

# PENNSYLVANIA BULLETIN

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**Agencies in this issue:**

The General Assembly  
The Courts  
Delaware River Basin Commission  
Department of Banking  
Department of Education  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Labor and Industry  
Department of Revenue  
Department of State  
Environmental Hearing Board  
Environmental Quality Board  
Game Commission  
Housing Finance Agency  
Independent Regulatory Review Commission  
Insurance Department  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
State Real Estate Commission  
Turnpike Commission

**Detailed list of contents appears inside.**



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

**No. 328, March 2002**

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2002.

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# GENERAL ASSEMBLY

## Recent Actions During 2002 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2002 Regular Session.

### 2002 GENERAL ACTS ENACTED—ACT 003 through 012

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
003	Jan 31	SB0607	PN1680	immediately*	Elections (25 Pa.C.S.)—enactment
004	Feb 13	HB1813	PN2681	immediately	Social Workers, Marriage and Family Therapists and Professional Counselors Act—practice of professional counseling and exemption from licensure
005	Feb 21	HB1333	PN3184	60 days	Crimes Code (18 Pa.C.S.)—Internet child pornography
006	Feb 21	SB0400	PN1466	60 days	Physical Therapy Practice Act—omnibus amendments
007	Feb 21	SB0765	PN0855	60 days	Borough Code, The—State Association of Boroughs and regional borough associations
008	Feb 21	SB1169	PN1714	immediately	Conveyance—Commonwealth property in Indiana and Allegheny counties
009	Feb 21	SB0767	PN0857	60 days	Second Class Township Code, The—State Association of Township Supervisors and county associations
010	Feb 21	HB1519	PN3264	immediately*	Liquor Code—omnibus amendments
011	Feb 21	HB1830	PN3242	immediately	Sewage Treatment Plant and Waterworks Operators' Certification Act—omnibus amendments
012	Feb 21	HB1948	PN2537	60 days	Second Class Township Code, The—real property

### 2002 JOINT RESOLUTIONS PASSED—JR 001

001	Jan 29	SB0211	PN0093		Constitution of Pennsylvania—rights of accused in criminal prosecutions and judicial administration
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\* with exceptions

#### Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

#### Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the Laws of Pennsylvania are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the Laws of Pennsylvania to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, State Records Center Building, 1825 Stanley Drive, Harrisburg, PA 17103, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

CARL L. MEASE,  
Director  
Legislative Reference Bureau

[Pa.B. Doc. No. 02-373. Filed for public inspection March 8, 2002, 9:00 a.m.]

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 83]

#### Amendments to the Pennsylvania Rules of Disciplinary Enforcement Relating to Referral of Respondent-Attorneys to Mental Health Agencies

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania is considering recommending to the Supreme Court of Pennsylvania that it amend Rule 402 of the Rules of Disciplinary Enforcement as set forth in Annex A to permit Chief Disciplinary Counsel to refer respondent-attorneys to mental health agencies for help with problems such as alcoholism or substance abuse.

The Board has found that respondent-attorneys who receive treatment from qualified mental health agencies or programs dealing with alcoholism or substance abuse often benefit substantially from treatment by those agencies or participation in those programs. As a result, the Office of Disciplinary Counsel will often informally recommend to a respondent-attorney believed to be suffering from mental health or addiction problems that the respondent-attorney contact such an agency or program. For a number of reasons, respondent-attorneys sometimes ignore those recommendations. The Board is considering recommending to the Supreme Court that it amend the Rules of Disciplinary Enforcement to permit Chief Disciplinary Counsel to independently contact those types of agencies or programs with a request that the agency or program contact the respondent-attorney. To protect the respondent-attorney, the new rule would require that the Board have (i) previously reviewed the competency of the agency or organization conducting the program and (ii) entered into a confidentiality agreement with the agency or organization to protect the identity of the respondent-attorney. As a further safeguard, only Chief Disciplinary Counsel would have the authority to contact the agency or program.

Interested persons are invited to submit written comments regarding the proposed amendments to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, First Floor, Two Lemoyne Drive, Lemoyne, PA 17043, on or before April 15, 2002.

*By The Disciplinary Board of the Supreme Court of Pennsylvania*

ELAINE M. BIXLER,  
*Executive Director and Secretary*

### Annex A

## TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT

#### Subpart B. DISCIPLINARY ENFORCEMENT

### CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

#### Subchapter D. MISCELLANEOUS PROVISIONS

#### Rule 402. Confidentiality.

(a) [ All ] Except as provided in subdivision (c), all proceedings involving allegations of misconduct by or disability of an attorney shall be kept confidential until or unless:

\* \* \* \* \*

(c) It shall not be a violation of subdivision (a) for Chief Disciplinary Counsel to disclose the identity of and contact information for a respondent-attorney reasonably believed to be suffering from mental health or addiction problems to an agency or organization approved by the Board under this subdivision. An agency or organization may be approved under this subdivision if:

(1) the Board finds that the agency or organization is competent to help people suffering from mental health or addiction problems; and

(2) the agency or organization executes a confidentiality agreement on a form prescribed by the Board pursuant to which the agency or organization agrees that:

(i) the identity of any respondent-attorney referred to it and the fact that there is a proceeding under these rules pending against the respondent-attorney shall be kept confidential; and

(ii) it will ensure that all of its employees and anyone else connected with it in any capacity will maintain the confidentiality of the information described in the preceding paragraph.

**Official Note:** If a lawyer receives confidential information under subdivision (c), the lawyer shall be subject to Rule 8.3(c) of the Pennsylvania Rules of Professional Conduct with respect to that information.

[Pa.B. Doc. No. 02-374. Filed for public inspection March 8, 2002, 9:00 a.m.]

### PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 89]

#### Amendments to the Rules of Organization and Procedure of the Board Relating to Prehearing Conferences

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania is considering amend-

ing its Rules of Organization and Procedure as set forth in Annex A to require the holding of a prehearing conference in all proceedings before a hearing committee or special master.

The rules of the Board provide for the holding of optional conferences either before or during a hearing, but do not require a prehearing conference in all cases. 204 Pa. Code § 89.71. The Board believes that the hearing process could be improved if a prehearing conference were always required. The Board is accordingly proposing to amend its rules to require the scheduling in all cases of a prehearing conference to be held not less than 30 days before a hearing.

Interested persons are invited to submit written comments regarding the proposed amendments to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, First Floor, Two Lemoyne Drive, Lemoyne, PA 17043, on or before April 15, 2002.

*By The Disciplinary Board of the Supreme Court of Pennsylvania*

ELAINE M. BIXLER,  
*Executive Director and Secretary*  
Annex A

**TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS**

**PART V. PROFESSIONAL ETHICS AND CONDUCT**

**Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA**

**CHAPTER 89. FORMAL PROCEEDINGS**

**Subchapter B. INSTITUTION OF PROCEEDINGS**

§ 89.57. Scheduling of hearing and prehearing conference.

The date, time and place of hearing on a petition for discipline shall be scheduled by the Office of the Secretary after consultation with and consideration of any recommendations by the members of the hearing committee or special master, the Office of Disciplinary Counsel, and, if available, the respondent-attorney. The date fixed for the hearing shall not be later than **[ 60 ] 90** days after the file is transmitted to a hearing committee or special master under § 89.56 (relating to assignment for hearing), unless an extension has been granted by the Board Chairman at the request of any party. **At the time that the hearing is scheduled, the Office of the Secretary shall also schedule a prehearing conference for a date not less than 30 days before the scheduled date of the hearing.**

§ 89.58. Notice of hearing and prehearing conference.

The Office of the Secretary shall serve or cause to be served notice of the hearing and prehearing conference required by § 89.57 (relating to scheduling of hearing and prehearing conference) by means of Form DB-34 (Notice of Hearing and Prehearing Conference) upon the respondent-attorney, at least seven days in advance of the date fixed for the **[ hearing ] prehearing conference**. The notice shall indicate the **[ date, time and place ] dates, times and places of the prehearing conference and the hearing** and shall state that the respondent-attorney is entitled to be represented by counsel, to cross-examine witnesses and to present evidence in the respondent-attorney's own behalf. A copy of the notice **[ of hearing ]** shall at the same time be transmitted to staff counsel. See § 89.7(b) (relating to continuances).

**Subchapter C. HEARING PROCEDURES**

**PREHEARING CONFERENCES**

§ 89.72. Subjects which may be considered at conferences to expedite hearings.

At **[ any ]** the prehearing **[ or ]** conference required by § 89.57 (relating to scheduling of hearing and prehearing conference) and any other conferences which may be held to expedite the orderly conduct and disposition of any hearing, there may be considered, in addition to any offers of settlement permitted under § 89.71 (relating to conferences to expedite proceedings), the possibility of the following:

\* \* \* \* \*

[Pa.B. Doc. No. 02-375. Filed for public inspection March 8, 2002, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**SOMERSET COUNTY**

**Consolidated Rules of Court; No. 14 Misc. 2002**

**Adopting Order**

*And Now*, this 20th day of February, 2002, it is hereby *Ordered*:

1. Somerset Rule of Criminal Procedure 590 (Som.R.Crim.P. 590), Guilty Pleas—Time For Acceptance, is amended to read in its entirety as reflected in revised Som.R.Crim.P. 590 effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

2. The Somerset County Court Administrator is directed to:

A. File seven (7) certified copies of this Order and the attached Rule with the Administrative Office of Pennsylvania Courts.

B. Distribute two (2) certified copies of this Order and the following Rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

C. File one (1) certified copy of this Order and following Rule with the Pennsylvania Criminal Procedural Rules Committee.

D. File proof of compliance with this Order in the docket for these Rules, which shall include a copy of each transmittal letter.

*By the Court*

EUGENE E. FIKE, II,  
*President Judge*

**Som.R.Crim.P. 590. Guilty Pleas. Time For Acceptance.**

A. A guilty plea pursuant to a plea arrangement must be tendered on or before the date of the Scheduling Conference for the trial session in which the case is listed for trial. After the date of the Scheduling Conference, the Court will not accept a guilty plea pursuant to a plea arrangement in a case on the current trial list, and will

accept only a general plea of guilty or straight plea of guilty as charged, absent a showing of extraordinary circumstances.

B. When a guilty plea is entered, the District Attorney shall cause the information or plea to be endorsed with the name of the presiding Judge.

[Pa.B. Doc. No. 02-376. Filed for public inspection March 8, 2002, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 28—HEALTH AND SAFETY

DEPARTMENT OF HEALTH

[28 PA. CODE CH. 23]

### Intention to Amend Regulations Relating to School Immunizations

The Department of Health (Department) is hereby providing notice that it intends to amend its regulations relating to immunizations required for school entry to reflect recent recommendations of the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention (CDC) for the allowance of a 4-day grace period for certain vaccine administration. Until that amendment can occur, the Department will accept as within the regulatory requirements of § 23.83 (relating to immunization requirements) those vaccines administered 4 days prior to the earliest date for vaccination permitted by the regulations.

On February 8, 2002, ACIP published revised immunization recommendations in the Morbidity and Mortality Weekly Report (MMWR) stating that it recommended accepting vaccinations given at a time less than or equal to 4 days prior to the minimal interval and age limit for a valid dose of vaccine administration. This recommendation conflicts with the Commonwealth's school immunization requirement for measles, mumps, rubella and varicella vaccines, which states that the vaccines for these diseases must be administered on or after a child turns 12 months of age for the vaccine to be accepted as a valid dose. With respect to varicella, the Department's regulations for entry into seventh grade require either one dose of vaccine at 12 months of age or older or two doses of vaccine at 13 years of age or older. See § 23.83.

The Department has followed ACIP recommendations for Statewide immunization recommendations and school immunization requirements. The Commonwealth chapter of the American Academy of Pediatrics supports ACIP's recent recommendations allowing a 4-day grace period for dose interval and age limit. After consideration of ACIP's February 8, 2002, recommendation and review of the relevant information relating to that recommendation, the Department agrees with ACIP's determination that administering a vaccine dose a few days earlier than the minimum interval or age limit is unlikely to have a significant negative effect on the immune response to that dose.

The Department intends to amend its regulations relating to school immunizations to reflect this 4-day grace period. Until that amendment can occur, the Department will accept vaccinations for measles, mumps, rubella and varicella given within the 4-day grace period.

Questions regarding this notice should be directed to Alice Gray, Director, Division of Immunization, Department of Health, P. O. Box 90, Harrisburg, PA 17108-0090, (717) 787-5681 or V/TT: (717) 783-6154 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT]. Persons with a disability who require an alternative format of this notice

(for example, large print, audiotape or Braille), should contact Alice Gray at the previously listed address and telephone numbers.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-377. Filed for public inspection March 8, 2002, 9:00 a.m.]

## Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CHS. 135, 141 AND 143]

### All-Terrain Vehicles; Elk Hunting; Return Postage Fee

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 15, 2002, meeting, adopted the following amendments:

Amend § 135.50 (relating to definitions) to establish weight and width specification for all-terrain vehicles (ATVs) not defined as Class I ATVs under 75 Pa.C.S. Chapter 77 (relating to Snowmobile and All-Terrain Vehicle Law) (ATV law) and § 135.53 (relating to operation of ATVs on designated State game land roads by permitted persons) to accurately reflect and abide by the changes in the ATV law.

Amend § 141.42 (relating to big game animal hunting roster) by adding elk to ensure elk hunters may not cooperate to hunt elk in groups larger than 25 persons.

Amend § 143.10 (relating to fee for return postage) to allow the Director to establish return postage fees commensurate with changing first-class postage rates.

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

#### *Amendments to §§ 135.50 and 135.53*

##### *1. Introduction*

The act of June 25, 2001 (P. L. 701, No. 68) (Act 68) amended the ATV law to change the definitions of Class I and Class II ATVs. Class II ATVs no longer have a maximum width or weight. Section 135.50 incorporates these definitions. In addition, the act amended sections 7711.1 and 7711.2 of the ATV law (relating to registration of dealers; and registration of snowmobiles and registration and issuance of certificates of titles for ATVs) to require the display of registration plates on ATVs. To adjust for these changes, the Commission, at its October 2, 2001, meeting proposed, and at its January 15, 2002, meeting adopted, an amendment to § 135.50 to put width and weight limits on ATVs that can be used on State game lands and amended § 135.53 to require the display of a valid registration plate on ATVs used on State game lands. These final-form amendments were made under authority contained in section 2901(b) of the code (relating to authority to issue permits).

##### *2. Purpose and Authority*

As was indicated in the Introduction, Act 68 changed the definition of Class II ATVs to eliminate width and

weight restrictions. Since ATVs of an excessive size can cause damage to State game lands, the Commission has decided to retain the limitation for ATVs permitted to go on State game lands. Act 68 also changes sections 7711.1 and 7711.2 of the ATV law to require the display of registration plates on ATVs. With this change, the requirement of displaying a valid decal currently contained in § 135.53 is superseded by the registration plate requirement.

Section 2901(b) of the code provides that the Commission may "... promulgate regulations to control the activities which may be performed under the authority of any permit issued." This provision provides the authority for the final-form amendments.

### 3. *Regulatory Requirements*

The final-form amendments will retain the size limitations on ATVs that may be used on State game lands that existed prior to the effective date of Act 68 and will require the displaying of a valid registration plate rather than a decal.

### 4. *Persons Affected*

Disabled person permit holders desiring to use ATVs on State game lands will be affected by the final-form amendments.

### 5. *Comment and Response Summary*

Two official comments were received with regard to the final-form amendments, opposing the restrictions because they might limit opportunities for the disabled. The Commission believes that the restrictions are necessary to prevent damage and that an adequate number of models meeting the restrictions are available to the disabled.

### 6. *Cost and Paperwork Requirements*

The final-form amendments should not result in any additional cost or paperwork.

#### *Amendment to § 141.42*

#### 1. *Introduction*

To more effectively manage the elk population of this Commonwealth and to standardize hunting methods, the Commission, at its October 2, 2001, meeting proposed, and at its January 15, 2002, meeting adopted, an amendment to § 141.42(e) to limit the number of individuals in parties hunting elk to 25 persons. Section 2102 of the code (relating to regulations) directs the Commission to promulgate regulations concerning the ways, manner, methods and means of hunting. This provision provides the authority for the final-form amendment.

#### 2. *Purpose and Authority*

The act of December 20, 2000 (P. L. 452, No. 111) added section 2705(15) of the code (relating to classes of licenses), which provides for issuance by the Commission of elk hunting licenses. In addition, the Commission has adopted regulations providing for an elk hunting season in this Commonwealth in 2001 and will most likely adopt regulations for a similar season for 2002. The Commission is now in the process of standardizing requirements and limitations for elk hunting with hunting of other big game species. The Commission has therefore adopted an amendment to § 141.42(e) to limit parties hunting elk to 25 persons to promote safety and fair chase.

Section 2102 of the code provides that: "The commission shall promulgate such regulations as it deems necessary and appropriate concerning . . . the ways, manner, methods, and means of hunting or furtaking . . ." The amendment is adopted under this authority.

### 3. *Regulatory Requirements*

The final-form amendment will limit the number of individuals who can be involved in hunting elk together to 25. This is also currently true of parties hunting deer and bear.

### 4. *Persons Affected*

Individuals hunting elk either as license holders or as guides will be affected by the final-form amendment.

### 5. *Comment and Response Summary*

No official comments were received with regard to the final-form amendment.

### 6. *Cost and Paperwork Requirements*

The final-form amendment should not result in any additional cost or paperwork.

#### *Amendment to § 143.10*

#### 1. *Introduction*

In recent years, the Commission has experienced increasing sales of hunting and furtaking licenses by means of mail, fax and the Internet. In June 2001, the Commission added § 143.10, providing for a \$1.50 fee per license order to cover postage and packaging costs. Since that recent change, the actual cost per order has increased to \$1.95. To deal with rapidly changing costs, the Commission, at its October 2, 2001, meeting proposed, and at its January 15, 2002, meeting adopted, an amendment to § 143.10 to allow the Executive Director to change the fee based on postage rates. This amendment is adopted on the basis of section 2722(g) of the code (relating to authorized license-issuing agents).

#### 2. *Purpose and Authority*

As was indicated in the Introduction, although the Commission recently established a fee for postage and packaging of hunting and furtaking licenses ordered by mail, fax or on the Internet, the fee is already too low. To provide maximum flexibility, the Commission is adopting an amendment to § 143.10 to allow the fee to be set by the Executive Director, based on first class postage rates.

Section 2722(g) of the code directs the Commission to adopt regulations for "The administration, control and performance of activities conducted pursuant to the provisions of this chapter." This section provides the authority for the final-form amendment.

### 3. *Regulatory Requirements*

The final-form amendment will allow changes of fees for postage and packaging for licenses ordered by mail, fax or Internet by order of the Executive Director.

### 4. *Persons Affected*

Individuals applying for hunting or furtaking licenses by mail, fax or Internet may be affected by the final-form amendment.

### 5. *Comment and Response Summary*

No official comments were received with regard to the final-form amendment.

### 6. *Cost and Paperwork Requirements*

The final-form amendment may result in additional cost to license buyers for postage and packaging.

#### *Effective Date*

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

*Contact Person*

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

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

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

*Order*

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 135, 141 and 143, are amended by amending §§ 135.50 and 135.53, 141.42 and 143.10, to read as set forth at 31 Pa.B. 6189 (November 10, 2001).

(b) The Executive Director of the Commission shall submit this order and 31 Pa.B. 6189, to the Legislative Reference Bureau as required by law.

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

VERNON R. ROSS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-136 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 02-378. Filed for public inspection March 8, 2002, 9:00 a.m.]

**GAME COMMISSION**  
**[58 PA. CODE CH. 147]**  
**Wildlife Rehabilitation; Special Permits**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its January 15, 2002, meeting, adopted the following amendments:

Amend §§ 147.301—147.304, 147.306, 147.308 and 147.309. With the advice and cooperation of the Wildlife Rehabilitation Council, the Commission wanted to apply some needed changes in the regulations to make the Commission's rehabilitation program more functional and easier to administer. The final-form amendments will help to clarify the various aspects of this program.

Amend § 147.553 (relating to permit) to establish posting requirements for farms enrolled in the deer control program.

These final-form amendments were adopted under the authority of 34 Pa.C.S. (relating to the Game and Wildlife Code) (code).

*Amendments to §§ 147.301—147.309*

*1. Introduction*

The Commission has had regulations relating to wildlife rehabilitation permits in Subchapter P (relating to wildlife rehabilitation) since 1992. Although the regulations have generally worked well, the Commission decided to propose some modifications. Therefore, at its October 2, 2001, meeting, the Commission proposed, and at its January 15, 2002, meeting, adopted, amendments to §§ 147.301—147.309 relating to wildlife rehabilitation permits. These amendments are adopted under authority contained in section 2901(b) of the code (relating to authority to issue permits).

*2. Purpose and Authority*

As was pointed out in the Introduction, the Commission has had regulations relating to wildlife rehabilitation permits for approximately 9 years. The Commission has decided to modify some policies and procedures as follows:

Section 147.301 (relating to definitions) defines "assistant" and redefines "wildlife rehabilitation."

Section 147.302(a)(5) (relating to general) authorizes rehabilitator use of unlicensed volunteers.

Section 147.302(b) authorizes the holding of injured wildlife by a licensed veterinarian for up to 48 hours before notifying the Commission and requires transfer to a licensed rehabilitator.

Section 147.302(j) allows disposal of terminated wildlife in an appropriate manner.

Section 147.302(k) requires submission of a copy of permit records annually by July 30.

Section 147.302(o) makes renewal of permit contingent upon compliance with all relevant legal requirements.

Sections 147.303(b)(6) and 147.304(a)(1)(iv) (relating to permit applications; and wildlife rehabilitation permits) amend "passerines" to "nonraptor" avian species for purposes of identifying types of wildlife.

Sections 147.303(b)(7) and 147.304(d) eliminate the master class of permit.

Section 147.304(c)(1)(ii) eliminates the requirement of passing a written test and requires submission of photographs or a videotape of the permittee's facility.

Section 147.306(b)(4) (relating to endangered or threatened species certification) allows submission of a videotape of facilities for endangered or threatened species certification.

Section 147.306(c) requires attendance at a certification workshop or seminar for endangered or threatened species certification.

Section 147.308(a) (relating to training and education requirements) allows approval by the Wildlife Rehabilitation and Educational Council and the Commission of equivalent training for certification.

Section 147.309(d)(3) (relating to educational use of rehabilitation wildlife permits) prohibits free flying by any species not just avian species.

Section 2901(b) of the code authorizes the Commission "... as deemed necessary to properly manage the game or wildlife resources, ... promulgate regulations for the issuance of any permit and ... to control the activities which may be performed under authority of any permit issued." This section authorizes the final-form amendments.

### 3. *Regulatory Requirements*

See Purpose and Authority.

### 4. *Persons Affected*

Individuals wishing to engage in wildlife rehabilitation activities will be affected by the adopted changes.

### 5. *Comment and Response Summary*

No official comments were received with regard to the final-form amendments.

### 6. *Cost and Paperwork Requirements*

The final-form amendments should not result in any substantial additional cost or paperwork.

#### *Amendment to § 147.553*

##### 1. *Introduction*

The Commission, at its June 12, 2001, meeting, adopted the deletion of § 139.16 (relating to deer damage areas). Posting of deer damage areas under § 139.16 was a prerequisite to obtaining a deer control permit under Subchapter R (relating to deer control). As a result, the Commission, at its October 2, 2001, meeting, proposed, and at its January 15, 2002, meeting, adopted, an amendment to § 147.553 to add paragraph (3), requiring posting of the property.

Section 2901(b) of the code authorizes the Commission to promulgate regulations to control activities performed under authority of a permit.

##### 2. *Purpose and Authority*

As a result of the Commission's adopting of concurrent antlerless and antlered deer seasons, the need for a special season for deer damage areas was eliminated and § 139.16 was deleted. Participation in the deer damage farm program, including posting of the property involved, was a prerequisite to obtaining an agricultural deer control permit under Subchapter R. The Commission has decided to retain the posting requirement of the deer damage farm program and has therefore adopted adding the posting requirement to § 147.553.

Section 2901(b) of the code authorizes the Commission to promulgate regulations to control activities which may be performed under the authority of a permit. This section provides the authority for the adoption.

### 3. *Regulatory Requirements*

The final-form amendment will continue the requirement that signs be posted on boundaries and along public roads identifying a farm as experiencing deer damage as a prerequisite to obtain an agricultural deer control permit.

### 4. *Persons Affected*

Individuals owning or leasing farms experiencing deer damage and hunters desiring to hunt on the land would be affected by the final-form amendment.

### 5. *Comment and Response Summary*

No official comments were received with regard to the final-form amendment.

### 6. *Cost and Paperwork Requirements*

The final-form amendment will continue an existing requirement and therefore, should not result in any additional cost or paperwork.

#### *Effective Date*

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

#### *Contact Person*

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

#### *Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

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

#### *Order*

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending §§ 147.301—147.304, 147.306, 147.308, 147.309 and 147.553, to read as set forth at 31 Pa.B. 6191 (November 10, 2001).

(b) The Executive Director of the Commission shall submit this order and 31 Pa.B. 6191 and deposit them with the Legislative Reference Bureau as required by law.

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

VERNON R. ROSS,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-137 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 02-379. Filed for public inspection March 8, 2002, 9:00 a.m.]



# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Draft Technical Guidance

The Delaware River Basin Commission (Commission) will hold a public hearing at its regular business meeting on April 3, 2002, on the proposed "Guidelines for Developing an Integrated Resource Plan Under the Delaware River Basin Commission Southeastern Pennsylvania Ground Water Protected Area Regulations" (Guidelines). The Ground Water Protected Area Regulations for Southeastern Pennsylvania, 25 Pa. Code § 901.5, provide that the Commission may revise a subbasin withdrawal limit to provide additional protection for that subbasin in accordance with more stringent requirements contained in an Integrated Resource Plan (IRP) that has been

adopted and implemented by all municipalities within the subbasin and incorporated into each municipality's comprehensive plan. They further provide that an IRP must be developed according to sound principles of hydrology and at a minimum include nine listed elements. The proposed Guidelines are intended to guide entities in preparing and Commission staff in reviewing IRPs under these criteria. Written comments will be accepted through the close of the hearing. For hearing and comment procedures and to view the proposed Guidelines, visit the Commission's website at <http://www.drbc.net>. For additional information, contact Pamela Bush at (609) 883-9500 ext. 203.

PAMELA M. BUSH,  
*Secretary*

[Pa.B. Doc. No. 02-380. Filed for public inspection March 8, 2002, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking, 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 February 26, 2002.

### BANKING INSTITUTIONS

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-22-02	Fidelity Savings Bank, Pittsburgh, and Carnegie Savings Bank, F.S.B., Carnegie Surviving Institution— Fidelity Savings Bank, Pittsburgh <i>Branch Acquired via Merger:</i> 17 West Mall Plaza Carnegie Allegheny County	Pittsburgh	Effective
#6147			

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-21-02	First Penn Bank Philadelphia Philadelphia County	1032 Arch Street Philadelphia Philadelphia County	Approved
2-22-02	Keystone Savings Bank Bethlehem Northampton County	Route 248 and Newburg Road Palmer Township Northampton County	Filed
2-22-02	Keystone Savings Bank Bethlehem Northampton County	2985 MacArthur Road Whitehall Township Lehigh County	Filed
2-26-02	Woodlands Bank Williamsport Lycoming County	973 Lycoming Mall Dr. Pennsdale Muncy Township Lycoming County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-20-02	Farmers First Bank Lititz Lancaster County	22 West Main Street Ephrata Lancaster County	Filed
2-22-02	First Commonwealth Bank Indiana Indiana County	269 King Street Petersburg Huntingdon County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-381. Filed for public inspection March 8, 2002, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Seton Hill College for Approval of University Status

#### Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6504(a) (relating to fundamental changes), the Department of Education (Department) will consider the application of Seton Hill College for a Certificate of Authority approving the institution's change of status to that of a university.

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

Interested parties desiring to initiate hearing procedures must file a notice of intervention, petition to intervene or protest and a request for hearing, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

Petitions to intervene, protest and request for hearing shall be filed with Paula J. Fleck, Chief, Division of Program Services, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Paula J. Fleck at (717) 772-3623 to discuss how the Department may best accommodate their needs.

CHARLES B. ZOGBY,  
*Secretary*

[Pa.B. Doc. No. 02-382. Filed for public inspection March 8, 2002, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### ACTIONS

### NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

#### NPDES APPLICATIONS

#### PART I PERMITS

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

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

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

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

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

### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0054704	Tri County Respite 1096 Apple Road Quakertown, PA 18951	Bucks County East Rockhill Township	UNT to Tohickon Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0081850	Gettysburg Municipal Authority 601 East Middle Street Gettysburg, PA 17325-3307	Adams County Cumberland Township	Marsh Creek/Potomac River/13-D	Y
PAS803501	Susquehanna Area Regional Airport Authority 208 Airport Drive Middletown, PA 17057	Dauphin County Lower Swatara Township	Susquehanna River/7-C	Y
PA0086908	Middle Creek Bible Conference, Inc. P. O. Box 1 Cascade, MD 21719-0001	Adams County Fairfield Township	Middle Creek/13-D	Y
PA0052485	Mountain Springs MHP P. O. Box 365 Shartlesville, PA 19554	Berks County Upper Bern Township	UNT Mill Creek/3C	Y
PA0087742 (Transfer)	E/P Campground, Inc. Eagles Peak Campground 10305 US #1 Sebastian, FL 32958	Lebanon County Millcreek Township	3C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0209392 Sewerage	Richmond Township Municipal Authority 563 Valley Road Mansfield, PA 16933	Richmond Township Tioga County	UNT Tioga River (SWP 4A)	Y

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

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

**PAS202208**, Industrial, **Kraft Foods North America, Inc., Lehigh Valley Plant**, 7352 Industrial Boulevard, Allentown, PA 18106-9344. This proposed facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Activity: Issuance of an NPDES Permit to discharge stormwater runoff.

The receiving stream, Iron Run Creek, is in the State Water Plan watershed #2C and is classified for high quality cold water fishery. The nearest downstream public water supply intake for City of Allentown is located on Little Lehigh Creek is approximately 10 miles below the point of discharge.

The proposed effluent limits for Outfalls 1—3 based on stormwater discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
CBOD				Report
COD				Report
Oil and Grease				Report
pH				Report
TSS				Report
TKN				Report
Total Phosphorus				Report
Dissolved Iron				Report

**PA-0026361**, Sewage, **Lower Lackawanna Valley Sanitary Authority**, P. O. Box 67, Coxton Road, Duryea, PA 18642. This proposed facility is located in Duryea Borough, **Luzerne County**.

The receiving stream, Lackawanna River, is in the State Water Plan watershed #5A and is classified for warm water fishery, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Danville Water Authority is located on Susquehanna River is 67 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 6.0 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Maximum Daily (mg/l)
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform	200/100 ml as a geometric mean		
(5-1 to 9-30)	2,000/100 ml as a geometric mean		
(10-1 to 4-30)	6.0 to 9.0 standard units at all times.		
pH	1.0		
Total Residual Chlorine	2.34		

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

1. Point Sources 002—029 (except 010 and 016) serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department's EPA approved CSO strategy, a special permit requirement is included in Part C of this permit. The permittee shall develop and submit a plan of action and implementation schedule as provided for in the permit.

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

**PAG123544**, CAFO, **Hershey Ag**, 138 Airport Road, Box 68, Marietta, PA 17547-0068. This proposed facility is located in Howe Township, **Perry County**.

Description of Proposed Activity: The Shadewood Farms is an existing farrow to feeder 1,800 head swine operation with a total of AEUs of 792.9. An estimated quantity of total annual manure production is 18,807 tons. This

operation uses a 2-stage HDPE-line manure storage system with adequate storage to last greater than 6 months. The first stage, with approximately 1 million gallons of storage, empties into the second stage with approximately 2.5 million gallons of storage capacity. This system utilizes a Leak Detection System around the perimeter of the structure to insure structural integrity. The leak detection system consists of an 18" x 12" stone filled trench at the low point of the subbase of the structure. A 4" diameter heavy duty CPT pipe surfaces to the ground level and is used to visually inspect the facility. Of the 4,531,750 gallons of manure generated, 3,531,750 gallons is land applied on the farm with 1 million gallons of the manure being exported to neighboring farms.

The receiving stream, Howe Run and Juniata River, is in the State Water Plan watershed 12-B and is classified for WWF.

The proposed effluent limits for the operation/activity include: except for the chronic or catastrophic rainfall events defined as over the 25 year/24 hour rain storms, the CAFO general permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general

permit requires no other numeric effluent limitations and compliance with Pennsylvania Nutrient Management Act and The Clean Stream Law constitutes compliance with the State narrative water quality standards.

**PAG123546, CAFO, Leon Ray Zimmerman, CYN—Donegal Farm**, 2011 Maytown Road, Elizabethtown, PA 10722. This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Proposed Activity: The CYN—Donegal Farm is an existing farm consisting of 3,300 finishing swine, 100 head steer and 145,000 heavy broiler operation with a total of AEU's of 853. An estimated quantity of total annual manure production is 2,478 tons. The swine operation houses under-building pits and an earthen lagoon. Of the 995,932 gallons of manure generated per year, 343,140 gallons is land applied on the farm with 652,792 gallons being exported to neighboring farms. The broiler operation generates 1,600 tons of manure all of which is exported for other than land application to the M. H. Martin Company.

The receiving stream, UNT to Conoy Creek, is in the State Water Plan watershed 7-G and is classified for TSF.

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

**Application No. PA 0246581, CAFO, Mercer Vu Farms, Inc.**, 12352 Karper Road, Mercersburg, PA 17236. Mercer Vu Farms, Inc. has submitted an application for an Individual NPDES permit for an expanding CAFO known as Mercer Vu Farms, Inc., 12352 Karper Road, Montgomery Township, **Franklin County**.

The CAFO is situated near Johnston Run in Watershed 13-C (Conococheague Creek), which is classified for warm water fishery. The CAFO will be designed to maintain an animal population of approximately 1,254.5 AEU's consisting of approximately 1,000 cows, heifers and calves. The animals will be housed in two new free stall barns. Manure will be managed by solids separation, manure stacking and liquid manure storage. The total capacity of the manure storage facilities will be approximately 8.5 million gallons. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate Pennsylvania Technical Guide Standards. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

**Application No. PA 0088935, CAFO, Harmony Farms LLC (Green Valley Farm)**, P. O. Box 248, Camp Hill, PA 17001. Harmony Farms LLC has submitted an application for an Individual NPDES permit for an existing CAFO known as Green Valley Farm, located at Green Valley Road in North Codorus Township, **York County**.

The CAFO is situated near an unnamed tributary of South Branch Codorus Creek in Watershed 7-H, which is classified for warm water fishery. The CAFO is designed to maintain an animal population of approximately 1,717 AEU's consisting of 3,600 gestating sows, 500 sows with piglets, 125 replacement gilts and 50 boars. The animals are housed in a total of three barns (one gestation, one farrowing and one isolation barn). Manure is stored in three circular concrete manure storage facilities and exported to neighboring farms for land application. The total capacity of the manure storage facilities is approximately 3.6 million gallons. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

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

**PA0228532**, CAFO, SIC 0213, **Newswanger/Martin Farm**, R. R. 2, Box 324, Lewisburg, PA 17837. This existing facility is located in Buffalo Township, **Union County**.

Description of Proposed Activity: The Newswanger/Martin Farm operates a CAFO consisting of 2,200 finishing hogs, 55 dairy cows and 40 dairy heifers. Total AEU's at the facility is 387.3.

The receiving stream, Muddy Run, is in the State Water Plan watershed 10C and is classified for HQ-CWF.

The proposed effluent limits for the operation/activity include: except for the chronic or catastrophic rainfall events defined as over the 25 year/24 hour rain storms, the CAFO general permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and

compliance with Pennsylvania Nutrient Management Act and The Clean Stream Law constitutes compliance with the State narrative water quality standards.

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

**PA0000591**, Industrial Waste, SIC, 4011—Railroads, Line-Haul Operating, **CSX Transportation**, 500 Water Street, J-275, Jacksonville, FL 32202. This application is for renewal of an NPDES permit to discharge stormwater from the Connellsville Yard, in Connellsville, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Youghiogheny River, classified as a high quality—cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation.

*Outfall 001: existing discharge, design flow of 0.001 mgd.*

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Discharge consists exclusively of uncontaminated stormwater runoff.					

The EPA waiver is in effect.

**PA0035254**, Industrial Waste, SIC, 4941, **Somerset Borough Municipal Water Authority**, 340 West Union Street, Somerset, PA 15501. This application is for renewal of an NPDES permit to discharge treated backwash water from the Laurel Hill Creek WTP facility in Jefferson Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, Laurel Hill Creek, classified as a HQ-CWF fishery with existing and/or potential uses for aquatic life, water supply and recreation.

*Outfalls 001 and 002: existing discharge, design flow of 0.085 and 0.02 mgd, respectively.*

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
Total Iron			2		4
Aluminum (T)			2.5		5.0
Manganese (T)			1		2
TRC			0.5		1.25
pH	not less than 6.0 nor greater than 9.0 at all times				

*Outfall 003: new discharge, design flow of <0.001 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
TRC			0.5		1.25
pH	not less than 6.0 nor greater than 9.0 at all times				

*Outfall 004 and 005: new discharge, design flow of N/A mgd.*

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

The EPA waiver is in effect.

**PA0216399**, Industrial Waste, SIC, 4941, **Conemaugh Township Municipal Authority**, 113 South Main Street, Davidsville, PA 15928. This application is for renewal of an NPDES permit to discharge treated process water from a water treatment plant in Jenner Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, South Fork Ben's Creek, classified as a high quality—cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Saltsburg Municipal Water Authority, located at Saltsburg, 72 miles below the discharge point.

*Outfall 001*: existing discharge.

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

*Outfall 002*: existing discharge, design flow of 0.0158 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		60
Aluminum			2.5		5.0
Iron			2.0		4.0
Manganese			1.0		2.0
Total Residual Chlorine			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0217158**, Industrial Waste, SIC, 4911, **The Authority of the Borough of Charleroi**, 325-327 McKean Avenue, Charleroi, PA 15022. This application is for renewal of an NPDES permit to discharge treated process water from a water treatment plant in Charleroi Borough, **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 is Penn American Water Authority, located at Elrama, 15 miles below the discharge point.

*Outfall 001*: existing discharge, design flow of 0.72 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Total Suspended Solids			30		60
Aluminum			4		8
Iron			2		4
Manganese			1		2
Zinc			0.035		0.050
Total Residual Chlorine			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

**PA0219096**, Sewage, **Hanover Township Sewer Authority**, 116 Steubenville Pike, Paris, PA 15021. This application is for issuance of an NPDES permit to discharge treated sewage from Hanover Township Sewer Authority STP No. 1 in Hanover Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Harmon 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 in West Virginia on the Ohio River.

*Outfall 001*: new discharge, design flow of 0.17 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	6.0	9.0		12.0
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 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**WATER QUALITY MANAGEMENT PERMITS  
CONTROLLED INDUSTRIAL WASTE AND SEWAGE  
WASTEWATER**

**APPLICATIONS UNDER THE CLEAN STREAMS  
LAW**

**PART II PERMITS**

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department).

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

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

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

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

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

**WQM Permit No. 4602201**, Industrial Waste, **Sunoco Inc. (R & M)**, 20/10 Penn Center, 1801 Market Street, Philadelphia, PA 19103. This proposed facility is located in Lower Merion Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of a wastewater treatment facility discharge via reinjection of treated groundwater.

**WQM Permit No. 0902403**, Sewerage, **Greg Thompson**, P. O. Box 18, Ferndale, PA 18921. This proposed facility is located in Springfield Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a small flow treatment facility.

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

**WQM Permit No. 4802401**, **Mamie C. Graver, c/o Barbara J. Beers, POA**, 106 Cherry St., Walnutport, PA 18088. This proposed facility is located in Lehigh Township, **Northampton County**.

Description of Proposed Action/Activity: Applicant is requesting a Part II Permit for the construction of a single-family residence sewage treatment plant.

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

**WQM Permit No. 2902402**, Sewerage, **Dublin Township Supervisors**, 29195 Great Cove Road, Fort Littleton, PA 17223. This proposed facility is located in Dublin Township, **Fulton County**.

Description of Proposed Action/Activity: Authorization to construct wastewater treatment system.

**WQM Permit No. 2902401**, Sewerage, **Dublin Township Supervisors**, 29195 Great Cove Road, Fort Littleton, PA 17223. This proposed facility is located in Dublin Township, **Fulton County**.

Description of Proposed Action/Activity: Authorization to construct wastewater treatment system.

**WQM Permit No. 2102402**, Sewerage, **Hampden Township Sewer Authority**, 230 S. Sporting Hill Road, Mechanicsburg, PA 17055. This proposed facility is located in Hampden and East Pennsboro Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to construct the Pine Run Interceptor, Pump Station and Force Main and transfer the Holtz Run Pump Station from East Pennsboro Township to Hampden Township.

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



**WQM Permit No. 1401410**, Sewerage, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801. This proposed facility is located in Patton Township, **Centre County**.

Description of Proposed Action/Activity: Construction of sanitary sewer mains, service laterals, manholes and a pump station to serve the Ironwoods Phase III Section A portion of the Gray's Woods Development. The system will convey wastewater to the Spring Creek Pollution Control Facility.

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

**Application No. 0302401**, Sewerage, **Apollo Ridge School District**, Rt. 56E, P. O. Box 219, Spring Church, PA 15686. Application for the construction and operation of a sewage treatment plant to serve the Apollo Ridge Elementary School located in Kiskiminetas Township, **Armstrong County**.

**Application No. 6502402**, Sewerage, **New Florence/St. Clair Township Sanitary Authority**, P. O. Box 369, New Florence, PA 15944. Application for the construction and operation of public sanitary sewer lines and four sanitary sewer pump stations to serve the New Florence Borough and surrounding area of St. Clair Township located in New Florence Borough, **Westmoreland County**.

**Application No. 6597407-A1**, Sewerage, **Seward-St. Clair Township Sanitary Authority**, P. O. Box 494, Seward, PA 15954. Application for the modification and operation of an Expansion of an existing Sewage Treatment Plant and Pump Stations to serve Sugar Run STP located in St. Clair Township, **Westmoreland County**.

**NPDES Stormwater Individual Permit**

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

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

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

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

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

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

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

**NPDES Permit PAS10G511**, Stormwater, **S & S Development**, 1155 Lancaster Avenue, Berwyn, PA 19312 has applied to discharge stormwater associated with a construction activity located in Charlestown Township, **Chester County** to unnamed tributary to Pickering Creek (HQ).

**NPDES Permit PAS10G512**, Stormwater, **West Bradford Township**, 1385 Campus Drive, Downingtown, PA 19335-3690, has applied to discharge stormwater associated with construction activity located in West Bradford Township, **Chester County** to unnamed tributary to Broad Run (EV).

**NPDES Permit PAS10J055**, Stormwater, **Delaware County Council**, Government Services Building, Second and Orange Streets, Media, PA 19063, has applied to discharge stormwater associated with construction activity location in Northern Providence and Springfield Townships, **Delaware County** to Crum Creek (WWF).

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

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

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10U168	David Jaindl, President Jaindl Land Co. 3150 Coffeetown Rd. Orefield, PA 18069	Northampton County Hanover Township	Monocacy Creek HQ-CWF

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

*Butler Conservation District: 122 McCune Drive, Butler, PA 16001-6501.*

*Lawrence Conservation District: Lawrence Co. Government Center, 430 Court Street, New Castle, PA 16101-3593, (724) 652-4512.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10E075	Acorn Woods Development Sherry Kyne Acorn Enterprises 1031 New Castle Road P. O. Box 465 Prospect, PA 16052	Butler County Franklin Township	Tributary to Muddy Creek (HQ-CWF)
PAS103713	Jay Russell, Watershed Specialist Lawrence County Conservation District Lawrence County Government Center 430 Court Street New Castle, PA 16101	Lawrence County New Beaver Borough	North Fork Little Beaver Creek (HQ-CWF).

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

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

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

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

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

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

### **SAFE DRINKING WATER**

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

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

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<b>Permit No. 1502501</b> , Public Water Supply.	
Applicant	<b>Pennsylvania-American Water Company</b>
Township	Valley
Responsible Official	Kevin C. Shelton 800 Hershey Park Drive Hershey, PA 17133
Type of Facility	PWS System
Consulting Engineer	Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Application Received Date	February 20, 2002
Description of Action	Construction of a 300,000 gallon elevated storage tank and booster pumping station.
<b>Permit No. 0901501</b> , Public Water Supply.	
Applicant	<b>Borough of Doylestown</b>
Borough	Doylestown
Responsible Official	John H. Davis 57 W. Court Street Doylestown, PA 18901
Type of Facility	PWS System
Consulting Engineer	CKS Engineers, Inc. 88 S. Main Street Doylestown, PA 18901
Application Received Date	February 19, 2002
Description of Action	Change in the chlorine disinfection at Well Nos. 7, 9 and 12 from liquid chlorine gas to sodium hypochlorite.

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

<b>Permit No. 6402501</b> , Public Water Supply.	
Applicant	<b>Wayne Memorial Long-Term Care, Inc.</b>
Township or Borough	Damascus Township, <b>Wayne County</b>

Responsible Official John Conte, Facility Services Director  
601 Park Street  
Honesdale, PA 18431  
(570) 253-8100

Type of Facility Personal Care Facility

Consulting Engineer Michael J. Propst, P. E.  
Keystone Consulting and Associates, LLC  
34 Brown Street  
Honesdale, PA 18431  
(570) 251-8315

Application Received Date February 12, 2002

Description of Action Permitting of an existing community water system serving the Murray-Tufts-Garret Manor Care Facility (formerly the Methodist Home).

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

**Permit No. 1402503, Public Water Supply.**

Applicant **The Pennsylvania State University**

Township Ferguson Township, **Centre County**

Responsible Official Robert E. Cooper, P. E.  
Manager of Engineering Services  
The Pennsylvania State University  
Office of Physical Plant  
University Park, PA 16802

Type of Facility PWS

Consulting Engineer CET Environmental Services  
321 Washington Street  
Huntington, PA 16652

Application Received Date February 12, 2002

Description of Action Interconnection of the University's water system with the State College Borough Water Authority water system including a booster pump station.

**MINOR AMENDMENT**

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

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

**Application No. Minor Amendment.**

Applicant **Lehigh County Authority**

Township or Borough Lower Macungie Township  
**Lehigh County**

Responsible Official Aurel M. Arndt, General Manager  
P. O. Box 3348  
Allentown, PA 18106  
(610) 398-2503

Type of Facility Community Water System

Consulting Engineer J. Scott Pidcock, Principal  
The Pidcock Company  
2451 Parkwood Drive  
Allentown, PA 18103-9608  
(610) 791-2252

Application Received Date January 16, 2002

Description of Action Modification of the existing PWS Permit No. 3900505, issued June 28, 2001, for construction of a booster pump station to serve The Hills at Lock Ridge development. Proposed modification involves utilization of vertical turbine pumps in place of the centrifugal pumps previously permitted.

**Application No. Minor Amendment.**

Applicant **Lehigh County Authority**

Township or Borough Upper Macungie Township  
**Lehigh County**

Responsible Official Aurel M. Arndt, General Manager  
P. O. Box 3348  
Allentown, PA 18106  
(610) 398-2503

Type of Facility Community Water System

Consulting Engineer J. Scott Pidcock, Principal  
The Pidcock Company  
2451 Parkwood Drive  
Allentown, PA 18103-9608  
(610) 791-2252

Application Received Date January 16, 2002

Description of Action Modification of the existing PWS Permit No. 3901506, issued September 21, 2001, for construction of a booster pump station to serve a proposed residential subdivision. Proposed modification involves utilization of vertical turbine pumps in place of the centrifugal pumps previously permitted.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 1**

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

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

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

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

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

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

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

**Former Shultz Enterprises Property, Lots 5 and 6,** Borough of Hanover, **York County.** Mountain Research, Inc., 825 25th Street, Altoona, PA 16601 (on behalf of Crown American Properties, LP, Pasquerilla Plaza, Johnstown, PA 15907-0879) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with lead, BTEX and solvents. The applicant proposes to remediate the site to meet the requirements for a combination of the Statewide Health and Background standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Hanover Evening Sun* on January 18, 2002.

**Knife Estate,** Cumru Township, **Berks County.** Hafer Environmental Services, Inc., P. O. 4418, Reading, PA 19606 (on behalf of Knife Estate, c/o Allfirst Trust, 110 South Paca Street, Mail Code 109-742, Baltimore, MD 21210) has submitted a Notice of Intent to Remediate site soils contaminated with lead, BTEX and PAHs. The applicant proposes to remediate the site to meet the

Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Eagle/Times* on January 4, 2002.

**Turnpike Industrial Park, Parcel 12,** Lower Swatara Township, **Dauphin County.** Versar, Inc., 200 West 22nd Street, Suite 250, Lombard, IL 60148 (on behalf of Heartland Realty, LLC, c/o Great Point Investors, LLC, 98 North Washington Street, Boston, MA 02114) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Patriot News* on January 23, 2002.

**York Haven Hydroelectric Generating Station Recreation Area,** York Haven Borough, **York County.** Metropolitan Edison Company, P. O. Box 16001, Reading, PA 16001 has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, BTEX and PHCs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* during the week of January 21, 2002.

**Former Zeigler Gulf Station,** Carroll Township, **York County.** ARM Group Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797 (on behalf of Deborah A. Bortner, 447 Miller Avenue, Mechanicsburg, PA 17055 and Braam Hattingh, 551 Meggan Lane, Mechanicsburg, PA 17055) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PHCs. The applicant proposes to remediate the site to meet the Site Specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* on January 31, 2002.

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

**Pennsylvania Department of Transportation, Columbia County Maintenance Facility,** Town of Bloomsburg, **Columbia County.** Apex Environmental, Inc., 220 North Park Road, Reading, PA 19610, on behalf of Pennsylvania Department of Transportation, District 3-0, 715 Jordan Avenue, P. O. Box 218, Montoursville, PA 17754, has submitted a Notice of Intent to Remediate soil contaminated with BTEX, MTBE, cumene, naphthalene and pyrene and groundwater contaminated with lead, BTEX 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 Press Enterprise*.

**Richard A. Rainey,** Mahaffey Borough, **Clearfield County.** Hess & Fisher Engineers, Inc., on behalf of Richard A. Rainey, 1619 Stillwood Street, Chesapeake, VA 23320, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with BTEX and PHCs. 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 be published in the *Clearfield Progress*.

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

**Hercules Chemical Property (Former),** City of Clairton, **Allegheny County.** Charles Haefner, Jr., KU

Resources, Inc., Business Innovation Center, Suite 207, One Library Place, Duquesne, PA 15110 (on behalf of City of Clairton, 551 Ravensburg Boulevard, Clairton, PA 15205) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, heavy metals, BTEX, PAHs and SVOCs. 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 *McKeesport Daily News* on December 3, 2001.

**Reliant Energy Seward, LLC**, East Wheatfield Township, **Indiana County**. Bart Roberts, SE Technologies, Inc., 98 Vanadium Road, Building D, Second Floor, Bridgeville, PA 15017 (on behalf of Reliant Energy Steward, LLC, 10 Broad Street, Johnstown, PA 15907 and Reliant Energy Mid-Atlantic Power holdings, LLC, 101 Broad Street, Johnstown, PA 15097) has submitted a Notice of Intent to Remediate groundwater contaminated with iron, aluminum and manganese. 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 *Tribune Democrat*, Johnstown, PA on November 11, 2001.

**McCullough Farm Site**, Findlay Township, **Allegheny County**. William G. Weir, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Beazer East, Inc, c/o Three Rivers Management, Inc., One Oxford Center, Pittsburgh, PA 15219; Terry Mamone, 434 Route 30, Imperial, PA 15125; and Robert McCullough Hebron Road, Imperial, PA 15126) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with PAHs and VOCs. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Tribune-Review* on January 25, 2002.

**Palmieri Property (Former)**, Center Township, **Beaver County**. Bruce A. Geno, Cummings/Riter Consultants, 339 Haymaker Road, Suite 201, Monroeville, PA 15146 (on behalf of Newell Rubbermaid, 6833 Stalter Drive, Suite 101, Rockford, IL 61108 and Estate of Mary A. Palmieri, c/o John A. Palmieri, 3399 Broadhead Road, Aliquippa, PA 15001) has submitted a Notice of Intent to Remediate soil contaminated with lead and heavy metals. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Beaver County Times* on January 23, 2002.

#### 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. WMGM015, American Soil and Mulch, Inc.**, 552 Round Table Drive, Nazareth, PA 18064.

The Bureau of Land Recycling and Waste Management has received an application for a municipal waste general permit from American Soil and Mulch, Inc. The applica-

tion is for the processing and beneficial use of wood and timber waste (such as tree stumps, limbs, clean wood, untreated and unpainted wood and pallets) to create mulch for commercial purposes. The Department determined the application to be administratively complete on February 21, 2002.

**General Permit Application No. WMGM016, Lycoming County**, Lycoming County Courthouse, 48 West Third Street, Williamsport, PA 17701.

The Bureau of Land Recycling and Waste Management has received an application for a municipal waste general permit from Lycoming County Resource Management Services. The application is for the processing and beneficial use of clean wood (such as pallets, scrap lumber, packing crates, trees, stumps, limbs and brush) to create mulch for commercial purposes. The Department determined the application to be administratively complete on February 22, 2002.

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.

#### RESIDUAL 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 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. WMGR082, Buckeye Leasing, Inc.**, 8063 Southern Blvd., Youngstown, OH 44512. The application involves processing of landfilled steel slag for removal of metallic residuals and mechanical sizing prior to beneficial use as aggregate material. The application was accepted by Central Office on February 21, 2002.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (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.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit Application No. 101592, Tri-County Transfer Station**, 159 TCI Drive, Grove City, PA 16127 Pine Township, **Mercer County**. This is a major permit modification for a Radiation Protection Plan and modification of the Waste Analysis and Classification Plan. The application was received by the Northwest Regional Office on February 19, 2002.

Comments concerning the application should be directed to A. Patrick Boyle, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office at (814) 332-6848. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### AIR QUALITY

#### NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

##### NEW SOURCES AND MODIFICATIONS

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

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

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

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

hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

### PLAN APPROVALS

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

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

**39-309-056: Lafarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052) for replacement of an air cleaning device on bulk storage group B5 in Whitehall Township, **Lehigh County**.

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

**01-05025A: Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201-0809) for modification to an existing drum mix asphalt plant to have the capability to burn #4 and #5 fuel oil at the Gettysburg Quarry in Cumberland Township, **Adams County**. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels.

**05-03010A: New Enterprise Stone and Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) for installation of a limestone screening unit at the existing limestone crushing and screening plant in Snake Spring Township, **Bedford County**. The screen will be controlled by wet suppression and is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

**22-05007: The Harrisburg Authority** (1670 South 19th Street, Harrisburg, PA 17104) for amendment of the previously submitted application for modification and derated operation of the Harrisburg Materials, Energy, Recycling and Recovery Facility in the City of Harrisburg, **Dauphin County**. The amended application provides for installation of a water spray and carbon injection system for each of the two combustion units. These technologies are directed at reducing emissions of dioxin/furan. A subsequent notice of the Department's intended decision will provide opportunities for public comment on this application.

*Correction of Previously Published Notice*

**36-03135A: Shared Mail Acquisitions, LLC** (72 Industrial Circle, Leola, PA 17540-0129) for construction of sources at its printing facility in Upper Leacock Township, **Lancaster County**. The company proposed to

remove one coldest press and install two heatset lithographic web presses and an oxidizer. This notice was previously printed at 32 Pa.B. 817 (February 9, 2002) under KAR Printing, Inc.

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

**19-318-017A: Kawneer Co., Inc.** (500 East 12th Street, Bloomsburg, PA 17815) for construction of two replacement architectural aluminum products surface coating spray booths and two additional architectural aluminum products surface coating spray booths, the air contaminant emissions from all of which are to be controlled by an existing air cleaning device (a regenerative thermal oxidizer), as well as for the construction of a moisture dry off oven as well as for the modification of the facility's architectural aluminum products surface coating operations by increasing the allowable VOC emissions from 14.8 tons per year to 49 tons per year in the Town of Bloomsburg, **Columbia County**.

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

**56-00177A: Somerset County Courthouse** (300 North Center Avenue, Suite 500, Somerset, PA 15501) for installation of new coal fired hot water boilers at the courthouse in Somerset Borough, **Somerset County**.

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

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

**46-00015: Occidental Chemical** (Armand Hammer Boulevard, Pottstown, PA 19464) for replacement of a product cyclone on Production Line No. 6 (Source ID 104 in their Title V Operating Permit) in Lower Pottsgrove Township, **Montgomery County**. The plan approval on issued on March 29, 2000. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**48-313-090: Elementis Pigments, Inc.** (1525 Wood Avenue, Easton, PA 18042-3186) for modification and operation of the iron oxide lower plant blending system and associated air cleaning devices in Wilson Borough, **Northampton County**. The modification is for the reconfiguration of the existing blending and milling operations into two separate blending lines. A total of five existing fabric collectors will control emissions from both blending lines. The particulate emissions from each fabric collector will not exceed the Best Available Technology standard of 0.02 grain/DSCFT. The 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. 48-00018. 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.

**48-399-049: North American Pharmaceutical Packaging Margo** (19701 Clark Graham Boulevard, Baie D'Uref, Quebec, Canada H9X3T1) for construction of a packaging and carton printing facility in Bethlehem, **Northampton County**. The proposed facility will be a non-Title V facility and will contain contract packaging lines (blister lines). The blister lines will have the potential to emit particulate matter. Expected particulate emissions from the packaging lines will be controlled by baghouse. Expected particulate emissions will be less than 0.02 grain/dscf (0.02 ton per year) from the baghouse. The company will monitor the pressure drop across the baghouses 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 Dye, New Source Review Chief, (717) 705-4702.*

**34-05017A: Jay Fulkroad and Sons, Inc.** (R. R. 1, Box 3060, McAlisterville, PA 17049) for installation of two secondary crushers, a sand classifier and two fabric collectors in Fayette Township, **Juniata County**. The estimated emissions of particulate matter from the sources are 20.0 tons per year. The sources are subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The plan approval will include emission limitations, testing, monitoring, record keeping, reporting requirements and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**36-05008B: Tyson Foods, Inc.** (403 South Custer Avenue, New Holland, PA 17557) for construction of a vegetable oil poultry fryer controlled by a wet scrubber in Earl Township, **Lancaster County**. The estimated emissions of particulate matter from the operation of the fryer will be about 500 pounds per year. The plan approval will include emission limitations, testing, monitoring, record keeping, reporting requirements and work practice standards designed to keep the facility operating within all applicable air quality requirements.

#### OPERATING PERMITS

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

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

**46-00019: Lockheed Martin Corp.—Management and Data Systems** (230 East Mall Blvd., King of Prussia, PA 19406) for operation of the No. 7 Boiler in Upper Merion Township, **Montgomery County**. The facility is a major (Title V) facility. When combusting natural gas, the No. 7 Boiler emits 0.033 pound of sulfur oxides per hour; 1.4 pounds of nitrogen oxides per hour; 1.4 pounds of carbon monoxide per hour; and 0.54 pound of VOCs per hour. When combusting No. 2 fuel oil, the No. 7 Boiler emits 11.4 pounds of sulfur oxides per hour; 6.36 pounds of nitrogen oxides per hour; 2.34 pounds of carbon monoxide per hour; and 1 pound of VOCs per hour. This operating permit will also incorporate the

requirements of operating permit 46-0030A because the facility has acquired control of Lockheed Martin Corp.—Missiles and Space, 230 East Mall Blvd. As a result of the change in ownership of the facility, the NOx sources at the facility are required to comply with the presumptive RACT requirements contained in 25 Pa. Code § 129.93(b) and (c). 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.

**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 Saffo, Facilities Permitting Chief, (570) 826-2531.*

**54-313-082: Air Products and Chemicals, Inc.** (7201 Hamilton Boulevard, Allentown, PA 18195) for operation of the fluorine west plant processes and associated air cleaning devices in Rush Township, **Schuylkill County**.

**48-301-044: Wright Veterinary Medical Center** (3247 Wimmer Road, Bethlehem, PA 18020) for operation of an animal crematory and associated air cleaning device in Bethlehem Township, **Northampton County**.

**40-00035: Quebecor World Hazleton, Inc.** (Humboldt Industrial Park, R. R. 1, Box 409Z, Hazleton, PA 18201) for operation of a commercial lithographic printing and paper trimming/shredding plant in Hazle Township, **Luzerne County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.*

**36-05067: C and D Technologies, Inc.** (82 East Main Street, Leola, PA 17540) for operation of a lead-acid storage battery manufacturing plant in Upper Leacock Township, **Lancaster County**. The facility has the potential to emit 10 tons of lead annually. The synthetic minor operating permit will contain emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility operates in accordance with the applicable requirements.

**44-05012: DONSCO, Inc.** (P. O. Box 2001, Wrightsville, PA 17368) for operation of a gray/ductile iron foundry in Union Township, **Mifflin County**. The facility has the potential to emit 100 tons of particulate matter annually. The synthetic minor operating permit will contain emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility operates in accordance with the applicable requirements.

**44-05014: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) for operation of crushing and asphalt plants at the Hostetler Quarry in Armagh Township, **Mifflin County**. The facility has the potential to emit around 100 tons of nitrogen oxides annually. The synthetic minor operating permit will contain emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility operates in accordance with the applicable requirements.

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

**47-305-002: Iris Energy, LLC** (100 Nyala Farm, Westport, CT 06880), owner and **DQE Synfuels, L.P.** (1 North Shore Center, Suite 500, Pittsburgh, PA 15212), operator, for operation of a synthetic fuel manufacturing

facility at the site of PPL Montour, LLC's Montour Stream Electric Station in Derry Township, **Montour County**.

The facility consists of various pieces of conveying, mixing and pelletizing equipment, as well as two 15,000 gallon capacity bulk liquid storage tanks, which are used to manufacture "synthetic fuel" using bituminous coal and organic binders. The facility will emit up to 2.7 tons of VOCs in any 12 consecutive month period as well as an insignificant amount of fugitive particulate matter.

The Department has determined that the facility was constructed and is operating, in accordance with all conditions of Plan Approval 47-305-002 as well as in compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue an operating permit for the operation of the respective facility.

The Department intends to place conditions in the operating permit to be issued to ensure continued compliance with all applicable requirements. The following is a summary of these conditions:

1. All conveyors that are not located within an enclosed structure or located within an underground tunnel shall be completely enclosed or covered.

2. Only those additives listed shall be used to manufacture synthetic fuel at this facility unless prior Department approval has been granted to use alternative additives:

- FTH-100 from Accretion Technologies.
- Nalco 9838 from the Nalco Chemical Company.
- Latex DL 298NA from the Dow Chemical Company.

3. The VOC emissions from this facility shall not exceed 2.7 tons during any 12 consecutive month period.

4. The two 15,000 gallon bulk liquid storage tanks are subject to Subpart Kb of the Federal Standards of Performance for New Stationary Sources.

5. The company shall maintain comprehensive accurate records of the quantity of raw coal and the type and quantity of each additive used at the facility during each month. Additionally, the company shall also maintain comprehensive accurate records of the quantity of synthetic fuel produced at the facility during each month. The records shall be retained onsite for at least 5 years from the date of generation and shall be made available to Department personnel upon request.

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

**97-007: I.C.S. Corp.** (2225 Richmond Street, Philadelphia, PA 19125) for a printing and mailing facility in the City of Philadelphia, **Philadelphia County**. The natural minor facility's air emission sources include three nonheatset web offset lithographic printing presses.

## 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 Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidance and Land Conservation Act (52 P. S. §§ 1406.1—



1406.21). Mining activity permits issued in response to the applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

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

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

#### *Coal Applications Received*

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

**17020102. Forcey Coal, Inc.**, P. O. Box 225, Madera, PA 16661. Commencement, operation and restoration of a bituminous surface mine permit in Decatur Township, **Clearfield County** affecting 61 acres. Receiving streams: unnamed tributaries to Moshannon Creek, classified for the following uses: CWF. The first downstream potable

water supply intake from the point of discharge is none. None within 10 miles downstream of the permit. Application received February 1, 2002.

**17980116. King Coal Sales, Inc.**, P. O. Box 712, Philipsburg, PA 16866. Revision to an existing bituminous surface mine permit for a change in permit acreage from 158.0 acres to 171.1 acres. The site is located in Cooper Township, **Clearfield County**. Receiving streams: Sulphur Run (CWF), unnamed tributary to Sulphur Run (CWF). Application received January 30, 2002.

**17020102. Moravian Run Reclamation Co., Inc.**, 605 Sheridan Drive, Clearfield, PA 16830. Commencement, operation and restoration of a bituminous surface mine-auger permit in Penn Township, **Clearfield County** affecting 34.6 acres. Receiving streams: Bell Run and unnamed tributaries to Bell Run, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is: none within 10 miles downstream of the permit site. Application received February 19, 2002.

**17980107. GLR Mining, Inc.**, P. O. Box 105, Clymer, PA 15728. Transfer of an existing bituminous surface mine-auger permit from Moravian Run Reclamation Co., Inc. The permit is located in Bell Township, **Clearfield County** and affects 58.0 acres. Receiving streams: unnamed tributary to Haslett Run, classified as a CWF. Application received February 2, 2002.

**17990122. Laurel Energy, L.P.**, One Energy Place, Suite 7500, Latrobe, PA 15650. Transfer of an existing bituminous surface mine permit from Johnson Brothers Coal Company. The permit is located in Brady and Bloom Townships, **Clearfield County** and affects 91.0 acres. Receiving streams: unnamed tributaries of Little Anderson Creek to Anderson Creek; unnamed tributary to Bell Run; unnamed tributary to Irish Run. Application received February 2, 2002.

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

**56020102 and NPDES Permit No. PA0249157, Croner, Inc.**, P. O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface and limestone removal mine and for discharge of treated mine drainage in Brothersvalley and Summit Townships, **Somerset County**, affecting 139.5 acres. Receiving streams: unnamed tributaries to Blue Lick Creek to Casselman River classified for the following uses: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 12, 2002.

**32970106 and NPDES Permit No. PA0234435, GLR Mining, Inc.**, P. O. Box 105, Clymer, PA 15728, permit renewal for reclamation only for continued restoration of a bituminous surface and auger mine in Pine Township, **Indiana County**, affecting 92.5 acres. Receiving streams: unnamed tributaries to Leonard Run, unnamed tributary to Yellow Creek classified for the following uses: Cold Water Fishery. The first downstream potable water supply intake from the point of discharge is Central Indiana County Water Authority. Application received February 7, 2002.

**56920104 and NPDES Permit No. PA0599468, Commercial Coal Sales, Inc.**, Box 148, Friedens, PA 15541, permit renewal for reclamation only for continued restoration of a bituminous surface mine in Milford Township, **Somerset County** affecting 71.0 acres. Receiving streams: unnamed tributaries to/and Middle Creek; and unnamed tributaries to/and the Casselman River classi-

fied for the following uses: Trout Stocked Fishery and Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 13, 2002.

*Noncoal Applications Received*

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

**14022801. Two Rock Stone Company**, P. O. Box 496, Port Matilda, PA 16870. Commencement, operation and restoration of a small industrial minerals (10,000 tons) permit in Howard and Marion Townships, **Centre County** affecting 5 acres. Receiving streams: Lick Run and Bald Eagle Creek (Howard Dam), tributary to Bald Eagle Creek. Application received: February 4, 2002.

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

**26980601. Better Materials Corporation** (2200 Springfield Pike, Connellsville, PA 15425-9503). Revision application received requesting that a portion of an existing noncoal underground mining operation be approved for surface mining operations. The application also proposes the installation of an at-grade road crossing to allow for transport of overburden and materials to an existing quarry. The mining site is located in Bullsken Township, **Fayette County**. The existing deep mining operation affects 559.1 acres and the proposed surface acreage to be affected is 49.8 acres. Receiving streams: unnamed tributaries to Polecat Hollow Run to Breakneck Run to Mounts Creek (classified as a warm water fishery). There is no public surface water supplies located within 10 miles downstream of the permit area. Application received February 22, 2002.

**63920301. Langeloth Metallurgical Co. LLC** (10 Langeloth Plant Drive, Langeloth, PA 15054). Renewal application for continued mining of a noncoal surface mine, located in Smith Township, **Washington County** affecting 13 acres. Receiving streams: unnamed tributary to Burgetts Fork to Raccoon Creek; classified for the following use: warm water fishery. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received February 25, 2002.

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

**56020801. Thomas D. McClintock, t/a Airesman Wood & Stone Products**, 441 Garrett Shortcut Road, Berlin, PA 15530), commencement, operation and restoration of a noncoal mine in Brothersvalley Township, **Somerset County**, affecting 2.7 acres. Receiving streams: Laurel Run to Coxes Creek classified for the following uses: Warm Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 11, 2002.

**4074SM12, New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664. Renewal of NPDES Permit No. PA0599352, Jefferson Township, **Somerset County**, receiving streams unnamed tributaries to Kooser Run; and Kooser Run. NPDES renewal application received February 12, 2002.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the

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

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

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

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

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### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E09-835. Jefferson at Middletown LLC**, 8230 Boone Boulevard, Suite 340, Vienna, VA 22182, Middletown Township, **Bucks County**, ACOE Philadelphia District.

To perform the following activities associated with the proposed construction of an access road to the Jefferson at Middletown subdivision located to the west of the northwest interchange ramps for Route 1 and Interstate 95 (Langhorne, PA Quadrangle North: 12.5 inches; West: 1.0 inch).

1) To remove an existing 55 linear foot long, 5-foot by 5-foot concrete box culvert and to construct and maintain a 75 linear foot long, 8-foot by 4-foot concrete box culvert in and along an unnamed tributary to Mill Creek (WWF).

2) To remove an existing 61 linear foot long, 3-foot by 5-foot concrete box culvert and to construct and maintain a 77 linear foot long, 10-foot by 4-foot concrete box culvert in and along an unnamed tributary to Mill Creek.

3) To remove an existing 24-inch corrugated metal pipe and to construct and maintain 75 linear foot long, 8-foot by 4-foot concrete box culvert in and along an unnamed tributary to Mill Creek.

4) To remove an existing 24-inch corrugated metal pipe and a 15-inch corrugated metal pipe and to construct and maintain a 100 linear foot long, 8-foot by 4-foot concrete box culvert in and along an unnamed tributary to Mill Creek.

5) To place and maintain sewer and water utilities across two unnamed tributaries to Mill Creek.

6) To construct and maintain a stormwater outfall structure in adjacent wetlands (PFO) to an unnamed tributary to Mill Creek.

The work located along and across unnamed tributaries to Mill Creek (WWF) will impact 1.44 acres of adjacent wetlands (PFO). The applicant proposes to construct 1.45 acres of replacement wetlands.

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

**E35-349. Pennsylvania Department of Transportation, Engineering District 4-0**, P. O. Box 111, Scranton, PA 18501, in Jefferson Township, **Lackawanna County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a concrete arch bridge, having a span of 42.0 feet and an underclearance of 10.0 feet across West Branch Wallenpaupack Creek (HQ-CWF). The project is located along S.R. 2003, Section 250, Segment 0050, Offset 0000 approximately 1.5 miles north of T-348. (Lake Ariel, Quadrangle N: 12.6 inches; W: 14.9 inches).

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

**E34-103. Larry Neimond, Monroe Township**, HCR 63 Box 18, Richfield, PA 17086 in Monroe Township, **Juniata County**, ACOE Baltimore District.

To construct and maintain a stream crossing consisting of twin 9-foot culverts which replaced a collapsed bridge in the channel of Stony Run (CWF) at a point at T-479 (Beaver Springs, PA Quadrangle N: 3.7 inches; W: 2.9 inches) in Monroe Township, Juniata County.

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

**E14-416. Pennsylvania Department of Transportation**, 1924-30 Daisy Street, Clearfield, PA 16830. SR 2008 Bridge Replacement, in Gregg Township, **Centre County**, ACOE Baltimore District (Spring Mills, PA Quadrangle N: 19.4 inches; W: 10.2 inches).

To: 1) construct and maintain two temporary diversion dikes in Penns Creek; 2) remove an existing bridge; 3) construct and maintain a temporary pedestrian bridge located downstream of the existing bridge; and 4) construct and maintain a single span adjacent composite prestressed concrete box Bea Bridge with a 80-foot 10-inch clear span, minimum underclearance of 9-foot 11-inch on a 60° skew across Penns Creek located 200 feet southwest of the SR 2012 and SR 0045 intersection. The project proposes to permanently impact 46 linear feet and temporarily impact 170 feet of Penns Creek, which is classified as a Cold Water Fishery.

**E14-417. Penns Valley Conservation Association**, 249 Madisonburg Pike, Madisonburg, PA 16852. Cattle Crossings, in Penn, Gregg, Potter and Haines Townships,

**Centre County**, ACOE Baltimore District (Madisonburg, PA Quadrangle N: 0.79 inch; W: 2.93 inches).

To construct and maintain: 1) a 12-foot by 20-foot cattle crossing with associated stream bank fencing in an unnamed tributary to Pine Creek on the Roger Thoms farm; 2) a 12-foot by 40-foot cattle crossing with associated stream bank fencing in an unnamed tributary to Pine Creek on the Jason Lehman farm; and 3) a 12-foot by 12-foot cattle crossing with associated stream bank fencing in an unnamed tributary to Pine Creek on the Jason Lehman farm. This project proposes to permanently impact a total of 36 linear feet of unnamed tributaries to Pine Creek, which are classified as Exceptional Value Tributaries of Penns Creek.

**E18-335. Department of Conservation and Natural Resources, Bureau of Facility Design and Construction**, R. R. 1, Box 212, Emporium, PA 15834. Box Culvert Construction, in Leidy Township, **Clinton County**, ACOE Baltimore District (Renovo West, PA Quadrangle N: 18 inches; W: 16 inches).

To remove the existing 36 inch diameter concrete culvert and to construct and maintain a 4 foot by 10 foot concrete box culvert depressed 1 foot in the bottom of Middle Branch Creek on Middle Branch Road about 3,900 feet south of the intersection of Middle Branch Road with Boyer Road. The project will not impact wetlands while impacting about 30 feet of waterway. Middle Branch Creek is a trout stocked fisheries stream.

**E19-222. David L. Force, Berwick Area School District**, 1100 Fowler Avenue, Berwick, PA 18603. Thompson Run Silt Deposition Removal, in Berwick Borough and Salem Township, **Columbia and Luzerne Counties**, ACOE Baltimore District (Berwick, PA Quadrangle N: 12.5 inches; W: 14.4 inches).

To remove silt deposition from within the banks of approximately 1,400 linear feet of Thompson Run between Holly Drive in Salem Township to Fowler Avenue in Berwick Borough. The project will impact approximately 0.27 acre of wetlands while impacting approximately 1,400 linear feet of waterway. Thompson Run is a WWF stream.

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

**E02-1364. The Buncher Company**, 5600 Forward Avenue, P. O. Box 81930, Pittsburgh, PA 15217-0930. City of Pittsburgh, **Allegheny County**, ACOE Pittsburgh District.

To place and maintain fill and a pedestrian overlook along the left bank side of the Allegheny River (WWF) within the floodway for the purpose of constructing a 1,285-foot long trail. The project is located ear River Mile 1.0 (Pittsburgh East, PA Quadrangle N: 13.2 inches; W: 16.5 inches).

**E04-282. Borough of Rochester**, 300 West Park, Rochester, PA 15074-2252. Rochester Borough, **Beaver County**, ACOE Pittsburgh District.

To construct and maintain a 48-inch diameter outfall structure on the right bank of the Ohio River (WWF) for the purpose of replacing the existing outfall structure and improving stormwater discharge. The project is located on Railroad Street, approximately 3,500 feet east from the confluence of the Beaver River and the Ohio River (Beaver, PA Quadrangle N: 13.4 inches; W: 3.75 inches).

**E63-525. Washington County Board of Commissioners**, 100 West Beau Street, Washington, PA 15301. City of Monongahela, **Washington County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a twin span composite prestressed concrete spread box beam bridge with equal span openings of 52'-4.5" and minimum under clearance of 7'-4" in one span and 4'-8" in the other, across Pigeon Creek (WWF). The bridge is located on Wall Street approximately 30 feet south of its intersection with S.R. 481 (Monongahela, PA Quadrangle N: 12.6 inches; W: 7.7 inches).

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

**E10-354, Butler County**, P. O. Box 1208, Butler, PA 16003-1208, Grossman Bridge Superstructure Replacement, in Slippery Rock Township, **Butler County**, ACOE Pittsburgh District (Slippery Rock, PA Quadrangle N: 5.2 inches; W: 8.0 inches).

Replacement of the superstructure of the Grossman Bridge which carries Hines Road over Keifer Run (WWF) in Slippery Rock Township, Butler County. The existing deck will be removed and replaced with a Glu Lam Timber decking system. The existing steel beams will be used and the existing wing walls and abutments will be repointed. The surface of the completed bridge will be paved with a 3-inch bituminous material.

**E20-515, Conneaut Lake Borough**, N. Third Street, Conneaut Lake, PA 16316, Conneaut Lake Lakeshore Stabilization, in Conneaut Lake Borough, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 19.3 inches; W: 7.2 inches).

Install approximately 500-feet on concrete barriers along the west side of Conneaut Lake (HQ-CWF) adjacent to Firemen's Beach in Conneaut Lake Borough, Crawford County. The existing shoreline is irregular and eroded. The barriers to be installed are precast concrete median barriers as used by the Pennsylvania Department of Transportation for highway dividers. The barriers will be anchored to steel I-beams driven into the existing stabilized shoreline and the barriers will be backfilled and compacted to existing grade.

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## ACTIONS

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

#### INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

Persons aggrieved by these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 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 decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

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

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

Description of Proposed Action/Activity: construction of a wastewater treatment plant and collection system.

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

**NPDES Permit No. PA0035653**, Sewage, **Pennsylvania Department of Transportation, Bureau of Design**, P. O. Box 3060, Harrisburg, PA 17105-3060. This proposed facility is located in Brush Creek Township, **Fulton County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT of Brush Creek in Watershed 11-C for Safety Rest Area Site No. 3.

**NPDES Permit No. PA0021806**, Sewage, **Township of Annville**, P. O. Box 320, Annville, PA 17003. This proposed facility is located in Annville Township, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to discharge to Quittapahilla Creek in Watershed 7-D.

**NPDES Permit No. PA0020648**, Sewage, **Port Royal Municipal Authority**, Box 2236, Port Royal, PA 17082-0236. This proposed facility is located in Port Royal Borough and Milford Township, **Juniata County**.

Description of Proposed Action/Activity: Authorization to discharge to the Juniata River in Watershed 12-A.

**NPDES Permit No. PA0088102 and 6701402**, Sewage, **Lynwood J. Gray, Jr., Lynwood Corporation**, 236 Ebb Point Lane, Annapolis, MD 21401. This proposed facility is located in Codorus Township, **York County**.

Description of Proposed Action/Activity: Authorization for Gray Stone WWTP to discharge to UNT South Branch Codorus Creek in Watershed 7-H.

**WQM Permit No. 6701411**, Sewerage, **Thomas G. Hofler**, 10469 Foust Road, Glen Rock, PA 17327. This proposed facility is located in Springfield Township, **York County**.

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

**NPDES Permit No. PA0034886**, Industrial Waste, **Wolverine Tube—Small Tube Products Company, Inc.**, P. O. Box 1674, Altoona, PA 16603-1674. This proposed facility is located in Allegheny Township, **Blair County**.

Description of Proposed Action/Activity: Authorization to discharge to the Beaverdam Branch in Watershed 11-A.

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

**NPDES Permit No. PA0060305**, Industrial Waste, **Department of Conservation and Natural Resources, Bureau of State Parks**, Mt. Pisgah State Park, R. R. 3, Box 362 A, Troy, PA 16947-9448. This existing facility is located in West Burlington Township, **Bradford County**.

Description of Proposed Action/Activity: Renewal of permit for industrial waste treatment discharge.

**NPDES Permit No. PA0044652**, Sewage, **Department of Conservation and Natural Resources, Bureau of State Parks**, Mt. Pisgah State Park, R. R. 3, Box 362 A, Troy, PA 16947-9448. This existing facility is located in West Burlington Township, **Bradford County**.

Description of Proposed Action/Activity: Renewal of permit for wastewater treatment discharge.

**NPDES Permit No. PA0111848**, Industrial Waste, **Safety Light Corporation**, 4150A Old Berwick Road, Bloomsburg, PA 17815-3413. This existing facility is located in South Centre Township, **Columbia County**.

Description of Proposed Action/Activity: Renewal of permit for industrial waste treatment discharge.

**WQM Permit No. 4196401-A2**, Sewage, **Lycoming County Water and Sewer Authority**, 216 Old Cement Road, Montoursville, PA 17754. This existing facility is located in Fairfield Township, **Lycoming County**.

Description of Proposed Action/Activity: Amendment of permit for approval of pump station improvements and chemical addition facilities at the sewage treatment plant.

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

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

Persons aggrieved by these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 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 decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G451	Great Valley School District 47 Church Road Malvern, PA 19355	Chester	Charlestown Township	Pickering Creek (HQ, TSF)
PAS10G468	Green Point Farm, Inc. 402 Bayard Road, Suite 100 Kennett Square, PA 19348	Chester	Londonderry Township	Elm Creek (HQ, TSF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS107422	Waymart Area Authority P. O. Box 3300 Waymart, PA 18472	Wayne	Canaan Township Waymart Borough	Middle Creek Van Auken Creek HQ-CWF

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

<i>NPDES Permit</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS100248	Beaver County Commissioners Beaver County Courthouse Third Street Beaver, PA 15009	Beaver County Chippewa Township	UNT North Fork Little Beaver Creek/HQ-CWF

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

The following parties have submitted: (1) Notices of Intent 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 Nonexceptional 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 Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

#### General Permit Type—PAG-2

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Hatfield Township Montgomery County	PAR10T799	Hidden Meadow, Inc. 301 North Broad Street Lansdale, PA 19446	Colmar Tributary of Neshaminy Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Horsham Township Montgomery County	PAR10T767	The Cutler Group, Inc. 5 Sentry Parkway Suite 100 Blue Bell, PA 19422	Park Creek (WF, M)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Trappe Borough Montgomery County	PAR10T768	Uniform Tubes, Inc. 200 West Seventh Avenue Collegeville, PA 19426	Tributary to Perkiomen Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Montgomery Township Montgomery County	PAR10T798	Lowe's Home Center, Inc. Highway 268 East North Wilksboro, NC 28659	Tributary to Neshaminy Creek (WF, M)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Schuylkill County Foster Township	PAR105830	Schuylkill County Airport Authority Raymond Green, Airport Manager 240 Airport Rd. Foster Township, PA 17901	Deep Creek Hans Yost Creek to Pine Creek CWF	Schuylkill County Conservation District (570) 622-3742
Cumru Township Spring Township Berks County	PAR10C402	Brian Gilkey Dick Corporation P. O. Box 10896 Pittsburgh, PA 15236	Wyomissing Creek CWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533- 0520 (610) 372-4657

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Allegheny County Plum Borough	PAR10A535	Ricciuti Construction 100 East Boyce Park Plaza Pittsburgh, PA 15239	UNT Plum Creek/ WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Marshall Township	PAR10A544	Reelco Corporation 109 Shenot Road Wexford, PA 15090	Brush Creek/TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County City of Pittsburgh	PAR10A549	Fuhrer Distribution Center 3100 East Carson Street Pittsburgh, PA 15203	Monongahela River/ WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pine Township	PAR10A550	David White 2400 Fifth Avenue Place 120 Fifth Avenue Pittsburgh, PA 15222	UNT Pine Creek/CWF	Allegheny County Conservation District (412) 241-7645
Indiana County East Wheatfield Township	PAR103163	Relient Energy P. O. Box 1050 Johnstown, PA 15907-1050	UNT Conemaugh River/WWF	Indiana County Conservation District (724) 463-8847
Somerset County Somerset Township	PAR106144	Thomas D. McClintock 174 Samuels Road Somerset, PA 15501	East Branch Coxes Creek/WWF	Somerset County Conservation District (814) 445-4652
Butler County Adams Township	PAR10E138-1	Adams Ridge Inc. II, L.P. 1150 Broadhead Road Monaca, PA 15061 (Village of Adams Ridge II, Phase VI)	Kaufman Run (CWF)	Butler Conservation District (724) 284-5270
Clarion County Monroe Township Piney Township Sligo Borough	PAR101532	Pennsylvania-American Water Company 800 West Hershey Park Drive Hershey, PA 17033	Little Licking Creek (CWF), Craggs Run (CWF), Piney Creek (CWF), Reids Run (CWF)	Department of Envi- ronmental Protection 230 Chestnut Street Meadville, PA 16335 (814) 332-6942

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Erie County Summit Township	PAR10K187	Bianchi Motors, Inc. 5305 Peach Street Erie, PA 16509	Unnamed tributary to Walnut Creek (CWF; MF)	Erie Conservation District (814) 796-6700
Jefferson County Knox Township	PAR103343	Delbert E. Geer Audio Geer Thunder Mountain Speedway R. D. 2 Box 340 Brookville, PA 15825	Unnamed tributary to Five Mile Run (CWF)	Jefferson Conservation District (814) 849-7463
McKean County Bradford Township	PAR104109	Pennsylvania Department of Transportation P. O. Box 342 Clearfield, PA 16830-3226	East Branch Tunungwant Creek (CWF)	Department of Envi- ronmental Protection (814) 332-6942
<i>General Permit Type—PAG-3</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Caln Township Chester County	PAR230022	LNP Engineering Plastics 251 South Bailey Rd. Thorndale, PA 19372	Valley Run—3H Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Upper Gwynedd Township Montgomery County	PAR110046	Triumph Controls Inc. 205 Church Rd. North Wales, PA 19454	Wissahickon Creek—2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Concord Township Delaware Township	PAR200021	Southco Inc. P. O. Box 116 Concordville, PA 19331	UNT to Chester Creek-3G Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
City of Philadelphia Philadelphia County	PAR800112	Philadelphia City Division of Aviation Philadelphia International Airport Terminal E Philadelphia, PA 19153	Wooden Bridge Run/ Walton Run—3J Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Luzerne County Dorran Township	PAR212212	Slusser Brother's Trucking & Excavating Co., Inc. 81 Concrete Plant 125 North Warren Street West Hazleton, PA 18201	Balliet Run—tributary to Big Wapwallopen Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Luzerne County Hanover Township	PAR702206	Slusser Brother's Trucking & Excavating Co., Inc. Asphalt Plant #1 125 North Warren Street West Hazleton, PA 18201	Solomon Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Luzerne County Dorran Township	PAR702207	Slusser Brother's Trucking & Excavating Co., Inc. Asphalt Plant #2 125 North Warren Street West Hazleton, PA 18201	Balliet Run—Tributary to Big Wapwallopen Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Berks County Ontelaunee Township	PAR233525	Brenntag Northeast, Inc. Snyder Road Facility P. O. Box 13788 Reading, PA 19612-3788	Willow Creek/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707



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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Dauphin County Middletown Borough	PAR803571	Watkins Motorlines, Inc. Middletown Facility P. O. Box 95002 Lakeland, FL 33804-5002	Swatara Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Rapho Township	PAR803572	Con-Way Central Express c/o CNF, Inc. 3240 Hillview Avenue Palo Alto, CA 94304	Chickies Creek/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Catawissa Borough Northumberland County	PAR224801	Catawissa Lumber & Specialties Co., Inc. P. O. Box 176 Catawissa, PA 17820	Catawissa Creek (TSF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Ralpho Township Northumberland County	PAR224804	Catawissa Lumber & Specialties Co., Inc. P. O. Box 176 Catawissa, PA 17820	UNT to Shamokin Creek (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Williamsport Lycoming County	PAR234808	West Pharmaceutical Services, Inc. P. O. Box C-7777 2921 West Reach Road Williamsport, PA 17701-0977	West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Montoursville Borough Lycoming County	PAR804826	Textron Lycoming Service Center Williamsport Airport Montoursville, PA 17754	West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
City of Williamsport Lycoming County	PAR804823	Textron Lycoming 652 Oliver Street Williamsport, PA 17701	Lycoming Creek (CWF) Cemetery Run (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
City of Williamsport Lycoming County	PAR234803	Lonza, Inc. 3500 Trenton Avenue Williamsport, PA 17701	Daugherty Run (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Clearfield Borough Clearfield County	PAR114809	FCI Electronics 511 Spruce Street Clearfield, PA 16830	West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Limestone Township Lycoming County	PAR324804	Hanson Aggregates Pennsylvania, Inc. (Pine Creek Quarry) P. O. Box 231 Easton, PA 18044-0231	Antes Creek (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Jersey Shore Lycoming County	PAR234806	West Pharmaceutical Services, Inc. 347 Oliver Street Jersey Shore, PA 17740	West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Williamsport Lycoming County	PAR124804	Schneider Valley Farms 1860 E. Third Street Williamsport, PA 17701	West Branch Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Beavertown Borough Snyder County	PAR224846	Conestoga Wood Specialties Corp. 441 Market St. Beavertown, PA 17813	Luphers Run (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Emporium Borough Cameron County	PAR114804	Motor Coils Manufacturing Company 55 Pine St. Emporium, PA 15834	Driftwood Branch Sinnemahoning Creek (TSF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
<i>General Permit Type—PAG-4</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Bradford Township Clearfield County	PAG045005	Seth G. Cowder R. D. 1, Box 101 Woodland, PA 16881	Valley Fork Run (CWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Bradford Township Clearfield County	PAG044962	Thomas and Mona Young R. D. 1, Box 527 Woodland, PA 16881	Unnamed tributary to West Branch of Susquehanna River (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

*General Permit Type—PAG-5*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lancaster County Upper Leacock Township	PAG053509 (Renewal)	Sunoco Inc. Sun Pipe Line/Stoltzfus Farm P. O. Box 1135 Marcus Hook, PA 19061	UNT Conestoga River/WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-10*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Fulton County Bethel Township	PAR103512	Columbia Gas Transmission 525 Highlands Blvd. Suite 100 Coatesville, PA 19320-5810	Licking/Tonoloway Creeks/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Franklin County Metal Township	PAG123535	Hostetter Management Company Willow Hill Farm P. O. Box 526 Ephrata, PA 17522-0526	West Branch Conococheague Creek/WWF/13-C	DEP Southcentral Region Office 909 Elmerton Avenue Harrisburg, PA 17110- 8200

**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 these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 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 decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

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

**Operations Permit** issued to **Freeland Municipal Authority**, 711 Birkbeck Street, P. O. Box C, Freeland, PA 18224, Foster Township, **Luzerne County** on February 4, 2002.

**Operations Permit** issued to **Conyngham Borough Authority**, P. O. Box 467, 90 East Butler Avenue, Conyngham, PA 18219, Conyngham Borough, **Luzerne County** on February 8, 2002.

**Operations Permit** issued to **Highland Fields Development**, R. R. 2, Box 269A, Hawley, PA 18428, Palmyra Township, **Wayne County** on February 14, 2002.

**Operations Permit** issued to **Hemlock Farms Community Association**, 1007 Hemlock Farms, Hawley, PA 18428, Blooming Grove Township, **Pike County**, on February 12, 2002.

**Operations Permit** issued to **Kline Township Municipal Authority**, 76 South Kennedy Drive, P. O. Box 160, McAdoo, PA 18237, Borough of McAdoo, **Schuylkill County** on February 1, 2002.

**Operations Permit** issued to **Elmdale Mobile Home Park**, R. R. 9, Box 9785, Lake Ariel, PA 18436, Jefferson Township, **Lackawanna County** on February 11, 2002.

**Operations Permit** issued to **United Water Pennsylvania**, 4211 East Park Circle, Harrisburg, PA 17111, North Union Township, **Schuylkill County** on February 6, 2002.

**Operations Permit** issued to **Meshoppen Borough Council**, P. O. Box 237, Meshoppen, PA 18630, Meshoppen Borough, **Wyoming County** on February 14, 2002.

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

**Permit No. 0801501**, Public Water Supply.

Applicant **Consumers Pennsylvania Water Company**  
 Borough Sayre Borough  
 County **Bradford**  
 Type of Facility PWS—permit to operate Well #20 with disinfection and fluoridation treatment.  
 Consulting Engineer CET Environmental Services  
 321 Washington Street  
 Huntington, PA 16652  
 Permit to Operate Issued February 20, 2002

**Permit No. Emergency Permit #3**, Public Water Supply.

Applicant **Aaronsburg Water Pipes, Inc.**  
 Township Haines Township  
 County **Centre**  
 Type of Facility PWS—emergency permit to operate Well #4 with disinfection treatment.  
 Consulting Engineer Herbert, Rowland, & Grubic, Inc.  
 474 Windmere Drive  
 Suite 100  
 State College, PA 16801  
 Permit to Operate Issued February 25, 2002

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

**Permit No. 3701501**, Public Water Supply.

Applicant **Pennsylvania-American Water Company Ellwood District**  
 800 Hershey Park Drive  
 Hershey, PA 17033.  
 Borough or Township Wayne Township  
 County **Lawrence**

Type of Facility PWS  
 Consulting Engineer Jerry Hankey, P.E.  
 Pennsylvania-American Water Company  
 1909 Oakland Avenue  
 Indiana, PA 15701  
 Permit to Construct Issued February 22, 2002  
**Permit No. 1092503-T1-MA4, Minor Amendment.**  
 Public Water Supply.  
 Applicant **Cranberry Township**  
 2525 Rochester Road, Suite 400  
 Cranberry Township, PA 16066.  
 Borough or Township Cranberry Township  
 County **Butler**  
 Type of Facility PWS  
 Consulting Engineer KLH Engineers  
 5173 Campbells Run Road  
 Pittsburgh, PA 15205  
 Permit to Construct Issued February 22, 2002

**WATER ALLOCATIONS**

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

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

**WA 10-647C.** Succession to Water Rights. **Cranberry Township**, Cranberry, **Butler County** has given notice that it will succeed to all rights and obligations under the permit issued to the former Municipal Sewer and Water Authority of Cranberry Township, Cranberry Township, Butler County on February 19, 2002.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Palmer Township	P. O. Box 3039 Palmer, PA 18043	Northampton
Bethlehem Township	4225 Easton Avenue Bethlehem, PA 18020	Northampton

Plan Description: This planning submission provides for the construction of approximately 9,200 feet of 8-inch diameter sewer main in Palmer and Bethlehem Townships which will eliminate the PTMSA's Ridgewood Road Pump Station which currently serves 36 existing homes in Palmer and Bethlehem Townships. In addition, the sewers to be constructed will pass by 12 existing homes and a church in Bethlehem Township which currently have onlot septic systems. Approximately 126 additional people in Palmer Township will be served by public sewers as a result of this project based on 45 homes with an estimated 2.8 persons per home. Wastewater flow from

the existing homes which presently have onlot septic systems are estimated at approximately 12,600 gallons per day (gpd) based on an estimated average daily wastewater flow of 100 gpd per person. The proposed method of sewage disposal is the Easton Area Joint Sewer Authority Wastewater Treatment Plant (WWTP). The flow from the existing homes will be conveyed to the WWTP via the Palmer Township Municipal Sewer Authority's North Intercepting Sewer, the Forks Township Municipal Sewer Authority's Bushkill Creek interceptor and downstream wastewater conveyance facilities in the City of Easton. The PTMSA conveyance facilities have adequate capacity for the additional wastewater flow and Palmer has adequate reserve capacity allocation in the downstream conveyance and treatment facilities for the projected flow of this project.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Milford Township	R. D. 2, Box 499A Coopersburg, PA 18036	Lehigh

Plan Description: The approved plan provides for a repair to an existing malfunctioning onlot sewage disposal system by use of a small flow treatment facility. Treatment will occur with the use of a BioMicrobics Microfast® 0.5 Wastewater Treatment System, an Ecoflow® peat filter and a chlorine contact tank chlorinator prior to effluent being discharged to a tributary of the Hosensack Creek which flows through the property. A second residential dwelling located on the same lot will continue to utilize its own existing onlot sewage disposal system. The property is located at 7655 Schoolhouse Road, Lower Milford Township, Lehigh County.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Springfield Township	9211 Susquehanna Trail South Seven Valleys, PA 17360	York County

Plan Description: Logan's Reserve: The approved plan provides for a 372-lot subdivision on 440 acres that includes single-family and multi-family residential building lots, as well as commercial development and a golf course. Total estimated sewage flows are 134,120 gpd and they will be tributary to the Springfield Township Wastewater Treatment Plant. Plan approval is limited to the serving of the proposed residential and commercial development with public sewer connection to the Springfield Township Sewerage Collection and Treatment System and not the proposed method of irrigation for the golf course. 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>
Hamilton Township	272 Mummert's Church Rd.	Adams County

Plan Description: The approved plan provides for a combination of residential, industrial and commercial uses on 126 acres on the west side of SR 0194, south of East Berlin Borough in Adams County. The project will be served by construction of a private wastewater treatment plant and private water supply system. Wastewater flows are estimated at 200,000 gpd with ultimate discharge to the Conewago Creek. The project name is Appalachian Realty.

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

**Proposed Consent Order and Agreement  
Tri-State Petroleum Recovery Site, Kennedy  
Township, Allegheny County**

Under section 1113 of the Pennsylvania Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), the Department of Environmental Protection (Department) has entered into a Consent Order and Agreement (CO&A) with Tri-State Petroleum Recovery, Inc. and Stanley Cieslak, Jr. (Consenting Parties) concerning a site investigation of the Tri-State Petroleum Recovery Site (Site).

In the past, hazardous substances were disposed of at the Site and these substances contaminated the environment at the Site. The Department is undertaking an investigation of the Site to determine what threat to human health and the environment the hazardous substances they pose. Stanley Cieslak, Jr. is the owner and operator of the Site. The Consenting Parties are "responsible parties" as defined in section 103 of HSCA. Under the terms of the CO&A, the Consenting Parties shall remit to the Department, on a monthly basis, reimbursement of those costs the Department expends in investigating and remediating the Site. The Consenting Parties shall continue making these payments until they have made reimbursement in full to the Department in settlement of its share of responsibility for the cleanup of the Site.

The specific terms of this settlement are set forth in the CO&A between the Department and Consenting Parties. The Department will receive and consider comments relating to the CO&A for 60 days from the date of this public notice. The Department has the right to withdraw its consent to the CO&A if the comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper or not in the public interest. After the public comment period, the Department's settlement with the Consenting Parties shall be effective upon the date that the Department notifies the Consenting Parties, in writing, that this CO&A is final and effective in its present form and that the Department has filed a response to significant written comments to the CO&A or that no comments were received.

Copies of the CO&A are available for inspection at the Department's Southwest Regional Office in Pittsburgh. Comments may be submitted, in writing, to Kevin Halloran, Department of Environmental Protection, Hazardous Sites Cleanup, 400 Waterfront Drive, Pittsburgh, PA 15222. Further information may be obtained by contacting Kevin Halloran at (412) 442-4000. TDD users may contact the Department through the Pennsylvania Relay Services at (800) 645-5984.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

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

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

The Department has received the following final reports:

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

**Turnpike Industrial Park, Parcel 12**, Lower Swatara Township, **Dauphin County**. Versar, Inc., 200 West 22nd Street, Suite 250, Lombard, IL 60148 (on behalf of Heartland Realty, LLC, c/o Great Point Investors, LLC, 98 North Washington Street, Boston, MA 02114) has submitted a Final Report concerning remediation of site soils and groundwater contaminated with BTEX, PHCs and PAHs. The report is intended to document remediation of the site to the Statewide Health standard.

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

**PPL Gas Utilities Corp. Blossburg—Canton Check B-9**, Blossburg Borough, **Tioga County**. North Penn Gas Company, 2 North 9th Street, Allentown, PA 18101 has submitted a Final Report concerning remediation of site soil contaminated with mercury. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard.

**PPL Gas Utilities Corp. E W. Close Well—TW204**, Farmington Township, **Tioga County**. North Penn Gas Company, 2 North 9th Street, Allentown, PA 18101 has submitted a Final Report concerning remediation of site soil contaminated with mercury. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard.

**PPL Gas Utilities Corp. Penelec Sales B-5**, Covington Township, **Tioga County**. North Penn Gas

Company, 2 North 9th Street, Allentown, PA 18101 has submitted a Final Report concerning remediation of site soil contaminated with mercury. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard.

**PPL Gas Utilities Corp. Mansfield Check M-9**, Mansfield Borough, **Tioga County**. North Penn Gas Company, 2 North 9th Street, Allentown, PA 18101 has submitted a Final Report concerning remediation of site soil contaminated with mercury. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard.

**Dillon Floral Corporation**, Scott Township, **Columbia County**. EarthRes Group, Inc. on behalf of Dillon Floral Corporation, P. O. Box 180, Bloomsburg, PA 17815, has submitted a Remedial Investigation Report concerning remediation of site soil contaminated with (pesticides) dieldrin. The Remedial Investigation Report was submitted in partial fulfillment of the Site-specific Standard.

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

**World Class Processing Corporation**, Borough of Ambridge, **Beaver County**. Rod Shaver, ALTECH Environmental Consulting Ltd., 12 Banigan Drive, Toronto, Ontario, Canada M4H 1E9 (on behalf of World Class Processing Corp., 21 Century Drive, Ambridge, PA 15003) has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Fourway Properties—Breezewood Development Area 1**, Moon Township, **Allegheny County**. John P. Englert Kirkpatrick & Lockhart, LLP, 535 Smithfield Street, Pittsburgh, PA 15222 (on behalf of Fourway Properties, L.P., 1198 Mulberry Street, Bridgewater, PA 15009) has submitted a revised Final Report concerning remediation of site soil contaminated with solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**L M Stevenson, Inc.**, Park and Monroe Streets, Grove City, PA, Grove City, **Mercer County** has submitted a Final Report to remediate soil and groundwater contaminated with Lead, Heavy Metals, PHCs and PAHs. 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.*

**Louise Jones Residence**, West Cornwall Township, **Lebanon County**. Groundwater and Environmental Services, 401 Eagleview Boulevard, Suite 1, Exton, PA 19341 (on behalf of John Bittner, 830 East Main Street, Larksville, PA 18641 and CRL Holdings, LP, c/o Earth Tech, 2 Market Plaza Way, Mechanicsburg, PA 17055) submitted a final report concerning the remediation of site soils contaminated with BTEX and PHCs. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on February 11, 2002.

**Martin Residence**, East Earl Township, **Lancaster County**. Earth Data Northeast, Inc., 924 Springdale Drive, Exton, PA 19341 (on behalf of V. Lorraine Martin, 1257 East Earl Road, East Earl, PA 17519) submitted a final report within 90 days of a release concerning remediation of site soils contaminated with benzene, toluene, ethylbenzene, cumene, fluorine, naphthalene and phenanthrene. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on February 14, 2002.

**Madison Square Furniture**, Borough of Hanover, **York County**. Alliance Environmental, 1414 North Cameron Street, Harrisburg, PA 17103 (on behalf of Madison Square Furniture, West Elm Street, P. O. Box 65, Hanover, PA 17331) submitted a combined remedial investigation and final report concerning the remediation of site soils and groundwater contaminated with PCBs, solvents, BTEX, PHCs and PAHs. The combined report demonstrated attainment of a combination of the State-

wide Health and Site-Specific standards and was approved by the Department on February 20, 2002.

**Esbenshade Residence**, Elizabeth Township, **Lancaster County**. Earth Data Northeast, Inc., 924 Springdale Drive, Exton, PA 19341 (on behalf of Lamar Esbenshade, 619 East 28th Division Highway, Lititz, PA 17543) submitted a final report within 90 days of a release concerning remediation of site soils contaminated with benzene, toluene, ethylbenzene, cumene, fluorine, naphthalene and phenanthrene. The final report demonstrated attainment of the Statewide Health standard and was approved by the Department on February 22, 2002.

**Penn Fuel Gas Shippensburg**, Borough of Shippensburg, **Cumberland County**. Corporate Environmental Solutions, LLC, 260 Miller Run Road, Bridgeville, PA 15017 (on behalf of PPL, Two North Ninth Street, Allentown, PA 18101-1179) submitted a risk assessment concerning the remediation of site soils and groundwater contaminated with lead, BTEX, PAHs and phenolic compounds. The report was approved by the Department on February 22, 2002.

**Penn Fuel Gas Lewistown**, Borough of Lewistown, **Mifflin County**. Corporate Environmental Solutions, LLC, 260 Miller Run Road, Bridgeville, PA 15017 (on behalf of PPL, Two North Ninth Street, Allentown, PA 18101-1179) submitted a remedial investigation report concerning the remediation of site soils and groundwater contaminated with heavy metals, BTEX, PAHs, phenol compounds and cyanide. The report was approved by the Department on February 22, 2002.

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

**Pennsylvania Air National Guard (former)**, College Township, **Centre County**. Pennsylvania Air National Guard, 60 Olmstead Boulevard, Middletown, PA 17057 has submitted a Final Report concerning remediation of site soil contaminated with arsenic. The Final Report demonstrated attainment of the Background Standard and was approved by the Department on February 6, 2002.

**Harbison Walker Refractories**, Clearfield Borough, **Clearfield County**. BL Companies, on behalf of Clearfield County Economic Development Corporation, 309 East Locust Street, Clearfield, PA 16830, has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals, solvents, BTEX, PHCs and PAHs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 8, 2002.

**Eugene F. Hamm—Lending Textile, Inc.**, Montgomery Borough, **Lycoming County**. United Environmental Services, Inc. on behalf of Eugene F. Hamm, 1759 Princeton Avenue, Williamsport, PA 17701, has submitted a Final Report concerning remediation of site soil contaminated with BTEX, PHCs and solvents. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 20, 2002.

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

**Nine Mile Run Slag Disposal Site**, City of Pittsburgh, **Allegheny County**. Mulugetta Biru (on behalf of Urban Redevelopment Authority and the City of Pittsburgh) has submitted a Remedial Investigation Report concerning the remediation of site slag and groundwater

contaminated with lead, heavy metals and high pH. The Remedial Investigation Report was approved by the Department on January 7, 2002.

**Lubriquip, Inc.**, Stowe Township, **Allegheny County**. Richard Nyce (on behalf of Lubriquip, Inc., 18901 Cranwood Parkway, Cleveland, OH 44128) has submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with solvents. The Remedial Investigation Report was approved by the Department on January 31, 2002.

**Exxon Service Station #22387 (Former)**, City of Pittsburgh, **Allegheny County**. Gary Antoinette, Geologic Services Corporation, 129 McCarrell Lane, Suite 2B, Zelienople, PA 16063 (on behalf of Exxon Mobil Corporation, 220 Commerce Drive, Suite 205, Ft. Washington, PA 19034) has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with lead, BTEX and MTBE. The Remedial Investigation Report was disapproved by the Department on February 11, 2002.

**The Glosser Property**, Johnstown, **Cambria County**. Von E. Fisher, KU Resources, Inc., One Library Place Suite 207, Duquesne, PA 15110 (on behalf of The David A. Glosser Foundation, 72 Messenger Street, Johnstown, PA 15901 and The Sheesley Supply Company, Inc., 837 Horner Street, Johnstown, PA 15907) has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with lead, heavy metals, PAHs, solvents and VOCs. The Remedial Investigation Report was approved by the Department on February 11, 2002.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

**Permit No. 400667. Wyeth-Ayerst Pharmaceuticals**, 500 Arcola Road, Collegeville, PA 19426-0996, Upper Providence Township, **Montgomery County**. This permit is a re-issuance for a change in ownership of the referenced permit from Rhone-Poulenc, Rorer, Inc. to Wyeth-Ayerst Pharmaceuticals. The permit was re-issued by the Southeast Regional Office on February 19, 2002.

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

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

**Permit No. 603317. Roth Lane WWTP**, 4200 Roth Lane, Mechanicsburg, PA 17050, Silver Spring Township, **Cumberland County**. The permit has been revoked for the land application of sewage sludge on the Paul Forney Farm. The permit was revoked by the Southcentral Regional Office on February 25, 2002.

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

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit No. 101592. Tri-County Transfer Station**, 159 TCI Drive, Grove City, PA 16127, Pine Township, **Mercer County**. This is a permit renewal for the operation of a municipal waste transfer facility. The permit was approved by the Northwest Regional Office on February 20, 2002.

**Permit No. 101602. Seneca Landfill Inc. Transfer Station**, P. O. Box 1080, Mars, PA 16046, Jackson Township, **Butler County**. This is a permit renewal for the operation of a municipal waste transfer facility. The permit was approved by the Northwest Regional Office on February 22, 2002.

**Permit No. 300858. Reliant Warren Station Ash Site**, 1001 Broad Street, Johnstown, PA 15907, Conewango Township, **Warren County**. This is an approval of a revision to the Closure Plan for a residual waste facility. The revision was approved by the Northwest Regional Office on February 22, 2002.

## 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.**

*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.*

**15-302-093GP: Embreeville Center—Department of Public Welfare** (1822 West Strasburg Road, Coatesville, PA 19320) on February 22, 2002, for an oil fired boiler in West Bradford Township, **Chester County**.

**15-302-094GP: Embreeville Center—Department of Public Welfare** (1822 West Strasburg Road, Coatesville, PA 19320) on February 22, 2002, for an oil fired boiler in West Bradford 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.*

**45-302-069GP: Bestway Enterprises, Inc.** (3870 State Route 191/390, Cresco, PA 18326) for construction and operation of a 300 HP Cleaver Brooks Boiler in Barrett Township, **Monroe County**.

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

**GP1-21-03040: Raskas Cheese Products of PA** (208 East Dykeman Road, Shippensburg, PA 17257-8700) on February 20, 2002, was authorized to operate two small gas and No. 2 fired combustion unit under GP1 in Shippensburg Borough, **Cumberland County**.



**GP3-06-03082: Berks Products Corp.** (P. O. Box 421, Reading, PA 19603) on February 20, 2002, was authorized to operate a portable nonmetallic mineral processing plant under GP3 for Kutztown Quarry in Maxatawny Township, **Berks County**.

**GP7-38-03038: Boyer Printing and Binding Co.** (P. O. Box 509, Lebanon, PA 17042) on February 22, 2002, was authorized to operate a sheetfed offset lithographic printing press in the City of Lebanon, **Lebanon County**.

**GP10-36-03114B: NCR Corp.** (1160 East Main Street, Mount Joy, PA 17552) on February 22, 2002, was authorized to construct and operate three nonheatset web offset lithographic printing presses in Mount Joy Borough, **Lancaster County**.

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

**GP-26-00541: Cabot Oil and Gas** (900 Lee Street, Suite 500, Charleston, WV 25301) on February 15, 2002, for installation and operation of a natural gas fired, internal combustion engine at the State Game Lands III Compressor Station in Marklesburg Borough in **Fayette County**.

**GP-26-00542A: Department of Corrections** (P. O. Box 598, Camp Hill, PA 17001) on February 19, 2002, for installation and operation of one JRW, Model No. PSF-55, 800 cfh natural gas-fired burn Off Oven at Fayette Facility in Luzerne Township, **Fayette County**.

**GP-26-00542: Department of Corrections** (P. O. Box 598, Camp Hill, PA 17001) on December 20, 2001, for construction of No. 2 Fuel Oil Storage Tank at Fayette Facility in Luzerne Township, **Fayette County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

**46-0005R: Merck and Co., Inc.** (770 Sumneytown Pike, West Point, PA 19486) on February 26, 2002, for operation of a 100 kW emergency generator in Upper Gwynedd Township, **Montgomery County**.

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

**40-310-027B: Reading Materials, Inc.** (Pikes Creek Sand and Stone, Inc., P. O. Box 79, 2052 Lucon Road, Skippack, PA 19474) on February 21, 2002, for modification of a stone crushing plant and associated air cleaning device in Lehman Township, **Luzerne County**.

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

**67-03091A: AMZ Manufacturing Corp.** (2206 Pennsylvania Avenue, York, PA 17404-1790) on February 20, 2002, for the control of two existing plating lines by an existing dry mesh-pad mist eliminator at its plating and metal finishing facility in the City of York, **York County**.

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

**04-00497A: Tuscarora, Inc.** (800 Fifth Avenue, New Brighton, PA 15066) on February 14, 2002, to increase the allowable VOC emission at an existing expanded polystyrene molding facility in New Brighton, **Beaver County**.

**32-00356A: Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) on February 22, 2002, for operation of portable coal crusher at Ernest #1 Surface Mine in Rayne Township, **Indiana County**.

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

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

**36-05015B: Dart Container Corp.** (60 East Main Street, Leola, PA 17540) on January 24, 2002, for operation of a direct injection foam processing operation at its Leola Plant in Upper Leacock Township, **Lancaster County**. This plan approval was extended.

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

**08-399-047B: OSRAM SYLVANIA Products, Inc.** (Hawes Street, Towanda, PA 18848) on February 14, 2002, to extend the authorization to operate four phosphor CVD coating reactors and associating air cleaning devices (a catalytic oxidizer and a selective catalytic reduction system) on a temporary basis until June 14, 2002, in North Towanda Township, **Bradford County**.

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

**10-047F: Mine Safety Appliances Co.** (1420 Mars Evans City Road, Evans City, PA 16033) on February 28, 2002, for installation of equipment to support new product lines in Forward Township, **Butler County**.

**37-013A: Cemex, Inc.** (2001 Portland Park, Wampum, PA 16157) on February 28, 2002, for slag feed equipment in Wampum Borough, **Lawrence County**.

**37-314A: Natural Sand Co., Inc.** (Plain Grove Road, P. O. Box 774, Slippery Rock, PA 16075) on January 31, 2002, for a soils blend and drying facility in Plain Grove and Scott Townships, **Lawrence County**.

**42-158A: Temple Inland Forest Products Corp.** (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on February 28, 2002, for post modification of the particle-board operation (System 17) in Sergeant Township, **McKean County**.

**42-176C: Temple Inland Forest Products Corp.** (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on February 28, 2002, for a sander dust system in Sergeant Township, **McKean County**.

**42-399-013C: Temple Inland Forest Products Corp.** (R. D. 2, Hutchins Road, Mt. Jewett, PA 16740) on February 28, 2002, for post modification of the particle-board operation (System 15/15A) in Sergeant Township, **McKean County**.

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

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.*

**36-03013: Burnham Corp.** (1135 Dillerville Road, Lancaster, PA 17603) for operation of the Dillerville Road Boiler Plant in Manheim Township, **Lancaster County**. The primary emissions from the sources are NOx and VOCs and the actual emissions are about 3 tons per year and 8 tons per year respectively. The Natural Minor Operating Permit shall contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**43-00290: Winner Steel, Inc.** (277 Sharpsville Avenue, Sharon, PA 16146) for a Natural Minor Operating Permit for steel-galvanizing operations in the City of Sharon, **Mercer County**.

**37-00296: Select Industries, Inc.** (420 North Cascade Street, New Castle, PA 16107) on February 21, 2002, for a Natural Minor Operating Permit for a lithographic surface coating facility in New Castle, **Lawrence County**.

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

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

**62-00151: CB and I Water** (1420 Lexington Avenue, Warren, PA 16365) administratively amended their Title V Operating Permit on February 19, 2002, to reflect the change in ownership from PDM to CB and I Water for the Warren facility in Warren, **Warren County**. The original Title V Operating Permit was issued on August 29, 1997.

**37-00003: ESSROC Cement Co.** (2nd Street, Bessemer, PA 16112) administratively amended their Title V Operating Permit on February 20, 2002, to incorporate the newly applicable requirements from Plan Approval No. 37-0003A for their facility in Bessemer Borough, **Lawrence County**.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**

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### Coal Permits Actions

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

**13980201C2. Rossi Excavating Company** (9 West 15th Street, Hazleton, PA 18201), correction to an existing coal refuse reprocessing operation to add fly ash disposal in Banks Township, **Carbon County** affecting 18.0 acres, receiving stream: none. Application received September 26, 2001. Correction issued: February 19, 2002.

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

**17010109 and NPDES Permit No. PA 0243116. Forcey Coal, Inc.**, P. O. Box 225, Madera, PA 16661. Commencement, operation and restoration of a bituminous surface mine-auger permit in Bigler Township, **Clearfield County** affecting 165 acres. Receiving streams: Muddy Run and Clearfield Creek to West Branch of the Susquehanna River. Application received July 10, 2001. Permit issued: February 13, 2002.

**17010112 and NPDES Permit No. PA 0243159. K & J Coal Company, Inc.**, P. O. Box 189, Westover, PA 16692. Commencement, operation and restoration of a bituminous surface mine-auger permit in Chest Township, **Clearfield County** affecting 141 acres. Receiving streams: Spring Run and Chest Creek to the West Branch of the Susquehanna River. Application received August 29, 2001. Permit issued: February 19, 2002.

**17900140 and NPDES Permit No. PA 0206423. Junior Coal Contracting, Inc.**, R. R. 3, Box 225A, Philipsburg, PA 16866. Renewal of an existing bituminous surface mine permit in Decatur Township, **Clearfield County** affecting 63.9 acres. Receiving streams: tributaries to Laurel Run to Moshannon Creek to the West Branch of the Susquehanna River. Application received December 12, 2001. Permit issued: February 19, 2002.

### Noncoal Permits Actions

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

**06010301. Berks Products Corporation** (726 Spring Street, P. O. Box 421, Reading, PA 19603), commencement, operation and restoration of a quarry operation in Maxatawny Township, **Berks County** affecting 38.4

acres, receiving stream—Maiden Creek. Application received March 12, 2001. Permit issued: February 22, 2002.

**7974SM4A1C5. M & M Stone Company** (P. O. Box 189, Clymer and Quarry Roads, Telford, PA 18969), correction to an existing quarry operation in West Rockhill Township, **Bucks County** affecting 66.25 acres, receiving stream—East Branch Perkiomen Creek. Applications received: October 6, 1999. Correction issued: February 22, 2002.

**7974SM4A1C6 and NPDES Permit #PA0224146. M & M Stone Company** (P. O. Box 189, Clymer and Quarry Roads, Telford, PA 18969), renewal of NPDES Permit in Maxatawny Township, **Berks County**, receiving stream—East Branch Perkiomen Creek. Application received April 10, 2000. Renewal issued: February 22, 2002.

#### *Project Proposals Issued*

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

**EGS 56002. Wells Creek Watershed Associates**, 1019 Pompey Hill Road, Stoystown, PA 15563). A water pollution abatement project to construct a passive AMD treatment system on a 10 acre tract of the James C. and Martha J. Onstead and Allan J. Woy properties located 1 mile south of Listie between Township Roads T-539 and T-572 in Somerset Township, **Somerset County**. Receiving stream: Wells Creek. Project received November 28, 2001. Project issued: February 12, 2002.

**EGS No. 56003. Southern Alleghenies Conservancy**, 702 West Pitt Street, Fairlawn Court Suite 8, Bedford, PA 15522. A water pollution abatement project to construct a passive treatment system (Metro Project) for two abandoned deep mine discharges on 8 acres of the Edward Hay, et. al. and Albert and Martha Hertzler properties located approximately 1/2 mile northeast of the Village of Coal Run on the east side of Township Road T-363 in Elk Lick Township, **Somerset County**. The receiving stream is an unnamed tributary to the Casselman River (known locally as Coal Run). The proposal was received December 17, 2001. Project issued: February 20, 2002.

**EGS 11001. AMD & ART** (411 Third Avenue, Johnstown, PA 15906). A project to abate mine drainage pollution in Vintondale Borough, **Cambria County**, affecting 35.0 acres, receiving stream South Branch Blacklick Creek. Project proposal received September 10, 2001. Project issued: February 20, 2002.

#### **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.*

**15024005. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting in West Brandywine Township, **Chester County** with an expiration date of April 11, 2002. Permit issued February 19, 2002.

**15024007. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting in West Bradford Township, **Chester County** with an expiration date of April 15, 2002. Permit issued February 19, 2002.

**35024003. Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting for Greenwood Estates in Moosic Borough, **Lackawanna County** with an expiration date of June 30, 2006. Permit issued February 19, 2002.

**38024003. Miller-Warner Construction** (265 Plane Tree Drive, Lancaster, PA 17603), construction blasting in South Lebanon Township, **Lebanon County** with an expiration date of May 27, 2002. Permit issued February 19, 2002.

**48024004. Labrador Construction** (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Palmer Township, **Northampton County** with an expiration date of March 27, 2002. Permit issued February 19, 2002.

**64024001. Northeast Blasting** (R. R. 6 Box 6692, Honesdale, PA 18431), construction blasting in Canaan Township, **Wayne County** with an expiration date of April 28, 2002. Permit issued February 19, 2002.

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

**14024002. Paradise Contracting**, 223 Paradise Road, Bellefonte, PA 16823, for construction blasting, located in College Township, **Centre County**, with an expected duration of 25 days. Permit issued February 20, 2002.

Persons aggrieved by these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 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 decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

#### **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.

Persons aggrieved by these actions 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 Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 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 decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**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.*

**E23-417. Township of Marple**, 227 South Sproul Road, Broomall, PA 19008-2397, Marple Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain 1,000 linear feet of rip-rap protection and stabilization along the northern stream bank of the Darby Creek (TSF-MF), for the purpose of erosion control. The site is located approximately 700 feet southeast of the intersection of Old West Chester Pike and Lawrence Road (Lansdowne, PA-USGS Quadrangle, N: 18.20 inches; W: 11.90 inches).

**E09-822. East Rockhill Township**, 1622 Ridge Road, Perkasio, PA 18944-2296, East Rockhill Township, **Bucks County**, ACOE Philadelphia District.

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

**E09-829. Ashley Development Corporation**, 559 Main Street, Suite 300, Bethlehem, PA 18018, Springfield Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 24-foot long box culvert consisting of a 26-foot span and 2-foot rise situated in and along an unnamed tributary to Cooks Creek (EV) associated with the construction of a residential development. Work will also include the installation of a temporary ford crossing for equipment access during construction. The site is located approximately 1,000 feet north of the intersection of Greenwood Avenue and Drifting Drive (Hellertown, PA USGS Quadrangle N: 11.25 inches; W: 4.00 inches). The amount of wetland impact is considered a de minimis impact of 0.007 acre and wetland mitigation is not required.

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

**E28-289. Greencastle Borough**, 60 N. Washington Street, Greencastle, PA 17225 in Antrim Township and Greencastle Borough, **Franklin County**, ACOE Baltimore District

To construct and maintain a two pipe stormwater system which starts from an existing stormwater line and travels approximately 3,100 feet and then discharges into an unnamed tributary to Paddy Run (WWF). The stream channel will be improved with a wider cross-section and a berm along the stream near the end of the project (Greencastle, PA Quadrangle N: 6.0 inches; W: 15.3 inches) in Antrim Township and Greencastle Borough, Franklin County.

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

**E08-386. Pennsylvania Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. Replacement of two bridges in Canton Township, **Bradford County**, ACOE Baltimore District (Canton, PA Quadrangle N: 1.28 inches; W: 9.35 inches).

To remove the existing concrete encased I-beam bridge which has a 75° skew right hand ahead, a 15' 6" clear span and a design underclearance of 5.5' and to construct and maintain a reinforced concrete box culvert with an 18' 0" by 5' 5" hydraulic opening, a normal span of 18', a clear span of 18.63' and a curb-to-curb width of 40' in Beech Flats Creek on SR 0154, Section 034, Segment 0100, offset 0236 and to remove the existing reinforced concrete slab bridge which has a 90° skew, an 8' clear span and a design underclearance of 3' and to construct and maintain a precast reinforced concrete box culvert with a normal span of 10' a clear span of 10' and a curb-to-curb width of 40' and a minimum underclearance of 3.5' in Beech Flats Creek on SR 0154, Section 034, Segment 0100, offset 0527 in Canton Township, Bradford County. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E19-216. Pennsylvania Department of Transportation**, P. O. Box 218, Montoursville, PA 17754. Bridge Replacement, in Franklin Township, **Columbia County**, ACOE Baltimore District (Danville, PA Quadrangle N: 1.40 inches; W: 0.95 inch).

To: 1) remove the existing bridge; 2) construct and maintain a single span prestressed concrete adjacent box beam bridge with a 68.5-foot normal span, a 10-foot minimum underclearance, a 60° skew and a hydraulic opening of 650 square feet; 3) construct a temporary bridge with a clear opening of 7 feet high and 55 feet wide located 50 to 100 feet downstream of the existing bridge; and 4) construct temporary cofferdams across Moose Run located 200 feet south of the T-351 intersection with SR 0487, Sect. 039.

**E19-217. First Church of Christ—Bloomsburg**, 102 Derrs Road, Bloomsburg, PA 17815. Church construction, in Montour Township, **Columbia County**, ACOE Baltimore District (Catawissa, PA Quadrangle N: 18.7 inches; W: 16.2 inches).

To construct and maintain a 2-foot long sewer/line crossing of Montour Run and 1,200 square feet of wetlands and to construct and maintain an onsite replacement wetland approximately 15 feet in width by 875 feet in length to compensate for 0.28 acre of jurisdictional wetlands permanently impacted by site construction. The project is located on the south side of Montour Run approximately 1,300 feet south of the Valley School in Montour Township, Columbia County.

**E41-493. Montgomery Water and Sewer Authority**, 35 South Main Street, Montgomery, PA 17752. Small Projects Water Obstruction and Encroachment Joint Permit Application, in Clinton Township, **Lycoming County**, ACOE Susquehanna River Basin District (Muncy, PA Quadrangle N: 10.5 inches; W: 15.4 inches).

To remove an existing concrete pipe culvert and construct and maintain two arch culverts measuring 40-feet long by 7.92-feet wide by 5.7-feet high in an unnamed

tributary to the West Branch of the Susquehanna River located 0.3 mile along Brouse Road, north of the intersection of Brouse Road and SR 0405. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-494. Mifflin Township Supervisors**, P. O. Box 435, Salladasburg, PA 17740. Culvert Pipe, in Mifflin Township, **Lycoming County**, ACOE Baltimore District (Salladasburg, PA Quadrangle N: 3.2 inches; W: 16.5 inches).

To maintain a 53-inch by 41-inch corrugated metal pipe measuring 98 linear feet in an unnamed tributary to Mud Run. The permit is located 1 mile west on SR 973 to Canoe Run Road and impacted 98 linear feet of stream and did not impact any wetlands. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-496 Muncy Creek Township**, 575 Rt. 442, Muncy, PA 17754 Wetland fill in Muncy Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Muncy, PA Quadrangle N: 14.1 inches; W: 0.4 inch).

To fill 0.018 acre in a palustrine emergent wetland system for the purpose of renovating a sports field located at Kiess Park. The project is located approx. 3,000 feet east of the SR 422/SR 405 intersections on the south side of SR 422.

**E49-254. Pennsylvania Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. Stream Culverts, in Rush Township, **Northumberland County**, ACOE Baltimore District.

To construct and maintain the culvert pipe extensions and channel relocations for the following locations and distances. The centroid of the work to be performed is adjacent to SR 0054, Section 037 approximately four miles north of Elysburg in Rush Township, Northumberland County.

<i>Stream</i>	<i>Station Offset</i>	<i>Latitude Longitude</i>	<i>Direct Impacts Lineal Ft. (sq. ft.)</i>	<i>Description of Work</i>	<i>Notes</i>
Unnamed tributary to the Susquehanna River	210 + 54 60'L to 75'L	40° 55' 08" 76° 35' 11"	13.1 (39.3)	Culvert/pipe extension for roadway widening (24" RCP for a 40 LF extended length)	Proposed outlet protection: Rock Apron (Rock R-6) downstream
Unnamed tributary to Little Roaring Creek near Scisley Road	276 + 87.5 110'L to 52'R	40° 54' 07" 76° 34' 46"	27.5 (180.4)	Culvert/pipe extension for roadway widening (48" RCP for a 60 LF extended length)	Portions of stream upstream and downstream of SR 0054 impacted. Proposed outlet protection: Rock Apron (Rock R-6)
Unnamed tributary to Little Roaring Creek near Kaboodle Road	343 + 12 60'L to 97'L	40° 53' 28" 76° 33' 52"	12.0 (197.0)	Culvert/pipe extension for roadway widening (48" Ductile Iron Pipe for a 60 LF extended length)	Impacts to stream on downstream side of SR 0054 only. Proposed outlet protection: Rock Apron (R-6)
Little Roaring Creek near Sharp Ridge Road	356 + 15 to 357 + 00 45'L to 63'L	40° 53' 23" 76° 33' 29"	155.5 (1052.3)	Channel relocation due to roadway widening (includes 36" DIP pipe extension for 15 LF)	Headwaters of Little Roaring Creek. Stream parallels east side of roadway in this location

<i>Stream</i>	<i>Station Offset</i>	<i>Latitude Longitude</i>	<i>Direct Impacts Lineal Ft. (sq. ft.)</i>	<i>Description of Work</i>	<i>Notes</i>
Little Roaring Creek near Sharp Ridge Road	Sharp Ridge Road Baseline 151 + 25 to 152 + 61 44'R to 54'R	40° 53' 24" 76° 33' 30"	208.0 (535.9)	Channel relocation due to roadway widening	Headwaters of Little Roar- ing Creek. Stream parallels east side of roadway in this location
Little Roaring Creek near High Road	377 + 40 to 380 + 00 5'R to 33'R	40° 53' 01" 76° 33' 09"	364.2 (464.9)	Channel relocation, culvert/pipe extension for roadway widening (24" DIP for a 35 LF ex- tended length)	Headwaters of Little Roar- ing Creek. Stream parallels west side of roadway in this location. Water supply- spring house
Total Stream Impacts			780.3 (2469.8)		

And to place fill into 0.15 acre of palustrine emergent wetlands and 0.2 acre of palustrine forested wetlands. The permittee will provide a minimum of 0.15 acre of onsite PEM replacement wetlands. In addition, the permittee has partially met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement project.

The permittee has partially met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement project.

**E49-255. James A. Gilfert, President, Sunbury Airport, Inc.**, 800 Park Drive, Sunbury, PA 17801. Water Obstruction and Encroachment Joint Permit Application, in the City of Sunbury, **Northumberland County**, ACOE Susquehanna River Basin District (Northumberland, PA Quadrangle N: 2.8 inches; W: 4.5 inches).

To remove three existing structures and construct and maintain a 32' by 72' residential structure in the floodway of the North Branch of the Susquehanna River. This permit was issued under section 105.13(e) "Small Projects."

**E53-367. Michael and Michelle Filer**, HCR 1, Box 170, Shinglehouse, PA 16748. Filer Bridge-Elevenmile Creek, in Oswayo Township, **Potter County**, ACOE Pittsburgh District (Oswayo, PA Quadrangle N: 15.0 inches; W: 5.5 inches).

To operate and maintain a single span bridge across Elevenmile Creek for access to private property. The bridge shall be operated and maintained with a minimum span of 14-feet, width of 12-feet and underclearance of 4-feet. Bridge construction also included concrete block abutments and wingwalls. All future work shall be conducted at stream low flow. All in-stream channel abutment and wingwall repair work shall be completed in dry work conditions by dam and pumping or fluming stream flow around the work area. The project is located along the southern right-of-way of SR 4023 approximately 1,000-feet south of T-380 and SR 4023 intersection. This permit also authorizes the construction, operation, maintenance and removal of temporary stream diversions and cofferdams for in-stream abutment and wingwall repair. Upon completion of repair work, all temporary structures shall be removed, the stream bank restored to original contours and elevations and all final stabilization applied. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E55-184. Jay B. Martin**, R. R. 3, Box 214, Selinsgrove, PA 17870. Water Obstruction and Encroachment Permit Application, in Washington Township, **Snyder County**, ACOE Susquehanna River Basin District (Freeburg, PA Quadrangle N: 0.3 inch; W: 6.3 inches).

To construct and maintain a masonry, wooden structure having a span of 20-feet over an unnamed tributary to Middle Creek and maintain 280-feet of two stream bed gravel removal sites of unnamed tributaries to Middle Creek which will be stabilized with conservation mix grass, all of which is located 6 miles east of the intersection of SR 0104 and Neitz Valley Road along Neitz Valley Road. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E57-096. Borough of Dushore**, Box 248, 216 Julia Street, Dushore, PA 18614. Bridge Replacement, in Dushore Borough, **Sullivan County**, ACOE Baltimore District (Dushore, PA Quadrangle N: 4.2 inches; W: 3.8 inches).

To remove the existing single span pony truss bridge on masonry abutments with a clear span of 46.2 feet, a clear roadway width of 15.25 feet and an underclearance of 5.75 feet and to construct and maintain a concrete prestressed spread box beam bridge with reinforced concrete abutments, a clear span of 47.3 feet, a normal span of 33.5 feet, a minimum underclearance of 5.6 feet on a skew of 45° right ahead over Little Loyalsock Creek on Center Street in the Borough of Dushore in Sullivan County.

**E59-421. Pennsylvania Department of Transportation**, 715 Jordan Avenue, Montoursville, PA 17754. Box culvert over an unnamed tributary to Mutton Lane, in Lawrence Township, **Tioga County**, ACOE Baltimore District (Jackson Summit, PA Quadrangle N: 13.1 inches; W: 7.25 inches).

To remove the existing bridge structure and to construct, operate and maintain a new reinforced concrete box culvert having a width of 20 feet and height of 3.11 feet. This permit also authorizes a temporary road crossing consisting of five 48-inch culvert pipes and clean nonsilting fill to construct the roadway. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E60-151. Derrick and Terra Moyer**, R. R. 3, Box 153, Mifflinburg, PA 17844. Water Obstruction and Encroachment Permit application, in Limestone Township, **Union**

**County**, ACOE Susquehanna River Basin District (Middleburg, PA Quadrangle N: 18.2 inches; W: 2.3 inches).

To construct and maintain a 46-foot by 28-foot residential structure and 24-foot by 29-foot wooden deck as well as maintain an 30-foot by 25-foot garage, an 15-foot by 8.5-foot utility shed and an 5.5-foot by 5.5-foot well house, all of which are located along Penns Creek. This permit was issued under section 105.13(e) "Small Projects."

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

**E02-1355. Borough of Glassport**, Fifth and Monongahela Avenues, Glassport, PA 15045. Glassport Borough, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a 138' long by 50' wide boat dock and a 20' x 20' wood overlook along the right bank of the Monongahela River (WWF) near River Mile 17.3 (Glassport, PA Quadrangle N: 15.8 inches; W: 2.4 inches).

**E63-519. Pennsylvania Department of Transportation, Engineering District 12-0**, P. O. Box 459, Uniontown, PA 15401. Morris Township, **Washington County**, ACOE Pittsburgh District.

To rehabilitate and maintain the existing S.R. 0018 bridge consisting of inserting a 7.0 foot diameter culvert inside the existing 9.5 foot diameter culvert in an unnamed tributary to Short Creek (TSF) for the purpose of improving highway safety. The bridge is located on S.R.

0018, Segment 0030, Offset 0253 (Prosperity, PA Quadrangle N: 1.5 inches; W: 12.6 inches).

**DAM SAFETY**

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

**D15-382. Gerald McKown**, 59 South Third Street, Oxford, PA 19363. To modify, operate and maintain the Brook Crossing Detention Dam across a tributary to Dennis Run (WWF, MF), indirectly impacting 1.4 acres of wetlands (PEM/PSS/PFO) and 540 feet of stream, for the purpose of increasing the storage capacity of the basin. Work includes enlarging the basin, raising the emergency spillway, raising the dam to the original design height and replacing the riser pipes. (Coatesville, PA Quadrangle N: 14.7 inches; W: 12.6 inches), in East Fallowfield Township, **Chester County**.

**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, 504, 1101—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.**

*SSIP*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
02-65-003	James A. McKamie Firestone Building Products Company 525 Congressional Boulevard Carmel, IN 46032-5607	Westmoreland	Youngwood Borough	1 AST storing Pentane	45,000 gallons

**SPECIAL NOTICES**

**Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101**

*Northcentral Region: Regional Planning and Recycling Coordinator, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

The Department of Environmental Protection (Department) approved a revision for the Clinton County Municipal Waste Management Plan on February 7, 2002.

The Department approved a revision for the Clearfield County Municipal Waste Management Plan on January 18, 2002.

Persons aggrieved by these actions 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 Environmental Hearing

Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in 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 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 decision law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

The plan revision is a public document and may be viewed at the Department Regional Office previously noted.

Questions concerning this approval should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472; or to Ronald Sommers, Regional Planning and Recycling Coordinator, Bureau of Land Recycling and Waste Management at the Regional Office previously noted.

**Planning Grant Awards under section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101**

The Department of Environmental Protection (Department) hereby announces the following grant to county under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101), sections 208 and 901 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act.

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out

related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.

**Act 101, Section 901 Planning Grant**

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Corrected Grant Award</i>
Northcentral	Warren	Warren County	Plan Revision	\$34,117

[Pa.B. Doc. No. 02-383. Filed for public inspection March 8, 2002, 9:00 a.m.]

**Availability of Technical Guidance**

Technical guidance documents are on the Department of Environment Protection's (DEP) website (www.dep.state.pa.us) at the Public Participation Center page. The "December 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 2002.

*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 telephone number is listed with the document.

*Draft Technical Guidance*

DEP ID: 271-5000-002 Title: Interstate Ozone Transport Reduction Subchapter A. NOx Budget Trading Program (25 Pa. Code §§ 145.1—145.90) Regulation Overview Description: This policy is written to improve compliance assistance efforts with the regulated community, specifically for those operating large boilers, electric

generating units and large turbines. This document will provide a clarified overview of 25 Pa. Code §§ 145.1—145.90 and assist with interpretation, compliance and properly executed forms submitted to DEP. Anticipated Effective Date: April 27, 2002 Comment Period Ends: April 8, 2002 Contact: Dean Van Orden at (717) 787-9495 or e-mail: dvanorden@state.pa.us.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 02-384. Filed for public inspection March 8, 2002, 9:00 a.m.]

**Final Certification under Section 401 of the Federal Clean Water Act and Coastal Zone Management Consistency Determination**

The Department of Environmental Protection (DEP) hereby certifies under section 401 of the Clean Water Act (CWA) (33 U.S.C.A. § 1341), subject to the conditions listed in this notice, that the activities authorized by the United States Army Corps of Engineers (Corps) published at 67 FR 2019 (January 15, 2002) (Issuance of Nationwide Permits (NWP) Notice) which may result in a discharge into waters of the United States in this Commonwealth will comply with the applicable provisions of sections 301—303, 306 and 307 of the CWA and are consistent with Pennsylvania's Coastal Zone Management Program. In addition, the Commonwealth certifies, subject to the conditions listed in this notice, that there is a reasonable assurance that the construction and operation of the NWPs set forth in the January 15, 2002, notice will comply with applicable Federal and State water quality standards.

On November 24, 2001, the DEP published an initial notice of the Corps' request for section 401 certification of



the Corps' proposed NWP (see 66 FR 42070) (August 9, 2001) at 31 Pa.B. 6512 (November 24, 2001). During the 30-day comment period following the publication of the notice, no public comments were received. The final version of the NWP was published at 67 FR 2019. For further information concerning the NWP, contact the United States Army Corps of Engineers: David Olson at (703) 428-7570; Rich White at (202) 761-4599; or Kirk Stark at (202) 761-4664; or access the Corps' Regulatory Home Page at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg>.

The Corps is reissuing all the existing NWPs, General Conditions definitions with some modifications and one new General Condition. These final NWPs will be effective on March 18, 2002. All NWPs, except NWPs 7, 12, 14, 27, 31, 40, 41, 42, 43 and 44, expire on February 11, 2002. Existing NWPs 7, 12, 14, 27, 31, 40, 41, 42, 43 and 44 expire on March 18, 2002. To reduce the confusion regarding the expiration of the NWPs and the administrative burden of reissuing NWPs at different times, the Corps is issuing all NWPs on the same date so that they expire on the same date. Thus, all issued, reissued and modified NWPs, and General Conditions contained within the January 15, 2002, notice will become effective on March 18, 2002, and expire on March 19, 2007.

Except in instances where the Pennsylvania Statewide Programmatic General Permit (PASPGP-2) issued by the Corps in July 2001 does not apply, the Corps has indicated it will suspend these NWPs. This suspension will preserve the one-stop State and Federal permitting process the Corps presently offers under PASPGP-2 while maintaining the current level of protection provided to our wetlands and water resources.

#### *Nationwide Permits*

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Maintenance
8. Oil and Gas Structures
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys
11. Temporary Recreational Structures
12. Utility Line Activities
13. Bank Stabilization
14. Linear Transportation Projects
15. United States Coast Guard Approved Bridges
16. Return Water From Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Oil Spill Cleanup
21. Surface Coal Mining Activities
22. Removal of Vessels
23. Approved Categorical Exclusions
24. State Administered Section 404 Programs
25. Structural Discharges
26. [Reserved]
27. Stream and Wetland Restoration Activities
28. Modifications of Existing Marinas
29. Single-family Housing
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities
32. Completed Enforcement Actions
33. Temporary Construction, Access and Dewatering

34. Cranberry Production Activities
35. Maintenance Dredging of Existing Basins
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation
38. Cleanup of Hazardous and Toxic Waste
39. Residential, Commercial and Institutional Developments
40. Agricultural Activities
41. Reshaping Existing Drainage Ditches
42. Recreational Facilities
43. Stormwater Management Facilities
44. Mining Activities

#### *Nationwide Permit General Conditions*

1. Navigation
2. Proper Maintenance
3. Soil Erosion and Sediment Controls
4. Aquatic Life Movements
5. Equipment
6. Regional and Case-by-Case Conditions
7. Wild and Scenic Rivers
8. Tribal Rights
9. Water Quality
10. Coastal Zone Management
11. Endangered Species
12. Historic Properties
13. Notification
14. Compliance Certification
15. Use of Multiple Nationwide Permits
16. Water Supply Intakes
17. Shellfish Beds
18. Suitable Material
19. Mitigation
20. Spawning Areas
21. Management of Water Flows
22. Adverse Effects from Impoundments
23. Waterfowl Breeding Areas
24. Removal of Temporary Fills
25. Designated Critical Resource Waters
26. Fills Within 100-year Floodplains
27. Construction Period

This certification is subject to the following conditions:

#### *Conditions*

1. Prior to commencing any activity covered by an NWP, the applicant must obtain all necessary permits or approvals from the DEP, including, but not limited to, those required by the The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304), the Land Recycling and Remediation Standards Act (35 P. S. §§ 6026.101—6026.908) and the regulations promulgated thereunder including 25 Pa. Code Chapters 75, 91—93, 95, 102, 105 and 260—299. All environmental assessments required under these regulations, in addition to other regulatory requirements, must be complied with as a condition of Section 401 Water Quality Certification for the NWPs.

2. Fill material cannot contain wastes as defined in the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

3. For activities which impact on wetlands, a delineation shall be conducted in accordance with the Commonwealth's procedures for wetland delineation. The present procedure is published at 25 Pa. Code § 105.451 (relating to identification and delineation of wetlands—statement of policy).

4. The DEP retains the right, on an individual activity basis, to withdraw or modify 401 Water Quality Certification for an activity subject to a NWP which it determines may adversely impact water quality.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 02-385. Filed for public inspection March 8, 2002, 9:00 a.m.]

### Proposed Revisions to Pennsylvania General Permits for the Beneficial Use of Biosolids or Residential Septage by Land Application (PAG-7, PAG-8 and PAG-9)

#### Extension of Public Comment Period and Notice of Public Hearing

In accordance with the provisions of the Federal Clean Water Act, The Clean Streams Law (35 P. S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) issues three general permits for use by eligible persons for the beneficial use of exceptional quality biosolids, biosolids or residential septage that will be land applied, who are required in 25 Pa. Code Chapters 91, 92 or 271 (relating to general provisions; National Pollutant Discharge Elimination System permitting, monitoring and compliance; and municipal waste management—general provision), as applicable, to obtain a permit for the beneficial use of biosolids in this Commonwealth. The general permits, referred to as PAG-7, PAG-8 and PAG-9, shall only be valid for eligible persons that have submitted an administratively complete and acceptable application, hereinafter referred to as Notice of Intent, to the Department on the prescribed form.

Proposed revisions are necessary to clarify the general permits as they relate to biosolids and to clarify previous language. There is no change to the current application fee of \$500 for each permit.

Notices of proposed revisions to the PAG-7, PAG-8 and PAG-9 were published at 32 Pa.B. 367 and 377 (January 19, 2002), with a 30-day public comment period that closed on February 19, 2002. The Department, by this notice, extends the public comment period on the proposed revisions to the three general permits for an additional 15 days following publication of this notice in the *Pennsylvania Bulletin*, or March 25, 2002. The Department will also hold a public hearing on the proposed revisions as indicated in this notice.

#### Summary of Proposed Revisions

The general permits have been reorganized and made more concise. In many instances, repetitive regulatory language was replaced by the appropriate regulatory reference. A definition of biosolids is proposed to be added and is proposed to replace "sewage sludge" where appropriate. As an incentive for biosolids generators to produce exceptional quality products, proposed language was added to PAG-7 to exclude exceptional quality biosolids from waste processing and transportation placard requirements. Storage requirements were clarified and en-

hanced notification requirements were added to PAG-8 and PAG-9. An annual soils sampling requirement at land application sites has also been proposed for PAG-8. Appendices are proposed for deletion because the information is readily obtainable from the regulations or other resources.

The existing permit documents package will continue to be available from the Department's regional and central offices until it is replaced or updated.

#### Copies of Draft Revised Permits

Copies of the draft revised general permits are available from the Bureau of Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 783-3795, e-mail to [trutrutoutma@state.pa.us](mailto:trutrutoutma@state.pa.us) and on the Department's website at [www.dep.state.pa.us](http://www.dep.state.pa.us), directLINK "Public Participation"; scroll down to "Proposals Open for Comment," then choose "Regulations and Other Proposals."

#### Public Hearing

The Department will hold a public hearing to accept comments on the proposed permit revisions on March 18, 2002, at 6:30 p.m. in the Auditorium of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Anyone wishing to present testimony at the hearing is requested to contact Mary Miller, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 783-3497 to preregister. Oral testimony is limited to 10 minutes for each witness. Witnesses are requested to submit three written copies of their statement at the hearing. Each organization is limited to designating one witness to present testimony on its behalf.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate should contact Lisa Miller, ADA Coordinator at (717) 787-7116 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how their needs may be accommodated.

#### Written Comments

Written comments on the proposed revisions should be sent to the Bureau of Water Supply and Wastewater Management, P. O. Box 8774, Harrisburg, PA 17105-8774 or by e-mail to [jafrika@state.pa.us](mailto:jafrika@state.pa.us). Comments will not be accepted by facsimile or voice mail.

Comments received from January 19, 2002, through March 25, 2002, and at the public hearing will be considered in finalizing the general permits. Following the comment period, the Department will prepare a comment and response document and final permit documents. Availability of the final permit documents will be announced in the *Pennsylvania Bulletin*.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 02-386. Filed for public inspection March 8, 2002, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Governor's Council on Physical Fitness and Sports; Meeting

The Governor's Council on Physical Fitness and Sports will hold a meeting on March 19, 2002, from 10 a.m. to 12:30 p.m. at the Pennsylvania Medical Society, 777 East Park Drive, Harrisburg, PA.

For additional information, contact Susan F. George, Director, Division of Chronic Disease Intervention, Department of Health, Room 1011, Health and Welfare Building, Harrisburg, PA, (717) 787-2957.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact Susan F. George at (717) 787-2957, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-387. Filed for public inspection March 8, 2002, 9:00 a.m.]

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301 and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, March 19, 2002, and Wednesday, March 20, 2002.

The meetings will be held at the Best Western Inn and Suites, 815 Eisenhower Boulevard, Middletown, PA, 17057, from 9 a.m. to 3 p.m.

The Department reserves the right to cancel this meeting without prior notice.

For additional information, contact Thomas M. DeMelfi, Department of Health, Bureau of Communicable Diseases, P. O. Box 90, Room 1010 Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0572.

Persons with a disability who wish to attend the meetings, and require an auxiliary aid, service or other accommodation to do so should also contact Thomas DeMelfi at the previous number or V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT & T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-388. Filed for public inspection March 8, 2002, 9:00 a.m.]

### Pennsylvania Cancer Control Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under the Pennsylvania Cancer Control, Prevention, and Research Act at 35 P. S. § 5633, will hold a meeting by means of a conference call on Wednesday, March 20, 2002, from 8:15 a.m. to 12 p.m. at the Department of Health, Room 1000, Health and Welfare Building, Harrisburg, PA 17120.

For additional information, contact Susan F. George, Program Manager, Department of Health, Cancer Control Program, Room 1011 Health and Welfare Building, Harrisburg, PA, (717) 787-2957.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Susan F. George

at (717) 787-2957; V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-389. Filed for public inspection March 8, 2002, 9:00 a.m.]

### Public Hearing and Meeting of the Health Research Advisory Committee

The Health Research Advisory Committee (Committee) will hold a public hearing and a public meeting on April 29, 2002. The public hearing and meeting will be held in Room 100, Labor and Industry Building, Forster and Seventh Streets, Harrisburg, PA.

State fiscal year 2001-02 priorities for both formula-funded and nonformula-funded health research under the Tobacco Settlement Act are posted on the Department of Health's website ([www.health.state.pa.us](http://www.health.state.pa.us)) under Act 77/Tobacco Settlement Act, Commonwealth Universal Research Enhancement Program. On February 4, 2002, the Committee voted to continue unchanged for State fiscal year 2002-03 the State fiscal year 2001-02 health research priorities for the formula funds. The primary purpose of the public hearing is to obtain suggestions for nonformula funded health research priorities for State fiscal year 2002-03, but comments on the formula-funded priorities are welcome.

The public hearing will be held from 9:30 a.m.—12 p.m. Comments must be submitted in writing, no later than 2:30 p.m. on April 8, 2002, to the Department of Health, Bureau of Health Statistics, Health Research Program, 555 Walnut Street, 6th Floor, Harrisburg, PA 17120-1900. Written comments must be no more than two typewritten pages. Persons wishing to present written statements orally at the public hearing must contact David Hooper at (717) 783-2548 by 2:30 p.m. on April 8, 2002, to make a reservation to testify at the hearing. Oral testimony will be limited to 3 minutes. Persons will be scheduled on a first come, first served basis, as time permits.

A meeting of the Committee will be held from 1 p.m.—4:30 p.m. The purpose of the meeting is to discuss the research priorities for nonformula funds for the State fiscal year 2002-03.

No reservations are required to attend the public meeting.

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, (717) 783-2548.

Persons with a disability who wish 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).

The hearing and meeting are subject to cancellation without notice.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-390. Filed for public inspection March 8, 2002, 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):

Beverly Healthcare Meadville  
14714 Park Avenue Extension  
Meadville, PA 16335

Westmoreland Manor  
2480 South Grande Blvd.  
Greensburg, PA 15601

These requests are on file with the Department of Health (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.

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 the 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. 02-391. Filed for public inspection March 8, 2002, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Innovation and Expansion Grant to Provide Job Creation Assistance on Behalf of Persons with Significant Disabilities

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most significant disabilities will be accepted. This competition is authorized under section 103 of the Rehabilitation Act of 1973.

Funding for this competition is under the auspice of the Pennsylvania State Board of Vocational Rehabilitation and the OVR, which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following area of emphasis:

- To increase employment and career opportunities for persons with significant disabilities in mainstream industry jobs in Cameron, Clearfield, Elk, Jefferson and McKean Counties.
- To stimulate development, retention, and growth of commerce and industry in Cameron, Clearfield, Elk, Jefferson and McKean Counties.

#### *Service Information*

This competition will result in one award and funding for a 4-year period, beginning July 1, 2002. The maximum annual funding level for this grant will not exceed \$150,000.

Eligible applicants are recognized Economic Development Groups (EDG), defined as "any group, corporation, or consortium which exists for the purpose of providing economic development funding, including capital equipment purchases, in the region for which the EDG has been designed."

For purposes of this competition, an eligible applicant may also be another nonprofit or governmental organization experienced in successfully collaborating with business and industry located in Cameron, Clearfield, Elk, Jefferson and McKean Counties. The collaboration must have been in regard to development of employment, employment opportunities, placement of hard-to-place populations, workforce development or comparable areas of endeavor.

An applicant must demonstrate an understanding of the economy, market characteristics, and market potential in the service area that encompasses Cameron, Clearfield, Elk, Jefferson and McKean Counties.

An applicant must have operated in these capacities for a minimum of 3 years for its application to be considered for this competition.

For purposes of this competition, Job Creation Assistance on Behalf of Persons with Significant Disabilities, services focus upon activities that result in increased competitive employment of OVR-eligible persons with significant disabilities. Activities allowable under this grant competition include disbursement of moneys, through the OVR grantee, to qualified local businesses for purchase of equipment.

The grantee funded under this competition must comply with the following:

- Individuals placed in employment through this program must be eligible OVR customers.
- Job creation services must be implemented with the close coordination of the OVR DuBois District Office functioning in a leadership capacity. Proposals submitted for consideration under this grant competition must reflect this ongoing joint effort.
- The OVR District Administrator, the OVR DuBois District Office or that person's designee, must personally be involved in all decisions regarding provision of equipment to applicant businesses. The district administrator must cosign all disbursements made by the grantee to qualifying businesses.

*Application Information*

Applications received by 5 p.m., April 12, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be July 1, 2002, through June 30, 2003. Final awards made through this competition are subject to the approval of the Executive Director of the OVR.

Eligible applicants include EDGs, defined as "any group, corporation, consortium which exists for the purpose of providing economic development funding, including capital equipment purchases, in the region for which the EDG has been designed."

For purposes of this competition, an eligible applicant may also be another nonprofit or governmental organization experienced in successfully collaborating with business and industry located in Cameron, Clearfield, Elk, Jefferson and McKean Counties. The collaboration must have been in regard to development of employment, employment opportunities, placement of hard-to-place populations, workforce development or comparable areas of endeavor.

A complete application package, which includes more detailed information, is available by contacting Jacqueline B. Lucas, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 909 Green Street, Harrisburg, PA 17102-2913, (717) 787-7016, fax: (717) 705-9345; TDD: (717) 783-8917.

*Preproposal Conference*

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Tuesday, March 26, 2002, at 10 a.m. in the DuBois Office of Vocational Rehabilitation, 199 Beaver Drive, DuBois, PA 15801.

Copies of the application package will also be available at this conference. Persons expecting to attend should advise the DuBois District Office at (814) 765-0545, no later than 1 week prior to the conference, of any special accommodations that may be required for them to fully participate in the preproposal conference.

JOHNNY J. BUTLER,  
*Secretary*

[Pa.B. Doc. No. 02-392. Filed for public inspection March 8, 2002, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Double Up Bingo Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Double Up Bingo.

2. *Price:* The price of a Pennsylvania Double Up Bingo instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Double Up Bingo instant lottery game ticket will contain four play areas designated as "Card 1," "Card 2," "Card 3" and "Card 4." The 77 play symbols and their captions located in the four play areas are: The numbers 1—75, DBL and FREE. Each ticket will also contain a "Caller's Card" area. The "Caller's Card" area will consist of 30 squares. The play symbols that may be located in each square are: The letter B with a number 1—15; the letter I with a number 16—30; the letter N with a number 31—45; the letter G with a number 46—60; and the letter O with a number 61—75.

4. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$5, \$10, \$20, \$100, \$250, \$500 and \$25,000. The player can win up to four times on a ticket.

5. *Approximate Number of Tickets Printed for the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Double Up Bingo instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 4," shall be entitled to a prize of \$25,000.

(b) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 3," shall be entitled to a prize of \$500.

(c) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 4," shall be entitled to a prize of \$250.

(d) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 2," shall be entitled to a prize of \$250.

(e) Holders of tickets matching the "Caller's Card" play symbols in an "X" extending through the "FREE" space and through to each of the four corners on "Card 1," shall be entitled to a prize of \$100.

(f) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 2" or "Card 3," shall be entitled to a prize of \$100.

(g) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 1," shall be entitled to a prize of \$20.

(h) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 2," "Card 3" or "Card 4," shall be entitled to a prize of \$20.

(i) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 1," shall be entitled to a prize of \$10.

(j) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line with one of the five spaces in the line containing a DBL play symbol, on "Card 3," shall be entitled to a prize of \$10.

(k) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 3," shall be entitled to a prize of \$5.

(l) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line with one of the five spaces in the line containing a DBL play symbol, on "Card 1," "Card 2" or "Card 4," shall be entitled to a prize of \$4.

(m) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 1," "Card 2" or "Card 4," shall be entitled to a prize of \$2.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Get Bingo Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 12,000,000 Tickets</i>
Line-Card 1	\$2	1:15	800,000
Line-Card 2	\$2	1:37.50	320,000
Line-Card 4	\$2	1:30	400,000
Line-Card 1 Doubler	\$4	1:75	160,000
Line-Card 2 Doubler	\$4	1:93.75	128,000
Line-Card 4 Doubler	\$4	1:107.14	112,000
Line-Card 1 and 2	\$4	1:50	240,000
Line-Card 2 and 4	\$4	1:75	160,000
Line-Card 3	\$5	1:30	400,000
Line-Card 1, 2 and 4	\$6	1:50	240,000
Line-Card 3 Doubler	\$10	1:250	48,000
Corner-Card 1	\$10	1:375	32,000
Line-Card 1, 2, 3 and 4	\$11	1:150	80,000
Corner-Card 2	\$20	1:375	32,000
Corner-Card 3	\$20	1:750	16,000
Corner-Card 4	\$20	1:750	16,000
Diamond-Card 1	\$20	1:750	16,000
Corner-Card 1 and 4	\$30	1:857.14	14,000
Corner-Card 1 and 3	\$30	1:857.14	14,000
Corner-Card 3 and 4	\$40	1:4,000	3,000
Diamond-Card 1 + Corner-Card 4	\$40	1:6,000	2,000
Diamond-Card 2	\$100	1:12,000	1,000
Diamond-Card 3	\$100	1:12,000	1,000
X-Card 1	\$100	1:15,000	800
X-Card 2	\$250	1:120,000	100
Diamond-Card 4	\$250	1:120,000	100
X-Card 2 + Diamond-Card 4	\$500	1:40,000	300
X-Card 3	\$500	1:40,000	300
X-Card 4	\$25,000	1:1,200,000	10

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Double Up Bingo instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Double Up Bingo, prize money from winning Pennsylvania Double Up Bingo instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Double Up Bingo instant lottery game, the right of a ticket holder to claim the prize represented

by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote

Pennsylvania Double Up Bingo or through normal communications methods.

LARRY P. WILLIAMS,  
Secretary

[Pa.B. Doc. No. 02-393. Filed for public inspection March 8, 2002, 9:00 a.m.]

## Pennsylvania Mother's Day '02 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Mother's Day '02.

2. *Price:* The price of a Pennsylvania Mother's Day '02 instant lottery game ticket is \$5.00.

### 3. *Play Symbols:*

(a) Each Pennsylvania Mother's Day '02 instant lottery game ticket will contain three play areas known as "Game 1," "Game 2" and "Game 3" respectively. Each game has a different game play method and is played separately. Each Pennsylvania Mother's Day '02 instant lottery game ticket will also contain a "Fast Cash Bonus" area.

(b) The play symbols and their captions located in the play area for "Game 1" are: \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$7<sup>00</sup> (SVN DOL), \$10<sup>00</sup> (TEN DOL), \$12\$ (TWELV), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$30\$ (THIRTY), \$100 (ONE HUN) and \$50,000 (FTY THO).

(c) The play symbols and their captions located in the play area for "Game 2" are: X Symbol (XXX) and Heart Symbol (HEART).

(d) The play area for "Game 3" will contain a "Your Symbols" area and a "Lucky Symbol" area. The play symbols and their captions located in the "Your Symbols" area and the "Lucky Symbol" area are: Money Symbol (MONEY), House Symbol (HOUSE), Star Symbol (STAR), Necklace Symbol (NCKLACE), Ring Symbol (RING), Candy Symbol (CANDY), Sun Symbol (SUN), Emerald Symbol (EMERALD), Diamond Symbol (DIAMOND), Rose Symbol (ROSE) and Gift Symbol (GIFT).

### 4. *Prize Play Symbols:*

(a) The prize play symbols and their captions located in the "Prize" area for "Game 2" and the "Your Symbols" area for "Game 3" are: \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$7<sup>00</sup> (SVN DOL), \$10<sup>00</sup> (TEN DOL), \$12\$ (TWELV), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$30\$ (THIRTY), \$100 (ONE HUN) and \$50,000 (FTY THO).

(b) The prize play symbols and their captions located in the "Fast Cash Bonus" area are: \$5<sup>00</sup> (FIV DOL), \$6<sup>00</sup> (SIX DOL), \$7<sup>00</sup> (SVN DOL), \$10<sup>00</sup> (TEN DOL), \$12\$ (TWELV), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$30\$ (THIRTY), \$100 (ONE HUN) and NO BONUS (TRY AGAIN).

5. *Prizes:* The prizes that can be won in "Game 1," "Game 2" and "Game 3" are \$5, \$6, \$7, \$10, \$12, \$15, \$20, \$25, \$30, \$100 and \$50,000. The prizes that can be won

in the "Fast Cash Bonus" area are \$5, \$6, \$7, \$10, \$12, \$15, \$20, \$25, \$30 and \$100. The player can win up to six times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 1,440,000 tickets will be printed for the Pennsylvania Mother's Day '02 instant lottery game.

### 7. *Determination of Prize Winners:*

(a) Determination of prize winners for "Game 1" are:

(1) Holders of tickets with three matching play symbols of \$50,000 (FTY THO) in the play area, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the play area, on a single ticket, shall be entitled to a prize of \$100.

(3) Holders of tickets with three matching play symbols of \$30\$ (THIRTY) in the play area, on a single ticket, shall be entitled to a prize of \$30.

(4) Holders of tickets with three matching play symbols of \$25\$ (TWY FIV) in the play area, on a single ticket, shall be entitled to a prize of \$25.

(5) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the play area, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets with three matching play symbols of \$15\$ (FIFTN) in the play area, on a single ticket, shall be entitled to a prize of \$15.

(7) Holders of tickets with three matching play symbols of \$12\$ (TWELV) in the play area, on a single ticket, shall be entitled to a prize of \$12.

(8) Holders of tickets with three matching play symbols of \$10<sup>00</sup> (TEN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(9) Holders of tickets with three matching play symbols of \$7<sup>00</sup> (SVN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$7.

(10) Holders of tickets with three matching play symbols of \$6<sup>00</sup> (SIX DOL) in the play area, on a single ticket, shall be entitled to a prize of \$6.

(11) Holders of tickets with three matching play symbols of \$5<sup>00</sup> (FIV DOL) in the play area, on a single ticket, shall be entitled to a prize of \$5.

(b) Determination of prize winners for "Game 2" are:

(1) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$50,000 (FTY THO) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$100 (ONE HUN) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$100.

(3) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$30\$ (THIRTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$30.

(4) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$25\$ (TWY FIV) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$25.

(5) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$20\$ (TWENTY) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$15\$ (FIFTEEN) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$15.

(7) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$12\$ (TWELVE) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$12.

(8) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$10.<sup>00</sup> (TEN DOLLARS) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$10.

(9) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$7.<sup>00</sup> (SEVEN DOLLARS) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$7.

(10) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$6.<sup>00</sup> (SIX DOLLARS) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$6.

(11) Holders of tickets with three matching Heart Symbol (HEART) play symbols in the same row, column or diagonal, and a prize play symbol of \$5.<sup>00</sup> (FIVE DOLLARS) in the "Prize" area for that game, on a single ticket, shall be entitled to a prize of \$5.

(c) Determination of prize winners for "Game 3" are:

(1) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$50,000 (FIFTY THOUSAND) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$100 (ONE HUNDRED) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(3) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$30\$ (THIRTY) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(4) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$25\$ (TWENTY FIVE) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(5) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$20\$ (TWENTY) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$15\$ (FIFTEEN) appears

under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(7) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$12\$ (TWELVE) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$12.

(8) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$10.<sup>00</sup> (TEN DOLLARS) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(9) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$7.<sup>00</sup> (SEVEN DOLLARS) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$7.

(10) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$6.<sup>00</sup> (SIX DOLLARS) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(11) Holders of tickets where any one of the "Your Symbols" play symbols matches the "Lucky Symbol" play symbol and a prize play symbol of \$5.<sup>00</sup> (FIVE DOLLARS) appears under the matching "Your Symbols" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(d) Determination of prize winners for the "Fast Cash Bonus" area are:

(1) Holders of tickets with a prize play symbol of \$100 (ONE HUNDRED) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$100.

(2) Holders of tickets with a prize play symbol of \$30\$ (THIRTY) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$30.

(3) Holders of tickets with a prize play symbol of \$25\$ (TWENTY FIVE) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$25.

(4) Holders of tickets with a prize play symbol of \$20\$ (TWENTY) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$20.

(5) Holders of tickets with a prize play symbol of \$15\$ (FIFTEEN) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$15.

(6) Holders of tickets with a prize play symbol of \$12\$ (TWELVE) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$12.

(7) Holders of tickets with a prize play symbol of \$10.<sup>00</sup> (TEN DOLLARS) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$10.

(8) Holders of tickets with a prize play symbol of \$7.<sup>00</sup> (SEVEN DOLLARS) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$7.

(9) Holders of tickets with a prize play symbol of \$6.<sup>00</sup> (SIX DOLLARS) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$6.

(10) Holders of tickets with a prize play symbol of \$5.<sup>00</sup> (FIVE DOLLARS) in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:



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<i>Fast \$ Bonus</i>	<i>Match 3 Amts Game 1</i>	<i>Tic- Tac -Toe Game 2</i>	<i>Key # Match Game 3</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 1,440,000 Tickets</i>
\$5				\$5	1:30	48,000
	\$5			\$5	1:30	48,000
		\$5		\$5	1:30	48,000
			\$5	\$5	1:60	24,000
\$6				\$6	1:120	12,000
	\$6			\$6	1:120	12,000
		\$6		\$6	1:120	12,000
			\$6	\$6	1:120	12,000
\$7				\$7	1:200	7,200
	\$7			\$7	1:300	4,800
		\$7		\$7	1:300	4,800
			\$7	\$7	1:200	7,200
\$10				\$10	1:300	4,800
	\$10			\$10	1:300	4,800
		\$10		\$10	1:300	4,800
			\$10	\$10	1:300	4,800
\$5	\$5			\$10	1:200	7,200
\$5		\$5		\$10	1:200	7,200
\$5			\$5	\$10	1:200	7,200
			\$5 × 2	\$10	1:200	7,200
\$12				\$12	1:300	4,800
	\$12			\$12	1:600	2,400
		\$12		\$12	1:600	2,400
			\$12	\$12	1:300	4,800
\$6				\$12	1:300	4,800
	\$6			\$12	1:300	4,800
		\$6		\$12	1:300	4,800
	\$6			\$12	1:300	4,800
\$7				\$12	1:300	4,800
\$7	\$5			\$12	1:300	4,800
\$7		\$5		\$12	1:300	4,800
			\$5	\$12	1:300	4,800
			\$6 × 2	\$12	1:300	4,800
\$15				\$15	1:200	7,200
	\$15			\$15	1:300	4,800
		\$15		\$15	1:600	2,400
			\$15	\$15	1:300	4,800
\$5	\$5	\$5		\$15	1:200	7,200
\$5		\$5	\$5	\$15	1:200	7,200
\$10	\$5			\$15	1:300	4,800
\$10		\$5		\$15	1:300	4,800
\$10			\$5	\$15	1:300	4,800
\$20				\$20	1:600	2,400
	\$20			\$20	1:600	2,400
		\$20		\$20	1:600	2,400
			\$20	\$20	1:600	2,400
\$10	\$10			\$20	1:600	2,400
\$10		\$10		\$20	1:600	2,400
\$10			\$10	\$20	1:600	2,400
\$15	\$5			\$20	1:600	2,400
\$15		\$5		\$20	1:600	2,400
\$15			\$5	\$20	1:600	2,400
\$25				\$25	1:300	4,800
	\$25			\$25	1:600	2,400
		\$25		\$25	1:600	2,400
			\$25	\$25	1:600	2,400
\$20	\$5			\$25	1:600	2,400
\$20		\$5		\$25	1:600	2,400
\$20			\$5	\$25	1:600	2,400
\$15			\$5 × 2	\$25	1:300	4,800
\$30				\$30	1:960	1,500
	\$30			\$30	1:960	1,500
		\$30		\$30	1:960	1,500
			\$30	\$30	1:960	1,500
\$20			\$5 × 2	\$30	1:960	1,500
\$15			\$5 × 3	\$30	1:960	1,500

<i>Fast \$ Bonus</i>	<i>Match 3 Amts Game 1</i>	<i>Tic-Tac-Toe Game 2</i>	<i>Key # Match Game 3</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 1,440,000 Tickets</i>
\$12			\$6 × 3 \$5 × 6	\$30	1:960	1,500
\$100	\$100	\$100	\$100 \$20 × 5 \$25 × 4	\$30 \$100 \$100 \$100 \$100 \$100 \$100 \$50,000 \$50,000 \$50,000	1:960 1:36,000 1:48,000 1:48,000 1:48,000 1:48,000 1:72,000 1:1,440,000 1:1,440,000 1:1,440,000	1,500 40 30 30 30 30 20 1 1 1

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Mother's Day '02 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Mother's Day '02, prize money from winning Pennsylvania Mother's Day '02 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Mother's Day '02 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Mother's Day '02 or through normal communications methods.

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 02-394. Filed for public inspection March 8, 2002, 9:00 a.m.]

**Pennsylvania 3 Wishes '02 Instant Lottery Game**

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 3 Wishes '02.
2. *Price:* The price of a Pennsylvania 3 Wishes '02 instant lottery game ticket is \$3.00.
3. *Play Symbols:* Each Pennsylvania 3 Wishes '02 instant lottery game ticket will contain one play area featuring a "Wish Numbers" area and a "Your Numbers"

area. The play symbols and their captions located in the "Wish Numbers" and "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTEN), 19 (NINTN) and 20 (TWENT).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$1<sup>00</sup> (ONE DOL), \$3<sup>00</sup> (THR DOL), \$6<sup>00</sup> (SIX DOL), \$9<sup>00</sup> (NIN DOL), \$12\$ (TWELV), \$18\$ (EGHTN), \$30\$ (THIRTY), \$36\$ (TRY SIX), \$42\$ (FRY TWO), \$60\$ (SIXTY), \$72\$ (SVY TWO), \$300 (THR HUN) and \$33,000 (TRYTHRTHO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$3, \$6, \$9, \$12, \$18, \$30, \$36, \$42, \$60, \$72, \$300 and \$33,000.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 4,080,000 tickets will be printed for the Pennsylvania 3 Wishes '02 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Wish Numbers" play symbols and a prize play symbol of \$33,000 (TRYTHRTHO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$33,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Wish Numbers" play symbols and a prize play symbol of \$300 (THR HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Wish Numbers" play symbols and a prize play symbol of \$72\$ (SVY TWO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$72.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Wish Numbers" play symbols and a prize play symbol of \$60\$ (SIXTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$60.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches any of the "Wish Num-

bers” play symbols and a prize play symbol of \$42\$ (FRY TWO) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$42.

(f) Holders of tickets upon which any one of the “Your Numbers” play symbols matches any of the “Wish Numbers” play symbols and a prize play symbol of \$36\$ (TRY SIX) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$36.

(g) Holders of tickets upon which any one of the “Your Numbers” play symbols matches any of the “Wish Numbers” play symbols and a prize play symbol of \$30\$ (THIRTY) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets upon which any one of the “Your Numbers” play symbols matches any of the “Wish Numbers” play symbols and a prize play symbol of \$18\$ (EGHTN) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$18.

(i) Holders of tickets upon which any one of the “Your Numbers” play symbols matches any of the “Wish Numbers” play symbols and a prize play symbol of \$12\$ (TWELV) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$12.

(j) Holders of tickets upon which any one of the “Your Numbers” play symbols matches any of the “Wish Numbers” play symbols and a prize play symbol of \$9<sup>.00</sup> (NIN DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$9.

(k) Holders of tickets upon which any one of the “Your Numbers” play symbols matches any of the “Wish Numbers” play symbols and a prize play symbol of \$6<sup>.00</sup> (SIX DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$6.

(l) Holders of tickets upon which any one of the “Your Numbers” play symbols matches any of the “Wish Numbers” play symbols and a prize play symbol of \$3<sup>.00</sup> (THR DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(m) Holders of tickets upon which any one of the “Your Numbers” play symbols matches any of the “Wish Numbers” play symbols and a prize play symbol of \$1<sup>.00</sup> (ONE DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$1.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

*When Any Of Your Numbers Match Any Of The Wish Numbers, Win Prize(s) Of:*

<i>When Any Of Your Numbers Match Any Of The Wish Numbers, Win Prize(s) Of:</i>	<i>With Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 4,080,000 Tickets</i>
\$1 × 3	\$3	1:9.09	448,800
\$3	\$3	1:11.11	367,200
\$1 × 6	\$6	1:100	40,800
\$3 × 2	\$6	1:100	40,800
\$6	\$6	1:100	40,800
\$1 × 9	\$9	1:50	81,600
\$3 × 3	\$9	1:100	40,800
\$9	\$9	1:100	40,800
\$3 × 4	\$12	1:200	20,400
\$6 × 2	\$12	1:200	20,400
\$9 + \$3	\$12	1:200	20,400
\$12	\$12	1:200	20,400
\$3 × 6	\$18	1:500	8,160
\$6 × 3	\$18	1:500	8,160
\$9 × 2	\$18	1:500	8,160
\$12 + \$6	\$18	1:1,000	4,080
\$3 × 2 + \$6 × 2	\$18	1:500	8,160
\$18	\$18	1:1,000	4,080
\$6 × 5	\$30	1:521.74	7,820
\$3 × 10	\$30	1:510.64	7,990
\$12 × 2 + \$6	\$30	1:510.64	7,990
\$30	\$30	1:1,200	3,400
\$6 × 6	\$36	1:4,000	1,020
\$9 × 4	\$36	1:4,000	1,020
\$12 × 3	\$36	1:4,000	1,020
\$18 × 2	\$36	1:4,000	1,020
\$3 × 6 + \$9 × 2	\$36	1:4,000	1,020
\$36	\$36	1:4,000	1,020
\$6 × 10	\$60	1:6,000	680
\$12 × 5	\$60	1:6,000	680

When Any Of Your  
Numbers Match  
Any Of The Wish  
Numbers, Win  
Prize(s) Of:

	With Win	Approximate Odds	Approximate No. of Winners Per 4,080,000 Tickets
\$30 × 2	\$60	1:12,000	340
\$42 + \$18	\$60	1:24,000	170
\$60	\$60	1:24,000	170
\$9 × 8	\$72	1:60,000	68
\$12 × 6	\$72	1:60,000	68
\$18 × 4	\$72	1:60,000	68
\$36 × 2	\$72	1:60,000	68
\$72	\$72	1:60,000	68
\$30 × 10	\$300	1:120,000	34
\$60 × 5	\$300	1:120,000	34
\$300	\$300	1:120,000	34
\$33,000	\$33,000	1:1,020,000	4

9. *Retailer Incentive Awards.* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 3 Wishes '02 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money.* For a period of 1 year from the announced close of Pennsylvania 3 Wishes '02, prize money from winning Pennsylvania 3 Wishes '02 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 3 Wishes '02 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law.* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game.* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania 3 Wishes '02 or through normal communications methods.

LARRY P. WILLIAMS,  
Secretary

[Pa.B. Doc. No. 02-395. Filed for public inspection March 8, 2002, 9:00 a.m.]

## DEPARTMENT OF STATE

### Notice from the Secretary of the Commonwealth

On January 31, 2002, Governor Mark Schweiker signed into law Act 3 of 2002 (Act 3). Effective March 17, 2002, Act 3 repeals the act of June 30, 1995 (P. L. 170, No. 25), known as the Pennsylvania Voter Registration Act (PVRA) (25 P. S. Ch. 4A (relating to Voter Registration Act)), and codifies it as Part IV (relating to voter registration) of Title 25 (relating to elections) of the *Pennsylvania Consolidated Statutes*. See Act 3, §§ 1, 5(2) and 6. The repeal of the PVRA and its replacement by 25 Pa.C.S. Pt. IV is effective 45 days after enactment, or March 17, 2002. See Act 3, § 7(3).

Section 1513 of Title 25 provides as follows:

#### § 1513. Applicability of provisions.

(a) *Suspension.*—To the extent that the Secretary of the Commonwealth determines that the National Voter Registration Act of 1993 (Public Law 103-31, 42 U.S.C. § 1973gg et seq.) prohibits the cancellation of registration for elections for Federal office because of a failure to vote as provided in section 1510 (relating to failure to vote), the provisions of sections 1506 (relating to checkup of registers) through 1512 (relating to correction of errors in cancellation or suspension) are suspended. The suspension shall become effective upon publication of notice of the determination in the *Pennsylvania Bulletin*.

(b) *Effect of suspension.*—Should the provisions of sections 1506 through 1512 be suspended as provided in subsection (a), the provisions of Chapter 19 (relating to provisions contingent on Federal Law) shall be effective during the period of suspension.

Section 1513 is substantively identical to Section 5103 of the PVRA (25 P. S. § 5103 (relating to applicability of provisions)). Acting under Section 5103 of the PVRA, the Secretary of the Commonwealth in 1995 published in the *Pennsylvania Bulletin* a notice that she had determined that the National Voter Registration Act of 1993 (NVRA) prohibits the cancellation of registration for elections for Federal office because of a failure to vote. See 25 Pa.B. 2844 (July 15, 1995). Consequently, since that time, the provisions of Sections 906 through 912 of the PVRA (25 P. S. §§ 961.906—961.912) have been suspended.

Inasmuch as the PVRA on March 17, 2002 will be repealed by Act 3 and replaced by 25 Pa.C.S. Pt. IV, the Secretary of the Commonwealth must make a similar determination under 25 Pa.C.S. § 1513. Upon review of the NVRA, the Secretary of the Commonwealth has determined that the NVRA prohibits the cancellation of registration for elections for Federal office because of a failure to vote as provided in 25 Pa.C.S. § 1510 (relating to failure to vote). Therefore, as provided by Section 1513(a), the provisions of 25 Pa.C.S. §§ 1506 (relating to checkup of registers) through 1512 (relating to correction of errors in cancellation or suspension) are suspended, and the provisions of 25 Pa.C.S. Chapter 19 (relating to provisions contingent on Federal Law) shall be effective during the period of suspension.

This notice shall be effective March 17, 2002, to coincide with the effectiveness of Act 3's repeal of the PVRA and its replacement by 25 Pa.C.S. Pt. IV.

C. MICHAEL WEAVER,  
*Acting Secretary of the Commonwealth*

[Pa.B. Doc. No. 02-396. Filed for public inspection March 8, 2002, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Settlement of Appeal

#### Waste Management Disposal Services of Pennsylvania, Inc. v. DEP, EHB Doc. No. 2001-003-K

The Department of Environmental Protection (Department) and Waste Management Disposal Services, Inc. (WMDS) have agreed to a settlement of the previous matter.

On or about August 22, 2000, WMDS submitted to the Department two separate Phase I applications for expansions of the Pottstown Landfill (Waste Permit ID No. 10059), located in Douglas and West Pottsgrove Townships, Berks and Montgomery Counties. On or about December 7, 2000, the Department terminated review of the applications and returned the applications to WMDS. On or about January 5, 2001, WMDS filed an appeal of the Department's return of the Phase I applications with the Environmental Hearing Board (Board). The appeal was docketed at EHB Doc. No. 2001-003-K.

The parties have agreed to a settlement, the major provisions of which include:

a. In the event that prior to the cessation of currently approved waste disposal operations in the Eastern Expansion area of the Pottstown Landfill, WMDS or any of its successors or assigns applies to vertically expand the Eastern Expansion area of the Pottstown Landfill within the existing permit area limit of the Existing Eastern Expansion Area then the Department and WMDS, its successors and assigns, will consider the application to be a proposal to operate an "area permitted prior to January 25, 1997," within the meaning of 25 Pa. Code § 273.202 (relating to areas where municipal waste landfills are prohibited).

b. In the event that WMDS or any of its successors or assigns applies to expand or otherwise permit any area of the Pottstown Landfill other than the vertical expansion of the Eastern Expansion area of the Pottstown Landfill as previously stated, then the Department and WMDS, its successors and assigns will consider the application to be a proposal to operate an "area permitted after" December 23, 2000, January 13, 2001, and any other date that precedes the date of approval of the permit for the purposes of the exclusionary area criteria set forth in 25 Pa. Code Articles VIII and IX (relating to municipal waste; and residual waste management).

Copies of the full agreement are in the hands of Mark L. Freed, Assistant Counsel, Department of Environmental Protection, Lee Park, 555 North Lane, Suite 6015, Conshohocken, PA, 19428, (610) 832-6300; and Andrew S. Levine, Esquire, Stradley, Ronon, Stevens & Young, 2600 One Commerce Square, Philadelphia, PA 19103, (215)

564-8073 and at the offices of the Board and may be reviewed by any interested party on request during normal business hours.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 02-397. Filed for public inspection March 8, 2002, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Rulemaking Petition for Study

On February 19, 2002, the Environmental Quality Board (EQB) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy).

The petition was submitted by Larry Piasecki of Pottstown, PA, who requests the redesignation of Brooke Evans Creek in Montgomery County from Warm Water Fishes to Exceptional Value waters. The Department of Environmental Protection (DEP) staff will publish notice of its intent to assess the waters before performing survey work.

The petition is available from the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and on DEP's website at the following address: <http://www.dep.state.pa.us/dep/subject/eqb/2002/BE%20Creek.pdf>.

DAVID E. HESS,  
*Chairperson*

[Pa.B. Doc. No. 02-398. Filed for public inspection March 8, 2002, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### Request for Proposals for Homeownership Choice Program for Year 2002 and Mandatory Prede- velopment Seminar

The Housing Finance Agency (Agency) announces a Request for Proposals (RFP) to provide funds for the development of single family homes, for purchase, in urban communities through its Homeownership Choice Program (HCP).

To encourage partnership at the municipal level, applications for funding through the HCP should be a joint effort between a for-profit builder, a local, nongovernmental nonprofit builder/developer and the local government. To ensure that local resources are better focused on the HCP in that area, municipalities are urged to limit themselves to submitting one proposal.

Interested persons and entities should visit the Agency website at [www.phfa.org](http://www.phfa.org) for specific information, program requirements and application instructions.

Proposals for HCP funding must target those areas within municipalities of a sizable population which have

experienced significant depopulation while their surrounding suburban communities have experienced significant growth. The Agency's funding must be matched on a 1:1 basis by local applicants, with at least 50% of the match funding contributed by local government. Proposals must be financially viable and ready to commence within 1 year of the Agency funding commitment. Additional specific guidance and information about application criteria are available at the Agency website.

#### *HCP Predevelopment Information Seminar*

The Agency will conduct a predevelopment information seminar for all prospective HCP participants on March 11, 2002, at 2101 N. Front Street, Harrisburg, PA. Attendance at this seminar is mandatory; no proposals will be accepted from entities other than those who have attended.

Proposals seeking consideration in the Year 2002 HCP must be received by the Agency no later than 2 p.m. on Tuesday, September 3, 2002. Submissions will be the property of the Agency. The Agency reserves the right to amend or modify this program at any time and may determine to discontinue this program at any time. All costs associated with this program or the application process will be the responsibility of the applicant.

Questions regarding the HCP program, predevelopment information seminar or application process may be submitted to Robert F. Bobincheck, 2101 N. Front Street, Harrisburg, PA 17110, fax to (717) 780-1833 or e-mail to [bbobincheck@phfa.org](mailto:bbobincheck@phfa.org).

WILLIAM C. BOSTIC,  
*Executive Director*

[Pa.B. Doc. No. 02-399. Filed for public inspection March 8, 2002, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, February 21, 2002, and took the following actions:

*Regulations Deemed Approved under section 5(g) of the Regulatory Review Act—Effective February 13, 2002*

Insurance Department #11-211: Charter Amendments; Financial Requirements (Deletes 31 Pa. Code §§ 65.21—65.26)

#### *Regulations Approved*

State Real Estate Commission #16A-568: Agency (amends 49 Pa. Code Chapter 35)

State Board of Private Licensed Schools #6-272: Definitions; Fees (amends 22 Pa. Code Chapter 73)

Pennsylvania Public Utility Commission #57-222: Financial Reporting Requirements for All Telecommunications Carriers (amends 52 Pa. Code §§ 63.31—63.33, 71.3 and 71.9)

Insurance Department #11-208: Long-Term Care Insurance Form and Rate Filings (deletes 31 Pa. Code Subchapter M (§§ 89.901—89.921) and adds 31 Pa. Code Chapter 89a)

### Approval Order

Public Meeting held  
February 21, 2002

*Commissioners Voting:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli, by phone; Robert J. Harbison, III; John F. Mizner

*State Real Estate Commission—Agency; Regulation No. 16A-568*

On January 20, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Real Estate Commission. This rulemaking amends 49 Pa. Code Chapter 35. The proposed regulation was published in the February 5, 2000, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on January 22, 2002.

This rulemaking implements Act 112 of 1998 and Act 47 of 2000. These Acts delineate certain duties of licensees according to whom they are representing and include mandatory provisions to be contained in written agreements and sales contracts. Additionally, the amendments explain various agency relationships and list the duties required of licensees.

We have determined this regulation is consistent with the statutory authority of the State Real Estate Commission (63 P. S. §§ 455.404, 455.608, 455.608a and 455.608b) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

### Approval Order

Public Meeting held  
February 21, 2002

*Commissioners Voting:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli, by phone; Robert J. Harbison, III; John F. Mizner

*State Board of Private Licensed Schools—Definitions, Fees; Regulation No. 6-272*

On April 4, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Private Licensed Schools (Board). This rulemaking amends 22 Pa. Code Chapter 73. The proposed regulation was published in the April 14, 2001, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on January 24, 2002.

The Board has added the definition of "seminar," a new fee for schools that only present seminars, and raised fees for biennial school licensure and licensure of admissions representatives. The Board is increasing these fees to generate revenues that meet or exceed expenditures in a biennial period as required by statute.

We have determined this regulation is consistent with the statutory authority of the State Board of Private Licensed Schools (24 P. S. §§ 6504(a) and 6510(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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### Approval Order

Public Meeting held  
February 21, 2002

*Commissioners Voting:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli, by phone; Robert J. Harbison, III; John F. Mizner

*Pennsylvania Public Utility Commission—Financial Reporting Requirements for All Telecommunications Carriers; Regulation No. 57-222*

On August 27, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code §§ 63.31—63.33, 71.3 and 71.9. The proposed regulation was published in the September 8, 2001, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on January 24, 2002.

The regulation updates the existing telephone utility classifications and streamlines reporting requirements for incumbent local exchange carriers (ILECs) and competitive local exchange carriers (CLECs). The regulation allows CLECs to use accounting methods other than the Uniform System of Accounts as long as they report to the PUC which method they are using. Finally, existing requirements for quarterly and annual rate-of-return financial reports are clarified to apply only to ILECs, and the quarterly reports are reduced to semi-annual reports.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 501) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

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### Approval Order

Public Meeting held  
February 21, 2002

*Commissioners Voting:* John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli, by phone; Robert J. Harbison, III; John F. Mizner

*Insurance Department—Long-Term Care Insurance Form and Rate Filings; Regulation No. 11-208*

On September 25, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking deletes 31 Pa. Code Subchapter M (§§ 89.901—89.921) and adds 31 Pa. Code Chapter 89a.

The proposed regulation was published in the October 6, 2001, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on January 23, 2002. On February 8, 2002, the Commission received a request from the Department to toll consideration of this final-form regulation to modify one sentence. Also on February 8, 2002, the Department submitted its revision to the final-form regulation to the Commission.

The Department is replacing its existing long-term care insurance regulations with a new chapter that revises rate-filing requirements and required disclosure notices. It addresses areas related to the impact of rate increases and adequate disclosure of the terms and conditions of long-term care insurance policies.

We have determined this regulation is consistent with the statutory authority of the Department (40 P. S. § 991.1112) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

*By Order of the Commission:*

This regulation is approved.

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 02-400. Filed for public inspection March 8, 2002, 9:00 a.m.]

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### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). To obtain a copy of the regulation, contact the promulgating agency.

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-213	Insurance Department Requirements for All Policies and Forms, Preparation of Forms	2/21/02

JOHN R. MCGINLEY, Jr.,  
Chairperson

[Pa.B. Doc. No. 02-401. Filed for public inspection March 8, 2002, 9:00 a.m.]

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## INSURANCE DEPARTMENT

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

dure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Pittsburgh, PA. Failure by the appellants to appear at the scheduled hearings may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Bryan D. Mumma; file no. 02-182-00435; Erie Insurance Exchange; doc. no. P02-02-021; April 3, 2002, at 1 p.m.

Appeal of Cynthia Trettin; file no. 01-193-07745; Allstate Insurance Company; doc. no. P02-02-028; April 4, 2002, at 10:30 a.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Shirley A. and Robert Anderson; file no. 01-308-73580; New Hampshire Indemnity Company AIG Specialty Auto; doc. no. PI02-02-013; April 23, 2002, at 9 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator, at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-402. Filed for public inspection March 8, 2002, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insurer has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with the termination of the insured's auto-

mobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional offices in Harrisburg, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of Erie Insurance Exchange; file no. 01-182-08832; Donald Risser; doc. no. P02-02-020; April 3, 2002, at 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-403. Filed for public inspection March 8, 2002, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to



the application. Protests to the applications published herein are due on or before April 1, 2002, as set forth in 52 Pa. Code § 3.381 (relating to applications for transportation of property, household goods in use and persons). The protests shall also indicate whether they apply to the temporary authority application or the permanent application or both.

**Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.**

**A-00118674. General Limo & Shuttle, Inc.** (851 Kent Lane, Philadelphia, Philadelphia County, PA 19115), a corporation of the Commonwealth of Pennsylvania—to transport, persons in limousine service, between points in Pennsylvania; which is to be a transfer of all of the right authorized under the certificate issued at A-00107480, F. 5 to General Cab Company, t/d/b/a General Limo & Shuttle, subject to the same limitations and conditions.

**Application of the following for the approval of the transfer of stock as described under the application.**

**A-00115858, Folder 5000. Countryside Limousine Service, Inc.** (R. D. 2, Box 45, Derry, Westmoreland County, PA 15627), a corporation of the Commonwealth of Pennsylvania—stock transfer—for the approval of the transfer of all of the issued and outstanding shares of stock (50 shares) from Jacalyn Reeger (25) and Robert Bosley (25) to Gary Kohler and Kimberly Kohler, Joint Tenants by the Entireties. *Attorney:* Joseph R. Govi, 319 South Maple Avenue, Greensburg, PA 15601.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-404. Filed for public inspection March 8, 2002, 9:00 a.m.]

### Telecommunications

**A-310295F7001. Verizon North Inc. and CTC Communications Corp.** Joint Petition of Verizon North Inc. and CTC Communications Corp. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North Inc. and CTC Communications Corp. filed on February 20, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and CTC Communications Corp. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-405. Filed for public inspection March 8, 2002, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept bids for Project #0214.P, Purchase of PC Anywhere Version 10.5 Software and License, until 2 p.m. on Tuesday, March 19, 2002. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 North Delaware Ave., 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available March 12, 2002. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 02-406. Filed for public inspection March 8, 2002, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0208.7, Rail Track Maintenance and Quarterly Inspections at PAMT, P98SA, P84S, P82S, P80S, P80SA, P78S, P78SA, P38-40S and TMT until 2 p.m. on Thursday, April 4, 2002. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available March 19, 2002. The cost of the bid document is \$35 (includes 7% Pennsylvania Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

A mandatory prebid job site meeting will be held March 28, 2002, at 10 a.m. at the Tioga Admin. Bldg., 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134.

JAMES T. MCDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 02-407. Filed for public inspection March 8, 2002, 9:00 a.m.]

## STATE REAL ESTATE COMMISSION

### Bureau of Professional and Occupational Affairs v. Jay A. Bramlett; Doc. No. 0135-56-1999

On January 18, 2002, the State Real Estate Commission (Commission) issued an adjudication and order in which it revoked the real estate broker's license, No. RB-047051-L, of Jay A. Bramlett.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Commission Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Commission decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a

petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of the petition for review. The Commission contact for receiving service of appeals is the previously-named Commission counsel.

GEORGE MEAGHER, III,  
*Chairperson*

[Pa.B. Doc. No. 02-408. Filed for public inspection March 8, 2002, 9:00 a.m.]

## TURNPIKE COMMISSION

### Retention of a Consulting Firm

#### Electronic Bidding System Design and Development

#### Reference No. 3-149

The Turnpike Commission (Commission) will retain a consulting firm/team with experience in highway construction administration procedures, to design and develop a process driven Electronic Bidding System (EBS) for Commission construction contracts. The EBS encompasses electronically executing the entire administrative process (from creation to execution) required to develop construction contract documents and to efficiently procure construction services. The focus of the EBS project is to automate and streamline the entire construction procurement process.

The Commission's main objective is to provide consistency within the construction industry and specifically with the Department of Transportation (Department), with whom we share as business partners. Our goals to consider this a successful project are as follows:

- Research existing EBSs for compatibility with the Commission's needs.
- Develop the Commission new bidding procedures for using the EBS.
- Develop the Commission's EBS.
- Implement the Commission's EBS.

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. Ability and methods to efficiently and effectively manage the implementation of this system in conjunction with existing construction bidding requirements and procedures.

C. 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.

D. Project management team experience:

1. Experience with the Commission's bidding and construction policies, procedures and best practices.

2. Experience with the Commission's project development and project management processes.

3. Experience in preparing plans, specifications and estimates in accordance with established project criteria.

4. Experience in development and implementation of construction management/engineering technology, construction project management and cost control expert systems, construction documentation systems, client server technology, WAN/LAN system integration, XML and browser centric applications.

5. Experience with the Commission pertaining to the construction and construction management phases of the Capital Plan Programs.

E. Workload of the prime consultant and subconsultants for all Department and Commission projects.

F. 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.

The Commission is committed to the inclusion of disadvantaged, minority and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10% total. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their statement of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, they will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Department at the time of the submission of the statement of interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Commission's Contracts Administration office by calling (717) 939-9551 ext. 4241.

Questions and inquiries concerning this solicitation should be directed to Jeffrey P. Wilson, (717) 939-9551 ext. 3503 or by e-mail to [jwilson@paturnpike.com](mailto:jwilson@paturnpike.com). Contractual questions should be directed to George M. Hatalowich at (717) 986-8737 or by e-mail to [ghatalow@paturnpike.com](mailto: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 one 1 year old as of the date of the advertisement.
- Resumes of key personnel expected to be involved in the project (limit to two 8 1/2 × 11 pages, per person). Only resumes of key personnel should be included.
- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in this Commonwealth.
- A copy of the Department's DBE/WBE Certification, if applicable.

If a joint venture responds to a project advertisement, the Commission will not accept separate statements of interest from joint venture constituents. A firm will not be permitted to submit a statement of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. Multiple responses under any of the 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, DBE 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, Turnpike Commission Administration Building, 700 South Eisenhower Boulevard, Middletown, PA 17057 (street address). The Commission's 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, March 22, 2002. 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 each contract. 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. 02-409. Filed for public inspection March 8, 2002, 9:00 a.m.]

## Retention of an Engineering Firm

### Open-End Construction Inspection Mileposts 246.00—359.0 and the Northeast Extension

#### Reference No. 4-060

The Turnpike Commission (Commission) will retain an engineering or construction management firm to provide open-end construction inspection services for various projects in the Pennsylvania Turnpike's Eastern Region ((Mileposts 246.00—359.0 and the Northeast Extension) (Berks, Bucks, Carbon, Chester, Dauphin, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne and Montgomery Counties)). The types of projects to be inspected under this agreement may include, but are not limited to, bituminous overlays, bridge rehabilitation and replacements, service plaza parking lot expansions and building modifications.

The contract will be for a maximum cost of \$500,000 or for a 36-month period, with projects assigned on an as-needed basis. The number of required inspectors is contingent upon the workload and has been historically in the average range of zero to seven inspectors at any given time.

The main service to be provided under this agreement will be to supply construction inspectors on an as-needed basis as a supplement to our existing inspection staff. On limited occasions, the selected firm may be required to provide a full-time onsite construction inspection staff, with sufficient office personnel, managers, engineers, technicians and clerical staff, to support the field functions. The selected firm may be required to attend the prebid meeting and preconstruction conference, write project correspondence, and review and approve contractor's submissions. In addition, the selected firm may be required to keep records utilizing the Commission's Construction Documentation System to document the construction progress, prepare current and final estimates for payment to contractors, prepare change orders, conduct monthly job conferences, monitor monthly progress, provide liaison with affected utilities and communities, conduct semifinal and final inspections, determine the final quantities for each contract item and perform other duties as required.

Eighty percent of the inspection staff assigned to this Commission construction project must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies as a transportation engineering technician—construction level 2 or higher.
2. Be registered as a professional engineer by the Commonwealth with 1 year of highway inspection experience acceptable to the Commission.
3. Be certified as an engineer-in-training by the Commonwealth with 2 years of highway inspection experience acceptable to the Commission.

4. Hold a bachelor of science degree in civil engineering or civil engineering technology with 2 years of highway inspection experience acceptable to the Commission.

5. Hold an associate degree in civil engineering technology with 3 years of highway inspection experience acceptable to the Commission.

The remaining 20% assigned to this project shall meet the following education and experience requirements:

*Education*—Graduation from high school or equivalent certification or formal training. Completion of a training program in construction inspection approved by the Commission may be substituted for high school graduation.

*Experience*—One year of experience in construction inspection or workmanship which required reading and interpreting construction plans and specifications or 1 year of experience in a variety of assignments involving the testing of materials used in highway or similar construction projects. A 2 to 4 year engineering college degree may be substituted for 1 year of experience.

Questions and inquiries concerning this project should be directed to Matthew J. Wagner, P. E., (717) 939-9551 ext. 5210 or by e-mail to mwagner@paturnipke.com. Contractual questions should be directed to George M. Hatalowich at (717) 986-8737 or by e-mail to ghatalow@paturnipke.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 one 1 year old as of the date of the advertisement.

- Resumes of key personnel expected to be involved in the project (limit to two 8 1/2 x 11 pages, per person). Only resumes of key personnel should be included.

- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in this Commonwealth.

- A copy of the Department's DBE/WBE Certification, if applicable.

If a joint venture responds to a project advertisement, the Commission will not accept separate statements of interest from joint venture constituents. A firm will not be permitted to submit a statement of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Small firms, DBE 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, Turnpike Commission Administration Building, 700 South Eisenhower Boulevard, Middletown, PA 17057 (street address). The Commission's 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, March 22, 2002. 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 each contract. 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. 02-410. Filed for public inspection March 8, 2002, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division  
 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)  
 Vendor Services Section  
 717-787-2199 or 717-787-4705

#### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

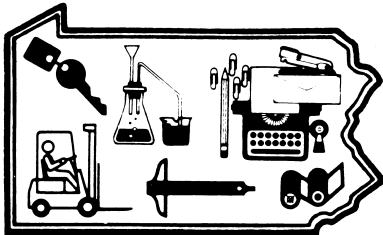
Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*

Beginning February 6, 2002, the Department of General Services' Bureau of Purchases will only accept hand-carried bids if the individual delivering the bid:

1. shows picture identification, such as a driver's license, which identifies the individual delivering the bid and
2. provides written authorization, signed by the bidder, of the individual's authority to deliver the bid on behalf of the bidder.

These same procedural requirements apply for modifications or withdrawals of bids in person.



### Commodities

**LBLA 6256 Steel** Purchase of 18" dia. Carbon Steel Pipe. Steel Products Procurement Act applies.

**Department:** Fish and Boat Commission  
**Location:** Tionesta Fish Culture Station, Route 62, HCR 2, Box 1, Tionesta, PA  
**Duration:** Delivery by June 30, 2002  
**Contact:** Kathi Tibbott, Purchasing Agent (814) 359-5130

**113-1022** The Facility will accept bids for sit to stand patient lifts. Specifications available upon request.

**Department:** Military Affairs  
**Location:** Southwestern Veterans Center, 7060 Highland Dr., Pittsburgh, Pa. 15206  
**Duration:** 03/01/02-06/30/02  
**Contact:** Ken Wilson (412) 665-6727

**1297121 Magnifier, Video.** If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Labor and Industry  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services (717) 787-2199

**8223530 Rental of Uniforms.** If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services (717) 787-2199

**8251580 Road Widener, Pavement, Self Propelled with 10' Broom.** For a copy of bid package fax request to (717) 787-0725.

**Department:** Transportation  
**Location:** Harrisburg, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services (717) 787-2199

**113-1023** Facility will accept bids for an estimated 10 medication carts. Specifications available upon request.

**Department:** Military Affairs  
**Location:** Southwestern Veterans Center, 7060 Highland Dr., Pgh, PA. 15206  
**Duration:** 3/01/02-06/30/02  
**Contact:** Ken Wilson (412) 665-6727

**8415-04 RIP #3/Supp #3 - Uniforms.** For a copy of this bid package fax request to (717) 787-0725.

**Department:** General Services  
**Location:** Various, PA  
**Duration:** Contract Period 04/01/01 - 03/31/03  
**Contact:** Vendor Services (717) 787-2199

**1301341 Harmonic Encoder & Related Items (No Substitute).** If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** PA Public TV Network  
**Location:** Hershey, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services (717) 787-2199

**Hot2002** Boch oil fired hot water heaters model #241L 100 gallon 240 gph 20 firing rate. To obtain a copy of the bid fax a request to 717-861-2932 or e-mail to the address below. Bids are due by March 15, 2002 by 2:00 p.m.

**Department:** Military Affairs  
**Location:** Dept. of Military and Veterans Affairs, State Armory Board, Bldg. s 0-47, Ft. Indiantown Gap, Annville, PA 17003-5002  
**Duration:** FY 01-02  
**Contact:** Anita Sommer (717) 861-2928

**6300-02** Purchase of three 10,000 lb. capacity equipment trailers.

**Department:** Conservation and Natural Resources  
**Location:** State Parks Region 3, 435 State Park Road, Schellsburg, PA 15559-7308  
**Duration:** Delivery 30 days after receipt of Purchase Document  
**Contact:** Richard W. Fuller (814) 733-2202

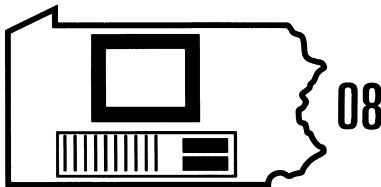
**#020207 Therapeutic Mattress:** Portable low air loss therapy mattress. Provides therapeutic benefit of pressure relief and skin moisture management and true low air loss for pressure ulcer therapy. Ref: Invacare Model microAIR 35005 ONLY: 5 ea. Full Electric Bed: No Mattress, w/full side rail. Invacare Only: 5 ea.

**Department:** Public Welfare  
**Location:** Ebensburg Center (Department of Public Welfare), Rt. 22 West, PO Box 600, Ebensburg, PA 15931  
**Contact:** Marilyn Cartwright, Purchasing Agent (814) 472-0259

**1169111 Rebid** Heat Sealing and Shrink Wrap Packaging Machine. For a copy of bid package fax request to (717) 787-0725.

**Department:** Corrections  
**Location:** Huntingdon, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services (717) 787-2199

# SERVICES



## Computer Related Services

**330027** Maintenance for Cisco Routers. There are a total of 16 routers located in various cities across the State.

**Department:** Transportation

**Location:** PennDOT/Bureau of Information Systems, 400 North Street - 5th Floor East, Keystone Building, Harrisburg, PA 17120-0041

**Duration:** Approximately eight (8) months

**Contact:** Sissy Bowles (717) 705-5856

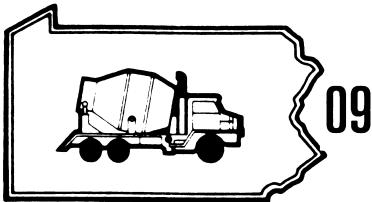
**PSERS 2002-1** The Public School Employees' Retirement System (PSERS) is issuing an RFP for A New Pension Administration System. The purpose of this RFP is to acquire the software, services, and optionally, the hardware, necessary to implement a new pension administration system, using a phased approach and one of, or a combination of, the following three solution types: (1) package-based system, (2) Enterprise Resource Planning (ERP) modules and (3) focused toolsets. We are planning to issue the RFP in CD format the first week of March 2002.

**Department:** Public School Employees' Retirement System,

**Location:** 5 North 5th Street, Harrisburg, PA 17101

**Duration:** Approximately 4 years

**Contact:** Wanda Comer (717) 720-4811



## Construction & Construction Maintenance

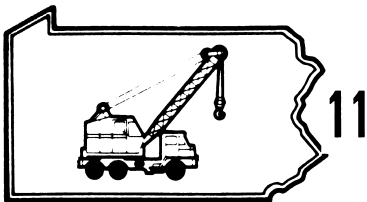
**388102001** SST Traditional Double Extended Restroom w/750 gallon vaults and metal roof. Lump sum price should include delivery to Sideling Hill Forest Maintenance Headquarters along US Rt. 30.

**Department:** Conservation and Natural Resources

**Location:** DCNR, Bureau of Forestry, Buchanan State Forest, Forest District #2, Fulton County

**Duration:** April 30, 2002

**Contact:** Mark J. Maser (717) 485-3148



## Demolition—Structural Only

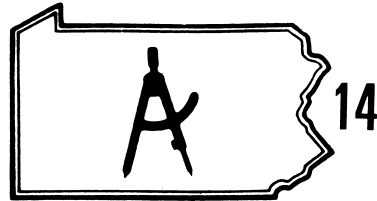
**FC-310A Frankford** Demolition, removal and disposal of existing concrete powder bunker, pier and attached walkway at the PA Fish & Boat Commission's Frankford Arsenal Access, Philadelphia, PA. Contractor must use barge-mounted equipment to remove the pier and walkway. Work to be done in accordance with Dept. of Environmental Protection regulations. Prevailing wage rates will apply.

**Department:** Fish and Boat Commission

**Location:** Frankford Arsenal Access, Philadelphia, PA

**Duration:** To be completed by June 30, 2002

**Contact:** Tom Snyder (814) 359-5173



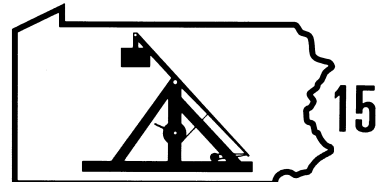
## Engineering Services

**PennDOT-ECMS** The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at [www.dot2.state.pa.us](http://www.dot2.state.pa.us).

**Department:** Transportation

**Location:** Various

**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)



## Environmental Maintenance Service

**OSM 02(4393)101.1** Boyce Park Mine Fire Extinguishment involves approximately 367,000 c.y. excavation and backfilling, removal and replacement of 10 inlet structures, removal and replacement of 700 l.f. drainage pipes, removal and replacement of 1,790 l.f. waterline, removal and replacement of 2 fire hydrants and 2 murdock fountains, removal and replacement of 6,500 s.y. bituminous pavement, removal and replacement of 300 l.f. guide rail, removal and replacement of 2 picnic pavilions, seeding 17 acres and planting 4,860 trees. This project issues March 8, 2002; payment in the amount of \$10.00 must be received before bid documents will be sent. Federal funds are available for this project from the \$37.8 million Pennsylvania 2001 AML Grant.

**Department:** Environmental Protection

**Location:** Plum Borough, Allegheny County

**Duration:** 370 calendar days after notice to proceed

**Contact:** Construction Contracts Section (717) 783-7994

**125** Provide maintenance of department fire extinguishers service cost for monthly visit to Greensburg Office (Route 30, 1 mile east of Greensburg). Annual inspection of all fire extinguishers in the Westmoreland County Maintenance Building at Department request. Recharging cost for #5 extinguishers- quantity - (30), recharging cost for #20 extinguishers- quantity- (100), #5 cost for parts and installation of gauges quantity- (100), cost for parts and installation of hoses quantity-(20), cost for parts and installation of valves quantity (20), CONTRACTOR SHALL COMPLY WITH ALL EXHIBITS. BY MUTUAL CONSENT OF BOTH PARTIES THIS CONTRACT SHALL BE RENEWABLE BY LETTER FOR ONE YEAR PERIODS. FOR A TOTAL OF THREE RENEWALS.

**Department:** Transportation

**Location:** Westmoreland County PennDOT, P. O. Box 189, Greensburg, PA 15601

**Duration:** Renewed at quoted price for one year periods. Total of three renewals.

**Contact:** Trina Pryor (724) 832-5387 EXT 212

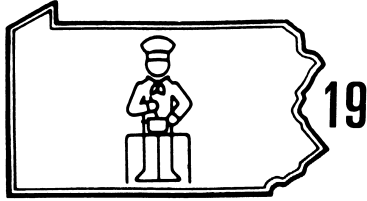
**407067** AWARDED CONTRACTOR must furnish all necessary labor, testing equipment, and materials (ladders, hoses, hand tools, etc.) to perform the inspection, testing, maintenance, repairs, and one (1) hydrostatic test at approximately the mid point of the contraction each applicable fire protection sprinkler system over a three (3) year period.

**Department:** General Services

**Location:** The following Buildings: Main Capitol, Matthew J. Ryan, Agriculture Diagnostics Lab, Health & Welfare, North and South Office, Labor & Industry, Agriculture, Forester Street, Rachel Carson, East Wing, State Records Center, Communications, Keystone. BUILDINGS W/JUST STANDPIPES: Tent, Arsenal, Finance, Forum, Northwest, and Heath & Welfare.

**Duration:** July 1, 2002 through June 30, 2005.

**Contact:** William Balchunas (717) 783-1170



### Food

**4300-10-03 POULTRY AND POULTRY PRODUCTS** - The bids for this product will be issued on an as-needed basis. The estimated quantities and product specification can be obtained by contacting the Institution. Fax (724) 852-5515.

**Department:** Corrections  
**Location:** Department of Corrections, State Correctional Institution, 169 Progress Drive, Waynesburg, Pennsylvania 15370-8089  
**Duration:** March 1, 2002 through June 30, 2003  
**Contact:** Carol A. Teegarden (724) 852-5515

**SP 20783002** Contractor will provide Food Catering Services (on premises) to Youth Forestry Camp No. 2, White Haven, PA. General Conditions: Furnish and service three meals a day, Monday through Sunday, and an evening snack according to the schedule supplied by the Camp. Contractor agrees to operate at his expense and upon his own credit, to store, prepare, and serve food in the dining hall, kitchen and storage areas of the Camp. Contractor will provide an adequate staff of employees on duty for efficient, prompt, and clean service of food.

**Department:** Public Welfare  
**Location:** Youth Forestry Camp No. 2, Hickory Run State Park, RR 1 Box 82, White Haven, PA 18661  
**Duration:** July 1, 2002 through June 30, 2005  
**Contact:** Susan E. Wilkinson (570) 443-9524

**4300-09-03 SHELLED EGGS** - Bids for this product will be issued on a semi-annual basis. The delivery of this product will be once weekly or more often if needed. This decision will be made by the Dietary Manager. The listing of specification and quantities can be obtained by contacting the Institution. Fax (724) 852-5548.

**Department:** Corrections  
**Location:** Department of Corrections, State Correctional Institution, 169 Progress Drive, Waynesburg, Pennsylvania 15370-8089  
**Duration:** March 1, 2002 through June 30, 2003.  
**Contact:** Carol A. Teegarden (724) 852-5515

**4300-11-03 FRESH FRUITS & VEGETABLES** - The bids for this product will be issued on a quarterly basis. The deliveries will be as requested by the Dietary Manager. Listing of the specific commodities and the estimated quantities can be obtained by contacting the Institution.

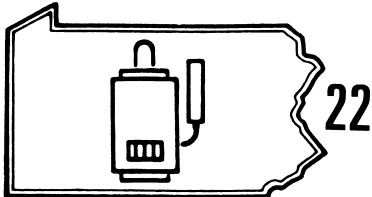
**Department:** Corrections  
**Location:** Department of Corrections, State Correctional Institution, 169 Progress Drive, Waynesburg, Pennsylvania 15370-8089  
**Duration:** March 1, 2002 through June 30, 2003  
**Contact:** Carol A. Teegarden (724) 852-5515

**4300-07-03 PROTEIN ALTERNATIVES** - These products to include (but not limited to) Soy Burgers, Grainburger, Garden Burgers, Black Bean Burgers, Dry Soy Chile Mix, Dry Soy Bar-B-Que Mix, Tofu, etc. The referenced products will be bid on an as needed basis determined by the Dietary Manager. Fax - (724) 852-5548.

**Department:** Corrections  
**Location:** Department of Corrections, SCI-GREENE, 169 Progress Drive, Waynesburg, Pennsylvania 15370-8089  
**Duration:** April 1, 2002 through June 30, 2003.  
**Contact:** Carol A. Teegarden (724) 852-5515

**4300-08-03 DAIRY & RELATED DAIRY PRODUCTS** - Bids for these products will be issued on an as-needed basis. Milk will be bid on a semi-annual basis and delivery will be twice weekly or as often as deemed necessary by the Dietary Manager. Listing of specific commodities and estimated quantities can be obtained by contacting the Institution. Fax (724) 852-5548.

**Department:** Corrections  
**Location:** Department of Corrections, State Correctional Institution, 169 Progress Drive, Waynesburg, Pennsylvania 15370-8089  
**Duration:** March 1, 2002 through June 30, 2003  
**Contact:** Carol A. Teegarden (724) 852-5515



### HVAC Services

**LBLA 1285** Five-Ton air conditioning unit. Fax requests for bid package to (570) 372-5675.

**Department:** Public Welfare  
**Location:** Selinsgrove Center, 1000 US Highway 522, Selinsgrove, PA 17870  
**Contact:** Arletta K. Ney (570) 372-5670

**SP 1121600034** Heating, ventilation and Air Conditioning - Contract would involve the calibration, adjustment and maintenance of heating and air condition equipment at SCI-Chester. The contract would provide for scheduled maintenance service, equipment and labor required for the repair of the system and for emergency support.

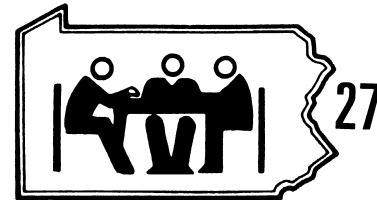
**Department:** Corrections  
**Location:** SCI-Chester, 500 E. 4th Street, Chester, PA 19013  
**Duration:** June 1, 2002 TO July 30, 2003  
**Contact:** Jacqueline Newson, Purchasing (610) 490-4370



### Janitorial Services

**OSS01-116** Provide janitorial services, trash removal and furnish all materials and equipment required to perform services outlined in the bid specifications. A mandatory walk-through is scheduled for March 12, 2002 @ 9:00 AM.

**Department:** Attorney General  
**Location:** Office of Attorney General, Criminal Law Building, 106 Lowther St., Lemoyne, PA 17043  
**Duration:** July 1, 2002 through June 30, 2004 One 1-year option to extend  
**Contact:** Jean M. Kreiser (717) 783-2369



### Lodging/Meeting Facilities

**461906** A facility in Pennsylvania within 10 miles of Gettysburg, PA, September 9 - 13, 2002. With "Classroom Style" room for 110 attendees and two breakout rooms for 30 attendees each. All rooms to be equipped with required A/V equipment; two breakout rooms to have one telephone in each room. Lunches and Breaks (a.m. & p.m.) for 110 attendees. Picnic pavilion available for 110 attendees (Committee sponsored cookout). "Hospitality Style" room for 50 attendees is to be available. One hundred and ten single lodging rooms for September 9 through 12, 2002, with 1:00 p.m. check-out. Adequate "No Cost" parking must be available. Fax request for Bid Package to Wendy Heberlig at (717) 787-4438, include Proper Business Name and Address with Contact Person and Telephone Number.

**Department:** Transportation  
**Location:** In Pennsylvania, Gettysburg, PA  
**Duration:** September 9 through 13, 2002  
**Contact:** Wendy Heberlig (717) 787-4299



### Medical Services

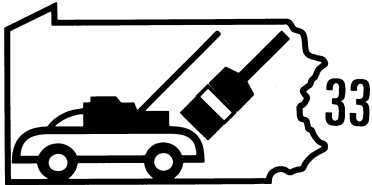
**10976014** Rental of Oxygen Concentrators and Humidifier Bottles. Furnish one (1) to twenty-five (25) with servicing, preventive maintenance and emergency intervention as required. On-site visits as required dependent upon acuity and needs. Removal of units when not required.

**Department:** Public Welfare  
**Duration:** Anticipated June 1, 2002 -- May 31, 2004 with renewals  
**Contact:** Patty Frank, Purchasing Agent (814) 432-0229



**407061** AWARDED CONTRACTOR to provide medical services for Bureau Employees as follows: Comprehensive Medical Examination including a Medical & Occupational History of the employee, a chest x-ray PA & Lateral read by a "B" reader, and the completion of Pulmonary Function study and the determination of clearance for respirator use.

**Department:** General Services  
**Location:** Department of General Services Bureau of Maintenance Management, Room 403, North Office Building, Harrisburg, PA 17125.  
**Duration:** July 1, 2002 through June 30, 2005.  
**Contact:** William Balchunas (717) 783-1170



### Property Maintenance

**9468** Repair of brick facing around auditorium column. Brick facing has moved significantly and has cracked. Reconstruction and new brick ties must be installed. Total area to be repaired is approximately 65 square feet. There are a few other areas that require repair and will be repaired by cutting out some brick and reinstalling and repointing. The cast stone coping at the top of the parapet will also be repointed with an elastomeric sealant to prevent future water infiltration. Roof repairs have been made so this can be prevented from taking place again.

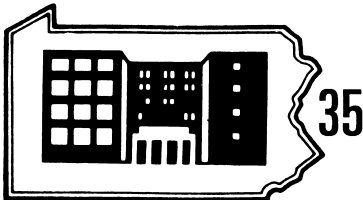
**Department:** Military Affairs  
**Location:** Scotland School for Veterans' Children, 3583 Scotland Rd., Scotland, PA 17254-0900  
**Duration:** March 15, 2002 through June 30, 2002  
**Contact:** Marion E. Jones (717) 264-7187, x661

**0510004** Painting of front office.

**Department:** Transportation  
**Location:** 4680 5th St. Hwy. P.O. Box 129 Temple, Pa.  
**Duration:** To be completed within 3 weeks of award.  
**Contact:** Richard Heffner 610-929-0766

**080S87** This Service Bid Contract is for roadside mowing in Cumberland County. Bid packages can be requested via Fax, 717-772-0975, or by telephone at 717-787-7600 or 717-787-6408. All requests must include Contractor's Company Name, Address, Phone Number, E.I.N#, FAX number (if available) and contact person.

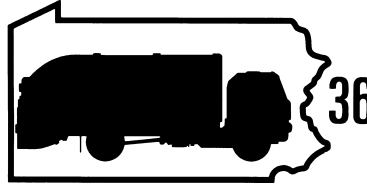
**Department:** Transportation  
**Location:** Cumberland County  
**Duration:** A one year contract with four- one year renewals  
**Contact:** William Tyson (717) 787-7600



### Real Estate Services

**93387** STATE-OWNED REAL ESTATE FOR SALE: The Department of General Services will accept bids for the purchase of a 3.109 acre parcel of land located on Strabane Ave., Borough of Canonsburg, Washington County. Bids are due March 19, 2002. Interested parties wishing to receive a copy of solicitation #93387 can download a complete proposal package by visiting the Department of General Services' website at [www.dgs.state.pa.us/realstate/re.htm](http://www.dgs.state.pa.us/realstate/re.htm) or call (717) 787-5546.

**Department:** General Services  
**Location:** 505 North Office Building Harrisburg, PA 17125  
**Contact:** Ms. Kathy Walter (717) 787-5546



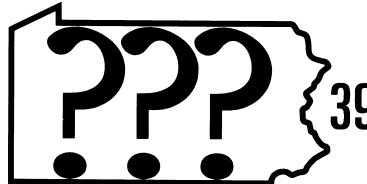
### Sanitation

**SU-01-20** Shippensburg University is seeking vendors interested in submitting proposals for collection, removal and disposal of waste and recyclable material generated within Shippensburg University. Compliance with all DEP, PennDOT, EPA and other Federal, State and local regulations is required. Bidding documents may be obtained by contacting in writing, Shippensburg University, Deborah K. Martin, 1871 Old Main Drive, Shippensburg PA 17257 or faxing request to 717-477-4004.

**Department:** State System of Higher Education  
**Location:** Shippensburg University  
**Duration:** One year with option for three years  
**Contact:** Deborah K. Martin (717) 477-1121

**027104** This contract will be for refuse collection services at the Seven Mountains Roadside Area and the Milroy Stockpile in Mifflin County.

**Department:** Transportation  
**Location:** Seven Mountains Roadside Rest-SR 0322 Milroy Stockpile - SR1005  
**Duration:** 5 years  
**Contact:** Roger Burchfield (717) 436-2187



### Miscellaneous

**012-9006-10** PennSERVE announces the availability of grant funding for the operation of AmeriCorps Education Awards only programs by nonprofit organizations. Grant funds provided under the program are minimal. Eligible applicants can request up to four hundred dollars per Full Time Equivalent (FTE) members that they propose to enroll. Members who successfully complete their term of service are eligible for an educational award. Applications are due by 4:00 PM EST, Wednesday, April 10, 2002. Applications can be obtained by: calling PennSERVE at 717-787-1971; by e-mail-[hkrot@state.pa.us](mailto:hkrot@state.pa.us); or by downloading the application files at this web address-<http://www.dli.state.pa.us/landi/cwp/view.asp?a=143&Q=182353&PM=1>

**Department:** Labor and Industry  
**Location:** PennSERVE: The Governor's Office of Citizen Service, 1306 Labor & Industry Bldg., Seventh and Forester Streets, Harrisburg, PA 17120  
**Duration:** One year upon award  
**Contact:** Harry Krot (717) 772-4425

**22008** Furnish and install a motorized rigging system to raise and lower the centrally located speaker cluster in Straughn Auditorium. To include all required labor and materials including structural supports to suspend the speaker cluster. The system is to be designed for operation from the attic area only. No remote controls are to be included. The system is not to include any cable handling for the speaker wire. The speaker wires are to be manually lowered prior to the lowering the speakers and shall be manually coiled above the ceiling when the speakers have been raised to their normal locations. The system is intended to provide access to the speakers for service only. The system is not intended to be used for productions or scenery other than the speaker cluster.

**Department:** State System of Higher Education  
**Location:** Mansfield University of Pennsylvania  
**Duration:** One Time Purchase & Installation  
**Contact:** Peg Chapel (570) 662-4148

**20872002** Eye exams and eye glass service.

**Department:** Public Welfare  
**Location:** Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821  
**Duration:** Anticipated to begin July 1, 2002 and end June 30, 2005  
**Contact:** Doris Cavallini (570) 271-4579

**2010020008** Cut, make and trim of Pennsylvania State Police uniform trousers. State Police to provide Raeford summer weight and winter weight material. All other construction requirements to be acquired by winning vendor as per specification.

**Department:** State Police  
**Location:** PA State Police Clothing Warehouse, 20th & Herr Streets, Harrisburg, PA  
**Duration:** Three (3) years with two (2) one-year renewal options.  
**Contact:** Diane Bolden, Procurement & Supply Division (717) 705-5923

**10976015** Furnish all labor, materials, equipment, appliances and components to perform all operations for the replacement of the deteriorated components in the existing multi-cyclones on Boilers. SITE VISIT REQUIRED.

**Department:** Public Welfare  
**Location:** Polk Center, P. O. Box 94, Polk, PA 16342  
**Duration:** Anticipated June 2, 2002 - October 31, 2002  
**Contact:** Patty Frank, Purchasing Agent (814) 432-0229

[Pa.B. Doc. No. 02-411. Filed for public inspection March 8, 2002, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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KELLY POWELL LOGAN,  
*Secretary*

**Contract Awards**

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
1213151-01	2/25/02	Premier Production Services	\$ 29,949.03
8172060-01	2/25/02	Rohadd	1,268,191.04
8251160-01	2/25/02	Cherry Valley Tractor Sales	16,345.00
8251200-02	2/25/02	Hondru Ford/Phillips Ford	320,331.00

KELLY POWELL LOGAN,  
*Secretary*

[Pa.B. Doc. No. 02-412. Filed for public inspection March 8, 2002, 9:00 a.m.]