development of a formal statewide strategic plan that would help reduce the number and severity of truck crashes. A steering committee has been formed and a 2-day symposium and follow-up committee meeting is being held to identify and focus attention on safety programs and initiatives that would produce the greatest improvements. The department is looking to obtain a vendor to attend symposium and follow-up meeting, record symposium proceedings, and prepare report of proceedings. Based on symposium results and follow-up direction from committee, vendor must prepare draft strategic plan, attend future meetings and present the plan to members, review plan based on comments from steering committee and prepare final plan for publication. Requests for bid packet can be faxed to (717) 705-5523.

Department: Transportation
Location: Meetings held in Harrisburg. Symposium being held at Clarion Hotel in Carlisle.
Duration: Approximately 6 months
Contact: Shannon M. Devine (717) 772-0881

20873007- Lease/Service of brake cleaning booths and parts cleaner. The hospital desires one (1) asbestos brake cleaning booth and two (2) parts cleaner tanks. Vendor is to provide the necessary equipment and cleaning services. Cleaning service shall consist of draining of the old solution from the asbestos brake cleaning booth and parts cleaning tanks and refilling with new aqueous solution. Vendor will also properly dispose of old waste solution.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron & Maclay Streets, Harrisburg, PA 17106
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

[Pa.B. Doc. No. 01-1879. Filed for public inspection October 12, 2001, 9:00 a.m.]

DESCRIPTION OF LEGEND

- | | |
|--|---|
| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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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
1092221-01	10/01/01	Direct Graphics	33,000.00
1098211-01	10/01/01	Unisys	34,374.00
7314710-01	10/01/01	Unisys	198,000.00

KELLY P. LOGAN,
Acting Secretary

[Pa.B. Doc. No. 01-1880. Filed for public inspection October 12, 2001, 9:00 a.m.]

