

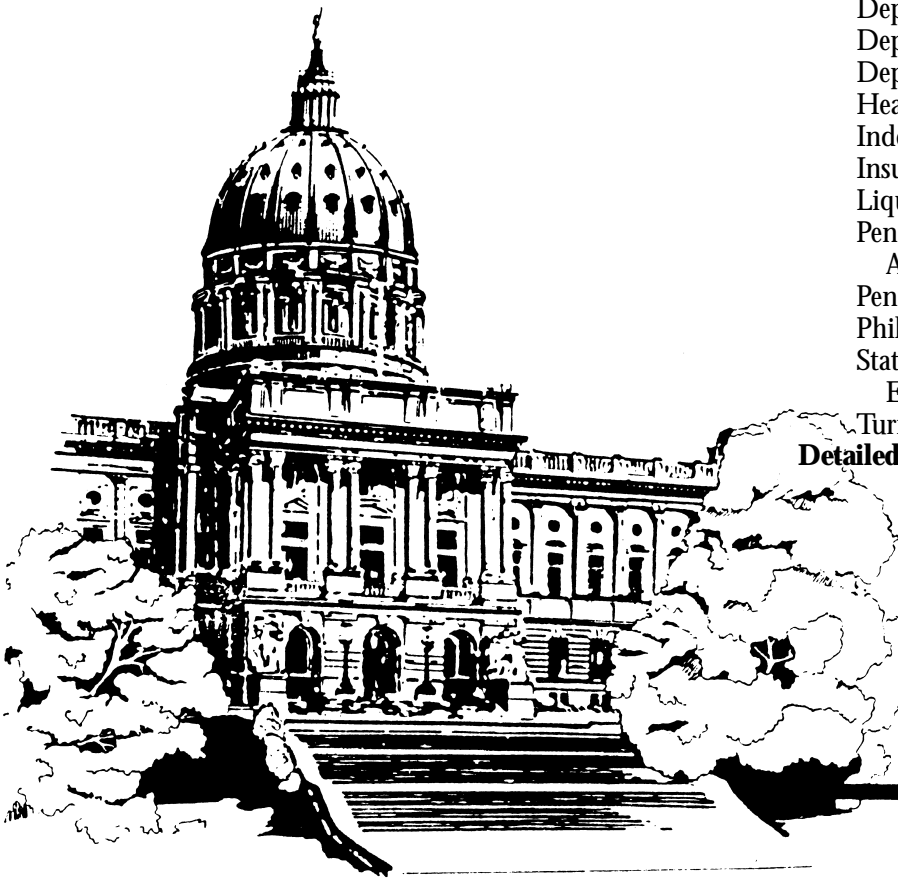
PENNSYLVANIA BULLETIN

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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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List of Pa. Code Chapters Affected

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

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER 2001-6]

Governor's Task Force on Security

October 6, 2001

Whereas, due to the September 11, 2001, terrorist attacks on the United States and its people, the President of the United States, George W. Bush, has called upon all Americans to be vigilant to the threat of terrorism and to defend our nation; and

Whereas, securing the United States homeland from nontraditional and emerging threats including domestic, biological, and cyber-terrorism must be a primary security mission of the United States Government and a primary concern of state governments; and

Whereas, additional attacks against our citizens on United States soil are likely during the next quarter century, as both the technical means for carrying out such attacks and access to such means are proliferating despite the best efforts of United States diplomacy; and

Whereas, attacks on United States soil may involve weapons of mass destruction and disruption and can target governments and individuals as well as the critical infrastructure upon which so much of the United States economy depends; and

Whereas, the President of the United States, George W. Bush, has called upon our former Governor, Thomas J. Ridge, to defend our nation as the head of the Office of Homeland Security and upon all Pennsylvanians to secure our domestic well-being and security; and

Whereas, all Pennsylvanians have similarly been called to secure our domestic well-being and security; and

Whereas, in light of the act of terrorism that occurred on September 11, 2001, it is timely and appropriate for the Commonwealth to review its capacity to coordinate the emergency preparedness and response activities across a range of divergent agencies, bureaus, and departments in the fight against terrorism; and

Whereas, it is the responsibility of the Commonwealth to set forth necessary plans and actions to ensure the preservation of core infrastructures including communications, electricity, water, and transportation; and

Whereas, our past experiences with natural and other catastrophic events demonstrate the importance of a coordinated and rigorous emergency management system; and

Whereas, we know that our future strength as a State and a Nation is dependent on our continued vigilance and tenacity.

Now, Therefore, I, Mark S. Schweiker, Governor of the Commonwealth of Pennsylvania, by the virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby establish the Governor's Task Force on Security as hereinafter set forth in Annex A.



Governor

Fiscal Note: Gov 01-7. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

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§ 6.41. Mission.

The Governor's Task Force on Security is charged with assessing the Commonwealth's current state of emergency preparedness in the event of an act of terrorism and shall propose enhancements to the existing strategy, including corresponding organizational structures, to prevent and protect against attacks in this Commonwealth and to respond to the attacks if prevention and protection should fail and action were needed.

§ 6.42. Function.

The Governor's Task Force on Security has the following powers and duties:

(1) To assess the readiness of this Commonwealth's State and local emergency preparedness systems to respond expeditiously and appropriately in the event of an act of terrorism. This assessment should consider the adequacy and availability of the following items when making this determination:

(i) State and local emergency preparedness and response plans, including provisions for mutual aid.

(ii) Emergency plans for the security of critical infrastructure—for example, major transportation systems, electrical generation facilities, major water supply systems, and the like.

(iii) Emergency plans in the event of domestic, cyber, biological or chemical attacks.

(iv) Emergency management radio communications systems.

(v) Plans and procedures for public communications and outreach.

(vi) Plans for the control and monitoring of air and land borders.

(2) To recommend a structure to coordinate the Commonwealth's emergency response activities and deployment based on intelligence information as provided by the President of the United States, the Federal Office of Homeland Security and other Federal agencies with core emergency management and intelligence functions.

(3) To develop and recommend strategies to improve the Commonwealth's planning and coordination with Federal and local agencies to facilitate resource allocation, enhance readiness to prevent attacks and facilitate recovery if prevention fails.

(4) To assess existing plans and the coordination and integration of activities relating to security of this Commonwealth, including border security and emergency preparedness.

(5) To develop relationships between Federal and local governments and executive agencies in order to protect this Commonwealth's security and to support local officials.

(6) To identify training and outreach opportunities that will be required to implement the Commonwealth's anti-terrorism plan.

(7) To recommend strategies to provide overall planning guidance to local officials.

§ 6.43. Composition and appointments.

(a) The Governor's Task Force on Security (Task Force) shall consist of certain designated public officials and other individuals appointed by the Governor. The membership shall include the heads of agencies of the Commonwealth that have responsibilities directly bearing State and local emergency preparedness activities, as well as various State and local elected officials and local emergency preparedness officials. The Task Force shall consist of the following members:

- (1) The Director of the Pennsylvania Emergency Management Agency.
- (2) The Commissioner of the Pennsylvania State Police.
- (3) The Secretary of Environmental Protection.
- (4) The Secretary of Health.
- (5) The Adjutant General of Military and Veterans' Affairs.
- (6) The Chairperson of the Pennsylvania Public Utility Commission.
- (7) The Attorney General of Pennsylvania.
- (8) Two representatives of the Pennsylvania General Assembly.
- (9) Two representatives of Pennsylvania local government.
- (10) One county emergency management coordinator.
- (11) A representative of the Task Force 1 Urban Search and Rescue Unit.

(b) The Governor will designate a member to serve as the Task Force chairperson.

(c) The Pennsylvania Emergency Management Agency shall provide administrative support to the Task Force.

(d) A Task Force member may designate an alternate to attend Task Force meetings, if required.

§ 6.44. Terms of membership.

(a) The ex officio members serve on the Governor's Task Force on Security (Task Force) during their respective terms of office. Other members of the Task Force serve at the pleasure of the Governor.

(b) If a vacancy occurs on the Task Force due to resignation, disability or death of a member, the Governor will appoint a successor as expeditiously as possible.

§ 6.45. Compensation.

Members of the Governor's Task Force on Security receive no compensation for their services, except that the members may be reimbursed for actual travel and related expenses in accordance with Commonwealth travel and subsistence policies. See Chapter 40 (relating to travel and subsistence).

§ 6.46. Reports.

The Governor's Task Force on Security shall present a final report to the Governor by November 20, 2001.

§ 6.47. Executive agencies.

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance to the Governor's Task Force on Security in performing its functions.

§ 6.48. Termination date.

This subchapter shall continue in force until rescinded or superseded by order of the Governor.

[Pa.B. Doc. No. 01-1916. Filed for public inspection October 26, 2001, 9:00 a.m.]

THE COURTS

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 200]

[Correction]

Proposed Amendment to Rule 202 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices

Introduction

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Pa. R.C.P.D.J. No. 202 to define the word "verified" as used in the rules, and to make other technical amendments to this rule. The Committee has not submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the official Committee Notes to the rules. The Supreme Court does not adopt the Committee's Notes or the contents of the explanatory Reports.

The text of the proposed changes precedes the Report.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel,

Michael F. Krimmel, Counsel
Supreme Court of Pennsylvania
Minor Court Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, PA 17055

or e-mail to: minorcourt.rules@supreme.court.state.pa.us
no later than Wednesday, November 14, 2001.

By the *Minor Court Rules Committee*

FRED A. PIERANTONI, III
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 200. RULES OF CONSTRUCTION; GENERAL PROVISIONS

Rule 202. Definitions.

As used in these rules, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise or the particular word or phrase is expressly defined in the chapter in which the particular rule is included:

[(1) *District justice*—The district justice, before whom the action or proceeding is pending.

(2) *Sheriff*—Includes a deputy sheriff.

(3) *Constable* means a deputy constable.

(4) *Prothonotary*—Includes any officer exercising the powers and performing the duties of the office of prothonotary as set forth in the Judicial Code, and includes the analogous officer in those counties which do not have a prothonotary.]

"*Constable*" means a certified constable or a certified deputy constable.

"*District justice*" means the district justice before whom the action or proceeding is pending.

"*Prothonotary*" includes any officer exercising the powers and performing the duties of the office of prothonotary as set forth in the Judicial Code, and includes the analogous officer in those counties which do not have a prothonotary.

"*Sheriff*" includes a deputy sheriff.

"*Verified*," when used in reference to a written statement of fact by the signer, means supported by oath or affirmation or made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Official Note

* * * * *

Amended April 25, 1979, effective in 30 days, June 30, 1982, effective 30 days after July 17, 1982; amended effective Dec. 1, 1983; amended July 16, 2001, effective August 1, 2001; amended _____, effective _____.

REPORT

Proposed Amendment to Pa. R.C.P.D.J. No. 202

Amendment to Rule 202 to define the word "verified" as used in the rules

The Committee undertook a review of Rule 202 when it discovered that the word "verified" was used in the rules but was not defined. Upon review of the three instances where the word currently is used in the rules, the Committee determined that it should be defined in Rule 202 (Definitions). The Committee proposes that the same definition for "verified" as is used in Pa.R.C.P. No. 76 be adopted in Pa. R.C.P.D.J. No. 202.

In conjunction with the proposed amendment to the rule described above, the Committee also recognized the need for two technical amendments to this rule. First, the Committee proposes that the introductory language in the rule be amended to more closely mirror that in Pa.R.C.P. No. 76 so as to more clearly state how terms in the rules are to be defined and construed. Also, the Committee proposes that the rule be restructured to remove the numbered list of definitions and to list the definitions in alphabetical order. The Committee believes that this technical change will present the list of defined terms in a more logical order and will better facilitate future additions to or deletions from the list.

[Pa.B. Doc. No. 01-1881. Filed for public inspection October 19, 2001, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Deferment of Reliance Insurance Company Cases by Reason of Order of Liquidation; Administra- tive Doc. 09 of 2001

Order

And Now, this 9th day of October 2001, upon consideration of the Order of Liquidation entered by the Pennsylvania Commonwealth Court dated October 3, 2001 pursuant to the petition of the Insurance Commissioner of the Commonwealth of Pennsylvania, it is hereby *Ordered* and *Decreed* that all cases in which Reliance Insurance Company is a named party shall be placed in deferred status.

It is further *Ordered* and *Decreed* that all actions currently pending against an insured of Reliance Insurance Company are deferred for ninety (90) days from October 3, 2001 or such additional time as the Rehabilitator may request.

It is further *Ordered* and *Decreed* that this Court's Order of August 17, 2001 is vacated.

By the Court

JOHN W. HERRON,
Administrative Judge

This Administrative Docket is promulgated in accordance with the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55, Judicial Administration, Docket No. 1, Phila. Civ. ★51 and Pa.R.C.P. 239, and shall become effective immediately. As required by Pa.R.C.P. 239, the original Administrative Docket shall be filed with the Prothonotary in a docket maintained for Administrative Dockets issued by the Administrative Judge of the Trial Division and copies shall be submitted to the Administrative Office of Pennsylvania Courts, The Legislative Reference Bureau and the Civil Procedural Rules Committee. Copies of the Administrative Code shall also be submitted to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District. The Administrative Docket is also available on the Court's website at <http://courts.phila.gov>.

[Pa.B. Doc. No. 01-1917. Filed for public inspection October 26, 2001, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ERIE COUNTY

Revision and Restatement of the Rules of Civil Procedure; Civil Division Court Order 2001— 90036

Order

And Now, this 29th day of August, 2001, the following revisions and additions to the Rules designated as the Rules of Civil Procedure for the Court of Common Pleas of Erie County, Pennsylvania, are hereby approved,

adopted and promulgated as the Rules of this Court. These Rule changes, revisions and deletions shall become effective thirty (30) days after the publication of the same in the *Pennsylvania Bulletin* and they shall apply to all actions pending at that time.

WILLIAM R. CUNNINGHAM,
President Judge

Rule 212.1. Pre-Trial Procedure.

(a) Scope

This Rule shall encompass all civil actions, except actions where jurisdiction lies in the Family/Orphans Court Division.

(b) Case Management Orders (CMO)

1. Case Management Orders—General

[(a)] (A) At the time of judicial assignment, the Office of Court Administration shall issue a CMO designating dates for the close of discovery, the filing of pre-trial statements, and a proposed trial term.

[(b)] (B) At any time prior to judicial assignment, the parties may agree to the entry of a CMO by filing a stipulation with the Office of Court Administration and the Prothonotary.

[(c)] (C) Following the entry of the CMO, any request for modification shall be done by motion filed with the Prothonotary and mailing or delivering a copy to the assigned judge.

2. Case Management Orders—Time Limitations

[(a)] (A) All **[CMO's] CMOs**, except those requested by stipulation, which are issued by the Office of Court Administration, shall provide the following time limitations:

(i) Close of discovery within two hundred forty (240) days of the issuance of the CMO.

(ii) Plaintiff's pre-trial statement filed within thirty (30) days of the close of discovery.

(iii) Defendant's pre-trial statement filed within sixty (60) days of the close of discovery.

(iv) **[The proposed] Proposed** trial term within one hundred twenty (120) days of the discovery, or as close thereto as the availability of trial terms may allow.

[(b)] (B) If a case has been accepted by the Court as "complex," all **[CMO's] CMOs** shall designate dates consistent with the following time limitations:

(i) Close of discovery is five hundred forty (540) days from the issuance of the CMO.

(ii) Plaintiff's pre-trial statement filed within forty five (45) days of the close of discovery.

(iii) Defendant's pre-trial statement filed within ninety (90) days of the close of discovery.

(iv) The proposed trial term within one hundred eighty (180) days of close of discovery, or as close thereto as the availability of trial terms may allow.

[(c)] (C) If a case has been accepted by the Court as "expedited," all **[CMO's] CMOs** shall designate dates consistent with the following time limitations:

(i) Close of discovery is ninety (90) days from the issuance of the CMO.

(ii) Plaintiff's pre-trial statement filed within fifteen (15) days of the close of discovery.

(iii) Defendant's pre-trial statement filed within thirty (30) days of the close of discovery.

(iv) The proposed trial term within ninety (90) days of close of discovery, or as close thereto as the availability of trial terms may allow.

[(d) (D)] A party may request that a case be designated as complex or expedited by the filing of a stipulation or motion.

[(e) (E)] All cases where the amount in controversy is within the limits for mandatory arbitration shall be designated as "expedited" cases and **[CMO's] CMOs** issued accordingly.

(c) *Settlement Conference*

A party may request that the assigned judge conduct a settlement conference at any time after the filing of the last responsive pleading.

(d) *Trial Depositions*

1. All depositions for use at **[Trial] trial** shall be completed no later than 10 days preceding the beginning of the trial term for which the case is listed.

2. All objections to trial deposition testimony shall be provided to the court no later than 2 days prior to the day of trial.

(e) *Motions in Limine*

All motions in limine, including motions to resolve objections to depositions to be used at trial, must be presented to the Court no later than ten (10) days preceding the beginning of the trial term in which the case is listed.

(f) *Certification For Trial*

1. These certification procedures apply to all civil jury and non-jury cases.

2. In order to have a case assigned to a particular trial term, all counsel or parties must certify the case as ready for trial by filing with the Prothonotary and serving upon the Court Administrator a certification in substantially the form contained herein and designated "Certification I."

3. If a party has failed to comply with the timetables established in the CMO or has failed to sign a Certification I after being requested to do so in writing, a party wishing to place the case on the trial list must file a certification in substantially the same form contained herein and designated "Certification II."

4. A Certification I or II indicating readiness for trial shall be filed with the Office of Court Administration and the Prothonotary no later than **the last Friday of the calendar month that precedes the month immediately before the beginning of the proposed trial term, unless a different deadline is established by notice published in the Erie County Legal Journal [sixty (60) days prior to the beginning of the proposed trial term].**

5. All "Certification II's" shall be forwarded to the assigned judge for disposition.

CERTIFICATION II

1. The undersigned requests that the case be placed on the Trial List for the (month) term.

2. A case management order was entered providing for a proposed trial term of (month) .

3. A request to file a Certification I has been made of all parties.

4. This Certification II has been filed because: [All parties have agreed to file a Certification I except:]

5. The case is otherwise is ready for trial.

 Signature (Counsel or Party)

 Date

Rule 227.3. Transcript of Testimony.

Any party filing objections to the moving party's request for transcription shall present such objections to the trial Judge for prompt scheduling of argument on the objection.

See Appendix, Court Order No. 6003-1995.

Rule 227.5. Judgment on Verdict.

Except by special order of the Court, no judgment shall be entered on a verdict:

- (1) Without payment of the jury fee; and
- (2) Until ten (10) days have expired after its rendition; and
- (3) While timely filed motions for post trial relief are pending.

Rule 227.6. Judgments by Agreement.

Except in actions to which a minor or an **incapacitated person [incompetent]** is a party; and, in actions for wrongful death, in which a minor or **incapacitated person [incompetent]** has an interest, verdicts, non-suits and judgments by agreement may be entered at any time, but only upon written stipulation signed by the parties and filed of record.

See Appendix, Court Order No. 138-1992.

[Rule 238. Award of Damages for Delay in an Action for Bodily Injury, Death or Property Damage]

(a) In actions submitted to arbitration pursuant to the Act of July 9, 1976, P.L. 586 (42 Pa. C.S.A. Section 7361, entitled "Compulsory Arbitration"), and Pennsylvania Rules of Civil Procedure 1301 et seq:

(i) The Arbitrators shall not be provided any information regarding any settlement negotiations prior to the close of the testimony, closing addresses and completion of their deliberations regarding all claims in controversy.

(ii) Should the Arbitrators determine that damages will be awarded to a party, before making an award they shall ascertain whether the parties are in agreement as to the amount, if any, of damages for delay which should be awarded under Pa.R.C.P. 238.

(iii) If the parties are in agreement on the amount, if any, of damages for delay which should

be awarded, the Arbitrators shall make an award promptly, separately stating any damages for delay.

(iv) If the parties are not in agreement, prior to making an award, the hearing shall be reconvened to determine the amount, if any, of damages for delay which will be included in the award.]

Rule 248. Modification of Time.

To be effective, any written agreement of the parties extending or shortening the time prescribed by a pre-trial order for the doing of any act, must be in stipulation form, signed by all counsel and unrepresented parties, and filed of record with a copy going to the Office of the Court Administrator—Civil Division.

COURT MATTERS

Rule 302. Trial Division Judicial Assignment and Arguments—Civil.

(a) Judicial assignment to a case will be made 60 days after the filing of the complaint. Counsel and unrepresented parties will receive notice of the assignment on the returned copy of the civil cover sheet. If no cover sheet is filed, notice will be given based upon information available to the Prothonotary. All judicial assignments will be noted in the Prothonotary computer file.

(b) If judicial attention is required prior to 60 days after the filing of the complaint, counsel shall submit a request for judicial assignment with the Trial Court Administrator on a form substantially as contained herein.

(c) To obtain judicial attention in a case wherein a complaint was filed before April 1, 1996, counsel shall submit a request for judicial assignment with the Trial Court Administrator on a form substantially as contained herein.

(d) If a complaint has not been filed, any matter requiring judicial attention shall be taken to motion court. The motion court judge will resolve that particular matter. Permanent assignment of the case will not take place until the complaint has been filed.

(e) All motions and petitions requiring decisions and other matters not within the scope of Erie L.R. 212.1 shall be filed with the Prothonotary and, as set forth in Erie L.R. 302(f) and (i), a copy shall be delivered to the assigned judge for the scheduling of the matter for argument.

(f) Motions for judgment on the pleadings, motions for summary judgment, discovery motions and any motion not within the scope of subsections (g), (i) and (j) below, together with a supporting brief, shall be filed with the Prothonotary and a copy of the motion and brief shall be contemporaneously delivered to the assigned judge. Within thirty (30) days of receipt of the moving party's brief, the non moving party shall file a brief and, [if appropriate, a response with the Prothonotary and] shall deliver a copy to the assigned judge. Any depositions, answers to interrogatories or affidavits in support of or in opposition to the motion shall be filed with the Prothonotary not later than the due date of the respective party's brief.

Rule 308. Bill of Costs.

(a) Bills of Costs must contain the names of the witnesses, the date(s) of their attendance, the number of miles actually traveled by them, and the place from which mileage is claimed. The bill shall be verified by the

Affidavit of the party filing it, his agent or attorney, that the witnesses named were actually present in Court and that, in his opinion, they were material witnesses, and a copy shall be served as provided for in Pa.R.C.P. No. 1027.

(b) The party upon whom a Bill of Costs has been served may within ten (10) days after such service, file exceptions thereto and the issue shall be determined by the Court. Failure to file exceptions within ten (10) days shall be deemed a waiver of all objections.

(c) Deposition transcripts costs shall not be taxable costs except in the following instances:

(1) Deposition transcript costs shall be taxable where a substantial portion of the deposition transcript is in fact introduced at trial as substantive evidence.

(2) Deposition transcript costs shall be taxable in those instances where the transcript was in fact used by the Court in its determination and was filed for that purpose.

(3) Where the deposition at issue was a videotape deposition, the costs of the videotape shall not be taxable but only the transcript of said deposition if one was in fact obtained.

Rule 310. Termination of Action or Proceeding Because of Inactivity.

This Rule shall apply to cases filed on or after January 1, 1980.

The Prothonotary shall list for general call the first week of October of each year civil matters in which no steps or proceedings have been taken for two (2) years or more prior thereto and shall give notice thereof to counsel of record and to the parties for whom no appearance has been entered, as provided by Pa. R.J.A. No. 1901(c). If no action is taken or no written objection is docketed in such a matter prior to the commencement of the general call, the Prothonotary shall strike the matter from the list and forward a general order dismissing the matter from the list and forward a general order dismissing the matter with prejudice for failure to prosecute under the provisions of this Rule to the Administrative Judge of the Civil Division. If no good cause for continuing a matter is shown at the general call, an order shall be entered forthwith by the Court for dismissal.

The Prothonotary shall publish the list the first week of September of each year.

NOTE: This rule is based on Pa.R.J.A. No. 1901.

See Appendix, Court Order No. 65-1991.

Rule 311. Procedure in Statutory Appeals

[(a)] Unless a contrary procedure is provided for otherwise in Statute or general Rule of Court, this Rule shall apply to all statutory appeals where this Court has jurisdiction to review adjudications of School Districts, municipalities or State Administrative Agencies or offices. This Rule shall have no [applicabilities] applicability to [on] state Administrative Agencies or officers [. This Rule shall have no applicability] or to proceedings under the Uniform Arbitration Act.

(e) In cases in which evidence is received by the Court pursuant to this Rule, after the close of the evidentiary proceedings, all parties shall submit proposed findings of fact to the Court along with their respective briefs on the merits of the appeal in accordance with a schedule fixed by the hearing Judge. The hearing Judge shall retain the

case and make the final disposition of the appeal, including the adoption of findings of fact, where appropriate.

(f) No case shall be listed for argument and no motion shall be filed requesting that a hearing be set until the record of the administrative tribunal is docketed with the Prothonotary. It shall be the duty of the administrative agency involved to promptly notify all parties of the filing of the record.

(g) Unless otherwise required by statute, the order of a single Judge of this Court which is dispositive of the merits of the appeal shall constitute a final order of this Court in all matters subject to this Rule. Neither the filing of exceptions nor en banc proceedings shall be required or permitted.

(h) Unless a different time is specified by statute, it shall be the duty of the administrative agency involved to docket the record of the proceedings before it with the Prothonotary no later than thirty (30) days from service of the notice of appeal upon the tribunal or agency. The record shall, in all cases, contain at least a brief adjudication setting forth the findings and conclusions of the administrative tribunal.

(i) In the event that any administrative tribunal fails to comply with the provisions of this Rule, or of any statute, relating to the time within which to transmit its record to this Court, any party may, by motion, apply for an order compelling the transmittal of a complete record.

Rule 312. Fair Trial. Free Press.

A lawyer or law firm associated with a civil action shall not during its investigation or litigation make or participate in making an extra judicial statement, other than a quotation from or reference to public records, which a reasonable person would expect to be disseminated by means of public communication if there is a reasonable likelihood that such dissemination will interfere with a fair trial and which relates to:

(a) Evidence regarding the occurrence or transaction involved.

(b) The character, credibility or criminal record of a party, witness or prospective witness.

(c) The performance or results of any examinations or tests or the refusal or failure of a party to submit to such.

(d) An opinion as to the merits of the claims or defenses of a party, except as required by law or administrative rule.

(e) Any other matter reasonably likely to interfere with a fair trial of the action.

See Appendix, Court Order Nos. 76-1991, 77-1991, 84-1992.

Rule 314. Sanction for Late Settlement.

Upon hearing, the Court may consider assessing one day's jury costs against any of the parties and/or attorneys, if settlement occurs after the jury has been called and appears for jury selection.

Rule 1910.19. Support Order. Modification. Termination.

A petition seeking to modify or terminate a support order may be prepared by the Support Intake Office. A petition under this Rule shall be filed in the Support Docketing Office and a copy shall be filed with the Support Counseling Office.

See Appendix, Court Order No. 90508-1998.

ACTIONS FOR CUSTODY, PARTIAL CUSTODY AND VISITATION OF MINOR CHILDREN

Rule 1915.3. Commencement of Action. Complaint. Order.

(a) Except as provided by (c) of the state rule, an action shall be commenced by filing a verified complaint substantially in the form provided by Pa.R.C.P. 1915.15(a). The original complaint shall be filed with the Office of the Prothonotary and a confirmed copy shall be filed with the Custody Counselor's Office.

(1) In addition to the requirements set forth in Pa.R.C.P. 1915.15(a), all complaints for custody, partial custody, visitation or for modification of an existing order shall specifically set forth allegations of jurisdiction and factual allegations of a prima facie case to justify the relief sought.

(2) All actions for modification of an existing order shall specifically set forth factual allegations of a substantial change of circumstances.

(b) An order shall be attached to the complaint directing the defendant to appear at a time and place specified. The order shall be substantially in the form provided by Pa.R.C.P. 1915.15(b).

(1) Plaintiff, or plaintiff's counsel, shall obtain a date and time for a custody conference from the Custody Counselor's Office.

(2) The verified complaint and attached order shall then be presented to the Judge of the Family Division or the Judge's designee for signature. The complaint may be presented ex parte only if plaintiff is seeking neither temporary custody nor a change in the custodial arrangement pending the counseling session or upon a showing of an emergency situation. Otherwise, the defendant must be given proper advance notice as set forth in the UCCJA, 42 Pa. C.S.A. §§ 5345 and 5346 and Erie L.R. 440.

(c) Before filing the complaint with the Prothonotary's Office, bring the original and four copies of the complaint and the completed Information Sheet—Children Cope With Divorce seminar (Form 1)—to the Office of Custody Conciliation ("OCC"). The OCC will process your complaint and include the following attachments:

(1) The Order of Court (Form 2) which conforms to Pa.R.C.P. 1915.15 and bears the Judge's signature which includes the date of the Intake Conference and dates when both parents are scheduled to attend the Children Cope With Divorce seminar.

(2) The Children Cope With Divorce brochure and registration form. This brochure briefly describes the program. **[Both parties are required to mail in the registration form with their fee.]**

(3) The Instructions for the Children Cope With Divorce program.

(d) After the OCC processes the complaint, they will keep a copy of the petition for their files and return the original and the three remaining copies to the petitioner. The original complaint and the Information Sheet should be filed in the Prothonotary's Office with the filing fee. The Prothonotary's Office will give the petition a docket number and certify the remaining copies.

(e) The defendant must be served with the complaint following procedures in Pa.R.C.P. 400 et seq.

See Appendix, Court Order No. 9-1993.

Rule 1915.7. Consent Order.

(a) If an agreement for custody, partial custody or visitation is reached and the parties desire a consent order to be entered, they shall submit to the Court a Petition for Entry of Consent Order (Form 3) and a proposed order bearing the written consent of the parties or their counsel. A formal order will be sent to each party in approximately seven to ten days.

(b) All written agreements must include the provisions found in the Consent Agreement (Form 4).

(c) Notice of intent to present the written agreement to the Court for approval must be given to all parties pursuant to Local Rule 303, "Motion Court and Other Motions and Petitions."

Rule 1915.8. Physical and Mental Examination of Parties.

In the event that exceptions are filed to the Custody Counselor's recommendations and the order entered pursuant thereto, then any written report of any examining physician or psychologist or both of a child or party shall be delivered to the attorneys of record, or to the parties if there are no attorneys of record, prior to the date of the status conference as prescribed by [**Local Rule**] **Erie L.R. 1915.20.**

(2) Parties must participate in both Intake and Conciliation Conferences in a cooperative manner, at all times adhere to the "Mediation Rules" and comply with the directives of the person conducting the conference.

(3) An attorney who attends an Intake or Conciliation Conference with a client will participate consistent with the following standards:

(i) The manner and scope of participation in conferences shall be determined by the OCC supervisor or conciliator;

(ii) Attorneys shall fully cooperate with the efforts of the OCC Supervisor and/or custody conciliator to facilitate the agreement of the parties;

(iii) Counsel shall at all times behave in a professional manner and refrain from engaging in hostile or antagonistic conduct directed toward any conference participant;

(iv) Attorneys shall advise their clients in a manner not disruptive of the conciliation process which will ordinarily require consulting with the client outside the conference room;

(v) Attorneys shall not engage in "legal argument," except that counsel may advise of "legal" issues relevant to the formation of a temporary or recommended order;

(vi) Counsel shall not attempt to "question" the other party or present "evidence" nor otherwise engage in conduct characteristic of an adversarial proceeding; and

(vii) Prior to agreeing to a custody agreement, a party may consult with her or his attorney, and a reasonable opportunity to do so will be provided by the conciliator.

(e) *Termination of Conciliation Process.* If at any time during the conciliation process a party, individually or through her or his attorney, engages in conduct inconsistent with the rules or which disrupts the conciliation process or interferes with the function of the OCC, the supervisor or conciliator may terminate the proceedings and shall refer the case to court for scheduling an adversarial hearing in the manner provided by these rules.

(f) *Special Relief.* At any stage in the conciliation process, a party may proceed to seek Special Relief by filing a motion in a manner required by the law. Where such a motion is filed concerning a Temporary or Recommended Order of custody, the petitioner shall set forth facts supporting a reasonable belief why the custody arrangement is sufficiently harmful to the child or children to justify court intervention apart from the normal custody process.

(g) *Consent Orders.* Upon agreement, with or without the involvement of the OCC, the parties may proceed pursuant to Local Rule 1915.7 to execute a Custody Agreement and record it upon payment of the appropriate filing fee.

See Appendix, Court Order No. 90613-97.

Rule 1915.19. Request for Court Hearing.

(a) *Referral to Court from Intake Conference.* In unusual circumstances, at the discretion of the OCC the parties may be referred directly to Court for a hearing without attending the Conciliation Conference.

(b) *Objections to Recommended Custody Order.* A party shall object to a recommended custody order by filing with the Prothonotary, with a copy to the OCC, and service on all unrepresented parties and counsel of records, a request for an adversarial hearing before the Court. Such requests must be filed within ten (10) days from the date of mailing of the recommended Order. Such requests shall be forwarded by the OCC to the Family Division Administrative Judge for scheduling of a status conference (Form 6). Nothing in this Rule shall prohibit any party that has executed a consent agreement from filing a request for an adversarial hearing within ten (10) days from the date of the mailing of the recommended Order.

Rule 1920.16(1). Claims for Child and/or Spousal Support.

(a) A claim for child and/or spousal support raised in an action for divorce by complaint, counterclaim or petition shall be substantially in the form set forth in Pa.R.C.P. 1910.26.

(b) Where a claim for child and/or spousal support is raised in an action for divorce, a true and correct copy of the complaint, counterclaim, or petition by which the claim for child and/or spousal support is raised shall be filed with the Non-Support Intake Office. The claim for child support shall be docketed in the Non-Support Intake Office and shall thereafter proceed in accordance with Pa.R.C.P. 1910.1 et seq. and local rules governing proceedings for child support. The docket entry in the Non-Support Intake Office shall include a reference to the appearance docket number of the divorce action.

See Appendix, Court Order No. 90613-97.

Rule 1920.51. Hearing by the Court. Appointment of Master Notice of Hearing.

(a) Upon Motion of either party or upon its own Motion, the Court may appoint a Master to hear testimony and return the record together with the Report and Recommendation to Court. The moving party shall certify that all the parties have complied with the requirement of Pa.R.C.P. 1920.22, **Pa.R.C.P.** 1920.31, Pa.R.C.P. 1920.33 and Pa.R.C.P. 1920.46. The Motion and proposed Order requesting the appointment of a Master shall be in conformity with Pa.R.C.P. 1920.74 (see forms).

(1) Masters shall be appointed in rotation from the list of permanent part-time Masters appointed as such by the

Court to determine issues of divorce, equitable distribution of property, permanent alimony and all other issues relevant thereto.

(2) Master shall be appointed to hear a claim of child and/or spousal support only upon presentation of an Affidavit of the party supplementing the Motion for appointment of a Master showing special circumstances which justify a departure from the procedure of Erie [County] L. R. [C.P.] 1920.16. Should it later appear that special circumstances justifying referral of a claim for child and/or spousal support do not exist, either party or the Master may petition the Court to refer the claim to the Non-Support Intake Office.

(3) Upon appointment of a Master to hear issues which require expedited disposition (including, but not limited to, alimony pendente lite, child and/or spousal support when referred to a Master, occupancy of the marital residence, maintenance of insurance policies, and Counsel fees and expenses), a preliminary hearing will be held before the Master within thirty (30) days of the entry of the Order appointing a Master. Where discovery has not been completed or where all documents required to be filed by Pa.R.C.P. 1920.31 have not been filed prior to the preliminary hearing, the Master may, in his or her discretion, proceed with the hearing and filing of a report and recommendations (which may include recommended sanctions for failure to comply with Pa.R.C.P. 1920.31) or continue the hearing until said documents have been filed.

(b) PREHEARING STATUS CONFERENCE

In actions where expedited disposition is not required,

(1) The Master shall **within fifteen days after receiving notice of the Master's appointment schedule a date for a pre-hearing conference to be held prior to the date of the Master's hearing [conduct a prehearing status conference prior to the scheduling of the Master's Hearing within 15 days after his appointment]**, and shall give notice of the time and place of the prehearing status conference by First class Mail to counsel for represented parties and directly to any unrepresented party. Said notice shall be mailed at least five business days prior the scheduled date of the conference.

(2) At the prehearing status conference, the Master shall review:

(A) The positions of the parties on each Claim, including those issues on which settlement has been reached;

(B) Discovery which has been completed, including the inventory and pre-trial statements pursuant to Pa.R.C.P. 1920.33;

(C) Any documentary evidence to be presented at the hearing;

(D) The names and addresses of each witness any party proposes to call at the hearing;

(E) All matters which may be stipulated by the parties at the hearing;

(F) Establish a schedule for filing of Pre-Trial Narrative Statements, completion of discovery and any other relevant matters; and

(G) Such other relevant matters as should be raised by either of the parties or the Master.

(c) POST-STATUS CONFERENCE

(1) After the prehearing status conference the Master shall:

(A) Prepare a summary of the discussions and action taken at the prehearing status conference, including a statement of any stipulations, and of any matters which have been settled between the parties and which will not be raised at the hearing before the Master;

(B) Establish a schedule for the filing or service of any additional pleadings or discovery which may be deemed necessary and set hearing date(s);

(C) Serve a copy of the summary and filing schedule on counsel for the parties, or on any unrepresented party; and

(D) Indicate the amount of additional Master's fees to be paid by the litigants prior to hearing.

(d) MASTER'S HEARING

The Master shall establish a hearing date or dates at the prehearing status conference. These dates shall be included in the summary prepared pursuant to Section c (post-status conference) [h], as well as in the formal notice of Master's hearing as required by Pa.R.C.P. 1920.51(b). At least ten (10) days written notice of the time and place of any Master's hearing shall be given to the attorneys of record (or the parties where no attorney has appeared in the case) by the Master by ordinary mail.

(e) CONTINUANCES

(1) A request shall be granted by the master if both parties consent in writing at least fourteen (14) days prior to the scheduled hearing date.

(2) All other requests for continuance shall be at the discretion of the Master.

(f) SETTLEMENT

(1) In the event that all issues raised by the pleadings and referred to the Master are brought to a negotiated settlement, the parties shall, as a condition of postponement or cancellation of the Master's hearing, sign an all encompassing Marital Property Settlement Agreement prior to the time set for the Master's hearing.

(2) In the event that both parties have not signed such an Agreement, the parties, together with their respective counsel of record, shall attend the Master's hearing at the time scheduled for the purpose of entering the substance of their agreement on the record and stipulating to the entry thereof as a decree.

(g) FEES AND COSTS

(1) The initial fees, costs and compensation of the Master shall be in accordance with Administrative Order In Re Divorce Masters Miscellaneous Docket #87 and any amendments thereto.

(2) The Master shall determine additional fees due in accordance with the rate set by the Court and shall require an advance deposit of said amount prior to scheduling any further hearing.

(3) The Master shall receive compensation for a minimum of four hours for each day of a scheduled hearing that is not either:

(A) Continued in accordance with Erie L.R. 1920.51(e); or

(B) Cancelled with notice to the Master in writing at least fourteen days prior to the scheduled hearing date for the reason either that the case has been resolved or withdrawn.

(4) In the event the Master fails to grant the continuance, the parties may petition the Court for a continuance. The Court may grant a continuance and will determine the amount of additional Master's fees, if appropriate.

(5) At the conclusion of the case, the Master shall prepare a certification indicating the amount of Master's fees paid and the disposition thereof.

Rule 1920.53. Hearing by Master. Report.

(a) Where the Master concludes that a recommendation to grant the divorce or annulment should be filed, the Master shall notify the parties of this conclusion either on the record at the termination of the hearing(s) or in writing (a copy of which shall be attached to the Master's report) subsequent to the termination of the hearing(s). The Master shall forthwith proceed to hear testimony and take evidence on all other matters at issue in the action prior to the filing of a report and recommendation.

(b) Where the Master concludes that a recommendation to deny the divorce or annulment should be filed, the Master shall file a report and recommendation in accordance with the terms of Pa.R.C.P. 1920.53(a). No evidence or testimony shall be taken on any other matter at issue unless and until the Court determines that a divorce or annulment should be granted.

Rule 1920.55. Master's Report. Notice. Exceptions. Final Decree.

(a) In the event exceptions are not timely filed by either party, the party who sought the appointment of a master shall praecipe the Court for the entry of a final order.

(b) Where the parties stipulate on the record that additional documentary evidence shall be submitted subsequent to the hearing(s), the Master shall file the report and recommendation within thirty (30) days of receipt of that evidence or in accordance with Pa.R.C.P. 1920.53(a)(1), whichever date is later.

(c) Exceptions shall be served on the opposing party or their counsel of record.

(1) Within ten (10) days of filing the exceptions, the moving party shall file their request for argument before the family division motions judge. Both parties shall file their briefs no later than ten (10) days prior to the scheduled argument. Copies of exceptions and briefs shall be provided to all counsel of record (or to a party directly if unrepresented by counsel) the Master and to the Judge.

See Appendix, Court Order No. 53-1993.

Rule 1920.75. Form of Inventory.

[(a)] The Inventory by Pa.R.C.P. [No.] 1920.33(a) shall be substantially in the following form:

(CAPTION)

INVENTORY OF

(Plaintiff) (Defendant) files the following inventory of all property owned or possessed by either party at the time this action was commenced and all property transferred within the preceding three years.

(Plaintiff) (Defendant) verifies that the statements made in this inventory are true and correct. (Plaintiff) (Defendant) understands that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904

relating to unsworn [**falsifaaction**] **falsification** to authorities.

(Plaintiff) (Defendant)

MINORS [INCOMPETENTS] AS PARTIES

Rule 2039. Compromise, Settlement, Discontinuance and Distribution in Minors' Actions.

(a) [(1)] All petitions presented [**in accordance with this Rule**] for the compromise, settlement, discontinuance and distribution in minors' actions shall be submitted to: [**the Judge of the Orphans' Court Division for approval.**]

(1) **The assigned judge, where there is a civil action pending; or**

(2) **A judge of the Orphans' Court Division where there is no civil action pending.**

(b) [(2)] All approved petitions shall be filed in the Office of the Prothonotary. The guardian of the minor shall file a certified copy of the petition and approving order in the Office of the Register of Wills under the name of the minor.

(c) [(3)] In cases where no action has been filed, all petitions and orders approving settlement shall be filed in the Office of the Register of Wills under the name of the minor.

INCAPACITATED PERSONS AS PARTIES

Rule 2056. Procedure When Incapacity [Incompetence] of a Party is Ascertained.

Unless otherwise directed by the Court, any notice required under Pa.R.C.P. 2056(6) shall be given in accordance with Pa.R.C.P. 402 and 403. If notice cannot otherwise be given, then notice shall be given in accordance with Pa.R.C.P. 430.

Rule 2064. Compromise, Settlement, Discontinuance and Distribution in Actions Filed by or on Behalf of [Incompetents or] Incapacitated Individuals.

(a) All petitions presented for compromise, settlement, discontinuance and/or distribution in actions filed by or on behalf of **incompetents or** incapacitated individuals shall be submitted to: [**the Judge of the Orphans' Court Division for approval.**]

(1) **The assigned judge, where there is a civil action pending; or**

(2) **A judge of the Orphans' Court Division where there is no civil action pending.**

(b) All approved petitions shall be filed in the Office of the Prothonotary. The guardian of the [**incompetent or**] incapacitated individual shall file a certified copy of the petition and approving order in the Office of the Register of Wills under the name of the [**incompetent or**] incapacitated individual.

(c) In cases where no action has been filed, all petitions and orders approving compromise, settlement, discontinuance or distribution shall be filed in the Office of the Register of Wills under the name of the [**incompetent or**] incapacitated individual.

Rule 2206. Settlement, Compromise, Discontinuance and Judgment.

(a) All petitions for the compromise, discontinuance or settlement of wrongful death claims in which a minor or **incapacitated person [incompetent]** has an interest shall be submitted for approval to: **[the Judge of the Orphans' Court Division.]**

(1) The assigned judge, where there is a civil action pending; or

(2) A judge of the Orphans' Court Division where there is no civil action pending.

(b) The petition and Order approving the petition in pending actions shall be filed with the Prothonotary and certified copies of the same shall be filed with the Register of Wills in the name of the minor or **incapacitated person [incompetent]**.

(c) The petition and Order approving the petition where there is no pending action shall be filed with the Register of Wills in the name of the minor or **incapacitated person [incompetent]**.

**ENFORCEMENT OF MONEY [JUDGEMENTS]
JUDGMENTS FOR THE PAYMENT OF MONEY**

Rule 3136. Distribution of Proceeds.

(a) Upon filing the proposed schedule of distribution, the Sheriff shall immediately mail a copy of the proposed schedule of distribution including a **[coy] copy** of the list of liens, clearly indicating thereon the date on which the proposed schedule of distribution was filed, to all parties and lien creditors, as well as to any other persons in interest as set forth in the Pa.R.C.P. No. 3129.1(b) Affidavit.

(b) The Sheriff shall include with the copy of the proposed schedule of distribution transmitted to the Prothonotary a copy of the list of liens and a copy of the certificate or guaranty required by **[Rule] Pa.R.C.P. 3136(c)**.

Rule 3252. Writ of Execution—Money Judgments.

A writ of execution shall contain the following designation as the organization available to receive requests for free legal help:

Lawyers Referral Service
302 West Ninth Street
Erie, PA 16502-1427

814/459-4411
Mon-Fri
8:30 a.m.-3:00 p.m.

Rule 4014. Request for Admission.

(a) Requests shall be prepared in such fashion that sufficient space is provided immediately after each request or subsection thereof for the insertion of the answer or objection.

(b) The answers and objections, if any, shall be inserted in the **[spaced] space** provided in the requests. If there is insufficient space to answer or object to a request, the remainder of the answer or objection shall follow on a supplemental sheet.

[Pa.B. Doc. No. 01-1918. Filed for public inspection October 26, 2001, 9:00 a.m.]

WASHINGTON COUNTY

Local Rules: 1920.51—Master in Divorce; 1915.29—Pre-Hearing Conference; 1915.28—Continuances; No. 2001-1

Order

And Now, this 28th day of September, 2001; *It Is Hereby Ordered* that the stated Washington County Local Civil Rules be amended as follows.

These rules shall become effective thirty days after publication in the *Pennsylvania Bulletin*.

THOMAS D. GLADDEN
President Judge

L-1920.51. Master in Divorce.

a. Any divorce case may be referred to a master. Standing and special masters may be appointed by the Court.

1. The Standing masters in divorce shall be assigned by the Court. If a master has not been appointed in accordance with Local Rule 1920.3 (c) and Appendix H, then any motion for appointment of a standing master shall be served on the opposing party or counsel five days prior to presentation to the Court.

The motion shall be substantially in the form set forth in Appendix J. The moving party is required to attach to the written motion proof of payment of the Master/Stenographic fee. Payment of this fee shall entitle the parties to a maximum of one or two Preliminary Conferences, a one-hour Hearing on Preliminary Issues, if necessary, and a maximum of a one-day hearing. If it is determined that additional testimony is required then the master shall assign responsibility of payment of costs at the current rate to either the plaintiff or defendant. This is an Interim Interlocutory Order signed by the Judge assigned to the case upon the recommendation of the master which shall be dealt with in the final Master's Report. The party to which the costs have been assigned will then have the opportunity to take exceptions, if desired.

The Court may assign a case to a particular standing master rather than on a random basis.

Standing masters may not personally engage in the practice of divorce law (which includes any matter which may be raised in a divorce complaint) before the Washington County Court of Common Pleas. A master in divorce shall not act in a case in which a partner, office associate or person sharing a suite or offices with the master is counsel for any interested party.

2. The Court may appoint a special master in appropriate cases on written agreement of both parties or counsel. The motion shall be presented to the Court and there shall be a provision specifically dealing with payment of the master, by whom and under what terms and conditions. The special master shall comply with all Rules of Civil Procedure and the Local Rules of Court. Additionally, the motion shall address the provisions made for private, stenographic services and shall provide for payment of these services, by whom and under what terms and conditions.

b. A Master in Divorce shall give counsel of record at least **[10] 7** day notice before conducting any hearing or conference.

c. A Master in Divorce shall give a party who is not represented by counsel at least **[10] 7** days notice before conducting any hearing or conference.

d. Reserved

e. Reserved

f. Requests for continuances of hearings and conferences before the Master in Divorce which are not contested shall be presented in writing to the [**Divorce Officer**] **Divorce Office** prior to hearing or conference. [**The request shall contain a statement that opposing counsel or the opposing party, if unrepresented, has no objection to the continuance. A copy of the request shall be sent to opposing counsel or the opposing party, if unrepresented. The Divorce Officer shall act upon the request.**]

1. A \$25.00 fee shall be charged for continuances and no continuance shall be granted without payment of required fee unless waived by the Court.

2. The fee of \$25.00 shall be paid in the form of a check or money order payable to the Washington County Divorce Office upon presenting the request for continuance.

3. Requests for continuances shall set forth in writing the following information:

(a) A clear, concise and certain reason for the request.

(b) A statement that opposing counsel or the opposing party, if unrepresented, has no objection to the continuance.

(c) A statement of the number of prior continuances, if any.

(d) If another court appearance is the reason for the request, a copy of the notice or Order of the conflicting hearing shall be attached.

(e) A certification that a copy of the request has been sent to opposing counsel or the opposing party, if unrepresented.

g. Requests before a Master in Divorce for continuances of hearings and conferences that are contested shall be presented in writing to the [**Master**] **Court** after [**written or oral notice**] proper written notice, in accordance with the Local Rules, of the intention to do so is given to opposing counsel or the opposing party, if unrepresented. [**The Divorce Officer shall act upon the request.**]

L-1915.29. Pre-Hearing Conference.

a. The parties shall make a good faith effort to resolve the custody and/or visitation issues prior to the pre-hearing conference. If resolution occurs prior to or at the time of the pre-hearing conference, a proposed order shall be drafted in accordance with Pa. R.C.P. No. 1915.7 and submitted to the Court for approval through the Child Custody Conference Officer.

[**b. The moving party shall complete and deliver to the Child Custody Conference Officer a questionnaire substantially in the form provided by Appendix F within ten (10) days of the appointment of the Child Custody Conference Officer. The Divorce Of-**

ficer shall mail a questionnaire to the other interested parties with instructions to return it within five days prior to the initial conference of time permitted or as soon thereafter as is practicable.]

b. A Child Custody Conference Officer shall give counsel of record at least 7 days notice before conducting any hearing or conference.

c. A Child Custody Conference Officer shall give a party who is not represented by counsel at least 7 days notice before conducting any hearing or conference.

L1915.28. Continuances.

[**a. The Child Custody Conference Officer may grant continuances or matters scheduled to be heard by him.**]

a. Requests for continuances of hearings and conferences before the Child Custody Conference Officer which are not contested shall be presented in writing to the Divorce Office prior to hearing or conference.

[**b. The practice relating to continuances shall conform to Local Rule 1920.51, except that references to "The Master" shall mean the Child Custody Conference Officer.**]

b. A \$25.00 fee shall be charged for continuances and no continuance shall be granted without payment of required fee unless waived by the Court.

c. The fee of \$25.00 shall be paid in the form of a check or money order payable to the Washington County Divorce Office upon presenting the request for continuance.

d. Requests for continuances shall set forth in writing the following information:

1. A clear, concise and certain reason for the request.

2. A statement that opposing counsel or the opposing party, if unrepresented, has no objection to the continuance.

3. A statement of the number of prior continuances, if any.

4. If another court appearance is the reason for the request, a copy of the notice or Order of the conflicting hearing shall be attached.

5. A certification that a copy of the request has been sent to opposing counsel or the opposing party, if unrepresented.

e. Requests before a Child Custody Conference Officer for continuances of hearings and conferences that are contested shall be presented in writing to the Court after proper written notice, in accordance with the Local Rules, of the intention to do so is given to opposing counsel or the opposing party, if unrepresented.

[Pa.B. Doc. No. 01-1919. Filed for public inspection October 26, 2001, 9:00 a.m.]

STATEMENTS OF POLICY

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 41]

[L-00010152]

Evidentiary Criteria Used to Decide Motor Common Carrier Applications

Public Meeting held
October 12, 2001

Commissioners Present:

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

Evidentiary Criteria Used to Decide Motor Common Carrier Applications; Doc. No. L-00010152

Generic Investigation Re Eliminating the Evidentiary Criteria contained in 52 Pa. Code § 41.14(a) and (c); Doc. No. I-00010089

Order

By Order entered March 23, 2001, the Commission issued a Proposed Policy Statement on the Evidentiary Criteria Used to Decide Motor Common Carrier Applications. The proposed policy statement sought to eliminate two elements of the Commission's current evidentiary standards used in determining whether to grant a motor carrier application for authority as "necessary or proper for the service, accommodation, convenience, or safety of the public," in accordance with section 1103(a) of the Public Utility Code, 66 Pa.C.S. § 1103(a).

The standards found in 52 Pa. Code § 41.14(a) and (c) that we sought to eliminate are: (1) a requirement that the applicant prove a "public demand or need" for the service; and (2) a provision that an application may be denied where it threatens the operations of existing carriers. The purpose for the proposed changes was the Commission's view that it is difficult to justify the continuation of burdensome entry standards for potential motor common carriers in this era of increasing competition. The proposed policy statement was published on May 5, 2001, in the *Pennsylvania Bulletin* at 31 Pa.B. 2389, with a 30-day comment period.

In response to the publication, 164 comments were filed. Twenty-nine comments were late-filed. In addition to numerous comments received from the household movers industry and the taxicab industry, numerous comments were filed by members of the State legislature.

The Commission has decided to withdraw the proposed policy statement at this time. Instead of finalizing the proposed policy statement, we hereby initiate an investigative proceeding in order to hold hearings and gather additional information regarding the issues raised by the proposed policy statement. By this Order, we hereby direct the Office of Administrative Law Judge (OALJ) to hold hearings and issue a Recommended Decision that will address, at a minimum, the following issues:

1) Whether eliminating the evidentiary requirement that an individual applicant prove that its application

will "serve a useful public purpose, responsive to a public demand or need," pursuant to 52 Pa. Code § 41.14(a), is consistent with the Commission's policies to promote competition and is in the public interest;

2) Whether eliminating the evidentiary requirement that an application may be denied where "it is established that the entry of a new carrier into the field would endanger or impair the operations of existing common carriers" pursuant to 52 Pa. Code § 41.14(c), is consistent with the Commission's policies to promote competition and is in the public interest;

3) Whether eliminating the evidentiary requirements described in 1 and 2 would preclude the Commission from fulfilling its statutory duty to determine whether the granting of an individual application is necessary or proper for the service, accommodation, convenience or safety of the public, in accordance with 66 Pa.C.S. § 1103(a);

4) Whether the Commission should adopt a pro-competitive motor carrier policy that reduces entry standards for new applicants? If not, why not?

5) Whether strengthening the Commission's current standards dealing with an applicant's technical and financial fitness, pursuant to 52 Pa. Code § 41.14(b), would be in the public interest (assuming the policy changes described are adopted).

In addition, the OALJ is directed to commence the proceedings no later than Tuesday, November 13, 2001, and provide its findings and recommendations to the Commission no later than March 22, 2002. Should the OALJ recommend any changes to the Commission's existing evidentiary requirements, a determination should be made regarding the best means available to the Commission to implement such changes (i.e., by policy statement, regulation, or proposed legislation). The Recommended Decision should also address whether differences among providers (such as taxicab, household movers, group and party, and paratransit) within the motor carrier industry warrant different evidentiary standards. Finally, in order to maximize participation from interested persons, hearings shall be conducted in Altoona, Harrisburg, Philadelphia, Pittsburgh, and Scranton; *Therefore,*

It Is Ordered:

1. That the proposed policy statement to eliminate the evidentiary requirements contained in 52 Pa. Code § 41.14(a) and (c) is hereby withdrawn.

2. That the Commission's Law Bureau place notice in the *Pennsylvania Bulletin* advising the public and interested parties of this generic investigation and soliciting public input.

3. That the Office of Administrative Law Judge is hereby directed to commence an investigation by holding hearings and issue a Recommended Decision, as detailed.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1920. Filed for public inspection October 26, 2001, 9:00 a.m.]

Title 61—REVENUE

DEPARTMENT OF REVENUE

[61 PA. CODE CH. 38a]

Hotel Occupancy Tax

The Department of Revenue (Department) has adopted a statement of policy under the authority contained in § 3.2 (relating to statements of policy). The statement of policy adds § 38a.1 (relating to scope and application of Chapter 38—Hotel Occupancy Tax—statement of policy) and shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

This statement of policy is promulgated by the Department to clarify the scope and application of the Department's regulations published in Chapter 38 (relating to Hotel Occupancy Tax).

It has recently come to the attention of the Department that officials of several county governments of this Commonwealth have cited § 38.2(f) (relating to exemptions) as their authority to impose and collect certain county taxes imposed on hotel room rentals made to officials and employees of the Commonwealth while engaged in official Commonwealth business. The Department understands that these counties have refused to honor exemptions from the county taxes claimed by the Commonwealth and have cited § 38.2(f) as their legal basis for refusing the claimed exemptions.

Chapter 38 applies solely to the Hotel Occupancy Tax imposed by section 210 of the Tax Reform Code of 1971 (72 P. S. § 7210). The regulations do not, and statutorily could not, apply to any hotel tax imposed by any county government of this Commonwealth under other laws enacted by the General Assembly.

Specific questions relating to information provided in this statement of policy may be directed to the Department of Revenue, Office of Chief Counsel, Dept. 281061, Harrisburg, PA 17128-1061.

LARRY P. WILLIAMS,
Secretary

(*Editor's Note:* The regulations of the Department are amended by adding a statement of policy in § 38a.1 to read as set forth in Annex A.)

Fiscal Note: 15-419. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 61. REVENUE

PART I. DEPARTMENT OF REVENUE

Subpart B. GENERAL FUND REVENUES

ARTICLE II. SALES AND USE TAX

CHAPTER 38a. HOTEL OCCUPANCY TAX PRONOUNCEMENTS—STATEMENT OF POLICY

Sec.
38a.1. Scope and application of Chapter 38a—Hotel Occupancy Tax—statement of policy

§ 38a.1. Scope and application of Chapter 38—Hotel Occupancy Tax—statement of policy.

(a) *Generally.* This section is issued by the Department to clarify the scope and application of Chapter 38 (relating to Hotel Occupancy Tax). Chapter 38 applies solely to the Hotel Occupancy Tax imposed by section 210 of the TRC (72 P. S. § 7210). The regulations do not, and

statutorily could not, apply to any hotel tax imposed by any county government of this Commonwealth under other laws enacted by the General Assembly.

(b) *Enabling statute for Hotel Occupancy Tax.* Under section 210 of the TRC, the General Assembly has imposed "an excise tax of six per cent of the rent upon every occupancy of a room or rooms in a hotel in this Commonwealth, which tax shall be collected by the operator from the occupant and paid over to the Commonwealth" as provided by the TRC. It is the responsibility of the Department to collect for the Commonwealth all taxes imposed by Article II of the TRC, including the Hotel Occupancy Tax. See 72 P. S. §§ 7270—7277 (relating to enforcement and examinations).

(c) *Enforcement and regulatory responsibility with regard to Hotel Occupancy Tax statute.*

(1) *Enforcement.* As part of its responsibility to enforce and administer the taxes imposed by Article II of the TRC, the Department is authorized and empowered by section 270(a) of the TRC (72 P. S. § 7270(a)) to prescribe rules and regulations relating to the administration and enforcement of Article II.

(2) *Exemptions.* Acting under its authority under section 270(a), the Department promulgated Chapter 38. Section 38.1 (relating to imposition and computation of tax) prescribes rules and methods for the imposition and computation of the Hotel Occupancy Tax. Section 38.2 (relating to exemptions) establishes certain exemptions from the Commonwealth's Hotel Occupancy Tax. Under § 38.2, there are exemptions provided for permanent residents; ambassadors, ministers and consular officers of foreign governments; occupancies of hotel rooms by United States Government personnel; and occupancies of hotel rooms by other exempt entities. See § 38.2(a)—(d).

(3) *Requirement.*

(i) Having listed in § 38.2 the hotel occupancies exempt from the Hotel Occupancy Tax, the Department included a final subsection providing explicitly certain hotel occupancies that are not exempt from the Hotel Occupancy Tax. Section 38.2(f) provides as follows:

(f) *Others not exempt.* No person or entity other than those referred to in this section may be exempt from the Hotel Occupancy Tax. Occupancy by employees or representatives of the Commonwealth, its instrumentalities or political subdivisions, is not exempt from hotel occupancy tax, regardless of the nature of the business upon which the employee or representative is engaged, and regardless of the identity of the person or agency paying for the occupancy. Occupancy by employees or representatives of State credit unions is not exempt from the tax. Exemption from the sales and use tax portion of the TRC granted to persons, organizations or institutions, including exemptions granted to religious organizations, charities, educational institutions and the like, are not applicable to the Hotel Occupancy Tax, and those persons, organizations or institutions are required to pay tax upon their occupancy of hotel rooms.

(ii) As is true of all of Chapter 38, § 38.2(f) applies solely and exclusively to the Hotel Occupancy Tax imposed by section 210 of the TRC and collected by the Department.

(d) *Applicability of § 38.2 to certain county taxes.*

(1) Several county governments of this Commonwealth have cited to § 38.2(f) as their authority to impose and

collect certain county taxes imposed on hotel room rentals made to officials and employees of the Commonwealth while engaged in official Commonwealth business. These counties have refused to honor exemptions from the county taxes claimed by the Commonwealth and have cited to § 38.2(f) as their legal basis for refusing the claimed exemptions.

(2) As the agency that promulgated § 38.2(f) and administers and enforces the Commonwealth's Hotel Occupancy Tax imposed under the TRC, the Department issued this section to make clear the limited scope and applicability of Chapter 38. Promulgated by the Department under its authority under the TRC solely to enforce

and administer the Hotel Occupancy Tax imposed by section 210 of the TRC, Chapter 38 of the Department's regulations has, and statutorily could have, no application to taxes imposed by county governments under separate statutory authority. Therefore, § 38.2(f) cannot properly be cited as a basis for a county government to impose a hotel room rental tax upon a Commonwealth official or employee staying overnight in a hotel in the course of performing official Commonwealth business.

[Pa.B. Doc. No. 01-1921. Filed for public inspection October 26, 2001, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Notice of Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, October 31, 2001. The hearing will be part of the Commission's regular business meeting. Both the conference session and business meeting are open to the public and will be held at the Commission offices at 25 State Police Drive, West Trenton, NJ.

The conference among the Commissioners and staff will begin at 10 a.m. Topics of discussion will include status of the Current Comprehensive Plan; summaries of the Water Management Advisory Committee meeting of September 25, 2001; Water Quality Advisory Committee meeting of October 10, 2001; Flow Management Technical Advisory Committee meeting of October 12, 2001; a proposal to increase fees associated with responding to requests for information; and a proposed resolution to adopt guidelines for developing an Integrated Resource Plan under the Southeastern Pennsylvania Ground Water Protected Area Regulations.

In addition to the following summarized items which are scheduled for public hearing at the 1 p.m. business meeting, the Commission will also address the following: minutes of the September 13, 2001 business meeting; announcements; report on Basin hydrologic conditions; reports by the Executive Director and General Counsel; and public dialogue.

The dockets scheduled for public hearing are as follows:

1. *New Jersey-American Water Company D-81-11 CP Renewal 2*. An application for the renewal of a ground water withdrawal project to supply up to 93 million gallons (mg)/30 days of water to the applicant's public water distribution system from existing Wells Nos. 50, 51, 52, 53, 54 and 55 in the Lower Potomac-Raritan-Magothy aquifer. No increase in allocation is proposed. The project is located in the City of Camden, Camden County, NJ.

2. *Warminster Township Municipal Authority D-2000-19 CP*. An application for approval of a ground water withdrawal project to supply up to 10.8 mg/30 days of water to the applicant's public water distribution system from use of newly acquired Well No. NATC-10 in the Stockton Formation and to limit the withdrawal from all wells to 119 mg/30 days. An initial withdrawal of up to 5 mg/30 days from Well No. NATC-10 is proposed. Only when satisfactory results are obtained under a prescribed monitoring program will withdrawals from the well be allowed to increase to up to 10.8 mg/30 days. The project is located in Warminster Township, Bucks County in the Southeastern Pennsylvania Ground Water Protected Area.

3. *Collegetown-Trappe Joint Public Works Department D-2000-57 CP*. An application for approval of a ground water withdrawal project to supply up to 7.2 mg/30 days of water to the applicant's public water distribution system from new Wells Nos. CT-15 and CT-6A in the Brunswick Formation and to increase the existing withdrawal limit from all wells to 30 mg/30 days. The project is located in Collegetown and Trappe Boroughs, Montgomery County in the Southeastern Pennsylvania Ground Water Protected Area.

4. *Borough of Leesport D-2001-12 CP*. An application for approval of a ground water withdrawal project to supply up to 5 mg/30 days of water to the applicant's public water supply system from new Well No. 5 in the Ontelaunee formation and to increase the withdrawal from all wells to 18 mg/30 days. The project well is located in the Schuylkill River Watershed in Ontelaunee Township, Berks County, PA.

5. *Northampton, Bucks County, Municipal Authority D-2001-13 CP*. An application for approval of a ground water withdrawal project to supply up to 9.6 mg/30 days of water to the applicant's public water supply system from new well No. 17 in the Stockton Formation and to retain the current withdrawal limit from all wells of 66 mg/30 days. The project is located in the Ironworks Creek watershed in Northampton Township, Bucks County in the Southeastern Pennsylvania Ground Water Protected Area.

6. *Superior Water Company D-2001-15 CP*. An application for approval of a ground water withdrawal project to supply up to 5.4 mg/30 days of water to the applicant's public water supply system from new Well No. 11 in the Brunswick Formation and to increase the existing withdrawal from all wells to 20.4 mg/30 days. The project is located in the Swamp Creek and Minister Creek watersheds in New Hanover and Douglass Townships in Montgomery County in the Southeastern Pennsylvania Ground Water Protected Area.

7. *Lehigh County Authority D-2001-20 CP*. An application for approval of a ground water withdrawal project to supply up to 19.44 mg/30 days of water to the applicant's public water supply system from new Well No. WL-20 in the Allentown Formation, which will replace Wells Nos. WL-4 and WL-7 and to increase the existing withdrawal from 214 mg/30 days to 226 mg/30 days. The project is located in the Schaefer Run watershed in Upper Macungie Township, Lehigh County, PA.

8. *Limerick Township Municipal Authority D-2001-23 CP*. An application to construct a 0.7 mgd Sewage Treatment Plant (STP) to serve the Possum Hollow area of Limerick Township, Montgomery County, PA. Currently, on lot septic systems serve the Possum Hollow Area. The project will be located along Longview Road just south of Brooke Creek on PECO Energy property. The proposed STP will provide secondary treatment via the sequencing batch reactor process. STP effluent will be discharged to the Schuylkill River via a proposed outfall.

9. *Philadelphia Suburban Water Company D-2001-26 CP*. An application for approval of a ground water withdrawal project to supply up to 9.7 mg/30 days of water to the applicant's public water supply system from the Green Hills Manor Well in the Hammer Creek Conglomerate to be connected to the existing Flying Hills water supply distribution system. The project is located in the Schuylkill River watershed in Cumru Township, Berks County, PA.

10. *North Coventry Water Authority D-2001-39 CP*. An application for approval of a ground water withdrawal project to supply up to .495 mg/30 days of water to the applicant's distribution system from new Well No. 2 in the Brunswick Formation. The project is located in the Pigeon Creek watershed in North Coventry Township, Chester County in the Southeastern Pennsylvania Ground Water Protected Area.

11. *Camelback Ski Corporation D-2001-40.* An application to increase the surface water withdrawal from the applicant's intake on Pocono Creek in the Brodhead Creek Watershed from a maximum seasonal use of 84.6 mg/30 days to 130 mg/30 days during the period from November to March. The water supplies the applicant's snowmaking operation at the Camelback Ski Resort in Pocono Township, Monroe County, PA. During the months of April to October, the applicant will use the project water supply for periodic maintenance and emergency purposes averaging less than 100,000 gpd.

12. *Borough of Topton D-2001-41 CP.* An application to construct a 0.3 mgd STP to replace an aging plant of the same capacity and level of treatment. The advanced secondary treatment plant will continue to use extended aeration and chemical addition processed to serve predominantly residential customers in Topton Borough and a portion of Longswamp Township, both in Berks County, PA. The plant is located about a quarter of a mile east of Topton Borough and 500 feet north of the Reading Railroad tracks in Longswamp Township. STP effluent

will continue to be discharged to Toad Creek, a tributary of the Little Lehigh Creek.

Documents relating to the dockets and other items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Contact Thomas L. Brand at (609) 883-9500 ext. 221 with any docket-related questions. Persons wishing to testify at this hearing are requested to register in advance with the Commission Secretary at (609) 883-9500 ext. 203.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who wish to attend the hearing should contact the Commission Secretary, Pamela M. Bush, directly at (609) 883-9500 ext. 203 or through the New Jersey Relay Service at (800) 852-7899 (TTY) to discuss how the Commission may accommodate their needs.

PAMELA M. BUSH,

Commission Secretary and Assistant General Counsel

[Pa.B. Doc. No. 01-1922. Filed for public inspection October 26, 2001, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 16, 2001.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
10-16-01	Stratton Holding Company, Plymouth Meeting, to acquire 100% of the common stock of Semper Trust Company, Plymouth Meeting	Plymouth Meeting	Filed

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-12-01	Citizens National Bank of Southern Pennsylvania Greencastle Franklin County <i>To:</i> Citizens Bank of Southern Pennsylvania Greencastle Franklin County	35 N. Carlisle St. Greencastle Franklin County	Effective

Represents conversion from a National bank to a State-chartered bank and trust company, wholly-owned by Susquehanna Bancshares, Inc., Lititz.

Branches Acquired via Conversion:

763 Chambersburg Mall
Chambersburg
Franklin County
1056 Wayne Avenue
Chambersburg
Franklin County

634 East Main Street
Waynesboro
Franklin County
241 West Eighth Street
Waynesboro
Franklin County

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
	15762 Pennsylvania Avenue State Line Franklin County	Old Forge Rd. and State Rte. 16 Waynesboro Franklin County (Approved; Unopened)	
10-12-01	10-12 West Main Street Waynesboro Franklin County First American National Bank of Pennsylvania Everett Bedford County <i>To:</i> First American Bank of Pennsylvania Everett Bedford County	140 E. Main St. Everett Bedford County	Effective
	Represents conversion from a National bank to a State-chartered bank and trust company, wholly-owned by Susquehanna Bancshares, Inc., Lititz.		
	<i>Branches Acquired via Conversion:</i>		
	601 East Pitt Street Bedford Bedford County Route 30 Breezewood Bedford County Route 36 (Main Street) Woodbury Bedford County	3101 Pleasant Valley Blvd. Altoona Blair County 1254 Old Route 220 North Duncansville Blair County	
10-12-01	First National Trust Bank Sunbury Northumberland County <i>To:</i> First Susquehanna Bank & Trust Sunbury Northumberland County	400 Market St. Sunbury Northumberland County	Effective
	Represents conversion from a National bank to a State-chartered bank and trust company, wholly-owned by Susquehanna Bancshares, Inc., Lititz.		
	<i>Branches Acquired via Conversion:</i>		
	8th and Chestnut Sts. Kulpmont Northumberland County 109-115 North Oak Street Mt. Carmel Northumberland County 523 North Second Street Shamokin Northumberland County 1104 North 4th Street Sunbury Northumberland County 4th and Arch Streets Sunbury Northumberland County Weis Market 209 12th Street Berwick Columbia County	725 Columbia Highway Bloomsburg Columbia County Northwest Corner Market and Center Streets Beavertown Snyder County 901 U. S. Route 522 (Route 522 and 18th St.) Selinsgrove Snyder County E/S Route 11 and 15 Shamokin Dam Snyder County Weis Market 122 JPM Road Lewisburg Union County	

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-12-01	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	Rosemont Presbyterian Village 404 Cheswick Place Rosemont Radnor Township Delaware County	Filed
10-15-01	Leesport Bank Leesport Berks County	350 West Main St. Birdsboro Berks County	Approved
10-15-01	Founders' Bank Bryn Mawr Montgomery County	Route 113 and Gordon Dr. Exton Chester County	Filed
10-16-01	HomeTown Heritage Bank Lancaster Lancaster County	100 Historic Drive Strasburg Lancaster County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-15-01	Commonwealth Bank Norristown Montgomery County	<i>To:</i> ACME Supermarket 3210 Red Lion Road Philadelphia Philadelphia County <i>From:</i> Academy Shopping Center 3292 Red Lion Road Philadelphia Philadelphia County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-11-01	Commonwealth Bank Norristown Montgomery County	530 W. Main Street Birdsboro Berks County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1923. Filed for public inspection October 26, 2001, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application to Implement a New Graduate Degree-Granting Institution: Won Institute of Graduate Studies

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(a) (relating to certification of institutions), the Department of Education (Department) will consider the application of the Won Institute of Graduate Studies for a Certificate of Authority to operate as a graduate degree-granting institution. If approved, the Institute would offer a program in Won Buddhist

Studies leading to the Master of Won Buddhist Studies degree and a program in Applied Meditation Studies leading to the Master of Applied Meditation Studies degree.

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

Petitions to intervene, protest and request for hearing shall be filed with Dr. Warren D. Evans, Chartering/Governance/Accreditation Specialist (717) 787-7572 or Carol Gisselquist, Higher Education Specialist (717) 787-

4448, 333 Market Street, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the previously mentioned office to schedule a time for an inoffice review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact Dr.

Evans at (717) 787-7572 or Carol Gisselquist at (717) 787-4448 to discuss how the Department may best accommodate their needs.

CHARLES B. ZOGBY,
Secretary

[Pa.B. Doc. No. 01-1924. Filed for public inspection October 26, 2001, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0050474	Warwick Drainage Company St. Peters Village STP	Chester County Warwick Township	French Creek	Yes
PA0056979	Jonathan S. Kimmel 46 Tanguy Road Glen Mills, PA 19342-1604	Delaware County Thornbury Township	UNT of Chester Creek (aka Tanguy Run)	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>
PA0036145	Franklin County Career & Technology Center 2463 Loop Road Chambersburg, PA 17201- 8895	Franklin Guilford Township	Conococheague Creek/ 13-C	Yes

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

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

No. PA0056677, Sewage, **Steve and Caroline Macri**, 6768 Point Pleasant Pike, New Hope, PA 18938.

This application is for renewal of an NPDES permit to discharge treated sewage from the small flow sewage treatment plant in Plumstead Township, **Bucks County**. This is an existing discharge to unnamed tributary to Geddes Run.

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

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

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

The EPA Waiver is in effect.

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

PA 0082082, Sewage, **Jerry Millard Bolyard**, 309 Bear Gap Road, Clearville, PA 15535-9110.

This facility is located in Southampton Township, **Bedford County**.

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

The receiving stream, Sand Spring Run, is in Watershed 13-A and classified for High Quality-Cold Water Fishes, water supply, recreation and fish consumption. The nearest downstream public water supply intake is located on the Potomac River in Hancock, MD. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0004 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	20	40
Total Residual Chlorine	Monitor & Report	
pH	From 6.0 to 9.0 inclusive	
Fecal Coliform	200/100 ml as a geometric average	
(5-1 to 9-30)	2,000/100 ml as a geometric average	
(10-1 to 4-30)		

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

The EPA waiver is in effect.

Application No. PA 0088617, SIC Code 4952, Sewage, **Bratton Township Supervisors**, 460 Mountain Lane, McVeytown, PA 17051.

This application is for issuance of an NPDES permit for a new discharge of treated sewage to Carlisle Run/Juniata River in Watershed 12-A, in Bratton Township, **Mifflin County**.

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

The proposed effluent limits for Outfall 001 for a design flow of 0.090 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Total Residual Chlorine	0.5	XXX	1.6
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	100,000/100 ml as a geometric average		

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

The EPA waiver is in effect.

PA 0088951, Industrial Waste, **Speedway Oil Company**, 1392 Ben Franklin Highway East, Douglassville, PA 19518.

This facility is located in Amity Township, **Berks County**.

Description of activity: The application is for issuance of an NPDES permit for a new discharge of treated industrial waste.

The receiving stream, Schuylkill River, is in Watershed 3-D and classified for warm water fishes, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pottstown Water Authority is located on Schuylkill River, approximately 1.75 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0144 MGD are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH		From 6.0 to 9.0 inclusive	
Benzene	1.0		2.5
Toluene	Monitor & Report		Monitor & Report
Ethyl-Benzene	Monitor & Report		Monitor & Report
Xylene, Total	Monitor & Report		Monitor & Report
Cumene	5.0		12.5
Fluorene	Monitor & Report		Monitor & Report
Phenanthrene	Monitor & Report		Monitor & Report
Naphthalene	4.0		10

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

The EPA waiver is in effect.

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

PA# 0029386, Sewage, SIC Code 4952, **Moshannon Valley School District**, RR#1 Box 314, Houtzdale, PA 16651.

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

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

The receiving stream, Japling Run, is in the State Water Plan 8-C (Moshannon Creek Watershed) and is classified for: Cold Water Fishery. The nearest proposed downstream public water supply intake for PA-American Water Co. is located at Milton, 160 river miles below the point of discharge.

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

<i>Discharge Parameter</i>	<i>Minimum</i>	<i>(mg/L)</i>	<i>(mg/L)</i>	<i>(mg/L)</i>	<i>(mg/L)</i>
		<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH (Std Units)	6.0				9.0
CBOD ₅		25			50
TSS		30			60
TRC		1.0			2.3
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				

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

PA0001571, Industrial Waste, SIC, 4911, **Orion Power MidWest LP**, 2000 Cliff Mine Road, Suite 200, Pittsburgh, PA 15275-2008.

This application is for renewal of an NPDES permit to discharge treated process water, cooling water and stormwater from a power generating station in Union Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, the Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Penn-American Water Company, located at Pittsburgh, 22 miles below the discharge point.

Outfall 001: existing discharge, design flow of 338 mgd. Interim Limits.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TRC					
Temperature	Monitor and Report				
Oil and Grease	15			30	
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: existing discharge, design flow of 338 MGD. Final Limits.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TRC					
Temperature	Monitor and Report				
Oil and Grease	15			30	
Heat (BTU/day)					
January 1-January 31			1.4 x 10 ¹⁰		
February 1-February 29			1.0 x 10 ¹⁰		
March 1-March 31			2.1 x 10 ¹⁰		
April 1-April 15			1.4 x 10 ¹⁰		
April 16-April 30			5.5 x 10 ¹⁰		
May 1-May 15			1.5 x 10 ¹⁰		
May 16-May 30			4.5 x 10 ¹⁰		
June 1-June 15			4.0 x 10 ¹⁰		
June 16-June 30			3.6 x 10 ¹⁰		
July 1-July 31			2.0 x 10 ¹⁰		
August 1-August 31			2.3 x 10 ¹⁰		
September 1-September 15			1.8 x 10 ¹⁰		
September 16-September 30			2.0 x 10 ¹⁰		
October 1-October 31			1.6 x 10 ¹⁰		
November 1-November 15			1.2 x 10 ¹⁰		
November 16-November 30			0.7 x 10 ¹⁰		
December 1-December 31			0.7 x 10 ¹⁰		
pH	not less than 6.0 nor greater than 9.0				

Outfall 101: existing discharge, design flow of 3.75 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TSS	30			100	
Oil and Grease	15			20	
pH	not less than 6.0 nor greater than 9.0				

Outfall 201: existing discharge, design flow of 0.01 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TSS	30			100	
Oil and Grease	15			20	

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<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
* pH	not less than 6.0 nor greater than 11.2				

Outfall 301: existing discharge, design flow of 0.01 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TSS			30	100	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 11.8				

Outfall 401: existing discharge, design flow of 0.01 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TSS			30	100	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 9.0				

Outfall 501: existing discharge, design flow of 0.39 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TSS					50
pH	not less than 6.0 nor greater than 9.0				

Outfall 601: existing discharge, design flow of 0.014 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TSS			30	100	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 9.0				

Outfall 701: existing discharge, design flow of 0.0036 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
TSS			30	100	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 11.2				

Outfall 801: existing discharge, design flow of 0.5 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is not in effect.

PA0022004, Industrial Waste, SIC, 2819, **Flexsys America, L.P.**, 829 Route 481, Monongahela, PA 15063.

This application is for renewal of an NPDES permit to discharge treated process water, cooling water, stormwater and untreated stormwater from its Monongahela Plant in Carroll Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, Pigeon Creek, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Pennsylvania American Water Company, located at Elrama, 8.3 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.027 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids	10	20	30		60
Oil and Grease		3.34			10
Carbon Disulfide	0.33	0.66	1.0		2.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

Outfall 001: existing discharge, design flow of 0.027 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
The discharge from this outfall shall consist of uncontaminated stormwater and sources monitored at Internal Monitoring Point 101.					

Outfall 002: existing discharge, design flow of varied MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
The discharge via Outfall 002 shall consist of uncontaminated stormwater runoff only.					

PA0204153, Industrial Waste, SIC 4911, **Cambria Cogen Company**, 243 Rubisch Road, Ebensburg, PA 15931.

This application is for renewal of an NPDES permit to discharge treated process water, cooling water, stormwater, untreated stormwater and pump recycle water from the Cambria Cogen Facility in Cambria Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Little Conemaugh River, 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 Saltsburg Municipal Water Works, located 57.5 miles below the discharge point.

Internal Monitoring Point 101: existing discharge, design flow of 0.248 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
Total Suspended Solids			30	100	
Oil and Grease			15	20	30
Chromium			0.2	0.2	
Zinc			1.0	1.0	
Temperature (°F)				110	
Free Available Chlorine			0.2		0.5
Total Residual Chlorine			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

Outfall 001: existing discharge, design flow of 0.248 MGD

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
The discharge via this outfall shall consist of sources limited at Internal Monitoring Point 101.					

Outfall 002: existing discharge to North Branch of Little Conemaugh River.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
The discharge shall consist of raw water (pump recycle water from Wilmore Dam).					

Outfall 003: existing discharge, design flow of varies MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
The discharge via this outfall shall consist of uncontaminated stormwater runoff only.					

The EPA waiver is in effect.

PA0216593, Industrial Waste, SIC, 4992, **Texas Eastern Transmission Corporation**, P. O. Box 1642, SP-335, Houston, TX 77251-1642.

This application is for renewal of an NPDES permit to discharge treated process water and stormwater from the Holbrook Compressor Station in Richhill Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, North Fork of Dunkard Fork Creek, classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is N/A, located at N/A, N/A miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.023 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Polychlorinated Biphenyls (PCBs)			1.87 x 10 ⁻⁶	3.74 x 10 ⁻⁶	
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: The following water quality based limits are below the minimum detection level and are not quantifiable using EPA approved analytical methods. Thus, a special condition is included in the permit to address this issue. See Item No. 6 in Part C of the permit.

The EPA waiver is in effect.

PA0217255, Industrial Waste, SIC, 5541, **Campbell's Ultra Service Center**, 1111 Clay Pike, North Huntingdon, PA 15642.

This application is for renewal of an NPDES permit to discharge treated process water in North Huntingdon Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Tinker's Run, classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the West View Water Authority, located at West View, 28.4 miles below the discharge point.

Outfall 101: existing discharge, design flow of 0.0216 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
TSS			30		60
Oil and Grease			15		30
Dissolved Iron			0.3		0.75

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Benzene			0.001		0.0025
Ethyl Benzene			Monitor and Report		
Xylenes, Total			Monitor and Report		
Toluene			Monitor and Report		
BTEX			0.1		0.25
Naphthalene			0.01		0.025
MTBE			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0024864, Sewage, **Ligonier Borough**, Town Hall, 120 East Main Street, Ligonier, PA 15658.

This application is for renewal of an NPDES permit to discharge treated sewage from Ligonier Borough Sewage Treatment Plant in Ligonier Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Mill Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Latrobe Municipal Authority.

Outfall 001: existing discharge, design flow of 0.9 mgd.

Parameter	Concentration (mg/l)			Instantaneous Maximum
	Average Monthly	Average Weekly	Maximum Daily	
CBOD ₅				
(5-1 to 10-31)	15	22.5		30
(11-1 to 4-30)	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0	7.5		10.0
(11-1 to 4-30)	15.0	22.5		30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0038792, Sewage, **Adams Township Municipal Authority**, P. O. Box 265, Sidman, PA 15955-0265.

This application is for renewal of an NPDES permit to discharge treated sewage from Village of Mine 42 STP in Adams Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Paint Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Saltsburg Municipal Water Works on the Conemaugh River.

Outfall 001: existing discharge, design flow of 0.0296 mgd.

Parameter	Concentration (mg/l)			Instantaneous Maximum
	Average Monthly	Average Weekly	Maximum Daily	
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	3,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0097799, Sewage, **Jerry F. Smith**, 1001 Clubhouse Drive, Donegal, PA 15628.

This application is for renewal of an NPDES permit to discharge treated sewage from Laurel Highlands Campland STP in Donegal Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Minnow Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Westmoreland Municipal Authority .

Outfall 001: existing discharge, design flow of 0.043 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
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			
Total Residual Chlorine				
(1st month—36th month)	Monitor and Report			
(37th month—expiration)	.02			.05
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.

PA0217450, Sewage, **Monica Meehan**, 5390 West Pike Street, Export, PA 15632.

This application is for renewal of an NPDES permit to discharge treated sewage from Meehan Small Flow Sewage Treatment Plant in Salem Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Whitethorn Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Saltsburg Municipal Water Works.

Outfall 001: existing discharge, design flow of 0.00124 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	24.0			48.0
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			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0218944, Sewage, **Franklin Fayette Sewer Authority**, 353 Town and Country Road, Vanderbilt, PA 15486.

This application is for issuance of an NPDES permit to discharge treated sewage from Franklin Fayette Sewer Authority WWTF in Franklin Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Redstone Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Washington Township Municipal Authority.

Outfall 001: new discharge, design flow of 0.1 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
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			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0219045, Sewage, **Apollo Ridge School District**, Route 56 East, P. O. Box 219, Spring Church, PA 15686.

This application is for issuance of an NPDES permit to discharge treated sewage from Apollo Ridge School District Sewage Treatment Plant in Kiskiminetas Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Roaring Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Buffalo Township Municipal Authority located on the Allegheny River.

Outfall 001: new discharge, design flow of 0.0267 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	5.5			11.0
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 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0219061, Sewage, **Blaine Township**, 40 Main Street, P. O. Box 128, Taylorstown, PA 15365.

This application is for Issuance of an NPDES permit to discharge treated sewage from Blaine Township Wastewater Treatment Plant in Blaine Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Buffalo Creek, which are classified as a high-quality warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: City of Wheeling Water Supply Intake located on the Ohio River.

Outfall 001: new discharge, design flow of 0.035 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅				
(5-1 to 10-31)	10			20
(11-1 to 4-30)	20			40
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	5,000/100 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.

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

PA0238601, Sewage, **Sutton Mobile Home Park**, 129 Elgie Drive, Butler, PA 16001.

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

Description of Proposed Activity: A Part I NPDES Permit for a new discharge.

The receiving stream, Unnamed tributary to Glade Run, is in watershed 20-C and classified for: cold water fishes, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and PWS) considered during the evaluation is the Salvation Army Camp Allegheny on Slippery Rock Creek located at approximately 33 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0125.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N			
(5-1 to 10-31)	7		14
(11-1 to 4-30)	21		42
Fecal Coliform			
(5-1 to 9-30)		200/100ml as a geometric average	
(10-1 to 4-30)		6,500/100ml as a geometric average	
Total Residual Chlorine	0.8		1.5
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

**WATER QUALITY MANAGEMENT
PERMITS
CONTROLLED INDUSTRIAL WASTE
AND SEWAGE WASTEWATER
APPLICATIONS UNDER THE
PENNSYLVANIA CLEAN STREAMS
LAW
PART II PERMITS**

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

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

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

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

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

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

WQM Permit No. 1500411 Amendment No. 1, Sewerage, **Octorara Area School District**, P. O. Box 500, Route 41 and Highland Road.

This proposed facility is located in West Fallowfield, **Chester County**.

Description of Proposed Action/Activity: Installation of a dechlorination system at the existing WWTP.

WQM Permit No. 2301410, Sewerage, **Dr. Said Ali**, 25 Longview Drive, Thornton, PA 19373.

This proposed facility is located in Thornbury Township, **Delaware County**.

Description of Proposed Action/Activity: Construction and operation of single-family residential treatment plant.

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

WQM Permit No. 3901402, Sewerage, **Lehigh Valley Water Company, L.L.C.**

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

Description of Proposed Action/Activity: The installation of a .012 MGD package wastewater treatment plant and pumping station to serve the Arcadia West Industrial Park.

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

WQM Permit No. 0501405, Sewerage, **Seth Stoltzfus**, 138 Christian Light Road, Bedford, PA 15522.

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

Description of Proposed Action/Activity: Construction of a Single Family Sewage Treatment System to serve their residence on Valley Road.

WQM Permit No. 0501406, Sewerage, **Broad Top Township**, 187 Municipal Road, Defiance, PA 16633.

This proposed facility is located in Broad Top Township, **Bedford County**.

Description of Proposed Action/Activity: Construction of a small flow sewage treatment system to serve the Childer's Ridge development.

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

Application No. 0301404, Sewerage, **Apollo Ridge School District**, Route 56, P. O. Box 219, Spring Church, PA 15686. Application for the construction and operation

of a sewage treatment plant to serve the Apollo Ridge School District Elementary Schools located in Kiskiminetas Township, **Armstrong County**.

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

WQM Permit No. 4301423, Sewerage, **Borough of Grove City**, P. O. Box 110, Grove City, PA 16127-0110.

This proposed facility is located in Grove City Borough, **Mercer County**.

Description of Proposed Action/Activity: This project is for the installation of a belt filter press.

WQM Permit No 2001417, Sewerage, **Mayhlon R. and Virginia E. Troutman**, P. O. Box 192, Cambridge Springs, PA 16403. This proposed facility is located in Cambridge Township, **Crawford County**.

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

WQM Permit No 2501423, Sewerage, **Jeffrey S. McIntyre**, 7405 Old State Road, Edinboro, PA 16412. This proposed facility is located in Franklin Township, **Erie County**.

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

WQM Permit No 2001418, Sewerage, **James Hodson**, 18733 Williams Street, Meadville, PA 16335. This proposed facility is located in Summerhill Township, **Crawford County**.

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

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 (De-

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

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

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

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

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

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1-800-654-5984.

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

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10U159	Taras Zawarski, President Nic Zawarski & Sons, Inc. 1441 Linden St. Bethlehem, PA 18018	Northampton County Hanover Township	Monocacy Creek HQ, CWF

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

Berks County Conservation District: P. O. Box 520, 1238 County Welfare Road, Leesport, PA 19533, (610) 372-4657.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10C045	Menelaos Valianatos 35 E. Elizabeth Ave. Bethlehem, PA 18018	Richmond Township Berks County	Moselem Creek (EV-HQ-CWF)

Lancaster County Conservation District: 1383 Arcadia Road, Rm. 6, Lancaster, PA 17601, (717) 299-5361.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10O084	Tanglewood Manor Inc. 2938 Columbia Avenue Suite 1202 Lancaster, PA 17603	East Drumore Township Lancaster County	Conowingo Creek HQ

Cumberland County Conservation District: 43 Brookwood Avenue, Suite 4, Carlisle, PA 17013, (717) 240-7812.

NPDES No.	Applicant Name & Address	County & Municipality	Receiving Water/Use
PAS10H094	Old Field Partnership Max Marbain 4075 Market Street Camp Hill, PA 17011	South Middleton Township Cumberland County	UNT Letort Spring Run HQ-CWF

**PUBLIC WATER SUPPLY (PWS)
PERMIT**

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

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

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

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

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

SAFE DRINKING WATER

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

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

Permit No. 2201507, Public Water Supply.

Applicant	Halifax Area Water Authority
Municipality	Halifax
County	Dauphin
Responsible Official	Carl R Bahner, Acting Chairperson P. O. Box 455 Halifax, PA 17032
Type of Facility	Public Water Supply

Consulting Engineer	Harry E Bingaman, P.E. Glace Assoc., Inc. 3705 Trindle Road Camp Hill, PA 17011
Application Received Date	September 26, 2001
Description of Action	Construction of a water booster pump station next to the 0.5 MG storage tank off Route 225, Matamoras.

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

Permit No. 1001501, Public Water Supply.

Applicant	Kennedy MHP SR 58 E Harrisville, PA 16038-9802.
Township or Borough	Marion Township, Butler County
Responsible Official	G. Victor Kennedy, Owner, P. O. Box 226, Slippery Rock, PA 16057.
Type of Facility	PWS
Consulting Engineer	William P. Deemer, P.E. William P. Deemer & Associates 205-B South Duffy Road Butler, PA 16001.
Application Received Date	October 15, 2001
Description of Action	Permit an existing water supply with the addition of a pressure sand filtration system, chlorine contact tanks and disinfection equipment.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard or who intend to remediate a

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

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

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

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

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

Godsell Auto Center (Former), Bristol Township, **Bucks County**. Cliff Harper, P.G., Harper Environmental Associates, Inc., 183 Ardwick Terrace, Lansdale, PA 19446, on behalf of New Bridge Gas Corp., 1980 Boxwood Drive, Newtown, PA 18940, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with BTEX and petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier Times* on September 25, 2001.

Garvey and James Residence, Paoli Borough, **Chester County**. James P. Gallagher, P.G., Marshall Miller & Associates, 3913 Hartzdale Dr., Suite 1306, Camp Hill, PA 17011, on behalf of Margaret Garvey and Wilbur James, 28 Jacqueline Dr., Paoli, PA 19301, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to

meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on August 22, 2001.

Pep Boys—Manny, Moe & Jack, Treddyfrin Township, **Chester County**. Edward G. Keebler, The EC Group, LLC, 201 E. Orchard St., Hammonton, NJ 08037, on behalf of Pineville Properties, 7 N. Park Ave., Norristown, PA 19403, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs, lead, heavy metals, BTEX and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on September 11, 2001.

United Transportation Corp., Morton Borough, **Delaware County**. Kurt J. Spiess, Environmental Management Group, Inc., 5066R West Chester Pike, P. O. Box 129, Edgemont, PA 19028, on behalf of United Transportation Corp., 501 Highland Ave., Morton, PA 19070, has submitted a Notice of Intent to Remediate site groundwater contaminated with vinyl chloride and MTBE. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Times* on September 10, 2001.

West Property, Morton Borough, **Delaware County**. Kurt J. Spiess, Environmental Management Group, Inc., 5066R West Chester Pike, P. O. Box 129, Edgemont, PA 19028, on behalf of Michael and Catherine West, 1912 Franklin Ave., Morton, PA 19070, has submitted a Notice of Intent to Remediate site groundwater contaminated with PCE and TCE. The applicant proposes to remediate the site to meet Background Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Times* on September 6, 2001.

Collom Property, Upper Gwynedd Township, **Montgomery County**. David J. Arber, American Resource Consultants, Inc., P. O. Box 1809, Doylestown, PA 18901, on behalf of Mr. and Mrs. Gerald Collom, 648 Park Road, West Point, PA 19486, has submitted a Notice of Intent to Remediate site soil contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide Health Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Montgomery County Observer* on May 23, 2001.

Plymouth Tube Company (Former), Horsham Township, **Montgomery County**. William J. Ponticello, P.G., Penn Environmental & Remediation, Inc., 2755 Bergey Rd., Hatfield, PA 19440, on behalf of Horsham Township, 1025 Horsham Rd., Horsham, PA 19044, has submitted a Notice of Intent to Remediate site soil contaminated with heavy metals, BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and solvents; site groundwater and surface water contaminated with solvents. The applicant proposes to remediate the site to meet Statewide Health and Site-specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Intelligencer Record* on September 28, 2001.

Hatfield Substation, Franconia Township, **Montgomery County**. Lisa A. Palfey, PPL Generation, LLC, One Scotch Pine Drive, Hazelton, PA 18202-9760, on behalf of PPL Utilities, 2 N. Ninth St., Allentown, PA 18101, has submitted a Notice of Intent to Remediate site soil contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide Health Stan-

dard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Souderton Independent* on September 28, 2001.

Wissinoming Industrial Park, City of Philadelphia, **Philadelphia County**. Cliff Harper, Harper Environmental Associates, Inc., 1811 Hale Hollow Rd., Bridgewater Corners, VT 05035, on behalf of William C. Williams, M. W. Baehr, M. McMullin, Trustee of the Estate of J. Alfred McMullin deceased, t/a Wissinoming Industrial Park, 8100 Bustleton Ave., Philadelphia, PA 19152, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with petroleum hydrocarbons. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Inquirer* on August 31, 2001.

Riverfront Towers, City of Philadelphia, **Philadelphia County**. Bruce W. Pringle, S. T. Hudson Engineers, Inc., 800 Hudson Square, P. O. Box 9106, Camden, NJ 08101, on behalf of Isle of Capri Associates, LP, 242 S. 17th St., Philadelphia, PA, has submitted a revised Notice of Intent to Remediate site soil contaminated with lead, heavy metals and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet Site-specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on September 10, 2001.

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

Dillon Floral Corporation, Scott Township, **Columbia County**. EarthRes Group, Inc., on behalf of its client, Dillon Floral Corporation, P. O. Box 180, Bloomsburg, PA 17815, has submitted a Notice of Intent to Remediate soil contaminated with (pesticides) dieldrin. 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 *Press Enterprise* on September 15, 2001.

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

Deluxe Storage Systems, Inc., 151 Struthers Street, City of Warren, **County of Warren** and Mark A. Spence of WJ Smith & Associates, Inc., P. O. Box 153, Corry, PA 16407, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in the *Warren Times Observer* on September 25, 2001.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

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

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

Renewal Applications Received

JPS Equipment Co., P. O. Box 788, Edgemont, PA 19028. License No. **PA-HC 0142**. Received on October 11, 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.

PA0000193334. Goldschmidt Industrial Chemical Corporation, 941 Robinson Highway—Route 980, P. O. Box 279, McDonald, PA 15057-0279. Goldschmidt Industrial Chemical Corporation, 941 Robinson Highway—Route 980, McDonald, PA 15057-0279. An application for a RCRA Part B permit for storage and processing of listed and characteristic hazardous waste to enable reclamation of tin bearing materials and other useful chemicals, in Robinson Township, **Washington County** was received in the Regional Office on October 10, 2001.

MUNICIPAL WASTE GENERAL PERMITS

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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

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

General Permit Application No. WMGM014. James D. Morrissey, Inc., 9119 Frankford Avenue, Philadelphia, PA 19114.

The Department of Environmental Protection (Department), Bureau of Land Recycling and Waste Management has received an application for a municipal waste general permit from James D. Morrissey, Inc. The application is for the beneficial use of roadway excavation materials as construction materials. The Department determined the application to be administratively complete on October 11, 2001.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and 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 application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

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.

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

Permit Application No. 100172. Arden Landfill, Inc. Westpointe Corporate Center I, Suite 200, 1550 Coraopolis Heights Road, Moon Township, PA 15108. Arden Landfill, Arden Station Road, Washington, PA 15301. An application for a major modification subject to the Governor's Executive Order 1996-5 and policies. Arden Landfill, Inc., proposes an expansion comprising of approximately 102 acres, 85 of which will be used for additional waste disposal. No increase in daily tonnage is proposed. Under the provisions of the Governor's Executive Order and Money Back Guarantee Program, the host municipality, applicant and the Department of Environmental Protection (Department) have negotiated an application review timeline. The negotiated number of days that the Department has to review the application and to render a decision is 240 days from the date of receipt of the application. The 240 days does not include time that the applicant uses to respond to review comments from the Department.

This application for a major permit modification to a municipal waste landfill in Chartiers Township, **Washington County** was received in the Regional Office on October 3, 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 below. TDD users may contact DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

PLAN APPROVALS

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

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

39-318-109: Victaulic Co. of America (4901 Kesslersville Road, Easton, PA 18045) for construction of a paint spray booth and associated air cleaning device in Allentown, **Lehigh County**.

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

67-05032C: Harley-Davidson Motor Co. Operations, Inc. (1425 Eden Road, York, PA 17402) for expansion of the existing motorcycle manufacturing and assembly plant in Springettsbury Township, **York County**. The proposed installations include emission control devices in accordance with Department regulations.

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

08-322-001D: Northern Tier Solid Waste Authority (P. O. Box 10, Burlington, PA 18814-0010) for construction of landfill gas-fired engine generator set at the Northern Tier Landfill in West Burlington Township, **Bradford County**.

55-302-012A: Conestoga Wood Specialties Corp. (245 Reading Road, P. O. Box 158, East Earl, PA 17519-0158) for the construction of a 9.31 million BTU per hour wood-fired boiler and associated air cleaning device (a mechanical collector) in Beavertown Borough, **Snyder County**.

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

65-00943A: Duke Energy Yukon, LLC (5400 Westheimer Court, Houston, TX 77056) for construction of a power generating facility to be known as the Yukon Plant Facility in Sewickley Township, **Westmoreland County**.

56-00285A: Lindy, Inc. (RD 3 Box 2A, New Castle, PA 1605) for installation of hot mix asphalt plant in Somerset Township, **Somerset County**.

04-00516C: Vesuvius McDanel, Inc. (519 Ninth Avenue, Beaver Falls, PA 15010) for construction and operation of a new gas-fired kiln at Beaver Falls Plant in Beaver Falls, **Beaver County**.

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

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

09-0061: Donaldson Co., Inc. (100 Railroad Drive, Ivyland, PA 18974) for installation of an extrusion line with regenerative thermal oxidizer in Northampton Township, **Bucks County**. This facility is a minor facility. The installation of this source will result in an increase of 4.4 tons of VOCs per year. The Plan Approval will contain record keeping requirements to keep the facility operating within the allowable emissions and all applicable air quality requirements.

23-0047C: Degussa Corp. (1200 West Front Street, Chester, PA 19013) for installation of a spray dryer at their synthetic minor facility in City of Chester, **Delaware County**. The installation of this source will result in an increase of 11.28 tons of NOx per year. The Plan Approval will contain record keeping requirements to keep the facility operating within the allowable emissions and all applicable air quality requirements.

09-0124B: S.W.E.C., LLC (5000 Dominion Boulevard, Glen Allen, VA 23060) to expand their plant in the USX Industrial Park in Falls Township, **Bucks County**. This plan approval will authorize the applicant to construct and double the size of its combined-cycle electric power generation plant to 1190 MW. The plant will include two additional combined-cycle combustion turbines, two respective heat recovery steam generators and a single steam turbine. The emissions from the plant will be controlled by selective catalytic reduction and catalytic oxidizer. The sources and air pollution control devices are described in the applicant's application of January 4, 2001, and subsequent submissions.

Based on the information provided by the Applicant and DEP's own analysis, the operation of the completed facility will emit 488.7 tons per year of nitrogen oxides (NOx), 88.4 tons per year of volatile organic compounds (VOC), 360.5 tons per year of carbon monoxide (CO), 386.7 tons per year of particulate matter (PM/PM-10) and 96.3 tons per year of sulfur oxides (SO₂). These emissions will consume the following the Prevention of Significant Deterioration air quality increments available in the area of the maximum impact of the facility:

<i>Pollutant</i>	<i>Averaging Time</i>	<i>Maximum Modeled Impact μ/m³</i>
CO	1-hour	65.15
CO	8-hour	35.32
NO ₂	Annual	0.83
PM-10	24-hour	4.34
PM-10	Annual	0.50
SO ₂	3-hour	2.66
SO ₂	24-hour	0.81
SO ₂	Annual	0.09

In order to assure compliance with the applicable standards, DEP will place the following conditions on the plan approval:

General Requirements

A. This Plan Approval is issued to the owner and operator for the construction of a major modification to its combined cycle electric generating plant with a nominal electric output of 1,190 megawatts. After completion of the major modification the plant will include the following sources and associated air pollution control devices:

- i. Four GE PG7241-FA combined cycle combustion turbines, each equipped with a heat recovery steam generator with duct burners and two single steam turbines. The emissions from each turbine and associated duct burner shall be controlled by dry low NOx combustion, a selective catalytic reduction system and an oxidation catalyst system.
- ii. Two cooling towers equipped with mist eliminators.
- iii. Two auxiliary boilers, each rated at 45 million Btu heat input per hour.
- iv. Two emergency diesel generators, each rated at 750 kW.
- v. One diesel fired emergency pump rated at 140 kW output.

B. This Plan Approval authorizes temporary operation of the additional sources covered by this Plan Approval, provided the following conditions are met:

- i. DEP must receive written notice from the owner/operator of the completion of construction and the operator's intent to commence operation at least 5 working days, prior to the completion of construction. The notice should state when construction will be completed and when operator expects to commence operation.
- ii. Operation is authorized only to facilitate the start-up and shake-down of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.
- iii. This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided DEP receives notice from the owner/operator under Subpart i.
- iv. The owner/operator may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted, in writing, at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established.
- v. The notice submitted by the owner/operator under Subpart i prior to the expiration of this Plan Approval, shall modify the Plan Approval expiration date. The new Plan Approval expiration date shall be 180 days from the date of commencement of operation.
- vi. The emission reduction credit (ERC) use and transfer are approved by DEP for this major modification.

D. This approval to construct shall become invalid if:

- i. Construction, as defined in 40 CFR 52.21(b)(8), has not commenced within 18 months from the issue date of this Plan Approval; or
- ii. Construction is discontinued for a period of 18 months or more; or

iii. Construction is not complete within a reasonable time as defined in the Plan Approval Application.

E. If construction has commenced, but cannot be completed before the expiration of Plan Approval No. PA-09-0124B, an extension of the Plan Approval must be obtained to continue construction. To allow adequate time for DEP action, a request for the extension must be postmarked at least 30 days prior to the expiration date. DEP will not issue an extension after the Plan Approval expires. Requests for extension shall comply with 25 Pa. Code § 127.13. The request for an extension shall include the following:

- i. A justification for the extension and
- ii. A schedule for the completion of the construction.

New Source Review (NSR) and ERC Requirements:

A. The owner and operator shall comply with all the requirements of 25 Pa. Code § 127.208—ERC Use and Transfer Requirements prior to the initial startup of any of the sources specified in the condition above.

B. The owner and operator provided ERC at a 1.3:1.0 ratio to offset the nitrogen oxides (NOx) emissions of 488.7 tons per year and volatile organic compounds (VOC) emissions of 88.4 tons per year. The required ERC of 635.3 tons of NOx and 114.9 tons of VOC have been provided per Plan Approval No. PA-09-0124C.

New Source Performance Standards Requirements:

The combustion turbines are subject to Subpart GG, the duct burners are subject to Subpart Da and the auxiliary boilers are subject to Subpart Dc of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of the Subparts. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both the EPA and DEP. The EPA copies shall be forwarded to Director, Air Protection Division, U.S. EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103.

Any variations from the compliance monitoring, testing and reporting methods specified in the New Source Performance Standards shall be approved in advance by the EPA.

Acid Rain Requirements:

A. Upon start-up, the facility is subject to the applicable requirements contained in 40 CFR Parts 72—78. In addition, the facility is subject to the applicable requirements contained in 25 Pa. Code § 127.531, regarding special conditions related to acid rain.

B. The owner and operator of each affected source and each affected unit at the source shall:

- i. Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and,
- ii. Have an Acid Rain permit.

NOx Allowance Requirements

A. The facility shall comply with the applicable regulations contained in 25 Pa. Code §§ 123.101—123.120.

B. The owner and operator shall establish a compliance account prior to the commencement of operations and shall be responsible to acquire any required NOx allowances from those available in the NATS (25 Pa. Code § 123.117(a)).

C. The owner and operator shall comply with 25 Pa. Code Chapter 145.

Operating Requirements:

A. Each unit and its associated air cleaning devices shall be installed, maintained and operated in accordance with manufacturers' specifications and good air pollution control practices.

B. All combustion turbines, duct burners, auxiliary boilers and natural gas preheaters located at this facility shall fire natural gas only.

C. The operation of each auxiliary boiler shall not exceed 3,500 hours per year in a 12-month rolling sum. Equipment (a timer or equivalent) shall be provided on the fire pump so that, at the request of DEP, the total operating hours of each boiler can be measured.

D. The operation of each emergency diesel generator shall not exceed 500 hours in a consecutive 12-month rolling sum. Equipment (a timer or equivalent) shall be provided on the fire pump so that, at the request of DEP, the total operating hours of each emergency generator can be measured.

E. The operation of the fire pump shall not exceed 500 hours in a consecutive 12-month rolling sum. Equipment (a timer or equivalent) shall be provided on the fire pump so that, at the request of DEP, the total operating hours of the fire pump can be measured.

F. The dissolved/suspended solids in the cooling tower blow down water shall not exceed 1,000 ppm by weight. Prior to commencing the combustion turbine operation, the owner and operator shall submit to DEP for approval the methods to demonstrate compliance with this requirement.

G. The following condition applies to the start-up or shutdown of each combustion turbine:

i. A cold start-up shall be defined as an event that occurs after the combustion turbine has not been operating for at least 48 hours. A cold start-up shall not last longer than 5 hours after ignition.

ii. A warm start-up shall be defined as an event that occurs after the combustion turbine has not been operating for eight to 48 hours. A warm start-up shall not last longer than 3 hours after ignition.

iii. A hot start-up shall be defined as an event that occurs after the combustion turbine has not been operating for less than 8 hours. A hot start-up shall not last longer than 2 hours after ignition.

iv. The emissions from a start-up or shutdown shall be included in the 12-month rolling sum.

v. A shut down commences with the termination of fuel injection into the combustion chamber.

Emission Limitations

A. The emissions from each combustion turbine shall not exceed the limitations specified below:

<i>Pollutants</i>	<i>Units</i>	<i>Emissions*</i>
Nitrogen Oxides (NOx)	ppmvd@15%O ₂	3.0
Volatile Organic Compounds (VOC)**	lb/MMBtu	0.002
Carbon Monoxide (CO)	ppmvd@15%O ₂	3.0
Particulate Matters (PM and PM-10)	lb/MMBtu	0.014

<i>Pollutants</i>	<i>Units</i>	<i>Emissions*</i>
Sulfur Dioxide (SO ₂)	lb/MMBtu	0.002
Ammonia Slip Concentration	ppmvd@15%O ₂	10

* The emission limit shall be calculated as a one-hour average.

** The VOC emissions shall be reported as methane.

B. The short-term emission limitations contained in the condition above do not apply during startup and shutdown of the combustion turbines. The combustion turbine startup and shutdown emissions shall be calculated using the following emission factors:

<i>Pollutants</i>	<i>Cold Startup lb/startup</i>	<i>Warm Startup lb/startup</i>	<i>Hot Startup lb/startup</i>	<i>Shutdown lb/shutdown</i>
NOx	321	223	219	48
VOC	181	70	23	8.5
CO	474	435	192	28.8
PM/PM ₁₀	43.2	43.2	43.2	43.2
SO ₂	10.9	10.9	10.9	10.9

C. The emissions from each auxiliary boiler shall not exceed the limitations specified below:

<i>Pollutants</i>	<i>lb/MMBtu</i>	<i>Emission Limits lb/hr/boiler</i>	<i>TPY (total)</i>
Nitrogen Oxides	0.035	1.60	5.6
Volatile Organic Compounds (VOC)	0.004	0.19	0.7
Carbon Monoxide (CO)	0.037	1.67	5.8
Particulate Matter (PM)	0.010	0.45	1.6
Sulfur Dioxide (SO ₂)	0.002	0.09	0.3

D. The emissions from all facility natural gas pre-heaters shall not exceed the limitations specified below:

<i>Pollutants</i>	<i>lb/MMBtu</i>	<i>Emission Limits lb/hr/heater</i>	<i>TPY (total)</i>
Nitrogen Oxides	0.035	0.27	4.8
Volatile Organic Compounds (VOC)	0.003	0.02	0.4
Carbon Monoxide (CO)	0.082	0.64	11.3
Particulate Matter (PM)	0.010	0.08	1.4
Sulfur Dioxide (SO ₂)	0.002	0.02	0.28

E. The emissions from all facility emergency diesel generators shall not exceed the limitations specified below:

<i>Pollutants</i>	<i>g/hp-hr</i>	<i>Emission Limits lb/hr/unit</i>	<i>TPY (total)</i>
Nitrogen Oxides	6.9	18	9.0
Volatile Organic Compounds (VOC)	0.17	0.4	0.2
Carbon Monoxide (CO)	8.5	22.1	11.1
Particulate Matter (PM)	3.28	1.0	0.5
Sulfur Dioxide (SO ₂)	1.0	2.6	1.3

F. The emissions from the fire pump shall not exceed the limitations specified below:

<i>Pollutants</i>	<i>g/hp-hr</i>	<i>Emission Limits lb/hr TPY</i>	
Nitrogen Oxides	7.2	3.5	0.88
Volatile Organic Compounds (VOC)	0.17	0.1	0.02
Carbon Monoxide (CO)	1.2	0.6	0.15
Particulate Matter (PM)	0.22	0.1	0.03
Sulfur Dioxide (SO ₂)	0.47	0.2	0.06

G. The PM emissions from the cooling towers shall not exceed 0.53 pound per hour and 4.6 tons per year as a 12-month rolling sum.

H. The combined emissions from the entire facility shall not exceed the limitations specified below:

<i>Pollutants</i>	<i>Facility Annual Emission Limits (TPY)*</i>
Nitrogen Oxides	488.7
Volatile Organic Compounds (VOC)	88.4
Carbon Monoxide (CO)	360.5
Particulate Matter (PM)	386.7
Sulfur Dioxide (SO ₂)	96.3
Sulfur Acid (H ₂ SO ₄) Mist	29.3

* The facility annual emission limits are a 12-month rolling sum calculated monthly. The facility annual emission limits include the emissions during startups and shutdowns.

Continuous Source Monitoring Requirements:

A. Each combustion turbines shall be equipped with continuous monitoring systems to monitor and record nitrogen oxides (NOx) emissions, carbon monoxide (CO) emissions and oxygen (O₂) content in the flue gas.

B. The continuous emission monitoring systems for NOx, CO and O₂ shall be approved by DEP and installed, calibrated, operated and maintained in accordance with the requirements of 25 Pa. Code Chapter 139.

C. The continuous emission monitoring system for the parameters in the condition above must be approved by DEP. The continuous emission monitoring system shall be installed, operated and maintained in accordance with the requirements of 25 Pa. Code Chapter 139. Proposals containing the information as listed in Phase I section of DEP's Continuous Source Monitoring Manual for the continuous emission monitoring system must be submitted at least 180 days prior to the start-up of each combined cycle combustion turbine.

D. Testing as listed in the Phase II section of DEP's Continuous Source Monitoring Manual must be completed for the CEMs no later than 180 days after initial source start-up date and no later than 60 days after the source achieves normal process capacity.

E. The final report as listed in the Phase III section of DEP's Continuous Source Monitoring Manual must be submitted no later than 60 days after the completion of testing.

F. The continuous monitoring systems shall be installed, maintained and operated to achieve the following data availability requirements:

Monitored Pollutants or Parameters
NO_x, CO, O₂

Data Availability	<ul style="list-style-type: none"> • 90% valid hours/calendar month • 95% valid hours/calendar quarter
Valid Hour	<ul style="list-style-type: none"> • 75% valid readings (45minutes/hour)

G. Equipment shall be installed, operated and maintained to continuously monitor and record the ammonia solution injection rate and the pH or ammonia concentration of the solution to the SCR system.

H. Equipment shall be installed, operated and maintained to continuously monitor and record the amount of natural gas combusted in the combustion turbines and the duct burners.

Recordkeeping Requirements

A. The owner and operator shall maintain records on all air pollution control system performance evaluations and records of calibration checks, adjustments and maintenance performed on all equipment, which is subject to this Plan Approval.

B. The owner and operator shall maintain a copy of the manufacturer's specifications for the combustion turbines, the duct burners, cooling towers and air cleaning devices onsite.

C. The owner and operator shall maintain a copy of the manufacturer's specifications for all CEMs that are required by this Plan Approval.

D. The owner and operator shall keep a record of all the stack tests that are required in this Plan Approval.

E. The owner and operator shall keep a monthly record of the fuel usage.

F. The owner and operator shall keep a record of the date of any malfunction, the time period of the malfunction, the cause of the malfunction and the action taken to correct the malfunction.

G. The owner and operator shall keep a record, on a monthly basis, of the facility's emissions in order to demonstrate compliance with the emission limits in emission limitations condition of this Plan Approval.

H. The owner and operator shall keep all records that are required under 40 CFR Part 60 Subparts Da, Dc and GG and 40 CFR Parts 72—78, unless the permittee receives approval of an alternative method from the EPA.

I. The owner and operator shall keep a record of each startup and shutdown of the combustion turbines.

J. The owner and operator shall keep a record of the results of the testing for cooling tower blow down water total dissolved and suspended solids.

Testing Requirements

A. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after the initial startup of the facility, the owner or operator shall conduct performance tests as per section 60.8 and Subparts GG and Db of 40 CFR Part 60 and 25 Pa. Code Chapter 139.

B. The perform test shall be conducted on the gas turbines and the duct burners for nitrogen oxides, carbon monoxide, volatile organic compounds, sulfur dioxide, ammonia slip concentration, total particulate matter and PM₁₀.

C. During the stack test, the ammonia solution flow rate in GPM and its pH shall be measured and recorded.

D. At least 60 days prior to the test, the company shall submit to DEP for approval the procedures for the test and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

E. At least 30 days prior to the test, the Regional Air Quality Manager shall be informed of the date and time of the test.

F. Within 30 days after the source tests, two copies of the complete test report, including all operating conditions, shall be submitted to the Regional Air Quality Manager for approval.

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

35-399-036: Clarks Summit State Hospital—Department of Public Welfare (1451 Hillside Drive, Clarks Summit, PA 18411) for modification of an ash handling system in South Abington and Newton Townships, **Lackawanna County**. Clarks Summit State Hospital is a major facility subject to Title V permitting requirements. The modification involves installation of a scrubber system to eliminate the opacity problem from the ash handling system. Particulate emissions from this system will be 652 pounds per year. The Plan Approval will contain conditions requiring the source to show compliance with the emission rates. The Plan Approval and Operating Permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

40-399-036A: Johns Manville International (Valmont Industrial Park, 600 Jaycee Drive, Hazleton, PA 18201) for modification of an insulation foam process (blowing agent) and cricket saw in Hazle Township, **Luzerne County**. This facility is a non-Title V facility. Modification of this line will replace the existing blowing agents with a new agent and the expected VOC emissions from the facility will be under 15 tons per year, which are controlled by the use of a RTO. Expected particulate emissions will be less than 0.04 grain/dscf. The company will monitor and record the combustion chamber temperature in the RTO and maintain the system in accordance with the good engineering practices to assure proper operation of the system.

45-318-030A: Custom Design and Manufacturing Co., Inc. (Route 940 and Harvest Lane, P. O. Box 216, Pocono Summit, PA 18346) for installation of the Cattinair Spray Booth and woodworking dust collector in Tobyhanna Township, **Monroe County**. This facility is a non-Title V facility. Installation of this line will replace the existing spray booth and the expected VOC emissions from the facility will remain under 25 tons per year. Expected particulate emissions will be less than 0.04 grain/dscf from the painting operations and less than 0.02 grain/dscf from the wood working baghouse. The company will monitor the pressure drop across the baghouse and maintain the system in accordance with the good engineering practices to assure proper operation of the system.

48-309-115: Essroc Cement Corp. (3251 Bath Pike, Nazareth, PA 18064-8928) for installation of an air cleaning device (fabric collector) for the coal/clinker/gypsum unloading hopper in Lower Nazareth Township, **Northampton County**. This installation will result in a particulate emission rate of 6.0 tons per year. The Plan Approval and Operating Permit will contain additional

recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 48-00004. 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.

54-399-016C: World Resources Co. (170 Walnut Lane, Pottsville, PA 17901) for modification of a metals reclamation process and associated air cleaning device in Norwegian Township, **Schuylkill County**. The industrial recycling facility is a non-Title V (State only) facility. The modification will allow the plant to utilize a spin flash dryer to recycle metal-bearing wastes. Particulate matter emissions from the process will be controlled through the use of a Venturi scrubber and existing packed towers and will be less than 8.8 tons per year. The approval will include monitoring, record keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

48-303-005C: Highway Materials Inc. (1750 Walton Road, Blue Bell, PA 1942-0465) for modification of an asphalt plant to allow for the combustion of alternate fuels, specifically to allow the use recycled fuel oil, virgin oil, #2 fuel oil, #4 fuel oil and natural gas at the facility in Blue Bell, **Northampton County**. This facility is a non-Title V facility. Modification will not increase the existing emission rates for the pollutants. The installation of new burner as a part of the modification will actually reduce the actual emission rates. The modification will provide the facility necessary flexibility with respect to the uncertainty of future fuel cost. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system.

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

06-05024A: Reliant Energy Mid-Atlantic Power Holdings, LLC (1001 Broad Street, Johnstown, PA 15907-1050) for modification of a coal handling operation controlled by covers and wet suppression at the Titus Power Plant in Cumru Township, **Berks County**. The facility is subject to Title V. This modification will have the potential to emit 25 tons per year of particulate. The net increase in the potential emissions is 10 tons per year. The applicant will be required to conduct monitoring, recordkeeping and reporting designed to keep the source operating within all applicable air quality requirements. The plan approval will be added to the Title V operating permit through an administrative amendment at a later date.

36-05117: Dart Container Corp. of Pennsylvania (110 Pitney Road, Lancaster, PA 17602), for construction of an Expandable Polystyrene (EPS) Cup Manufacturing facility and two boilers to control emissions of pentane in East Lampeter Township, **Lancaster County**.

Based on the information provided by the Applicant and DEP's own analysis, this operation has the potential-to-emit 313.97 tons per year (tpy) of volatile organic compounds (VOCs) emissions. This is a major facility subject to the requirements of 25 Pa. Code Chapter 127, Subchapter E (relating to new source review). The company will be required to purchase VOC emission reduction credits (ERCs) in the amount of 406.72 tpy. This equals 9.62 tpy of potential VOC flue emissions offset at a ratio of 1.15 to 1 and 304.35 tpy of potential fugitive

emissions offset at a ratio of 1.30 to 1. As required by 25 Pa. Code § 127.206(d)(2), the company shall not commence operations or increase emissions from the proposed construction until all of the required ERCs have been purchased and documented by the Department.

The facility will be subject to the following NSR Plan Approval conditions:

General Requirements

1. This plan approval constitutes a New Source Review (NSR) and Lowest Achievable Emission Rate (LAER) determination for volatile organic compound emissions as per 25 Pa. Code Subchapter E.

2. ERCs shall be purchased to offset the total of the net increase in the potential-to-emit VOC emissions in accordance with 25 Pa. Code § 127.205(4).

3. The two Cleaver Brooks CB-800 boilers are subject to the Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, of 40 CFR Part 60, Subpart Dc.

Emission Limitations

4. The capture efficiency of the control system shall be equal to or greater than 90%. All captured VOC emissions from the blenders, holding tanks and pre-expanders shall be vented to the boilers and reduced at a minimum destruction efficiency of 95%, as pentane, at the outlet.

5. The VOC emissions from the facility shall be limited to 313.97 tons per year based on a throughput limitation of 11,500 tons of expanded polystyrene during any consecutive 12-month rolling period.

6. In accordance with 25 Pa. Code § 127.205(3), the permittee shall purchase ERCs in the amount of 406.72 tons. This equals 9.62 tons of potential VOC flue emissions offset at a ratio of 1.15 to 1 and 304.35 tons of potential fugitive emissions offset at a ratio of 1.30 to 1. As required by 25 Pa. Code § 127.206(d)(2), the permittee shall not commence operations or increase emissions from the proposed construction until all of the required ERCs have been purchased and documented by the Department.

7. Each of the Cleaver Brooks CB-800 boilers shall meet the opacity requirements of 40 CFR 60.43c(c) or the limitations of 25 Pa. Code § 123.41, whichever is more stringent.

8. Each of the Cleaver Brooks CB-800 boilers shall not emit particulate matter into the outdoor atmosphere in excess of 0.4 pound per million Btu of heat input.

9. No person shall permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO₂, from each of the boilers, in excess of the rate of 4 pounds per million Btu of heat input over a 1-hour period.

10. The sulfur content of the No. 2 fuel oil shall not exceed 0.5% by weight.

11. Each of the boilers NO_x and CO emissions shall be equal to or less than:

- 30 ppmdv NO_x at 3% O₂ when firing natural gas
- 90 ppmdv NO_x at 3% O₂ when firing No. 2 fuel oil
- 400 ppmdv CO at 3% O₂

Operating Requirements

12. The two Cleaver Brooks CB-800 boilers shall be fired on natural gas and No. 2 fuel oil only.

13. The permittee shall install, operate and maintain devices to measure and record the fuel usage to each boiler and the pentane concentration and airflow rate of the captured air stream.

14. The permittee shall install, operate and maintain devices to measure and record the pressure drop across the filter and flame arrester.

15. The capture system shall be operational at all times including start-up and shutdown of operations.

16. The monitoring devices in Condition #13 and #14 shall be calibrated in accordance with the manufacturer's specifications.

Testing Requirements

17. Within 60 days after achieving the maximum production rate, but no later than 180 days after initial start-up, the owner or operator shall conduct a performance test to determine the destruction efficiency of the two boilers. The tests shall be performed in accordance with the latest revision of the Department's Source Testing Manual and 25 Pa. Code Chapter 139. The tests shall be performed at or near maximum production rates in the measurement of actual VOC emissions.

18. Within 60 days after achieving the maximum production rate, but no later than 180 days after initial start-up, the owner or operator shall conduct a Capture Efficiency test of the preexpander capture system in accordance with EPA's "Guidelines for Determining Capture Efficiency," dated January 9, 1994, and EPA's Method 204.

19. A test protocol including a sketch with dimensions including the location of sampling ports and other data to ensure the collection of representative samples shall be submitted to the Regional Air Quality Program Manager. A test protocol shall be submitted for both the performance testing of the boilers and the CE testing of the preexpander capture system. Two copies of each of the test protocols shall be submitted to the Department at least 60 days prior to testing.

20. The permittee shall notify the Department at least 2 weeks in advance of the date and time of the tests, so that an observer may be present.

21. Two copies of the test reports shall be submitted to the Regional Air Quality Program Manager for review within 60 days of the completion of the tests

22. The permittee shall repeat the test for VOC destruction efficiency at least 180 days prior to expiration of the facility's operating permit. The results of the tests shall be included with the permit renewal application.

Monitoring Requirements

23. The permittee shall monitor and record the following:

Daily EPS throughput rate
Daily fuel usage to each of the boilers
Monthly ink usage
Monthly usage of clean-up solvents
Concentration and flow rate of the captured air ducted to the boilers

24. The permittee shall install, operate and maintain a recording device to continuously monitor and record the flow rate of the emission capture system, the pentane concentration in the air stream and the pentane flow rate.

Reporting and Record Keeping Requirements

25. The permittee shall comply with the record keeping and certification requirements in accordance with 40 CFR 60.46c(e), 60.42c(h) and 60.48c(f)(1).

26. Within 60 days after initial start-up, the permittee shall submit a Phase I application in accordance with the latest revision of the Continuous Source Monitoring Manual for certification of the pentane analyzers.

27. The permittee shall maintain daily fuel consumption records for each of the boilers in accordance with 40 CFR 60.48c(g). Records shall be kept for the fuel firing rates of the combustion units on a monthly basis in order to determine sulfur dioxide Emissions in accordance with 40 CFR 60.48c(d).

28. The permittee shall calculate all VOC emissions associated with the cup manufacturing process, printing operations, boiler usage and clean-up solvents, on a monthly basis. In order to assure compliance with the limitation of condition 5, the monthly emissions shall be summed with the previous 11 months to determine the 12-month rolling total.

29. Calculated monthly VOC emissions shall be submitted to the Department on a quarterly basis.

30. The permittee shall maintain all monitoring records at the facility for a period of 5 years and be made available to the Department upon request.

31. Semiannual reports for the two Cleaver Brooks boilers, shall be submitted in accordance with 40 CFR 60.48c(d) and 60.48c(e)(11).

32. Under 40 CFR 60.4, the permittee shall submit copies of all requests, reports, applications, submittals and other communications to both the EPA and the Department. All correspondence shall be sent to the following:

Leif Ericson
Air Quality Program Manager
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Director
Air Protection Division
U. S. EPA Region III
1650 Arch Street
Philadelphia, PA
19104-2029

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held on December 5, 2001, at the Lafayette Fire Company, 1836 Lincoln Highway East, Lancaster, PA, from 7 p.m. until a time that all scheduled comments on the proposal are received.

ER-36-05015: Dart Container Corp. of PA (60 East Main Street, Leola, PA 17540) for the authorized transfer and use of volatile organic compound (VOC) Emission Reduction Credits (ERCs) to offset the net increase in the potential-to-emit VOCs from the construction and operation of additional extruders associated with the facility's direct injection foam processing operations located in Upper Leacock Township, **Lancaster County**. The transfer of the VOC ERCs will be subject to the following Plan Approval conditions:

1. This plan approval authorizes the transfer and use of 752 tons of VOC ERCs for offset purposes from the following ERC-generating facilities to Dart Container Corporation of Pennsylvania in accordance with 25 Pa. Code § 127.208(2).

<i>ERC-Generating Facilities</i>	<i>Total ERCs Transferred</i>
Package Services Company Cheswick, Allegheny County, PA	39.60 tpy of VOCs

<i>ERC-Generating Facilities</i>	<i>Total ERCs Transferred</i>
Ball Corporation, Heekin Can Inc. Pittsburgh, Allegheny County, PA	16.50 tpy of VOCs
REXAM DSI Muhlenberg Township, Berks County, PA	60.84 tpy of VOCs
Moench Tanning Company/ Brown Group Inc. Gowanda, NY	221.9 tpy of VOCs
Mace Security International Saltsburg, Indiana, PA	22.00 tpy of VOCs
Kem Plastic Playing Cards, Inc. Poughkeepsie, NY	30.00 tpy of VOCs
Prestolite Electric Inc. Arcade, NY	43.50 tpy of VOCs
Crown Cork & Seal Company, Inc. Philadelphia, PA	171.48 tpy of VOCs
Avery Dennison Corporation Bucks County, PA	146.18 tpy of VOCs

2. The 39.60 tpy of VOC ERCs previously registered to Package Services Company were generated from the shutdown of sources at the Cheswick facility in Allegheny County, PA on March 31, 1992. The Department certified and registered the 39.6 tpy of VOC ERCs on November 14, 1996.

3. The 16.50 tpy of VOC ERCs previously registered to Ball Corporation, Heekin Can Inc., were generated from the shutdown of sources at the Allegheny County facility in Pittsburgh, PA on April 10, 1996. The Department certified and registered the 16.50 tpy of VOC ERCs on August 22, 1997.

4. The 60.84 tpy of VOC ERCs previously registered to REXAM DSI were generated from the shutdown of sources at the Muhlenberg Township facility in Berks County, PA on February 24, 1995. The Department certified and registered the 60.84 tpy of VOC ERCs on October 17, 1997.

5. The 221.9 tpy of VOC ERCs previously registered to Moench Tanning Company/Brown Group Inc., were generated from the shutdown of sources at the Gowanda facility in New York on August 1, 1992.

6. The 22.00 tpy of VOC ERCs previously registered to Mace Security International were generated from the shutdown of sources at the Saltsburg facility in Indiana, PA on October 3, 1995. The Department certified and registered the 22.00 tpy of VOC ERCs on November 1, 1997.

7. The 30.00 tpy of VOC ERCs previously registered to Kem Plastic Playing Cards, Inc., were generated from the change over to powder coatings at the Poughkeepsie facility in New York on July 1, 1991.

8. The 43.50 tpy of VOC ERCs previously registered to Prestolite Electric Inc., were generated from the shutdown of sources at the Arcade facility in New York on August 8, 1997.

9. The 171.48 tpy of VOC ERCs previously registered to Crown Cork & Seal Company, Inc., were generated from the shutdown of sources at the Philadelphia facility

in Pennsylvania during the period of 1992 to 1998. The Department certified and registered the 171.48 tpy of VOC ERCs on May 5, 1999.

10. The 146.18 tpy of VOC ERCs previously registered to Avery Dennison Corporation were generated from the shutdown of sources at the Quakertown facility in Bucks County, PA on August 1, 1996. The Department certified and registered the 146.18 tpy of VOC ERCs on November 7, 1997.

11. The offsetting VOC ERCs identified in this plan approval are approved for use at Dart Container of Pennsylvania's Leola facility operated in Upper Leacock Township, Lancaster County. This approval is in accordance with the requirements of 25 Pa. Code Chapter 127, Subpart E (relating to new source review) including §§ 127.205(4), 127.210 and 127.211.

12. Under 25 Pa. Code § 127.208(2), upon the issuance of this plan approval, the 722.00 tpy of VOC ERCs not generated by the over-control of emissions are no longer subject to the 10-year expiration date under § 127.206(f), except as specified in § 127.206(g). If the VOC ERCs identified in this plan approval are not used and are subsequently reentered into the ERC registry, the applicable 10-year expiration date for ERCs generated from the shutdown of sources will not be extended.

13. This plan approval is granted solely for the transfer and use of ERCs according to 25 Pa. Code § 127.208(2) and does not authorize a person to construct, modify or reactivate an air contaminant source or allow for the installation of an air cleaning device on an air contaminant source.

36-05112: PPL Global LLC, (Suite 400, 11350 Random Hills Road, Fairfax, VA 22030) for the construction of ten gas fired simple cycle combustion turbines nominally rated at 45 megawatts each for electrical generation located in West Earl Township, **Lancaster County**.

The project is subject to the applicable requirements of 40 CFR Part 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, 40 CFR Parts 72, 73, 75 and 77 and the Oxides of Nitrogen (NOx) Budget Program established at 25 Pa. Code §§ 123.102—123.121 and Chapter 145. Appropriate requirements for restrictions, testing, monitoring, record keeping, reporting and work practice standards relating to Subpart GG and all other applicable air quality requirements have been incorporated in the plan approval.

Facility emissions of NO_x, sulfur dioxide (SO₂), carbon monoxide (CO) and particulate matter (PM) shall be less than 100 tons per year (each) during any consecutive 12-month period. Facility emissions of volatile organic compounds (VOC) shall be less than 50 tons per year (TPY) during any consecutive 12-month period. Facility emissions of aggregate Hazardous Air Pollutants (HAP) and any individual HAP shall be less than 25 TPY and 10 TPY, respectively, during any consecutive 12-month period. Ammonia slip will be limited to 10 ppm maximum. The electrical generating units shall be operated using only natural gas. The sulfur content of the natural gas shall not exceed 1.5 grains /100 dry standard cubic foot. Operating at full load at an approximate annual average ambient temperature of 59°F, emissions per turbine for NO_x, CO, VOC, PM and SO₂, shall not exceed 8.2, 7.4, 3.0 7.2 and 1.9 pounds per hour, respectively. Each unit is to be equipped with a water injection system and selective catalytic reduction for the control of NO_x emissions and oxidation catalyst to control CO and VOC emissions. A condition of the plan approval prohibits commencement

of construction until PPL demonstrates that the project has the required change or variance to an existing comprehensive plan or zoning ordinance. A condition of the plan approval prohibits commencement of construction until PPL demonstrates that the project has the applicable zoning and building approvals. A condition of the plan approval prohibits operation of the source without a permit that states its acid rain program requirements.

67-03107: Hoover Manufacturing Co., Inc. (P. O. Box 146, Glen Rock, PA 17327) for construction of three spray paint booths controlled by dry panel filters at its woodworking facility in Springfield Township, **York County**. The facility is a non-Title V (State only) facility. The plan approval will allow the facility to equal or exceed 2.7 tons per year of VOC emissions during any consecutive 12-month period. The paint booths will be subject to the surface coating requirements contained at 25 Pa. Code § 129.52. The facility will be limited to 25 tons per year of VOC emissions during any consecutive 12-month period. The plan approval will also contain additional work practice and emission standards, as well as testing, monitoring, record keeping and reporting 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.

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

15-00035: LNP Engineering Plastics, Inc. (251 South Bailey Road, Thorndale, PA 19372) in Caln Township, **Chester County**. The facility's major emission points include 12 thermocomp manufacturing lines, three part cleaning pyrolysis ovens, five Reznor roof space heaters and two degreasing operations has the potential to emit major levels of volatile organic compounds (VOC).

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

38-05017: Greater Lebanon Refuse Authority (1610 Russell Road, Lebanon, PA 17046) for the administrative amendment to Title V Operating Permit No. 38-05017 to incorporate the Ground Flare to control landfill gas, installed as per Plan Approval 38-05017A in North Lebanon Township, **Lebanon County**. The facility's major sources of emissions include landfill gas, which primarily emit VOC. The Title V operating permit will contain monitoring, recordkeeping 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.

65-00693: USA Waste Services, Inc.—Valley Landfill (RR 2, Box 242A, Irwin, PA 15642) for operation of a municipal solid waste landfill in Penn Township, **Westmoreland County**. The Title V Operating Permit will consolidate the requirements of previously issued air quality operating permits. No expansion, additional capacity or emission increases are being approved in this action. The facilities design capacity makes it subject to the operating permit requirements of Title V of the

Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapter G (relating to Title V operating permit requirements).

The Department will hold a public hearing on November 27, 2001, at 1 p.m. in the Waterfront Room, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Hearing is to accept testimony concerning the proposed Operating Permit.

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

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

54-00028: Blaschak Coal Corp. (P. O. Box 12, Mahanoy City, PA 17948) for operation of an anthracite coal preparation plant in Mahanoy Township, **Schuylkill County**.

66-00003: Deer Park Lumber, Inc. (RD 4, Box 280, Tunkhannock, PA 18657) for operation of a wood processing and drying operation in Tunkhannock Township, **Wyoming County**.

45-00001: East Stroudsburg University (East Stroudsburg, PA 18301) for operation of an educational institution in East Stroudsburg Borough, **Monroe County**.

39-00045: Essroc Cement Corp.—Egypt Plant (3251 Bath Pike, Nazareth, PA 18064) for a cement manufacturing operation in Whitehall Township, **Lehigh County**.

54-00036: Ginther Coal Co. (P. O. Box 989, Pottsville, PA 17901) for a coal processing operation in Blythe Township, **Schuylkill County**.

54-00031: Good Samaritan Regional Medical Center (700 East Norwegian Street, Pottsville, PA 17901) for operation of a health care facility in Pottsville, **Schuylkill County**.

45-00010: H. G. Smith Crematory (2120 North 5th Street, Stroudsburg, PA 18360) for a cremation operation in Stroudsburg Borough, **Monroe County**.

39-00051: Jaindl's Turkey Farm (3150 Coffeetown Road, Orefield, PA 18069) for operation of a turkey farm and processing facility in North Whitehall, **Lehigh County**.

54-00025: Leiby's Restaurant, Inc. (Routes 309 and 443, South Tamaqua, PA 18252) for operation of an incinerator in Tamaqua Borough, **Schuylkill County**.

39-00058: Packaging Corp. of America (P. O. Box 58, Trexlertown, PA 18087) for a corrugated and solid fiber box manufacturing operation in Upper Macungie Township, **Lehigh County**.

45-00021: Pocono Medical Center (206 East Brown Street, East Stroudsburg, PA 18301) for a medical and surgical hospital in East Stroudsburg, **Monroe County**.

35-00026: Poly Hi Solidur—Keyser Valley (900 North South Road, Scranton, PA 18504) for operation of an unsupported film and sheet plastic manufacturing facility in the City of Scranton, **Lackawanna County**.

35-00027: Poly Hi Solidur—Laurel Line (900 North South Road, Scranton, PA 18504) for operation of an unsupported film and sheet plastic manufacturing facility in the City of Scranton, **Lackawanna County**.

40-00027: Pennsylvania Power and Light Co. (2 North 9th Street, Allentown, PA 18101) for operation of a transmission and utility electrical services in Salem Township, **Luzerne County**.

54-00034: The Pennsylvania State University—Schuylkill Campus (Physical Plant Building, University Park, PA 16802) for operation of an educational institution in North Manheim Township, **Schuylkill County**.

40-00038: The Lion, Inc. (700 North Pennsylvania Avenue, Wilkes-Barre, PA 18705) for operation of a malt beverage manufacturer in the City of Wilkes-Barre, **Luzerne County**.

48-00045: Tolino's Fuel Service (Box 8, Flicksville, PA 18050) for operation of a fuel service facility in Washington Township, **Northampton County**.

54-00033: Waste Management and Processors, Inc. (P. O. Box K, Frackville, PA 17931) for operation of a waste processing facility in Mahanoy Township, **Schuylkill County**.

40-00046: Wilkes-Barre General Hospital (North River and Auburn Streets, Wilkes-Barre, PA 18764) for operation of a health service facility in the City of Wilkes-Barre, **Luzerne County**.

48-00061: Haines and Kibblehouse, Inc.—ABE Materials Easton (P. O. Box 196, Skippack, PA 19474) for operation of an asphalt batch plant in Lower Mt. Bethel Township, **Northampton County**.

48-00064: Ungerer and Co. (110 North Commerce Way, Bethlehem, PA 18017) for operation of a flavoring and extracts and syrups manufacturing facility in Hanover Township, **Northampton County**.

35-00048: Pioneer Aggregates, Inc.—Simpson Stone Quarry (202 Main Street, Laflin, PA 18702) for operation of a stone quarry in Fell Township, **Lackawanna County**.

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

21-05045: Metropolitan Edison Co. (P. O. Box 16001, Reading, PA 19640-0001) for operation of its Allen Substation in Monroe Township, **Cumberland County**. The site has the following potential annual emissions based on an annual operating restriction of 438 hours per electrical generating unit during any consecutive 12-month period: 47 tons of NO_x; 9 tons of SO_x; 5 tons of CO; 1 ton of VOC; 1 ton of PM-10. The Synthetic Minor operating permit shall contain additional testing, monitoring, record keeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-03074: Colonial Metals Co. (P. O. Box 311, Columbia, PA 17512) for operation of its brass/bronze foundry in Columbia Borough, **Lancaster County**. Emission sources and activities include scrap handling, furnace battery and scrap dryers. The natural minor operating permit will contain monitoring and recordkeeping requirements designed to keep the facility operating in compliance with the applicable air quality requirements.

67-03108: York Building Products Co., Inc. (P. O. Box 1708, York, PA 17405) for the installation of a tumbler operation controlled by a fabric collector. This is a non-Title V facility. Potential PM-10 emissions will not exceed more than a couple hundred pounds per year. The natural minor operating permit will contain monitoring

and recordkeeping requirements designed to keep the facility operating in compliance with the applicable air quality requirements.

MINING ACTIVITY APPLICATIONS

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

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

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

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

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

sires to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

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

03970102. Seven Sisters Mining Co., Inc. (200 Route 22, Suite 300, Delmont, PA 15626-1678). Renewal received for reclamation only of a bituminous surface mine located in South Bend Township, **Armstrong County**, affecting 31.3 acres. Receiving stream: unnamed tributary to Fagley Run, classified for the flowing use: warm water fishery. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: October 11, 2001.

03960107. Thomas J. Smith, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774). Application received to revised the permit to include a land use change at an existing bituminous surface/auger mine located in Burrell Township, **Armstrong County**, affecting 167.8 acres. Receiving streams: unnamed tributary to Cherry Run to Crooked Creek, classified for the following use: cold water fishery. There is no potable water supply intake within ten miles downstream from the point of discharge. Revision application received: October 5, 2001.

Noncoal Applications Received

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

40010301. Pennsy Supply, Inc. (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105), commencement, operation and restoration of a quarry operation in Dorrance Township, **Luzerne County** affecting 52.5 acres, receiving stream—none (no discharge). Application received October 3, 2001.

58010301. Powers Stone, Inc. (RR 5 Box 124, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 41.96 acres, receiving stream—South Branch, classified as a warm water fishery. There are no water supply intakes within 10 miles. Application received October 9, 2001

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

33880304. North Star Aggregates, Inc. (P. O. Box R, Ridgway, PA 15853). Renewal of SMP No. 33880304 in Snyder Township, **Jefferson County**. Receiving streams: Unnamed tributary "A" to Little Toby Creek, classified for the following uses: Statewide water uses: CWF. No public water supplies are within 10 miles downstream of this proposed operation. Renewal application received: October 5, 2001.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval

of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-673. Pennsylvania Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, West Vincent Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain the Chester Springs Road Crossing (S.R. 1024) over the Pine Creek tributary (HQ-TSF) to Pickering Creek, which will replace the previous stone, arch structure that has been removed. A 24-foot by 7-foot precast, open-bottom arch culvert is proposed for the site. The structure will span 24 feet and will be 28 feet wide with a maximum under clearance of 5-feet 9-inches. The proposed structure is to be constructed on the footprint of the previous bridge. Associated with the proposed structure is riprap scour protection to be placed at either end of the structure to protect the footings. It will extend for a length of 5 feet along the channel and 38 feet across the streambed and embankment slopes on either side. The project site is located adjacent to the intersection of Old Kimberton Road and North Chester Springs Road (Downingtown, PA Quadrangle North: 18.5 inches; West: 4.7 inches).

E09-824. Pennridge Wastewater Treatment Authority, 180 Maple Avenue, P. O. Box 31, Sellersville, PA 18960, West Rockhill Township, **Bucks County**, ACOE Philadelphia District.

To operate and maintain the Pennridge Wastewater Treatment Plant and to construct and maintain an expan-

sion consisting of three additional treatment units and associated facilities within the 100-year floodplain at the East Branch of Perkiomen Creek. The treatment plant is located at 180 Maple Avenue (Telford, PA USGS Quadrangle N: 19.1 inches; W: 8.8 inches).

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

E39-406. Raymond C. Nemeth, 8077 Holben Valley Road, New Tripoli, PA 18066, in Lynn Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 3-span steel I-beam bridge over Ontelaunee Creek (CWF) for the purpose of obtaining access to a residential site (New Tripoli, PA, Quadrangle N: 11.5 inches; W: 1.8 inches).

E39-405. City of Allentown, Bureau of Parks, 2700 Parkway Boulevard, Allentown, PA 18104-5399, in City of Allentown, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To reconstruct and maintain approximately 850 linear feet of Little Cedar Creek (HQ-CWF) with work consisting of regrading the banks and lining the stream with a concrete interlocking block system; to remove an existing golf cart bridge and to construct and maintain a new golf cart bridge across Little Cedar Creek at the same location; and to repair and maintain an existing golf cart bridge across Little Cedar Creek. The activities are associated with Phase I of the Allentown Municipal Golf Course Little Cedar Creek rehabilitation project. The entire project involves reconstruction of approximately 4,135 linear feet of Little Cedar Creek and the replacement and repair of numerous golf cart bridges across the same reach of stream (Allentown West, PA Quadrangle N: 18.0 inches; W: 5.5 inches).

E35-348. Rendon Corporation, 106 Upper Knapp Road, Clarks Summit, PA 18411, in South Abington Township, **Lackawanna County**, U. S. Army Corps of Engineers, Baltimore District.

To place fill in 0.39 acre of PEM/SS wetlands within the Summit Lake Creek Watershed for the purpose of making Lots 120, 121 and 122 of the existing Mountainview Village Subdivision marketable (Scranton, PA Quadrangle N: 17.6 inches; W: 10.2 inches).

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

E53-361. Adelphia Communications Corporation, Main at Water Street, Coudersport, PA 16915. Adelphia Operations Building—Storm Water Outfall, in Coudersport Borough, **Potter County**, ACOE Pittsburgh District (Coudersport, PA Quadrangle N: 3.9 inches; W: 3.2 inches).

To remove and existing outfall and construct, operate and maintain an outfall structure in the Allegany River (Cold Water Fishery) to discharge stormwater from a commercial facility. The permanent outfall structure shall be constructed with 15-inch diameter high-density plastic pipe and a 15-inch wall mounted flap gate. The project will not impact wetlands while impacting 20-feet of waterway. The project is located along the northern right-of-way of SR 0006 approximately 700-feet north of SR 0006 and SR 3017 intersection.

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

E02-1356. Municipal Authority of the Township of Robinson, P. O. Box 15539, Pittsburgh, PA 15244-0539. Robinson Township, **Allegheny County**, ACOE Pittsburgh District.

To place and maintain fill within 0.45 acre of wetlands (PEM), to construct and maintain an in stream sedimentation basin consisting of a 2.5 foot high stone weir filter and to reconstruct and maintain 680 feet of stream channel within Moon Run (WWF) for the purpose of preventing flooding to the existing Moon Run Sanitary Treatment Plant. The project is located along Aiken Road approximately 400 feet west of its intersection with Moon Run Road (Pittsburgh West, PA Quadrangle N: 15.4 inches; W: 15.9 inches).

E03-402. Pennsylvania Department of Transportation, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701-0429. Plumcreek Township, **Armstrong County**, ACOE Pittsburgh District.

To relocate and maintain 262.4 feet of an unnamed tributary to Crooked Creek (WWF) and to place and maintain fill in 0.056 acre of palustrine emergent wetland for the purpose of widening S.R. 0210 (Power Plant Road). Also to construct and maintain a 30 inch diameter RCP outfall in an unnamed tributary to Crooked Creek (WWF). The project is located along S.R. 0210 approximately 4,400 feet south of its intersection with S.R. 0422. To compensate for the loss of wetlands, the applicant proposes a monetary contribution to the Pennsylvania Wetland Replacement Project (Elderton, PA Quadrangle N: 9.4 inches; W: 13.4 inches).

E32-435. Texas Eastern Products Pipeline Company, L.P., 71-73 Denison Parkway, P. O. Box 99, Corning, NY 14830-0099. East Wheatfield Township, **Indiana County**, ACOE Pittsburgh District.

To place and maintain 18 inch thick R-3 rock riprap in and along 50 feet of an unnamed tributary to Findley Run (HQ-CWF) for the purpose of providing protective cover to an exposed 6-inch TEPPCO A-3 petroleum pipeline located off of S.R. 2013, approximately 2.6 miles from its intersection with S.R. 0022 (Vintondale, PA Quadrangle N: 10.67; W: 12.29).

E32-436. Norfolk Southern Corporation, 99 Spring Street, Atlanta, GA 30303-0142. Young Township, **Indiana County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a single span railroad bridge having a normal span of 40.0 feet and an underclearance of 13.1 feet across Blacklegs Creek (CWF) (McIntyre, PA Quadrangle N: 11.05 inches; W: 15.5 inches).

E63-516. Washington County Council on Economic Development, 100 West Beau Street, Suite 703, Washington, PA 15301-4432. Hanover Township, **Washington County**, ACOE Pittsburgh District.

To place and maintain fill in a total of 0.61 acre of wetlands (0.48 acre PEM and 0.13 acre PFO) associated with an unnamed tributary to Raccoon Creek (WWF) and to place and maintain fill along the banks of said stream for the purpose of constructing the Starpointe Industrial Park located on the north side of U. S. Route 22, located approximately 400 feet northeast from the intersection of U. S. Route 22 and S.R. 0018 (Burgettstown, PA Quadrangle N: 10.3 inches; W: 6.7 inches).

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

E16-118. Paint Township, 22139 Route 66, Shippenville, PA 16254-8939. T-576/T-573 Bigley Road Across

Toby Creek, in Paint and Highland Townships, **Clarion County**, ACOE Pittsburgh District (Clarion, PA Quadrangle N: 20.0 inches; W: 1.35 inches).

To construct and maintain a prestressed concrete I-beam bridge having a clear span of 30 meters and an underclearance of 5.2 meters on a 52 degree skew across Toby Creek (CWF) on T-576/T573 (Bigley Road) approximately 0.5 kilometer north of S.R. 1005.

ENVIRONMENTAL ASSESSMENTS

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

D04-061EA. Bruce Mansfield Power Station, P. O. Box 128, Shippingport, PA 15077. Shippingport Borough, **Beaver County**, ACOE Pittsburgh District.

To breach and remove the East High Dissolved Solids Dam located in the watershed of the Ohio River (WWF) for the purpose of reclaiming the area for future plant expansion. The dam is located at the Bruce Mansfield Power Station (Midland, PA Quadrangle N: 1.85 inches; W: 5.00 inches).

DAM SAFETY

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

D45-052. Richard and Marian MacDonough, P. O. Box 86, Marshalls Creek, PA 18335. To modify, operate and maintain Marshall Lake Dam across Pond Creek (HQ-CWF), for the purpose of repairing a spillway and outlet of existing dam (East Stroudsburg, PA Quadrangle N: 7.9 inches; W: 0.3 inch) Smithfield Township, **Monroe County**.

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 Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This

paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

NPDES Permit No. PA0050431, Industrial Waste, **Concord Beverage, L.P.**, Conchester Road and Alden Avenue, Concord, PA 19331-0626.

This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Renewal and transfer permit to discharge into an unnamed tributary to West Branch Chester Creek-3G

WQM Permit No. 0998405 Amendment No. 1, Sewerage, **Borough of Quakertown**, 15-35 North Second Street, P. O. Box 727, Quakertown, PA 18951-1378.

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

Description of Proposed Action/Activity: Amend existing permit to install dechlorination and post aeration facilities.

WQM Permit No. 0901413, Sewerage, **Lower Makefield Township**, 1100 Edgewood Road, Yardley, PA 19067-1696.

This proposed facility is located in Lower Makefield Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a gravity sewer collection system, low-pressure forcemain and individual grinder pump station.

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

NPDES Permit No. PA-0040614, Industrial Waste, **Bethlehem Steel Corporation**, 1170 Eighth Avenue, Bethlehem, PA 18016.

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

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge treated industrial wastewater to Monocacy Creek.

NPDES Permit No. PA-0062472, Sewage, **Chestnut Ridge MHP**, 175 Church Drive, Palmerton, PA 18071.

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

Description of Proposed Action/Activity: Removal of NPDES Permit to discharge treated sewage to Aquashicola Creek.

NPDES Permit No. PA-0029220, Sewage, **Snydersville Diner, Inc.**, R. R. 2, Stroudsburg, PA 18360.

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

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge treated sewage into Kettle Creek.

NPDES Permit No. PA-0061123, Sewage, **Moscow Sewer Authority**, P. O. 525, Moscow, PA 18444.

This proposed facility is located in Moscow Borough, **Lackawanna County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge treated sewage to Roaring Brook Creek.

NPDES Permit No. PA-0061913, Sewage, **Elk Mountain Ski Resort, Inc.**, R. R. 2, Box 3328, Uniondale, PA 18470.

This proposed facility is located in Herrick Township, **Susquehanna County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge treated sewage to E. Branch Tunkhannock Creek.

NPDES Permit No. PA-0060038, Sewage, **Integrated Health Services at Penn, Inc.**, 910 Ridgebrook Road, Sparks, MD 21152.

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

Description of Proposed Action/Activity: This is a renewal of a NPDES Permit to discharge 0.0125 MGD of treated domestic wastewater to an unnamed tributary to Ariel Creek.

NPDES Permit No. PA-0063533, Sewage, **Tobyhanna Township**, State Avenue, P. O. Box 880, Pocono Pines, PA 18360.

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

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

WQM Permit No. 1301403, Sewerage, **Tuthill Corporation, t/a Blue Mountain Ski Area**, P. O. 216, Palmerton, PA 18071.

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

Description of Proposed Action/Activity: The construction of a .0499 MGD sewage treatment plant to serve the Blue Mountain Ski Area.

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

NPDES Permit No. PA0088625, Sewage, **Carlisle Suburban Authority**, West End Treatment Plant, 240 Clearwater Drive, Carlisle, PA 17013-1185.

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

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

WQM Permit No. 2201405, Sewerage, **South Hanover Township Sewer Authority**, 111 West Third Street, Union Deposit, Hershey, PA 17033-2498.

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

Description of Proposed Action/Activity: Authorization for the construction/operation of sewers and appurtenances and pump stations.

WQM Permit No. 0601408, Sewerage, **Municipal Authority of the Township of Spring**, 2800 Shillington Road, Reading, PA 19608.

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

Description of Proposed Action/Activity: Authorization for the construction/operation of pump stations.

WQM Permit No. 6701409, Sewerage, **Stewartstown Borough Authority**, 6 North Main Street, Stewartstown, PA 17363-4132.

This proposed facility is located in Stewartstown Borough, **York County**.

Description of Proposed Action/Activity: Authorization for modifications for the construction/operation of two pump stations.

WQM Permit No. 2100403, Sewerage, **Carlisle Suburban Authority**, 240 Clearwater Drive, Carlisle, PA 17013-1185.

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

Description of Proposed Action/Activity: Authorization for the construction/operation of sewage treatment facilities and pump stations.

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

NPDES Permit No. PA0025674, Sewage, **Franklin Township Municipal Sanitary Authority**, 3001 Meadowbrook Road, Murrysville, PA 15668 is authorized to discharge from a facility located at Meadowbrook Sewage Treatment Plant, Municipality of Murrysville, **Westmoreland County** to receiving waters named Turtle Creek.

NPDES Permit No. PA0218162, Amendment No. 1, Sewage, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701 is authorized to discharge from a facility located at Creekside STP, Washington Township, **Indiana County** to receiving waters named Crooked Creek.

NPDES Permit No. PA0218847, Sewage, **Pyramid Healthcare**, 1512 12th Avenue, Altoona, PA 16601 is authorized to discharge from a facility located at Pyramid Healthcare Small Flow STP, Reade Township, **Cambria County** to receiving waters named Drainage Swale to Powell Run.

Permit No. 0201406, Sewerage, **Mt. Oliver Borough**, 150 Brownsville Road, Mt. Oliver, PA 15210-2165. Construction of Controlled Discharge Tank located in Mt. Oliver Borough, **Allegheny County** to serve Mt. Oliver Supportive Housing Facility.

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

NPDES Permit No. PA0104493, Industrial Waste, **Weyerhaeuser Choicewoods**, R. D. 2, Campbell Road, Titusville, PA 16354.

This proposed facility is located in Oil Creek Township, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Pine Creek.

NPDES Permit No. PA0104191, Industrial Waste, **National Fuel Gas Supply Corporation**, Heath Compressor Station, 1100 State Street, P. O. 2081, Erie, PA 16512.

This proposed facility is located in Heath Township, **Jefferson County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Callen Run and an unnamed tributary to Callen Run.

NPDES Permit No. PA0221902, Industrial Waste, **Matson Timber—Land Company**, 132 Main Street, Brookville, PA 15825.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Little Mill Creek and an unnamed tributary to Codor Run.

NPDES Permit No. PA0103659, Industrial Waste, **Calumet Lubricants Company, LP**, 2 Main Street, Rouseville, PA 16344.

This proposed facility is located in Sugarcreek Borough, **Venango County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to the Allegheny River.

NPDES Permit No. PA0103381, Industrial Waste, **Merisol Antioxidants LLC**, Route 8, Rouseville Road, RR 1, Box 8A, Oil City, PA 16301-9702.

This proposed facility is located in Cornplanter Township, **Venango County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Oil Creek.

NPDES Permit No. PA0005029, Industrial Waste, **Reliant Energy Mid-Atlantic Power Holdings, LLC**, Piney Hydro Power Plant, 2000 River Road, Clarion, PA 16214.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to the Clarion River.

NPDES Permit No. PA0103632, Industrial Waste, **Piney Creek Limited Partnership**, Piney Creek Project, 428 Power Lane, Clarion, PA 16214.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to Piney Creek and an unnamed tributary to Piney Creek.

NPDES Permit No. PA0027367, Sewage, **Greenville Borough Sanitary Authority WWTP**, 125 Main Street, P. O. 604, Greenville, PA 16125.

This proposed facility is located in Hempfield Township, **Mercer County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to the Shenango River.

NPDES Permit No. PA0030317, Sewage, **Clarion—Limestone Area School District**, RR 1, Box 205, Strattanville, PA 16258-9720.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to Piney Creek.

NPDES Permit No. PA0027511, Sewage, **New Castle Sanitation Authority WWTP**, 110 East Washington Street, P. O. 1404, New Castle, PA 16101.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to the Mahoning River.

NPDES Permit No. PA0026204, Sewage, **City of Oil City**, 21 Seneca Street, Oil City, PA 16301-1313.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to the Allegheny River and Oil Creek..

NPDES Permit No. PA0102652, Sewage, **Country-side Manufactured Home Community, Propvest Ltd.**, 10215 Perry Lake Road, Clarkston, MI 48348.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Elk Creek.

NPDES Permit No. PA0238490, Sewage, **Kennedy Mobile Home Park**, P. O. 226, Slippery Rock, PA 16057.

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

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to McMurray Run.

WQM Permit No. 6101401, Sewage, **Cranberry-Venango County General Authority**, P. O. Box 378, Seneca, PA 16346.

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

Description of Proposed Action/Activity: This project is for the replacement of sanitary pump stations and forcemains.

WQM Permit No. 6201406, Sewage, **Midwest Campers—Camp Stone**, 14141 Cedar Road, South Euclid, OH 44121.

This proposed facility is located in Sugar Grove Township, **Warren County**.

Description of Proposed Action/Activity: This project is for the upgrade and expansion of a sewage treatment facility to serve a seasonal children's camp.

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10S098	KAL-TAC, Inc. P. O. 378 Brodheadsville, PA 18322	Monroe	Price Township	Brodhead Creek HQ-CWF
PAS10S096	LTS Development, Inc. P. O. Box 160 Shawnee on the Delaware, PA 18356	Monroe	Chestnuthill Town- ship	McMichael's and Sugar Hollow Creeks HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS101920	James Anonie 5818 South Rt. 220 Hwy. Linden, PA 17744	Clinton	Pine Creek Township	HQ-CWF

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

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

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

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

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

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>
Luzerne County Hanover Township	PAR10R235	Sears Logistics Services, Inc. 3333 Beverly Dr. Hoffman Estates, IL 60179	Warrior Creek CWF	Luzerne County Conservation District (570) 674-7991

<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>
Luzerne County Hanover Township	PAR10R234	Mericle Properties 100 Baltimore Dr. Wilkes-Barre, PA 18702	Warrior Creek CWF	Luzerne County Conservation District (570) 674-7991
Northampton County Bethlehem Township	PAR10U159	Thomas Stitt, Sr., Esq. Executor of the Remaly Est. The Max Center 101 S. 3rd St. Easton, PA 18042	Nancy Run CWF, MF	Northampton County Conservation District (610) 746-1971
Heidelberg Township and Robesonia Borough Berks County	PAR10C386	Robert A Rippley, VP Associated Wholesalers Inc. P. O. Box 67 Robesonia, PA 19551	Unnamed tributary/ Spring Creek TSF	Berks Co. Conservation District, P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
West Pennsboro Township Cumberland County	PAR10H270	West Pennsboro Township Mun. Auth. 2150 Newville Road Carlisle, PA 17019	Conodoguinet Creek WWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Greene Township Franklin County	PAR10M247	Franklin County Area Development Corp. 1900 Wayne Avenue Chambersburg, PA 17201	Conococheague Creek CWF	Franklin County Conservation District 550 Cleveland Avenue Chambersburg, PA 17201 (717) 264-8074
East Cocalico Township Lancaster County	PAR10O387-1	High Industries Inc. 1853 Wm. Penn Way Lancaster, PA 17605	Stony Run WWF	Lancaster County Conservation District 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Ephrata Township Lancaster County	PAR10O509	Hurst Brothers Development Company 154 E. Framersville Rd. Ephrata, PA 17522	Middle Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Butler Township Straban Township Adams County	PAR10O142	Texas Eastern Transmission 5151 San Felipe SPP775 Houston, TX 77056	Conewago Creek UNT to Conewago Creek UNT to Rock Creek UNT Beaverdam Creek	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Hollidaysburg Borough Blair County	PAR10O726	Hollidaysburg Borough 401 Blair Street Hollidaysburg, PA 16648	Beaverdam Branch of Juniata River WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877
Silver Spring Township Cumberland County	PAR10H268	The Custer Company 1309 Laurel Point Circle Harrisburg, PA 17110	Trindle Spring Hogestown CWF CWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
West Hanover Township Dauphin County	PAR10I261	TMM Associates, Inc. 4701 N. Front Street Harrisburg, PA 17110	2 UNTs to Manada Creek UNT to Beaver Creek	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

NOTICES

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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>
Allegheny County Brentwood Borough	PAR10A427-1	Echo Real Estate Services 701 Alpha Drive Pittsburgh, PA 15238	Saw Mill Run/ WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County North Fayette Township	PAR10A512-1	West Allegheny School District 207 West Allegheny Road Imperial, PA 15126-0055	Robinson Run/ WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Bethel Park	PAR10A516	Quaker Engineering Box 459 Bridgeville, PA 15017	Piney Forks/WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Shaler Township	PAR10A522	Brantner Properties 594 Wible Run Road Pittsburgh, PA 15209	Girty's Run/WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County City of Pittsburgh	PAR10A527	Mercy Hospital 1400 Locust Street Pittsburgh, PA 15219- 5166	Catfish Run/WWF	Allegheny County Conservation District (412) 241-7645
Armstrong County East Franklin Township	PAR10B044	Weleski Transfer, Inc. P. O. Box 428 Tarentum, PA 15084	Glade Run/TSF	Armstrong County Conservation District (724) 548-3425
Beaver County Chippewa Township	PAR100236-1	Donald Olayez Royce Development, Inc. 132 Ponderosa Drive Beaver Falls, PA 15010	Brady's Run North Branch/TSF	Beaver County Conservation District (724) 774-7090
Fayette County Luzerne Township	PAR10L073	Department of Environmental Protection Bureau of Abandoned Mine Reclamation P. O. Box 8476 Harrisburg, PA 17105	UNT Monongahela River/WWF	Fayette County Conservation District (742) 438-4497
Fayette County Georges Township	PAR10L074	Threshold Housing Development Corporation Mountainview Estates 4-8 North Beeson Avenue Uniontown, PA 15401	Muddy Run/WWF	Fayette County Conservation District (742) 438-4497
Somerset County Somerset Township	PAR106142-1	CVS Pharmacy Corporation, Inc. 322 Revco Road Somerset, PA 15501	UNT Coxes Creek/CWF	Somerset County Conservation District (814) 445-4652
Somerset County Shade Township	PAR106143	Casselman Enterprises, Inc. 150 West Union Street Somerset, PA 15501	Oven Run/WWF	Somerset County Conservation District (814) 445-4652
Washington County Peters Township	PAR10W010-1	Theodore Taylor 608 East McMurray Road McMurray, PA 15317	Peters Creek/TSF	Washington County Conservation District (724) 228-6774
Washington County Hanover Township	PAR10W194	Washington County Council on Economic Development 100 West Beau Street Suite 703 Washington, PA 15301	UNT Raccoon Creek/ WWF	Washington County Conservation District (724) 228-6774
Westmoreland County North Huntingdon Township	PAR10X271	Department of Environmental Protection Bureau of Abandoned Mine Reclamation P. O. Box 8476 400 Market Street Harrisburg, PA 17105	Brush Creek/WWF	Westmoreland County Conservation District (724) 837-5271

General Permit Type—PAG-3

<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>
Hatfield Township Montgomery County	PAR800084	First Student Inc. 3435 Trewigtown Rd. Colmar, PA 18915	Neshaminy Creek- 2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR210006	Jowitt & Rogers Co. 9400 State Rd. Philadelphia, PA 19114	Pennypack Creek- 3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Lower Moreland Township Montgomery County	PAR500003	Bethayres Reclamation Corp. 2310 Terwood Ave. Huntingdon Valley, PA 19006	Pennypack Creek- 3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Pottstown Borough Montgomery County	PAR800010	Farm & Home Oil Co. 3115 State Rd. Telford, PA 18969	Manatawny Creek- 3D Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Luzerne County Salem Township	PAR212217	Castek, Inc. 23 River Road Berwick, PA 18603	Susquehanna River WWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711
Lancaster County Lititz Borough	PAR203543	Woodstream Corporation 69 North Locust Street Lititz, PA 17543	Santo Domingo Creek/ Lititz Run/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County East St. Clair Township	PAR203506	Lane Enterprises Inc. 682 Quaker Valley Road Bedford, PA 15522	Dunning Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Upper Paxton Township	PAR203595	MI Metals/ MI Plastics Inc. J T Walker Industries Inc. P. O. Box 4490 Clearwater, FL 33758- 4490	Wiconisco Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Reading City	PAR233508	Quadrant EPP USA, Inc. 2120 Fairmont Avenue P. O. Box 14235 Reading, PA 19612-4235	Schuylkill River/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Quarryville Borough	PAR603511	James Groff & Son, Inc. 17 North Hess Street Quarryville, PA 17566	UNT to Big Beaver Creek/TSF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Cumberland County Lower Allen Township	PAR233530	Lower Allen Township 1993 Hummel Avenue Camp Hill, PA 17011	Cedar Run/CWF	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>
Blair County Taylor Township	PAR803506	E. F. Smith P. O. Box 73 Roaring Spring, PA 16673-0073	Halter Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Reading City	PAR143519	United Corrstack 720 Laurel Street Reading, PA 19602	Schuylkill River/TSF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Washington Township	PAR203522	RiteScreen Company, Inc. J. T. Walker Industries, Inc. P. O. Box 4490 Clearwater, FL 33758- 4490	Wiconisco Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Beaver Falls Beaver County	PAR406102	Envirotrol Inc. 432 Green Street P. O. Box 61 Sewickley, PA 15143	Walnut Bottom Road	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
<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>
Berks County Hereford Township	PAG043547	Woodrow Heilman 94 Hunter Forge Road Barto, PA 19504-0527	West Branch Perkiomen Creek/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Union Township	PAG043552	Donald Wasson 381 Garey Road Douglassville, PA 17518	Schuylkill River	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
<i>General Permit Type—PAG-5</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Adams County Butler Township/ Biglerville Borough	PAG053555	Penn State University Biglerville Fruit Research Farm Extension The Eisenhower Parking Deck University Park, PA 16802	UNT Conewago Creek/ WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Carroll Township	PAG053556	Shillito Oil Inc. 1014 York Road Dillsburg, PA 17019	UNT Dogwood Run/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Juniata County Milford Township	PAG053557	Shaner Energy Inc. Horning Oil Bulk Plant P. O. Box 573 Huntingdon, PA 16652	East Licking Creek/CWF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110

General Permit Type—PAG-8

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Telephone No.</i>
St. Thomas Township Franklin County	PAG083560	St. Thomas Township Municipal Authority 6442 Lincoln Way West St. Thomas, PA 17252- 9603		DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Fayette Township Juniata County	PAG083564	McAlisterville Area Joint Authority P. O. Box 61 McAlisterville, PA 17049		DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-8 (SSN)

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Telephone No.</i>
Brecknock Township Lancaster County	PAG083521	Adamstown Borough Au- thority P. O. Box 546 Adamstown, PA 19501- 0546	Martin & Martin Farm Brecknock Township Lancaster County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
East Drumore Township Lancaster County	PAG080004 PAG080007	Mobile Dredging & Pumping Company 3100 Bethel Road Chester, PA 19013-1488	Fite Home Farm East Drumore Township Lancaster County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-10

<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>
Beaver County Vanport Township	PAG106104	Interstate Chemical Co. Inc. 2797 Freedland Road Hermitage, PA 16148	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000

General Permit Type—PAG-12

<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>
Lancaster County Earl Township	PAG123521	Eugene Z. Nolt 143 Kurtz Road New Holland, PA 17557	UNT to Conestoga Creek/WWF/7-J	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O.

Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days from the date of issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

SAFE DRINKING WATER

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

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

Permit No. 2201503 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**
 Municipality Swatara Township
 County **Dauphin**
 Type of Facility Operation of the Oberlin Standpipe after repainting.
 Consulting Engineer R. Michael Gephart, P.E. United Water Pennsylvania 4211 East Park Circle Harrisburg, PA 17111
 Permit to Operate Issued: October 15, 2001

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

Permit No. Minor Amendment. Public Water Supply.

Applicant **Pike Township Municipal Authority**
 P. O. Box 27
 Curwensville, PA 16833
 Township Pike Township
 County **Clearfield**
 Type of Facility Public Water Supply—209,000 gallon finished water storage tank
 Consulting Engineer Stiffler, McGraw, & Assoc., Inc. 19 North Juniata Street P. O. Box 462 Hollidaysburg, PA 16648
 Permit to Construct Issued: October 12, 2001

Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-481.

Operations Permit # 3381501-MA3 issued to: **Borough of Falls Creek**, 117 Taylor Avenue, Falls Creek, PA 15840, Falls Creek Borough, **Jefferson County** on October 12, 2001.

Operations Permit #2592503-MA4 issued to: **Erie City Water Authority**, 340 West Bayfront Parkway, Erie, PA 16507-2004, Harborcreek Township, **Erie County** on October 4, 2001.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Centerville Borough	Centerville Borough Council 685 National Pike West Brownsville, PA 15417	Washington

Plan Description: The approved plan provides for construction of a sewage treatment plant with a discharge to the Monongahela River and sanitary sewer lines in Centerville Borough to serve the southeast portion of the Borough including the communities of Lowhill, Vesta #6, Denbo, Malden, Denbeau Heights and Vesta #7. The proposed sewage treatment plant will also serve West Brownsville Borough and a Joint Authority will be formed with West Brownsville Borough. The proposed discharge is to the Monongahela River. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Brownsville Borough	West Brownsville Borough Council 235 Main Street West Brownsville, PA 15417	Washington

Plan Description: The approved plan provides for a new gravity collection system to serve the West Brownsville and Blainesburg area of the borough. Sewage flows will be conveyed to a pump station located in West Brownsville. The pump station will convey flows to a new sewage treatment plant and to be located in Centerville Borough and discharge to the Monongahela River. The plan also calls for formation of a Joint Authority with Centerville Borough. 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:

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

North-East Industrial Batteries, Inc., Bristol Township, **Bucks County**. Philip J. Guenzer, P.E., Walter B. Satterthwaite Associates, Inc., 720 Old Fern Hill Rd., West Chester, PA 19380, on behalf of Robert Lee, P. O. Box 6, Levittown, PA 19057, has submitted a Final Report concerning remediation of site soil contaminated with lead and groundwater contaminated with lead, heavy metals and solvents. The report is intended to document remediation of the site to meet Statewide Health and Site-specific Standards.

Garvey and James Residence, Paoli Borough, **Chester County**. James P. Gallagher, P.G., Marshall Miller & Associates, 3913 Hartzdale Dr., Suite 1306, Camp Hill, PA 17011, on behalf of Margaret Garvey and Wilbur James, 28 Jacqueline Dr., Paoli, PA 19301, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Pep Boys—Manny, Moe & Jack, Treddyfrin Township, **Chester County**. Edward G. Keebler, The EC Group, LLC, 201 E. Orchard St., Hammonton, NJ 08037, on behalf of Pineville Properties, 7 N. Park Ave., Norristown, PA 19403, has submitted a Final Report concerning remediation of site soil contaminated with PCBs, lead, heavy metals, BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Mauger & Company, Inc., East Whiteland Township, **Chester County**. Curt Herman, Austin James Associates, P. O. Box U, Pocono Pines, PA 18350, on behalf of Bud Mauger, P. O. Box 2426, West Chester, PA 19380, has submitted a Final Report concerning remediation of site groundwater contaminated with solvents, BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet Background Standards.

Collom Property, Upper Gwynedd Township, **Montgomery County**. David J. Arber, American Resource Consultants, Inc., P. O. Box 1809, Doylestown, PA 18901, on behalf of Mr. and Mrs. Gerald Collom, 648 Park Rd., West Point, PA 19486, has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

McClelland's Auto Repair Property, Whitmarsh Township, **Montgomery County**. Steven D. Thorne, P.E., Merlick-Tully & Associates, P.C., 117 Canal Rd., South Bound Brook, NJ 08880, on behalf of the Estate of Lawrence I. Yerk, c/o Mullaney Law Offices, 598 Main St., Red Hill, PA 18076, has submitted a Final Report concerning remediation of site soil contaminated with lead and petroleum hydrocarbons. The report is intended to document remediation of the site to meet Statewide Health and Site-specific Standards.

Home Depot, USA (Philadelphia), Port Richmond, City of Philadelphia, **Philadelphia County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Home Depot USA, 3096 Hamilton Blvd., S. Plainfield, NJ 07080, has submitted a Final Report concerning remediation of site soil contaminated with lead, BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (Act) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the 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:

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

Former Harris Residence, City of Harrisburg, **Dauphin County**. ARM Group, Inc., 1129 West Governor Road, Box 797, Hershey, PA 17033-0797 (on behalf of Shipley Energy Company, 550 East King Street, Box 946, York, PA 17405) submitted a Final Report concerning remediation of site soils contaminated with PHCs. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on October 11, 2001.

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

Greater Erie Industrial Development Corporation (GEIDC), 254 Lytton Ave., Pittsburgh, PA 15213, the former Currie Landfill site, West 16th St., Millcreek Township, **Erie County** and Pat Pontoriero, P.G., Harding ESE, 700 North Bell Ave., Bldg. 4, Pittsburgh, PA 15106 had submitted a Work Plan concerning remediation of soil, groundwater and surface water. The Work Plan was approved by the Department on March 20, 2001, and did demonstrate attainment of the Statewide Health and Site Specific Standard.

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

JPS Equipment Co., P. O. Box 788, Edgemont, PA 19028. License No. **PA-HC 0142**. Effective October 12, 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.

Northeast Region: Division of Municipal and Residual Waste, 2 Public Square, Wilkes-Barre, PA 18711-0790.

PAD #981038227. World Resources Company, Inc., 170 Walnut Lane, Pottsville, PA 17901. A permit authorizing the hazardous waste storage and processing at this hazardous waste treatment and storage facility located in Norwegian Township, **Schuylkill County**. World Resources Company, Inc. is a treatment and storage facility for selected metal finishing and the production of nonferrous and precious metal concentrate products from the

recycling of electroplating wastewater treatment sludges. This permit is for the waste receiving areas and process areas that are completely enclosed within a structure, which is designed to provide control of the material and shielding from the wind and weather. The permit was issued in the Regional Office on October 1, 2001.

RESIDUAL WASTE GENERAL PERMITS

Permit Denied 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 Application No. WMGR073. Blue Mountain Processors, Inc., 34 Blue Mountain Lane, Elliptsburg, PA 17024. General Permit application numbered WMGR073 was proposed for the processing and beneficial use of asphalt shingles as aggregate for road and driveway construction. The general permit was denied by Central Office on October 9, 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.

40-302-145GP: National Starch and Chemical Co. (504 White Birch Road, Hazleton, PA 18201) for construction and operation of a natural gas fired boiler (#869601) in Hazle Township, **Luzerne County**.

40-302-146GP: National Starch and Chemical Co. (504 White Birch Road, Hazleton, PA 18201) for construction and operation of a natural gas fired boiler (#869602) in Hazle Township, **Luzerne County**.

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

GP1-36-03131: Lancaster Regional Medical Center (250 College Avenue, Lancaster, PA 17604-3434) on October 5, 2001, was authorized to operate a small gas and No. 2 oil fired combustion unit under GP1 in Lancaster City, **Lancaster County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

15-0016E: Worthington Steel Co. (45 North Morehall Road, Malvern, PA 19355) on October 11, 2001, for operation of a thermal oxidizer in East Whiteland Township, **Chester County**.

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

48-318-132: Essex Northeast Service Center Co. (P. O. Box 1648, Macon City, IA 50401) on October 15, 2001, for construction of a paint spray booth and associated air cleaning device in Forks Township, **Northampton County**.

39-399-050: Apollo Metals Limited (1001 Fourteenth Avenue, Bethlehem, PA 18018) on October 9, 2001, for construction of a copper electroplating and evaporator recovery lines and associated air cleaning device in Bethlehem, **Lehigh County**.

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

21-05046A: Lindy, Inc. (Northgate Industrial Park, RD 3 Box 2A, New Castle, PA 16105) on October 11, 2001, for construction of a portable drum mix hot mix asphalt plant controlled by a fabric filter at its Carlisle Plant in Upper Frankford Township, **Cumberland County**. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities, 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction or Modification Commenced After July 23, 1984) and 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

22-05025B: Eldorado Properties Corp. (P. O. Box 2621, Harrisburg, PA 17105) on October 11, 2001, for modification of bulk gasoline terminal controlled by two vapor recovery units at its Highspire Terminal in Lower Swatara Township, **Dauphin County**. This source is subject to 40 CFR Part 60, Subpart XX—Standards of Performance Bulk Gasoline Terminals.

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.

46-0063: Universal Packaging Corp. (1196 Easton Road, Horsham, PA 19044) on October 5, 2001, for the operation of a rotogravure printing press in Horsham Township, **Montgomery County**.

46-0169A: H & N Packaging, Inc. (92 County Line Road, Colmar, PA 18915) on October 10, 2001, for the operation of an ink room in Hatfield Township, **Montgomery County**.

46-0015A: Occidental Chemical Corp. (375 Armand Hammer Boulevard, Pottstown, PA 19464) on October 10, 2001, for operation of a Process Line No. 6 in Lower Pottsgrove Township, **Montgomery County**.

46-0186: Tri-Valley Crematory (665-667 Harleysville Pike, Franconia, PA 18924) on October 10, 2001, for operation of a crematory incinerator in Franconia Township, **Montgomery County**.

46-0036: Visteon Systems LLC (2750 Morris Road, Lansdale, PA 19446) on October 10, 2001, for operation of a Selective Soldering Machine No. 6 in Worcester Township, **Montgomery County**.

46-0185: Fairhill Fabricators, Inc. (831 West Fifth Street, Lansdale, PA 19446) on October 10, 2001, for operation of a paint spray booth in Lansdale Borough, **Montgomery County**.

46-0036B: Visteon Systems LLC (2750 Morris Road, Lansdale, PA 19446) on October 10, 2001, for operation of a selective soldering machine in Worcester Township, **Montgomery County**.

09-0040A: Consolidated Graphics (315A West Street Road, Warminster, PA 18974) on October 10, 2001, for operation of a lithographic printing press in Warminster Township, **Bucks County**.

46-0025G: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) on October 10, 2001, for operation of two prescrubbers in Upper Merion Township, **Montgomery County**.

46-0025B: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) on October 10, 2001, for operation of a Hydrogenation Reactor Train in Upper Merion Township, **Montgomery County**.

09-0121: Conte Luna Foods (40 Jacksonville Road, Warminster, PA 18974) amended October 12, 2001, for operation of a bag filter dust collector in Warminster Township, **Bucks County**.

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

08-316-013A: CraftMaster Acquisition Co., Inc. (P. O. Box 311, Towanda, PA 18848) on October 3, 2001, to transfer plan approval and authorize operation of a hardboard press (Line II/Trimboard) and associated air cleaning device (a scrubber), formerly owned and operated by Masonite Corp., on a temporary basis until January 31, 2002, for their facility in Wysox Township, **Bradford County**.

08-316-024A: CraftMaster Acquisition Co., Inc. (P. O. Box 311, Towanda, PA 18848) on October 3, 2001, to transfer plan approval and authorize operation of a hardboard products surface coating operation (Coating II), formerly owned and operated by Masonite Corp., on a temporary basis until January 31, 2002, for their facility in Wysox Township, **Bradford County**.

08-302-039: CraftMaster Acquisition Co., Inc. (P. O. Box 311, Towanda, PA 18848) on October 3, 2001, to transfer plan approval and authorize operation of two woodwaste-fired boilers and associated air cleaning devices (an electrostatic precipitator and a selective non-catalytic reduction system), formerly owned and operated by Masonite Corp., on a temporary basis until January 31, 2002, for their facility in Wysox Township, **Bradford County**.

08-0004A: CraftMaster Acquisition Co., Inc. (P. O. Box 311, Towanda, PA 18848) on October 3, 2001, to transfer plan approval and authorize operation of a woodwaste-fired boiler and associated air cleaning device (an electrostatic precipitator), formerly owned and operated by Masonite Corp., on a temporary basis until January 31, 2002, for their facility in Wysox Township, **Bradford County**.

08-316-014: CraftMaster Acquisition Co., Inc. (P. O. Box 311, Towanda, PA 18848) on October 3, 2001, to

transfer plan approval and authorize operation of a hardboard press and resin blending facility and associated air cleaning devices, formerly owned and operated by Masonite Corp., on a temporary basis until January 31, 2002, for their facility in Wysox Township, **Bradford County**.

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

03-225A: Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) on October 5, 2001, for a modification for installation of a portable coal crusher at Jud Surface in Valley Township, **Armstrong County**. This plan approval was extended.

03-168A: Rosebud Mining Co. (RD 9 Box 379A, Kittanning, PA 16201) on October 5, 2001, for installation of a diesel generator at Rosebud #3 Mine in Perry Township, **Armstrong County**. This plan approval was extended.

11-498A: Pets After Life Services (316 Allen Street, Portage, PA 15946) on October 5, 2001, for construction of a crematory in Portage Township, **Cambria County**. This plan approval was extended.

30-096A: Kyowa America Corp. (317 East Roy Furman Highway, Waynesburg, PA 15370) on September 8, 2001, for installation of rotary concentrator and thermal oxidizer at Pennsylvania Plant in Franklin Township, **Greene County**. This plan approval was extended.

30-127B: MonTec Hydraulics L.P. (3 Paisley Industrial Park, Carmichaels, PA 15320) on August 30, 2001, for installation of electroplating at Carmichaels Plant in Cumberland Township, **Greene County**. This plan approval was extended.

65-235A: Alcoa, Inc. (100 Technical Drive, Alcoa Center, PA 15069) on September 13, 2001, for installation of a pilot tunnel kiln at Alcoa Technical Center in Upper Burrell Township, **Westmoreland County**. This plan approval was extended.

30-129A: Morgantown Technical Services, Inc. (2608 Smithtown Road, Morgantown, WV 26508) on October 12, 2001, for operation of surface coating in Perry Township, **Greene County**. This plan approval was extended.

04-00708A: Arrow Terminals, L.P. (2701 Midland-Beaver Road, Industry, PA 15052) on October 12, 2001, for installation of a ferroalloy sizing operation at Arrow Terminals Lot #2 in Industry Borough, **Beaver County**. This plan approval was extended.

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

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

65-00858: American Video Glass Co. (777 Technology Drive, Mt. Pleasant, PA 15666) on October 4, 2001, for operation of a television glass manufacturing facility in East Huntingdon Township, **Westmoreland County**.

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

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

36-03106: Eastern Industries, Inc. (4401 Camp Meeting Road, Center Valley, PA 18034-9454) on October 4, 2001, for operation of a limestone quarry in West Cocalico Township, **Lancaster County**.

67-03091: AMZ Manufacturing Corporation (2206 Pennsylvania Ave., York, PA 17404) on October 5, 2001, for operation of an electroplating job shop in the City of York, **York County**.

67-05064: York Building Products Co., Inc. (P. O. Box 1708, York, PA 17405) on October 12, 2001, for operation of an asphalt plant at its Eberts Lane Plant in Spring Garden Township, **York County**.

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

08-00007: Leprino Foods Co. (400 Leprino Avenue, Waverly, NY 14892-1384) on October 1, 2001, for their mozzarella cheese manufacturing facility that includes four natural gas/#2/#4/#5/#6 fuel oil-fired boilers and whey powder drying and bagging operations in South Waverly Borough, **Bradford County**.

Nitrogen Oxides (NOx) Allowance Program

Proposed State Only Operating Permit that includes Conditions relating to NOx Allowance Requirements in 25 Pa. Code §§ 123.101—123.120

The Department of Environmental Protection (Department) has issued an Operating Permit that includes allocations under the provisions of 25 Pa. Code §§ 123.101—123.120 (relating to NOx allowance requirements). These regulations establish a NOx budget and a NOx allowance trading program for NOx affected sources for the purpose of achieving the health-based ozone ambient air quality standard.

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, 400 Market Street, P. O. 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of 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 to 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.

Bureau of Air Quality: Division of Permits, 400 Market Street, P. O. Box 8468, Harrisburg, PA 17105-8468; Contact: John F. Slade, Chief, Division of Permits, (717) 787-4325.

02-0056: Orion Power MidWest, L.P. (7 East Redwood Street, Baltimore, MD 21202) located in the City of Pittsburgh, **Allegheny 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.

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

96-014: TransMontaigne Terminaling Inc.—Philadelphia Terminal (58th Street and Schuylkill River, Philadelphia, PA 19142) administratively amended on October 11, 2001, to change the permit contact, permit contact mailing address, and to correct the renewal application fee specified under the general conditions for permit renewal for their facility in the City of Philadelphia, **Philadelphia County**. The Natural Minor Operating Permit was originally issued on May 9, 2000.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

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

49851310R3. Jordan L. Coal Company (133 Academy Street, Shamokin, PA 17872), renewal of an existing anthracite underground mine operation in Coal Township, **Northumberland County** affecting 2.0 acres, receiving stream—none. Application received August 27, 2001. Renewal issued October 12, 2001.

54000102. RSK Mines (2203 Sunbury Road, Ashland, PA 17921), commencement, operation and restoration of an anthracite surface mine operation in Porter Township, **Schuylkill County** affecting 213.0 acres, receiving stream—Wiconisco Creek. Application received August 7, 2000. Permit issued October 12, 2001.

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

17970105. E. P. Bender Coal Co., Inc. (Main and Lehmier Streets, P. O. Box 594, Carrolltown, PA 15722) revision to an existing bituminous surface mine permit for a Change in Permit Acreage from 132 to 138.3 acres. Receiving streams: unnamed tributaries to Clearfield Creek to the West Branch of the Susquehanna River. Application received August 16, 2001. Permit issued October 10, 2001.

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

63990103 and NPDES Permit No. Pa 0202614. David Breeden Enterprises, Inc. (P. O. Box 89, Tarentum, PA 15084-0089). Permit transfer issued for continued operation and reclamation of a bituminous surface mine formerly owned by Twilight Industries, located in Somerset Township, **Washington County**, affecting 287.1 acres. Receiving streams: unnamed tributaries to Center Branch of Pigeon Creek to the Center Branch of Pigeon Creek to Pigeon Creek. Application received: January 16, 2001. Permit transfer issued: October 2, 2001.

03930108 and NPDES Permit No. Pa 0200816. Mears Enterprises, Inc. (P. O. Box 157, Clymer, PA 15728). Permit revised to add the Lower Kittanning coal seam at an existing bituminous surface/auger mining site located in Wayne and Cowanshannock Townships, **Armstrong County**, affecting 281.7 acres. Receiving streams: unnamed tributaries to unnamed tributaries to South Branch Pine Creek and South Branch Pine Creek to South Fork Pine Creek. Application received: May 2, 2001. Revision issued: October 10, 2001.

26970101 and NPDES Permit No. Pa 0201839. Patterson Coal Company (20 Elizabeth Drive, Smithfield, PA 15478). Renewal permit for reclamation only of a bituminous surface mine located in German and Georges Townships, **Fayette County** affecting 32 acres. Receiving streams: unnamed tributary to North Branch of Browns Run, to Browns Run, to Monongahela River. Renewal application received: August 8, 2001. Renewal permit issued: October 12, 2001.

63960101 and NPDES Permit No. Pa 0201588. Twilight Industries (Division of U. S. Natural Resources, Inc., 212 State Street, Belle Vernon, PA 15012). Renewal permit for reclamation only of a bituminous surface mine located in Somerset Township, **Washington County** affecting 155.5 acres. Receiving streams: unnamed tributaries to the North Branch of Pigeon Creek. Renewal application received: September 5, 2001. Renewal permit issued: October 12, 2001.

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

56920109. Heritage Mining Company, P. O. Box 126, Cresson, PA 16630, permit revision for a land use change from woodland to unmanaged natural habitat and industrial/commercial, in Shade Township, **Somerset County**, affecting 46.1 acres. Receiving stream: Oven Run classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Water Authority and Cambria/Somerset Water Authority Border Dam. Application received: August 22, 2001. Permit issued: October 12, 2001.

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

24010101. Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824) Commencement, operation and restoration of a bituminous strip and auger operation in Horton Township, **Elk County** affecting 264.3 acres. Receiving streams: unnamed tributary to Mead Run and unnamed tributaries to Johnson Run. Application received: January 17, 2001. Permit Issued: October 4, 2001.

1465-24010101-E-1. Energy Resources, Inc. (P. O. 259, Brockway, PA 15824) Application for a stream en-

croachment to conduct mining activities within 100 feet but no closer than 25 feet to unnamed tributaries A, G and H to Mead Run in Horton Township, **Elk County**. Receiving streams: unnamed tributary to Mead Run and unnamed tributaries to Johnson Run. Application received: January 17, 2001. Permit Issued: October 4, 2001.

Noncoal Permits Actions

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

21900301C2 and NPDES Permit #PA0595055. EE Kough Sons (P. O. Box 134, 195 Green Spring Road, Newville, PA 17241), renewal of NPDES Permit in North Newton Township, **Cumberland County**, receiving stream—unnamed tributary to Conodoguinet Creek. Application received August 22, 2001. Renewal issued October 9, 2001.

7475SM10A1C4 and NPDES Permit #PA0123242. ESSROC Cement Corp. (Route 248 and Easton Road, Nazareth, PA 18064), renewal of NPDES Permit in Nazareth Borough and Upper Nazareth Township, **Northampton County**, receiving stream—unnamed tributary to East Branch Monocacy Creek. Application received August 29, 2001. Renewal issued October 9, 2001.

40012801. Popple Brothers Coal Company (P. O. Box 126, Duryea, PA 18642), Small Noncoal Mining Permit in Duryea Borough, **Luzerne County**, affecting 5.64 acres. Receiving Stream: Lackawanna River (via mine pool), tributary to the Susquehanna River. Application received May 9, 2001. Permit issued October 9, 2001.

58010810. Robert A. Coleman (P. O. Box 3, Susquehanna, PA 18847), Small Noncoal Bluestone Mining Permit in Oakland Township, **Susquehanna County**, receiving stream—Hilborn Creek, tributary to the Susquehanna River. Application received April 2, 2001. Permit issued October 11, 2001.

58010811. Robert A. Coleman (P. O. Box 3, Susquehanna, PA 18847), Small Noncoal Mining Permit in Great Bend Township, **Susquehanna County**, receiving stream—Denton Creek, tributary to the Susquehanna River. Application received April 2, 2001. Permit issued October 11, 2001.

58010819. Robert A. Coleman (P. O. Box 3, Susquehanna, PA 18847), Small Noncoal Mining Permit in Oakland Township, **Susquehanna County**, receiving stream—none. Application received April 20, 2001. Permit issued October 11, 2001.

64010803. Robert A. Coleman (P. O. Box 3, Susquehanna, PA 18847), Small Noncoal Mining Permit in Scott Township, **Wayne County**, receiving stream—none. Application received April 25, 2001. Permit issued October 11, 2001.

64002802. Robert A. Coleman (P. O. Box 3, Susquehanna, PA 18847), Small Noncoal Mining Permit in Scott Township, **Wayne County**, receiving stream—none. Application received April 14, 2000. Permit issued October 11, 2001.

58010831. Douglas P. Pascoe (RR 1 Box 1400, Hop Bottom, PA 18824-9762), Small Bluestone Permit in Brookly Township, **Susquehanna County** affecting 1.0 acre, receiving stream—none. Application received June 11, 2001. Permit issued October 12, 2001.

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

26950401. Better Materials Corp. (P. O. Box 187, Berkeley Springs, WV 25411-0187). Permit transfer issued for continued operation and reclamation of a large noncoal surface mine (limestone quarry), formerly owned by Amerikohl Mining, Inc., located in Springfield Township, **Fayette County**, affecting 570 acres. Receiving streams: unnamed tributary to Clay Run, Clay Run to Mill Run to Indian Creek to Youghiogheny River; unnamed tributary to Buck Run to Buck Run to Laurel Run to Indian Creek to Youghiogheny River. Application received: March 16, 2001. Transfer permit issued: October 9, 2001.

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

37920307. Atlantic States Materials of PA, Inc. (P. O. Box 146, Slippery Rock, PA 16057) Transfer of an existing sand and gravel operation from Russell Minerals (PA), Inc. in New Beaver and Big Beaver Boroughs, **Lawrence and Butler Counties** affecting 85.6 acres. Receiving streams: North Fork of Little Beaver. Application received: May 10, 2001. Permit Issued: October 9, 2001.

43012802. H. Robert McQuiston (766 Jackson Center, Polk Rd., Stoneboro, PA 16153) Commencement, operation and restoration of a small noncoal sand and gravel operation in Worth Township, **Mercer County** affecting 9.0 acres. Receiving streams: two unnamed tributaries to Wolf Creek. Application received: March 5, 2001. Permit Issued: October 11, 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.

54014004. Reading Anthracite Company (P. O. Box 1200, Pottsville, PA 17901), construction blasting for a cell tower in the Borough of Ashland, **Schuylkill County** with an expiration date of November 30, 2001. Permit issued October 9, 2001.

46014021. Rock Work, Inc. (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Carriage Houses Development in Whitpain Township, **Montgomery County** with an expiration of November 30, 2001. Permit issued on October 9, 2001.

06014011. J. Roy's Inc. (Box 125, Bowmansville, PA 17507), construction blasting in Robesonia Borough/Heidelberg Township, **Berks County** with an expiration date of November 30, 2002. Permit issued October 9, 2001.

67014011. J. Roy's Inc. (Box 125, Bowmansville, PA 17507), construction blasting in West Manchester Township, **York County** with an expiration date of November 30, 2002. Permit issued on October 9, 2001.

06014006. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Sinking Spring Township, **Berks County** with an expiration date of May 10, 2002. Permit issued October 10, 2001.

06014007. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in South Heidelberg Township, **Berks County** with an expiration date of May 10, 2002. Permit issued October 10, 2001.

06014008. Schlouch, Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Amity Township, **Berks County** with an expiration date of May 10, 2002. Permit issued October 10, 2001.

36014024. Keystone Blasting Service (381 Riefsnyder Road, Lititz, PA 17543), construction blasting in West Cocalico Township, **Lancaster County** with an expiration date of November 9, 2002. Permit issued October 10, 2001.

36014025. Haller Builders (307 E. Lexington Road, Lititz, PA 17543), construction blasting in Rapho Township, **Lancaster County** with an expiration date of November 9, 2006. Permit issued October 10, 2001.

36014026. Norman L. Graham, Inc. (1940C Old Philadelphia Pike, Lancaster, PA 17602), construction blasting in East Lampeter Township, **Lancaster County** with an expiration date of November 9, 2006. Permit issued October 10, 2001.

36014027. Norman L. Graham, Inc. (1940C Old Philadelphia Pike, Lancaster, PA 17602), construction blasting in Manheim Township, **Lancaster County** with an expiration date of November 9, 2006. Permit issued October 10, 2001.

28014013. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting in Greene Township, **Franklin County** with an expiration date of November 9, 2006. Permit issued October 10, 2001.

06014010. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in the City of Reading, **Berks County** with an expiration date of November 10, 2002. Permit issued October 10, 2001.

21014016. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting in Boiling Springs Borough, **Cumberland County** with an expiration date of November 30, 2006. Permit issued October 11, 2001.

21014017. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting in Mechanicsburg Borough, **Cumberland County** with an expiration date of November 30, 2002. Permit issued October 11, 2001.

28014015. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in Guilford Township, **Franklin County** with an expiration date of November 30, 2002. Permit issued October 11, 2001.

36014028. Keystone Blasting Service (381 Riefsnyder Road, Lititz, PA 17543), construction blasting in Manheim Township, **Lancaster County** with an expiration date of November 9, 2006. Permit issued October 11, 2001.

36014029. Keystone Blasting Service (381 Riefsnyder Road, Lititz, PA 17543), construction blasting in Rapho Township, **Lancaster County** with an expiration date of May 10, 2002. Permit issued October 11, 2001.

36014030. Keystone Blasting Service (381 Riefsnyder Road, Lititz, PA 17543), construction blasting

in West Earl Township, **Lancaster County** with an expiration date of December 31, 2001. Permit issued October 11, 2001.

54014005. 21st Century Consultants (27 Independence Road, Mountaintop, PA 18707), construction blasting in West Mahanoy Township, **Schuylkill County** with an expiration date of December 31, 2001. Permit issued October 11, 2001.

28014012. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting in Antrim Township, **Franklin County** with an expiration date of November 30, 2006. Permit issued October 12, 2001.

28014014. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting in Guilford Township, **Franklin County** with an expiration date of November 30, 2006. Permit issued October 12, 2001.

49014001. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in Coal Township, **Northumberland County** with an expiration date of October 31, 2002. Permit issued October 12, 2001.

06014012. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507), construction blasting in Ontelaunee Township, **Berks County** with an expiration date of November 30, 2002. Permit issued October 12, 2001.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the 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.

E23-398. Newtown Township, 209 Bishop Hollow Road, Newtown Square, PA 19073, and Pulte Home Corporation, 1210 Northbrook Drive, Trevoise, PA 19053, Newtown Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain three streams and wetland crossings associated with the construction of a collector road connecting Newtown Street (S.R. 0252) a Bishop Hollow Road by tying into the existing Stoney Brook Boulevard. The crossings are as follows:

1. To install and maintain 124 linear feet of open bottom, precast box culvert with a 33-foot clear span and an underclearance minimum of 4 feet 6 inches spanning Hunter Run (CWF), and impacting 0.17 acre of wetlands (PFO).

2. To install and maintain 80 linear feet of open bottom, precast box culvert with an 18-foot clear span and an underclearance minimum of 3 feet 7 inches spanning an unnamed tributary to Hunter Run and impacting 0.32 acre of wetlands (PFO).

3. To install and maintain 84 linear feet of a precast arch bridge with a clear span of 35 feet 4 inches and a rise of 10 feet 2 inches spanning an unnamed tributary to Hunter Run, and impacting 0.17 acre of wetlands (PFO).

The work associated with Springton Pointe Woods Phase 4 also includes the installation and maintenance of 70 linear feet of 10-foot wide by 4-foot high concrete, three-sided box culvert crossing an unnamed tributary of Hunters Run for Wiltshire Lane. This crossing qualifies for a waiver of permit requirements under § 105.12(a)(2) which will be solely constructed and maintained by Pulte Homes Corporation. Work for Phase 3 and Phase 4 of the development also includes the installation and maintenance of various utility lines that cross Hunter Run and its tributaries, including gas lines, cable TV lines, electric lines, water mains, sanitary sewer lines and storm sewer lines that will be done in accordance with the conditions for General Permit No. 5 (Utility Line Stream Crossing).

The site is located approximately 3,300 feet southeast of the intersection of S.R. 0252 and S.R. 0003 (Media, PA Quadrangle N: 18.7 inches; W: 3.3 inches). The permittee has agreed to provide 0.68 acre of replacement wetlands.

E46-857. Whitemarsh Township, 616 Germantown Pike, Lafayette Hill, PA 19444, Whitemarsh Township, **Montgomery County**, ACOE Philadelphia District.

To remove two existing 54-inch steel pipes and to install and maintain 60 LF of a 14-foot by 5.5-foot reinforced concrete box culvert in and along Lorraine Run (TSF) beneath West Valley Green Road. This work includes the construction of a temporary bypass roadway, which will be converted into a bike/pedestrian trail after construction. The activity is associated with Phase II of the Whitemarsh Township Storm Drainage Improvement Project located approximately 600 feet northeast of the

intersection in West Valley Green and Cricket Road (Germantown, PA Quadrangle N: 19.35 inches; W: 13.90 inches).

E23-410. Westlake Plastics Company, P. O. Box 127, Lenni, PA 19052-0127, Chester Heights Borough, **Delaware County**, ACOE Philadelphia District.

To place and maintain fill in 0.042 acre of wetlands (PFO) adjacent to an unnamed tributary of Chester Creek (WWF-MF). The amount of wetland impact is considered a de minimis impact and wetland mitigation is not required. The proposed structure within the floodway and an associated utility line crossing of an unnamed tributary to Chester Creek meet the permit waiver provision of 25 Pa. Code § 105.12(a)(2) The purpose of these activities is to expand Westlake Plastics Company's facility located approximately 200 feet northwest of the intersection of Lenni Road and New Road (Media, PA Quadrangle N: 3.4 inches; W: 10.9 inches).

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

E39-397. Lower Macungie Township, 3400 Brookside Road, Macungie, PA 18062-1427. Lower Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To repair and maintain a two-span bridge across Little Lehigh Creek with work consisting of guiderail replacement, repairs to spalled and cracked concrete surfaces and the placement of R-5 riprap scour protection at the pier and abutments. The bridge has spans of 27 feet and 24 feet and an average underclearance of approximately 4.5 feet and is located along T-504 (Macungie Road), approximately 0.7 mile west of the Pennsylvania Turnpike Northeast Extension (Allentown West, PA Quadrangle N: 6.0 inches; W: 5.0 inches).

E52-173. Peter and Nancy Pinchot, 123 Moon Valley Road, Milford, PA 18337. Milford Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To modify and maintain an existing single-family residence in the floodway of Vandermark Creek, with work consisting of constructing a building addition. The existing house has a footprint of approximately 1,400 square feet, and the project will add approximately 50 square feet of area within the floodway. The project is located approximately 0.25 mile upstream of the Milford Borough/Milford Township boundary (Milford, PA-NJ Quadrangle N: 14.9 inches; W: 6.6 inches).

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

E07-347. Logan Township, 800 39th Street, Altoona, PA 16601 in Logan Township, **Blair County**, ACOE Baltimore District.

To remove an existing structure and to construct and maintain a 71-inch by 47-inch corrugated steel pipe arch in the channel of an unnamed tributary to Homer Gap Run (WWF) at a point at Homer Gap Road (Altoona, PA Quadrangle N: 13.5 inches; W: 6.7 inches).

E21-317. Carlisle Suburban Authority, 240 Clearwater Drive, Carlisle, PA 17013 in North Middleton Township, **Cumberland County**, ACOE Baltimore District.

To construct and maintain: (1) two sanitary sewer line crossings of the Conodoguinet Creek (WWF) and its floodway/floodplain; a 6-inch diameter force main crossing at the Penn-Del Pump Station, a 6-inch diameter and 4-inch diameter force main crossing at the West End

Wastewater Treatment Facility both crossings will require the construction of a temporary cofferdam to facilitate construction; (2) a 10-inch diameter outfall pipe in the channel of the Conodoguinet Creek (WWF) at the West End Wastewater Treatment Facility; and (3) sanitary sewer line crossings in 1.24 acres of wetlands in conjunction with the development of the West End Wastewater Treatment Facility and its sanitary collection system located on the north side of the Conodoguinet Creek (WWF), about 0.6 mile north of the Pennsylvania Turnpike and 1 mile west of S.R 0074 (Carlisle, PA Quadrangle N: 17.0 inches; W: 14.8 inches).

E28-290. Chambersburg Borough, 100 South Second Street, Chambersburg, PA 17201 in Chambersburg Borough, **Franklin County**, ACOE Baltimore District.

To (1) remove the existing steel grid deck from Bridge #3 and demo support walls sections 4–6 and (2) construct and maintain a reinforced concrete slab deck and pave a new roadway surface across Falling Spring Branch (TSF) at a point 0.6 mile northeast of the Chambersburg Square (Chambersburg, PA Quadrangle N: 20.4 inches; W: 3.2 inches) in Chambersburg Borough, Franklin County.

E34-101. Marlin Zook, RD 1 Box 22, East Waterford, PA 17021 in Lack Township, **Juniata County**, ACOE Baltimore District.

To remove an existing bridge and to construct and maintain a bridge having a span of 30 feet and an underclearance of 5 feet across the channel of Lick Run (CWF) at a point approximately 1,200 feet upstream of its mouth (Blairs Mill, PA Quadrangle N: 17.62 inches; W: 2.87 inches) in Lack Township, Juniata County.

E50-205. Toboyne Township, RD 1 Box 168, Blain, PA 17006 in Toboyne Township, **Perry County**, ACOE Baltimore District.

To construct and maintain repairs which include underpinning bridge abutment foundations and placing a reinforced concrete jacket along both abutments to a single span steel I-beam bridge having a clear span of 19.5 feet and an underclearance of 3.5 feet across Sherman Creek (HQ-CWF) located on Upper Buck Ridge Road T-301 (Blain, PA Quadrangle N: 8.1 inches; W: 12.9 inches).

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

E08-379. Stevens Township, R.R. 3, Box 273A, Wyalusing, PA 18853. Existing 48 inch by 30 foot Culvert, in Stevens Township, **Bradford County**, ACOE Baltimore District (Leraysville, PA Quadrangle N: 0.3 inch; W: 6.9 inches).

To remove the existing 48 inch diameter by 30 foot long CMP culvert and to construct and maintain a 48 inch diameter by 30 foot long CMP culvert with headwalls in Bennett Creek on Stevensville Mountain Road off Route 706 about 3,000 feet south-southeast of Stevensville (Leraysville, PA Quadrangle N: 0.3 inch; W: 6.9 inches) in Stevens Township, Bradford County. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E14-399. John and Erma Bubb, 324 Taylor Hill Road, Centre Hall, PA 16828. Stream Enclosure, in Potter Township, **Centre County**, ACOE Baltimore District (Centre Hall, PA Quadrangle N: 6.45 inches; W: 8.00 inches).

To maintain a 124-foot long 36-inch diameter corrugated metal pipe stream enclosure of an unnamed tribu-

tary of Sinking Creek to access the rear of the residential property located 1 mile south on Taylor Hill Road from SR 322. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E14-399. John and Erma Bubb, 324 Taylor Hill Road, Centre Hall, PA 16828. Stream Enclosure, in Potter Township, **Centre County**, ACOE Baltimore District (Centre Hall, PA Quadrangle N: 6.45 inches; W: 8.00 inches).

To maintain a 124-foot long 36-inch diameter corrugated metal pipe stream enclosure of an unnamed tributary of Sinking Creek to access the rear of the residential property located 1 mile south on Taylor Hill Road from SR 322. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E17-358. Clearfield County Commissioners, 230 East Market Street, Clearfield, PA 16830. Bridge Replacement, in Curwensville Borough, **Clearfield County**, ACOE Baltimore District (Curwensville, PA Quadrangle N: 18.1 inches; W: 2.8 inches).

To 1) construct cofferdams around the abutments and the piers of the existing and proposed bridge, 2) remove the existing bridge and 3) construct and maintain a two span prestressed concrete spread box beam bridge with normal clear spans of 31.00 meters (101.7 feet), 3.411 meter (11.19 feet) minimum underclearance and an 85 degree right ahead skew in the West Branch Susquehanna River.

E18-321. Lew Shrenkengast, 708 Reed Street, Avis, PA 17721. Garage in Floodway, in Avis Borough, **Clinton County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle N: 10.9 inches; W: 9.20 inches).

To construct and maintain a 30-foot by 40-foot garage on a concrete slab 24 feet from the right bank of Grove Run located 88 feet downstream of where Reed Street crosses Grove Run (Jersey Shore, PA Quadrangle N: 10.9 inches; W: 9.20 inches) in Avis Borough, Clinton County. This permit was issued under § 105.13(e) "Small Projects."

E18-322. Glenn M. and Terry M. Condo, 2024 Long Run Road, Mill Hall, PA 17751. Bridge Work, in Woodward Township, **Clinton County**, ACOE Baltimore District (Lock Haven, PA Quadrangle N: 4.6 inches; W: 12.2 inches).

To construct and maintain a 30' by 40' pavilion, a 65' long concrete bulkhead retaining wall, an at-grade concrete pad, a floating dock that will conform to GP-2 standards, and a 10' by 14' shed in the floodway of the West Branch Susquehanna River on Lots 23 and 24 located near the east bank of the river approximately 4,800 feet south of the intersection of German Road with T-402 (Lock Haven, PA Quadrangle N: 4.6 inches; W: 12.2 inches) in Woodward Township, Clinton County. This permit was issued under § 105.13(e) "Small Projects."

E41-480 Denied. Harold P. Eck, 771 Pearson Road, Jersey Shore, PA 17740. Water Obstruction and Encroachment Permit application, in the City of Williamsport, Loyalsock Township, South Williamsport Borough, Duboisstown Borough, Armstrong Township, Susquehanna Township, Nipponose Township, Piatt Township and Woodward Township, **Lycoming County**, ACOE Susquehanna River Basin District (Williamsport, PA

Quadrangle N: 19.6 inches; W: 0.9 inch to Linden, PA Quadrangle N: 13.7 inches; W: 9.9 inches).

To remove selected submerged old growth timber logs, not including the log cribs, from the West Branch Susquehanna River bed within a 13-mile bank-to-bank reach immediately upstream of the Hepburn Street Dam.

E41-481. Lewis Township Supervisors, P. O. Box 118, Trout Run, PA 17771. Tractor Pull Park, in Lewis Township, **Lycoming County**, ACOE Baltimore District (Trout Run, PA Quadrangle N: .25 inch; W: 9.25 inches).

To construct, operate and maintain a secondary parking area within the floodway of Wolf Run. This permit also authorizes a picnic area, open baseball field, parking area, portable toilets, portable announcers stand and a vehicle unloading ramp constructed of earthen fill reinforced by wooden timbers in the flood fringe of Wolf Run. This project is located .75 mile southwest of Trout Run along the south side of SR 15.

E41-487. Randall and Barbra Stiger, 530 South Main Street, Muncy, PA 17756. Residential Bridge, in Penn Township, **Lycoming County**, ACOE Baltimore District (Picture Rocks, PA Quadrangle N: .01 inch; W: 5.9 inches).

To construct, operate and maintain a single span residential bridge structure with a 4-foot underclearance and a span of 28-feet on Sugar Run Creek. This structure also proposes two 18-inch relief culverts in the floodway. The project is located 400 feet north on Green Valley Road from the intersection with SR 118. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E02-1322. Associated Investors, Inc., 800 Mutual Building, 816 Fifth Avenue, Pittsburgh, PA 15219. The Municipality of Penn Hills and Churchill Borough, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a retaining wall approximately 210.0 feet long along the right bank of Duff's Run, to place and maintain fill in the channel of and along the right bank of said stream and to operate and maintain the existing 15-inch diameter outfall structure along the right bank of said stream for the purpose of constructing the Purity Road Industrial Park located approximately

160 feet south from the intersection of Purity Road and Rodi Road (Braddock, PA Quadrangle N: 12.3 inches; W: 10.9 inches).

E63-510. H. Jay and Amy Bioni, 10 Antil Street, McDonald, PA 15057. Cecil and Chartiers Townships, **Washington County**, ACOE Pittsburgh District.

To construct and maintain an elliptical RCP Culvert having a 76" span and a 48" underclearance (depressed 1 foot) in Brush Run (WWF) for the purpose of providing access to a proposed residential home. The culvert will be located on the south side of State Route 980, approximately 700 feet south of its intersection with Chartiers Run Road (formerly Venice Road) (Canonsburg, PA Quadrangle N: 5.9 inches; W: 11.7 inches).

E65-784. Pennsylvania Department of Transportation, P. O. Box 459, Uniontown, PA 15401. Hempfield Township, **Westmoreland County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a bridge having a normal clear span of 9.14 m and an underclearance of 1.77 m across an unnamed tributary to Sewickley Creek (WWF) located on S.R. 3075, Section A10. Also, to place and maintain fill in 0.065 acre of palustrine emergent and scrub/shrub wetland for the purpose of improving highway safety. To compensate for the loss of wetland, the applicant will make a monetary contribution to the Pennsylvania Wetland Replacement Project. The project includes removal of an abandoned concrete weir located upstream of the structure. The project is located at a point approximately 0.5 mile north of intersection with S.R. 3014 (Smithton, PA Quadrangle N: 18.5 inches; W: 2.6 inches).

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—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>
01-48-001	Willard Kocher Elementis Pigments Inc 1525 Wood Avenue Easton, PA 18042-3186	Northampton	Easton	2 ASTs storing Pickle Liquor (Sulfuric Acid)	50,408 gallons each

SPECIAL NOTES

BUREAU OF OIL AND GAS MANAGEMENT

Public Notice of the Renewal and Availability of NPDES General Permit No. PAG310001 for Discharges from Stripper Oil Well Facilities

The Department of Environmental Protection (Department), by this notice, announces the availability of the final general NPDES permit for discharges from Stripper Oil Well Facilities. The general permit is now available for use by eligible new and existing operations that need

a permit in accordance with Pennsylvania's NPDES regulations. The draft general permit was published in the *Pennsylvania Bulletin* for public comment on September 8, 2001. No comments were received.

The final general NPDES permit and notice of intent (NOI) will be posted on the Department website at <http://www.dep.state.pa.us/dep/deputate/minres/oilgas/oilgas.htm>.

The documents are also available by writing or calling one of the regional offices:

Department of Environmental Protection NW Regional Office—Oil and Gas 230 Chestnut Street Meadville, PA 16335 (814) 332-6860	Department of Environmental Protection SW Regional Office—Oil and Gas 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
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BUREAU OF DEEP MINE SAFETY

Request for Variance

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (BDMS), has received a request for variance from R & R Mining, Inc. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the BDMS website at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the BDMS to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. Comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (52 P. S. § 702) provides a mechanism for operators to obtain variances from specific requirements of the Act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 273(b) states that all conveyor entries shall be provided with a minimum width and height of not less than 4 feet for travel; but in conveyor entries in which track is installed, the minimum amount of clearance width shall not be less than 2 1/2 feet, which clearance width shall be continuous throughout the entry. All travel space and clearance space shall be kept free of all forms of obstruction under foot, and free from electric wires and electric cables.

Summary of the Request: R & R Mining, Inc. requests a variance to allow for clearance along belt lines at the #73 Mine.

[Pa.B. Doc. No. 01-1925. Filed for public inspection October 26, 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

DEP ID: 392-0300-002 Title: Proposed Comprehensive Stormwater Management Policy Description: The Department will employ a comprehensive stormwater management program, using existing authority, to improve water quality, sustain water quantity (including ground water recharge and stream base flow) and integrate Federal stormwater management obligations. This policy is being developed in response to public comments and recommendations received during the water forums held throughout the state in the Spring of 2001 and to address Federal Clean Water Act Phase II Stormwater requirements. This policy will apply to stormwater management programs implemented by the Department. Anticipated Effective Date: February 23, 2002 Comment Period Ends: December 27, 2001 Contact: Stuart I. Gansell at (717) 783-7420 or e-mail sgansell@state.pa.us.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1926. Filed for public inspection October 26, 2001, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION DEPARTMENT OF TRANSPORTATION

Proposed Revision to the State Implementation Plan for the Enhanced Vehicle Emissions Inspection/Maintenance Program

The Commonwealth of Pennsylvania is seeking comments on a revision to the State Implementation Plan (SIP) for the Enhanced Vehicle Inspection and Maintenance (I/M) Program to demonstrate the need for an extension to January 1, 2003, to include onboard diagnostics (OBD) testing in its program.

States must demonstrate to the United States Environmental Protection Agency that an extension is necessary

to allow for successful implementation of OBD testing. This SIP revision describes the legal, technical, regulatory and operational constraints which has led the Commonwealth to seek an extension.

The Departments of Environmental Protection and Transportation will hold three public hearings as follows:

Tuesday, November 27, 2001

1 p.m. to 3 p.m.

Department of Environmental Protection
Southwest Regional Office
Waterfront Room A
400 Waterfront Drive
Pittsburgh, PA

Wednesday, November 28, 2001

1 p.m. to 3 p.m.

Department of Transportation
Riverfront Office Center
Transportation University Room 411
1101 South Front Street, 4th Floor
Harrisburg, PA

Thursday, November 29, 2001

1 p.m. to 3 p.m.

Pennsylvania Emissions Team
414 Commerce Drive
Suite 175
Fort Washington, PA

The proposed SIP revision is available on the I/M program website at www.drivecleanpa.state.pa.us or from the following contact.

Persons wishing to present testimony at the hearings should contact Cindy Cashman, PennDOT Vehicle Inspection Division, Riverfront Office Center 3rd Floor, 1101 South Front Street, Harrisburg, PA 17104, phone (717) 783-5841 to preregister to present testimony. Persons who do not preregister to testify will be permitted to testify after the testimony of preregistered witnesses. Each witness should limit oral testimony to 10 minutes and submit three written copies of the testimony at the hearing if possible. Any organization or association wishing to present testimony should designate one witness to present testimony on its behalf.

Written comments should be sent to Cindy Cashman, Vehicle Inspection Division, 3rd Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or to ccashman@dot.state.pa.us no later than close of business on November 30, 2001.

Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact Cindy Cashman at the previous address or telephone number, or for TDD users, the AT&T Relay Service at (800) 654-5984, to discuss how the Department of Transportation can best accommodate their needs. When using the AT&T Relay Service number, the caller must also indicate that the caller desires to contact Cindy Cashman.

DAVID E. HESS,
Secretary

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 01-1927. Filed for public inspection October 26, 2001, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Public Notice of Draft Comprehensive Stormwater Management Policy

The Department of Environmental Protection (DEP) is seeking public comment on a proposal to update its current stormwater management program, using existing authority, to improve water quality, sustain water quantity (including ground water recharge and stream base flow) and integrate upcoming stormwater management obligations.

The draft proposal is available on the DEP website at www.dep.state.pa.us (directLINK "Comprehensive Stormwater Policy") or can be obtained by contacting Stuart Gansell at (717) 783-7420, e-mail to sgansell@state.pa.us or DEP Office of Water Management, Bureau of Watershed Management, 10th Floor, Rachel Carson State Office Building, P. O. Box 8555, Harrisburg, PA 17105-8555.

At the 15 water forums held throughout this Commonwealth in the spring of 2001, stormwater management was a consistent and recurring concern of citizens and municipal officials. DEP is facing challenges to its existing approach in litigation before the Environmental Hearing Board. The Commonwealth must also implement Phase II stormwater controls under the Federal Clean Water Act within the next several years.

DEP proposes a best management practices (BMP) approach to stormwater management that generally encourages, and sometimes requires, minimization and infiltration of stormwater flows. This approach will reduce pollutant loadings to streams, recharge groundwater tables, enhance stream base flow during times of drought and reduce the threat of flooding and stream bank erosion resulting from storm events. Permit conditions will require BMPs as the means of managing stormwater from both Phase I and Phase II construction, as well as postconstruction stormwater flows.

Administratively, DEP proposes to integrate its permitting programs with stormwater management plans developed on a watershed basis under the Stormwater Management Act (Act 167). Act 167 county plans will include water quality and quantity protections implemented by municipalities within the watershed. In addition, DEP will, in appropriate circumstances, rely on these Act 167 plans to meet the NPDES permitting requirements for municipalities under the Federal Clean Water Act Phase II municipal stormwater permitting program.

Written comments should include the name, address and telephone number of the person commenting. Written comments will be accepted by postal or e-mail at the addresses previously listed. Comments submitted by facsimile or voice mail will not be accepted.

The comment period extends through December 27, 2001, and comments received by that date will be considered in the formulation of the final guidance for Comprehensive Stormwater Management Policy (document identification number, 392-0300-002).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Stuart Gansell at (717) 783-7420 or through the

Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice) to discuss how DEP can accommodate their needs.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-1928. Filed for public inspection October 26, 2001, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

State Surplus Property Division

The Department of General Services, State Surplus Property division is offering off-road equipment and dump trucks for sale at public auction on November 10, 2001, at 9 a.m. located at the Pennsylvania Department of Transportation's equipment shed in Harrisburg, Dauphin County.

Some of the equipment for sale will be approximately 60 trucks. Other equipment will consist of loaders and dump trucks. (Note that the Commonwealth reserves the right to withdraw any or all items from this sale.)

For more information, call (717) 787-4085.

KELLY P. LOGAN,
Acting Secretary

[Pa.B. Doc. No. 01-1929. Filed for public inspection October 26, 2001, 9:00 a.m.]

DEPARTMENT OF HEALTH

Health Research Advisory Committee Meeting

The Health Research Advisory Committee, established by Chapter 9, section 903(b) of The Tobacco Settlement Act (Act 2001-77), will hold a public meeting on November 9, 2001, from 9:30 a.m. to 4 p.m. The meeting will be held at the Crowne Plaza Harrisburg, 23 South Second Street, Harrisburg, PA.

For additional information contact Patricia W. Potrzebowski, Director, Bureau of Health Statistics or Robin C. Cohick, Administrative Officer, Bureau of Health Statistics, 555 Walnut Street, 6th Floor, Harrisburg, PA at (717) 783-2548.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact Patricia W. Potrzebowski or Robin Cohick at (717) 783-2548; V/TT (717) 783-6514 for speech and/or hearing impaired persons 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. 01-1930. Filed for public inspection October 26, 2001, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Garden Spot Village
433 South Kinzer Avenue
New Holland, PA 17557

St. Mary's Home of Erie
607 East 26th Street
Erie, PA 16504

Lutheran Home@Kane
R. R. 1 Box 92AA
Kane, PA 16735

The Sheperd's Choice of Gettysburg
867 York Road
Gettysburg, PA 17325

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.28(b) (relating to nurses' station):

Bryn Mawr Terrace Convalescent Center
Haverford and Rugby Roads
Bryn Mawr, PA 19010

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Moses Taylor Hospital Skilled Nursing Facility
700 Quincy Avenue
Scranton, PA 18510

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.71 (relating to bed and furnishings):

Green Acres Adams County Nursing Home
and Rehabilitation Center
595 Biglerville Road
Gettysburg, PA 17325

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, e-mail address: PAEXCEPT@HEALTH.STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 01-1931. Filed for public inspection October 26, 2001, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), this firm or person, or any firms, corporations or partnerships in which the firm or person has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
MAC Paving & Seal Coating, Inc. and Kathleen Doyle Cleary, indivi- dually	725 Gino Merli Drive Peckville, PA 18452	October 5, 2001

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 01-1932. Filed for public inspection October 26, 2001, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Mandated Benefits

Section 9 of Act 34 of 1993 requires that the Health Care Cost Containment Council (Council) review proposed mandated health benefits on request of the executive and legislative branches of government. The Council has been requested by Senator Edwin G. Holl, Chairperson of the Senate Banking and Insurance Committee, to review Senate Bill 636, Printer's Number 674 (Schwartz), the Colorectal Cancer Early Detection Act. Senate Bill 636 would require health insurance policies to provide coverage for colorectal cancer screening examinations and laboratory tests for cancer for eligible nonsymptomatic individuals in accordance with the most recently published American Cancer Society guidelines for colorectal cancer screenings. Eligible individuals include: (1) individuals 50 years of age or older; and (2) individuals under 50 years of age who are at high risk for colorectal cancer according to the most recently published colorectal cancer screening guidelines of the American Cancer Society. Covered screenings include: 1) fecal-occult blood test; (2) flexible sigmoidoscopy; (3) colonoscopy; (4) barium enema; and (5) other procedures as the Department of Health deems appropriate.

The Council is requesting that anyone supporting or opposing these mandated insurance benefits provide six copies of the documentation to the Council no later than 5 p.m. on December 27, 2001. The documentation should be mailed to Flossie Wolf, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101.

Documentation submitted should be in accordance with any or all of the following information categories described in section 9 of Act 34:

(i) The extent to which the proposed benefit and the services it would provide are needed by, available to and utilized by the population of this Commonwealth.

(ii) The extent to which insurance coverage for the proposed benefit already exists, or if no coverage exists, the extent to which this lack of coverage results in inadequate health care or financial hardship for the population of this Commonwealth.

(iii) The demand for the proposed benefit from the public and the source and extent of opposition to mandating the benefit.

(iv) All relevant findings bearing on the social impact of the lack of the proposed benefit.

(v) Where the proposed benefit would mandate coverage of a particular therapy, the results of at least one professionally accepted, controlled trial comparing the medical consequences of the proposed therapy, alternative therapies and no therapy.

(vi) Where the proposed benefit would mandate coverage of an additional class of practitioners, the results of at least one professionally accepted, controlled trial comparing the medical results achieved by the additional class of practitioners and those practitioners already covered by benefits.

(vii) The results of any other relevant research.

(viii) Evidence of the financial impact of the proposed legislation, including at least:

(A) The extent to which the proposed benefit would increase or decrease cost for treatment or service.

(B) The extent to which similar mandated benefits in other states have affected charges, costs and payments for services.

(C) The extent to which the proposed benefit would increase the appropriate use of the treatment or service.

(D) The impact of the proposed benefit on administrative expenses of health care insurers.

(E) The impact of the proposed benefits on benefits costs of purchasers.

(F) The impact of the proposed benefits on the total cost of health care within this Commonwealth.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 01-1933. Filed for public inspection October 26, 2001, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website

at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
6-273	State Board of Education Academic Standards and Assessment	10/12/01

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 01-1934. Filed for public inspection October 26, 2001, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control

Family Unity Holdings, LLC has filed an application to acquire control of Unity Financial Life Insurance Company, a Commonwealth domiciled stock life insurance company. The filing was made under the requirements set forth under the Insurance Holding Companies Act (40 P. S. § 991.1402, et seq.). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert A. Kotal, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax to (717) 787-8557 or e-mail to rkotal@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1935. Filed for public inspection October 26, 2001, 9:00 a.m.]

CIGNA Healthcare of Pennsylvania; Rate Filing

On October 9, 2001, CIGNA Healthcare of Pennsylvania submitted a rate filing to increase the Community Base Rates for Medical and Pharmacy Plans. The proposed medical increase is between 28 and 32% and 33-50% for pharmacy. The rate increase will affect 2,827 members and generate approximately \$1.3 million in premium income. The requested effective date is January 1, 2002.

This filing is available for public inspection during normal working hours at the Insurance Department's regional offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections Cherri Sanders-Jones, Actuary, Insurance Department, Bureau of Accident and Health Insurance, 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. 01-1936. Filed for public inspection October 26, 2001, 9:00 a.m.]

Penn Treaty Network America Insurance Company; Rate Increase Filing for Long Term Care Policy Forms: PF2600, LTCTP-6500, 2400, LTCTP-6000, IL2, LTCTP-6700, IL94, LTC94 and LTC91

Penn Treaty Network America (PTNA) is requesting approval to increase the premium an aggregate 33% for the Comprehensive Long Term Care Policy Forms PF2600, LTCTP-6500 and the associated riders. The average premium for the 2600/6500 Series will increase from \$1,413 to \$1,885 and will affect 9,032 Commonwealth policyholders. The requested rate increase for the 2600 Series ranges from 237% for issue ages less than 50 to 14% for issue age 89. The requested rate increase for the 6500 Series ranges from 253% for issue ages less than 50 to 20% for issue age 89.

PTNA is requesting approval to increase the premium 35% for the Long Term Care Policy Forms 2400, LTCTP-6000 and the associated riders. The average premium for the 2400/6000 Series will increase from \$1,413 to \$1,907 and will affect 6,699 Commonwealth policyholders.

PTNA is requesting approval to increase the premium 15% for the Home Health Policy Forms IL2, LTCTP-6700 and the associated riders. The average premium for the IL2/6700 Series will increase from \$1,164 to \$1,339 and will affect 2,855 Commonwealth policyholders.

PTNA is requesting approval to increase the premium 25% for the Home Health Policy Form IL94 and the associated riders. The average premium for the IL94 Series will increase from \$1,077 to \$1,346 and will affect 2,628 Commonwealth policyholders.

PTNA is requesting approval to increase the premium 40% for the Comprehensive Long Term Care Policy Form LTC94 and the associated riders. The average premium for the LTC94 Series will increase from \$1,564 to \$2,190 and will affect 109 Commonwealth policyholders.

PTNA is requesting approval to increase the premium 40% for the Long Term Care Policy Form LTC91 and the associated riders. The average premium for the LTC91 Series will increase from \$1,362 to \$1,907 and will affect 2,230 Commonwealth policyholders.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, 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. 01-1937. Filed for public inspection October 26, 2001, 9:00 a.m.]

Prudential Property and Casualty Insurance Company; Private Passenger Automobile Rate Filing

On October 9, 2001, the Insurance Department received from Prudential Property and Casualty Insurance Company a filing for a rate level change for private passenger automobile insurance.

The company requests an overall 8.8% increase amounting to \$9,808,000 annually, to be effective upon approval.

Unless formal administrative action is taken prior to December 8, 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.

All 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 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 01-1938. Filed for public inspection October 26, 2001, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Chester County, Wine & Spirits Shoppe #1502, 317 W. Bridge Street, Phoenixville, PA 19460-3355.

Lease Expiration Date: May 31, 2003

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space in the Borough of Phoenixville.

Proposals due: November 16, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: Robert J. Jolly, (215) 482-9673

Montgomery County, Wine & Spirits Shoppe #4611, Park Towne Plaza, Royersford, PA 19468.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space on Route 422 in Limerick Township or Royersford Borough.

Proposals due: November 16, 2001, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: Robert J. Jolly, (215) 482-9673

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 01-1939. Filed for public inspection October 26, 2001, 9:00 a.m.]

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

Publication of Financial Statement

Under section 207 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (Act of June 5, 1991 (P.L. 9, No. 6)), the Pennsylvania Intergovernmental Cooperation Authority (Authority) is required to publish a "concise financial statement" annually in the *Pennsylvania Bulletin*. The Authority has issued its annual report for its fiscal year ended June 30, 2001, which includes an audit for the period performed in accordance with generally accepted auditing standards by an independent firm of certified public accountants. The complete annual report of the Authority may be obtained from the Authority at 1429 Walnut Street, 14th floor, Philadelphia, PA 19102, (215) 561-9160.

JOSEPH C. VIGNOLA,
Executive Director

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

CONDENSED BALANCE SHEET

JUNE 30, 2001

ASSETS

CURRENT ASSETS:

Cash and short-term investments	\$ 168,247,893
PICA taxes receivable	6,340,607
Accrued interest receivable	620,262
Interfund receivable	344,368

Total current assets 175,553,130

PROPERTY, PLANT AND EQUIPMENT—Office furniture and equipment 162,310

CONDENSED BALANCE SHEET**JUNE 30, 2001**

OTHER ASSETS—Prepaid rent and security deposit	11,940
AMOUNT AVAILABLE IN DEBT SERVICE FUNDS FOR RETIREMENT OF LONG-TERM DEBT	89,444,270
AMOUNT TO BE PROVIDED FOR RETIREMENT OF LONG-TERM DEBT	<u>812,405,730</u>
TOTAL ASSETS	<u>\$1,077,577,380</u>

LIABILITIES AND FUND EQUITY

CURRENT LIABILITIES:

Accounts payable	\$ 109,211
Accrued payroll and taxes	405,921
Due to the City of Philadelphia	6,687,557
Bonds payable—current portion	61,175,000
Interfund payable	344,368
Total current liabilities	<u>68,722,057</u>
BONDS PAYABLE—Long-term portion	840,675,000

FUND EQUITY:

Fund balances:	
Unreserved	1,311,341
Reserved for debt service	84,444,270
Reserved for the benefit of the City of Philadelphia	75,412,402
Reserved for subsequent PICA administration	1,850,000
Total fund balances	<u>168,018,013</u>
Investment in general fixed assets	<u>162,310</u>
TOTAL LIABILITIES AND FUND EQUITY	<u>\$1,077,577,380</u>

**CONDENSED STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
YEAR ENDED JUNE 30, 2001**

REVENUES:	
PICA taxes	\$274,627,670
Interest earned on investments	<u>12,346,894</u>
Total revenues	<u>286,974,564</u>
EXPENDITURES:	
Grants to the City of Philadelphia	175,587,191
Debt service:	
Principal	57,570,000
Interest	49,428,376
Administration:	
Operations	1,096,440
Capital outlay	12,245
Arbitrage rebate to U.S. Treasury	16,601
Total expenditures	<u>283,710,853</u>
EXCESS OF REVENUES OVER EXPENDITURES	3,263,711
FUND BALANCES, JULY 1, 2000	<u>164,754,302</u>
FUND BALANCES, JUNE 30, 2001	<u>\$168,018,013</u>

[Pa.B. Doc. No. 01-1940. Filed for public inspection October 26, 2001, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Order

Public Meeting held
October 12, 2001

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

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff (2001.0150 and 1998.0232.01) v.
Maxxis Communications Inc.; Doc. Nos. C-20015987
C-20015677; A-310795*

Default Order

By the Commission:

On August 14, 2001, Law Bureau Prosecutory Staff instituted a complaint against Maxxis Communications Inc. (the Respondent), an interexchange (IXC) reseller certificated at A-310795. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its monthly Universal Service Fund assessments were overdue by three or more months. The complaint charged that the Respondent's failure to pay these assessments violates 52 Pa. Code §§ 63.161—63.171 and 66 Pa.C.S. §§ 3001—3009.

In addition, Law Bureau Prosecutory Staff instituted a separate complaint on June 12, 2001, against the Respondent for failure to file its 1999 Annual Report pursuant to 66 Pa.C.S. § 504.

The Prosecutory Staff complaints sought orders from the Commission canceling the Respondent's certificate of public convenience for failure to pay its assessments and to file its 1999 Annual Report, respectively. The complaints were mailed by the Secretary's Bureau on August 16, 2001, and June 22, 2001, respectively, and according to the postal return receipts, service was perfected on August 27, 2001, and June 25, 2001, respectively. To date, more than 20 days later, no answer has been filed to either complaint, the assessments have still not been paid, and the 1999 Annual Report has still not been filed; *Therefore,*

It Is Ordered:

1. That the allegations in Law Bureau Prosecutory Staff's complaints are deemed admitted and the complaints are thereby sustained.

2. That the Secretary serve a copy of this Default Order upon all jurisdictional telecommunication carriers, the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That Maxxis Communications Inc. immediately cease providing service to any new customers and, within 10 days of the entry of this Default Order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent public comment within the 20-day time period established pursuant to Ordering Paragraph No. 2.

4. That absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Maxxis Communications Inc. at Docket No. A-310795 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1941. Filed for public inspection October 26, 2001, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before November 19, 2001, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Notice of Motor Carrier Applications— Persons in Limousine Service

The following applications for authority to transport persons in limousine service between points in Pennsylvania have been filed with the Commission. The applications will be considered without hearing in the absence of substantive protests limited to the issue of applicant fitness. Protests to these applications are due on or before November 19, 2001.

A-00111452, F3 Healaksar, Inc.
802 Durham Pl.
Bensalem, PA 19020

A-00118348 Chocolate Town Inn, Inc.
t/d/b/a Days Inn of Hershey
350 W. Chocolate Avenue
Hershey, PA 17033

Attorney: John J. Ferry, Jr.
46 East Main Street
Palmyra, PA 17078

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 01-1942. Filed for public inspection October 26, 2001, 9:00 a.m.]

Telecommunications

A-310738F7000. Verizon Pennsylvania Inc. and D & E Systems Inc. Joint Petition of Verizon Pennsylvania, Inc. and D & E Systems Inc. for approval of a replacement interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and D & E Systems Inc. filed on October 12, 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 D & E Systems Inc. Joint Petition are on file with the Pennsylvania Public Utility 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. 01-1943. Filed for public inspection October 26, 2001, 9:00 a.m.]

Telecommunications

A-310593F7000. Verizon Pennsylvania, Inc. and 1-800-Reconex, Inc. Joint Petition of Verizon Pennsylvania, Inc. and 1-800-Reconex, Inc. for approval of a replacement interconnection agreement, with Amendment No. 1, under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and 1-800-Reconex, Inc. filed on October 12, 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 1-800-Reconex, Inc. Joint Petition are on file with the Pennsylvania Public Utility 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. 01-1944. Filed for public inspection October 26, 2001, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0149.1, Install Fast Acting Roll-Up Doors, Pier 82 South, until 2 p.m. on Thursday, November 15, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available October 30, 2001. The cost of the bid document is \$35 (includes 7% PA sales tax) which is nonrefundable. PRPA is an equal opportunity employer.

Contractor must comply with all applicable equal employment opportunity laws and regulations.

A mandatory prebid job site meeting will be held Thursday, November 8, 2001, 10 a.m. at the job site, Jackson St. and Columbus Blvd., Philadelphia, PA 19148.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 01-1945. Filed for public inspection October 26, 2001, 9:00 a.m.]

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0151.9, Maintenance Dredging at P96S, P84S, P82S, P80S, TMT Ro/Ro Berth until 2 p.m. on Thursday, November 15, 2001. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available October 30, 2001. The cost of the bid documents is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

Mandatory prebid job site meeting will be held November 8, 2001, 11 a.m. at PRPA, 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134. PRPA will consider only those bids received from parties who attend the prebid meeting.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 01-1946. Filed for public inspection October 26, 2001, 9:00 a.m.]

STATE BOARD FOR CERTIFICATION OF SEWAGE ENFORCEMENT OFFICERS

2002 Examination Announcement

Examination Dates:

- | | |
|--------------------------------------|--|
| **April 12, 2002
Exton, PA | All applications must be received by the State Board for Certification of Sewage Enforcement Officers (Board), complete and correct by close of business March 13, 2002. |
| *April 27, 2002 | All applications must be received by the Board, complete and correct by close of business March 28, 2002. |
| **June 28, 2002
State College, PA | All applications must be received by the Board, complete and correct by close of business May 29, 2002. |
| **August 16, 2002
Warren, PA | All applications must be received by the Board, complete and correct by close of business July 17, 2002. |

****October 11, 2002** All applications must be received by the Board, complete and correct by close of business September 11, 2002.

***November 2, 2002** All applications must be received by the Board, complete and correct by close of business October 3, 2002.

* These certification examinations will be administered in the area of the following cities: Altoona, Harrisburg, Meadville, Philadelphia, Pittsburgh, Wilkes-Barre and Williamsport.

** These certification examinations will be administered the Friday following completion of the precertification academy at the city listed following the date.

To qualify to sit for the certification exam, all Sewage Enforcement Officer (SEO) candidates must complete the SEO precertification academy, which consists of 6 days of training spread over 2 weeks.

For information on SEO training, contact the Pennsylvania State Association of Township Supervisors, 3001 Gettysburg Road, Camp Hill, PA 17011-7296, (717) 763-0930.

The SEO written examination contains 80 multiple choice questions covering planning requirements, administration and enforcement of the permit program and technical criteria for soils and disposal systems with a 3.5 hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book exam; however, individuals are not permitted to bring their own materials. Necessary reference materials will be provided at the test site.

Exam applications may be obtained by contacting the Department of Environmental Protection, Certification and Licensing Section, Rachel Carson State Office Building, 400 Market St., P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 787-6045.

Approximately 3 weeks prior to an examination, applicants will receive an admittance letter from the Board.

Persons with a disability who require accommodation to take the SEO examination, should contact the Board at (717) 787-6045 or through Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Board may accommodate their needs.

KATHY W. KEYES,
Secretary

[Pa.B. Doc. No. 01-1947. Filed for public inspection October 26, 2001, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering Firm

Open End Contract Engineering Design Services (West) PTC Districts 1 and 2

Reference No. 1-126

The Turnpike Commission (Commission) will retain an engineering firm for an Open End Contract to provide engineering design services on various projects located in the western portion of the Mainline Pennsylvania Turnpike System.

The services will encompass a wide range of design efforts with the possibility of several different types of projects being designed under short completion schedules. The anticipated types of projects include bridge replacements or bridge rehabilitation with minor approach work; roadway rehabilitation or resurfacing projects; capital improvement projects (bridges or roadway); minor location studies, traffic studies or any other engineering-related activity as determined by the Engineering Department to expedite a project. The contract will be for a maximum cost of \$500,000 or for a period of 2 years, whichever occurs first.

Each firm may be required to: perform field surveys; plot topography and cross sections; prepare submissions for utility verification and relocation engineering; prepare submissions for field view meetings; prepare all pertinent submissions and material necessary for the Commission to prepare the application to the Pennsylvania Public Utility Commission (PUC) and for a PUC field conference; attend and supply any required information for all PUC meetings during the design of a project; develop erosion control details and narrative; develop right-of-way plans; prepare hydraulic report for waterway approvals; prepare type, size and location report; prepare structure drawings, including culverts, bridges and sign supports, for repair, rehabilitation or replacement; prepare traffic control plans with narrative; provide soil and foundation engineering reports; investigate utility and property involvements; perform traffic counts and speed and delay studies; and prepare construction plans, specifications and estimates.

The following factors will be considered by the Commission during the evaluation of the firms submitting Statements of Interest for these projects:

a. Specialized experience and technical competence of prime consultant and subconsultants. 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. The specific experience and number of individuals who constitute the firm.

d. Workload of the prime consultant and subconsultants for all Department of Transportation (Department) and Commission projects.

e. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the statement of interest.

Open End Contract Engineering Design Services (Central) PTC District 3

Reference No. 3-143

The Commission will retain an engineering firm for an Open End Contract to provide engineering design services on various projects located in the central portion of the Mainline Pennsylvania Turnpike System.

The services will encompass a wide range of design efforts with the possibility of several different types of projects being designed under short completion schedules.

The anticipated types of projects include bridge replacements or bridge rehabilitation with minor approach work; roadway rehabilitation or resurfacing projects; capital improvement projects (bridges or roadway); minor location studies, traffic studies or any other engineering-related activity as determined by the Engineering Department to expedite a project. The contract will be for a maximum cost of \$500,000 or for a period of 2 years, whichever occurs first.

Each firm may be required to: perform field surveys; plot topography and cross sections; prepare submissions for utility verification and relocation engineering; prepare submissions for field view meetings; prepare all pertinent submissions and material necessary for the Commission to prepare the application to the PUC and for a PUC field conference; attend and supply any required information for all PUC meetings during the design of a project; develop erosion control details and narrative; develop right-of-way plans; prepare hydraulic report for waterway approvals; prepare type, size and location report; prepare structure drawings, including culverts, bridges and sign supports, for repair, rehabilitation or replacement; prepare traffic control plans with narrative; provide soil and foundation engineering reports; investigate utility and property involvements; perform traffic counts and speed and delay studies; and prepare construction plans, specifications and estimates.

The following factors will be considered by the Commission during the evaluation of the firms submitting Statements of Interest for these projects:

- a. Specialized experience and technical competence of prime consultant and subconsultants. 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. The specific experience and number of individuals who constitute the firm.
- d. Workload of the prime consultant and subconsultants for all Department and Commission projects.
- e. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the statement of interest. Questions and inquiries concerning this solicitation should be directed 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 expression of interest on the advertised project. Each firm should demonstrate their ability to

perform the specific requirements indicated for each project and provide explanation of the technical approach.

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 Department and Commission projects. Do not graphically represent the firm's workload.

5. A Consultant Qualification Package similar to the one submitted to the Department for the current year or one that is best suited for this project. A copy of the Consultant Qualification Package printed directly from the Department's ECMS website is acceptable.

The Consultant Qualification Package should contain at a minimum the following information for the prime consultant and all subconsultants and attached to the back of the statement of interest (subs to follow primes):

- ECMS General Information and Project Experience Forms or Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, either 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 the 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 forgoing 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.

Small firms, disadvantaged business enterprise firms and other firms who have not previously performed work for the Commission are encouraged to submit a statement of interest.

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, at the Commission Administration Building located at 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 9, 2001. Statements of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable statements of interest received in response to these solicitations, one

firm will be selected for this project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Commission. Technical Proposals will not be requested prior to the establishment of the final ranking.

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. 01-1948. Filed for public inspection October 26, 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



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.

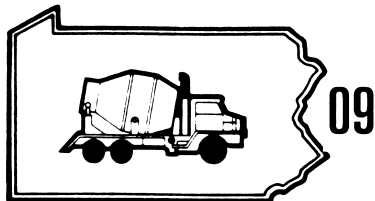
Contact: **Bureau of Contracts and Public Records**

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.

SERVICES



Construction & Construction Maintenance

SP 3810043 Supply and install toilet partitions and shower stalls at Beltzville State Park.

Department: Conservation and Natural Resources
Location: Beltzville State Park
Duration: Upon receipt of notice to proceed thru May 30, 2002
Contact: Pamela Stouffer (717) 783-0760

SU-915 Install Stone Sculptures. Shippensburg University of the State System of Higher Education invites General Contractors to request bid documents for this project. Work includes demolishing existing slab and sidewalk, installation of electrical conduit, constructing new slabs, removing sculptures from storage and erecting on pads, and furnishing new benches. Prospective bidders may obtain project plans for a nonrefundable fee of \$20.00 by contacting Shippensburg University, attn: Deborah K. Martin, 1871 Old Main Drive, Shippensburg, PA 17257; telephone (717) 477-1121 or Fax: (717) 477-4004. Pre-Bid meeting with site visit immediately to follow will be held on November 8, 2001 in Old Main Room 203. Bids Due: November 21, 2001 at 4 p.m., Old Main Room 300. Public Bid Opening: November 21, 2001 at 2 p.m., Old Main Room 203. Non-Discrimination and equal opportunity are the policies of the Commonwealth of the PA State System of Higher Education.

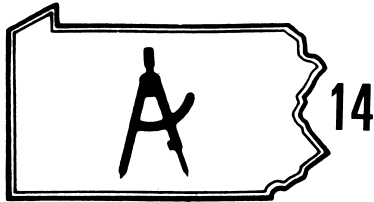
Department: State System of Higher Education
Location: Shippensburg University, 1871 Old Main Drive, Shippensburg, PA 17257
Duration: 60 days from Notice to Proceed
Contact: Deborah K. Martin (717) 477-1121

10981019 The work for this project covers the supplying of all labor, materials, scaffolding, ladders, tools, equipment and appurtenances to remove portions of the existing roofing material from the dietary building, No. 4, and install new roofing membrane over new roof insulation. The work shall include, but is not limited to: 1) Remove the existing single-ply membrane roofing, roof insulation, flashing material, and metal roof edge and existing wood blocking as necessary to prepare the area for the new work; 2) Furnish and install a new C.S.P.E. single ply roof membrane, fully adhered to the new, mechanically fastened, roof insulation; 3) Furnish and install a new metal roof edge system and roof drains. Call for Specifications: (724) 656-7310

Department: Public Welfare
Location: Youth Development Center, Frew Mill Road, R. R. 6, Box 21A, New Castle, PA 16101
Duration: Undetermined
Contact: T. E. Mateja, Pur. Agt. (724) 656-7310

FDC-435-781R Rehabilitate 19 miles of hiking/biking trail and 5 bridges in Lehigh Gorge State Park in Carbon and Luzerne Counties. Work includes clearing, excavating E & S measures, landscaping, aggregates, stabilized turf paving, drainage work, bituminous paving, fencing, concrete and metal work, carpentry, paints and coatings. Project is estimated between \$1 and \$2 million. NOTE: Requests for Bid Documents may be made ON or AFTER October 29, 2001. Cost of Documents is \$31.80 payable by CREDIT CARD ONLY—American Express, Visa, Discover or Master Card

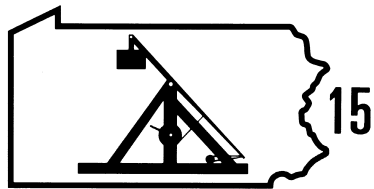
Department: Conservation and Natural Resources
Location: Borough of Jim Thorpe & Lehigh Township in Carbon County and Foster Township in Luzerne County.
Duration: Complete all work by October 31, 2002
Contact: Construction Management Section (717) 787-5055



Engineering Services

PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us.

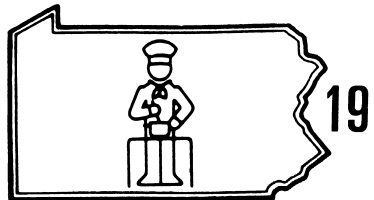
Department: Transportation
Location: Various
Contact: www.dot2.state.pa.us



Environmental Maintenance Service

BF 481 Under Act 181 of 1984, the Department of Environmental Protection solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine projects. Letters of interest must be received by Roderick A. Fletcher, P.E., Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, 400 Market Street, P. O. Box 8476, Harrisburg, PA 17105-8476, no later than 4 p.m., Local Time, November 26, 2001, to be considered.

Department: Environmental Protection
Location: 37.9 acres of reclamation located in Brothersvalley Township, Somerset County
Duration: N/A
Contact: Dan Henry (717) 783-7752



Food

HVH-7516 To supply milk to the Hollidaysburg Veterans Home for approximately 500 residents for a one-year period (January 1, 2002 thru December 31, 2002). Delivery to be made three (3) days per week—Monday, Wednesday, and Friday. Deliveries are needed by 7:30 a.m. Bid opening: November 19, 2001 @ 11 a.m. For a bid package/questions, fax your request to Becky Clapper @ (814) 696-5395.

Department: Military Affairs
Location: Hollidaysburg Veterans Home, Rt. 220 @ Meadows Intersection, P. O. Box 319, Hollidaysburg, PA 16648-0319
Duration: January 1, 2002 through December 31, 2002
Contact: Becky J. Clapper, Purchasing Agent 3, Fax: (814) 696-5395

See Below Various perishable food items for delivery January 2002 through March 2002. For specifications and information request the following bid packet(s): Packet #158-01 (Poultry and Poultry Products) #159-01 (Meat and Meat Products) #160-01 (Miscellaneous Frozen Foods) #161-01 (Fresh Baked Goods) #162-01 (Bread and Related Products) #163-01 (Fresh Fruit and Vegetables) #164-01 (Frozen Fruit and Vegetables) #165-01 (Dairy Products) #166-01 (Beverages—OJ, Fruit Drinks, Lemonade, Iced Tea)

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401-5397
Duration: January 2002 through March 2002
Contact: Kathleen M. Aspinall, Purchasing Agent (610) 313-1028

See listing below under Contract Information Various perishable food items for delivery January 2002 through March 2002. For specifications and information request the following bid packet(s): Packet #158-01 (Poultry and Poultry Products) #159-01 (Meat and Meat Products) #160-01 (Miscellaneous Frozen Foods) #161-01 (Fresh Baked Goods) #162-01 (Bread and Related Products) #163-01 (Fresh Fruit and Vegetables) #164-01 (Frozen Fruit and Vegetables) #165-01 (Dairy Products) #166-01 (Beverages—OJ, Fruit Drinks, Lemonade, Iced Tea)

Department: Public Welfare
Location: Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401-5397
Duration: January 2002 through March 2002
Contact: Kathleen M. Aspinall, Purchasing Agent (610) 313-1028

PF-0873-02 This is a consolidated perishable food bid advertisement for six individual items. These are all separate commodity bid proposals, some requiring weekly deliveries, and each bid proposal is to be requested individually by the product and product number shown in this advertisement. Dairy Products, 6136; Ice Tea, Diet Decaf, 6137; Juices & Drinks, Frozen, 6138; Bread & Bread Products, 6139; Pies & Cakes, Fresh, 6140; and Ice Cream & Sherbet, 6142. The specifications and delivery schedules are available upon request from the agency.

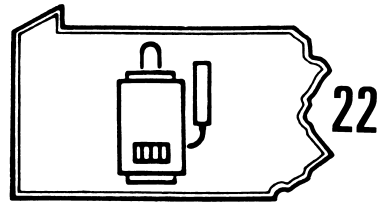
Department: Public Welfare
Location: Harrisburg State Hospital, Cameron & Maclay Streets, Harrisburg, PA 17106
Duration: January through June 2002
Contact: Jack W. Heinze (717) 772-7435

PF-0873-03 This is a consolidated perishable food bid advertisement for eight individual items. These are all separate commodity bid proposals, some requiring weekly deliveries, and each bid proposal is to be requested individually by the product and product number shown in this advertisement. Fish, 6143; Cheese, 6144; Fruits & Vegetables, Fresh, 6145; Fruits & Vegetables, Frozen, 6146; Prepared Salads, Fresh, 6148; Miscellaneous Foods, 6149; Meat & Meat Products, 6150; and Poultry & Poultry Products, 6151. The specifications and delivery schedules are available upon request from the agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron & Maclay Streets, Harrisburg, PA 17106
Duration: January through March 2002
Contact: Jack W. Heinze (717) 772-7435

ML-2002 The Hiram G. Andrews Center will be inviting Bids for the Procurement of Milk and Cream. Deliveries are required three (3) days per week: Monday, Wednesday, and Friday. Hours: 6 a.m. to 7 a.m. Quantity requirements available from Facility.

Department: Labor and Industry
Location: Office of Vocational Rehabilitation, HIRAM G. ANDREWS CENTER, 727 Goucher Street, Johnstown, PA 15905
Duration: 01-01-02 through 12-31-02
Contact: Robert D. Robinson, Purchasing Agent II (814) 255-8210



HVAC Services

040148 Electric repairs and service at two (2) safety rest areas located in Lackawanna and Susquehanna Counties in Engineering District 4-0, locations as follows: I-81 N.B. Tomkinsville, Lackawanna County; I-81 S.B. Lenox, Susquehanna County. Specifications may be obtained by contacting the District Roadside Specialist, Monday through Friday, 8 a.m. to 3 p.m.

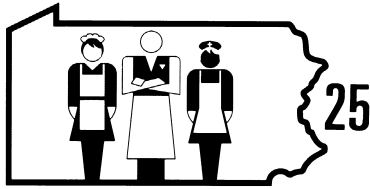
Department: Transportation
Location: Lackawanna and Susquehanna Counties
Duration: 2 Year with option for renewal
Contact: Bill Fives (570) 963-4016

040149 Electric repairs and service at three (3) safety rest areas located in Luzerne County in Engineering District 4-0, locations as follows: I-81 N.B. Dorrance; I-81 S.B. Nuangola; and I-80 E.B. White Haven. Specifications may be obtained by contacting the District Roadside Specialist, Monday through Friday, 8 a.m. to 3 p.m.

Department: Transportation
Location: Luzerne County
Duration: 2 Year with renewal
Contact: Bill Fives (570) 963-4016

040150 Electric repairs and service at three (3) safety rest areas located in Pike County in Engineering District 4-0, locations as follows: I-84 E.B., Promised Land; I-84 W.B., Promised Land; and SR 209 & 6, Matamoras. Specifications may be obtained by contacting the District Roadside Specialist, Monday through Friday, 8 a.m. to 3 p.m.

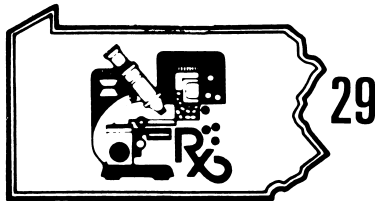
Department: Transportation
Location: Pike County
Duration: 2 Year with renewal option
Contact: Bill Fives (570) 963-4016



Laundry/Dry Cleaning & Linen/Uniform Rental

Uniform Rental Bid to provide Equipment Maintenance Personnel with comfortable durable uniforms that assure a professional appearance.

Department: Transportation
Location: PA Dept of Transportation, Dauphin County Maintenance, 2140 Herr Street, Harrisburg, PA 17103 and 217 State Drive, Elizabethville, PA 17023
Duration: Three consecutive years
Contact: Gary A. Snyder (717) 787-5284



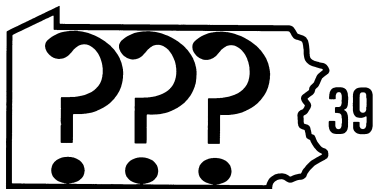
Medical Services

10071 Provide Physician Services to the Residents of the PA Soldiers & Sailors' Home.

Department: Military Affairs
Location: PA SOLDIERS & SAILORS HOME, 560 EAST 3RD STREET, P.O. BOX 6239, ERIE, PA 16512-6239
Duration: January 1, 2002 thru June 30, 2003 (with option for two 1 year renewals)
Contact: Jenny Nowacinski (814) 878-4930

110069 This contract is to provide snow removal services to the Engineering District 11-0 Office Building located at 45 Thoms Run Road, Bridgeville. This includes all sidewalks, driveways, roadways and parking area at the District's Headquarters.

Department: Transportation
Location: 45 Thoms Run Road, Bridgeville, PA 15017
Duration: This contract will be for an original period of three years from the effective date. The contract will be renewable by mutual consent for one additional two-year period. Escalation clause for the renewal shall not exceed the Current Producer Price index.
Contact: Bill Korenski (412) 429-4956



Miscellaneous

11780003 To provide web access to PA law library to be used by our Administrative judges in the hearing and adjudication of cases before the Bureau of Hearings and Appeals. To request a copy of this bid package, please fax Beth Trowbridge at (717) 787 3560.

Department: Public Welfare
Location: Department of Public Welfare, Bureau of Hearings and Appeals, 1401 North Seventh Street, 6th Floor, Harrisburg, PA 17102
Duration: February 8, 2002 to February 7, 2003 with two additional one year renewals.
Contact: Beth Trowbridge (717) 783-1083

10070 WANDERGUARD DEPARTURE ALERT SYSTEM OR APPROVED EQUAL
Department: Military Affairs
Location: PA SOLDIERS & SAILORS HOME, 560 EAST 3RD STREET, P. O. BOX 6239, ERIE, PA 16512-6239
Duration: NOVEMBER 1, 2001 THRU JUNE 30, 2001
Contact: JENNY NOWACINSKI (814) 878-4930

[Pa.B. Doc. No. 01-1949. Filed for public inspection October 26, 2001, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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KELLY LOGAN,
Acting Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
1107121-01	10/16/01	Software House Intern'l	50,045.00
1117221-01	10/16/01	Hach/ American Sigma	41,085.00

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
8251070-01	10/16/01	Highway Equipment & Supply	37,888.86
8251100-01	10/16/01	Crafco	70,984.00

KELLY P. LOGAN,
Acting Secretary

[Pa.B. Doc. No. 01-1950. Filed for public inspection October 26, 2001, 9:00 a.m.]

