

NOTICES

DEPARTMENT OF AGRICULTURE

Pennsylvania Agricultural Product Promotion Matching Grant Program; Application Period

An application period for grants under the Pennsylvania Agricultural Product Promotion Matching Grant Program (Program) administered by the Department of Agriculture (Department) has started. The statement of policy describing the Program is published in 7 Pa. Code Chapter 105 (relating to Pennsylvania Agricultural Product Promotion Matching Grant Program—statement of policy).

The Program provides matching funds to Commonwealth nonprofit agricultural product promotion and marketing organizations for projects intended to increase consumer awareness of Commonwealth agricultural products and thereby increase sales of these products.

Application work plan and budget should reflect January 1, 2003, as the project start date. Grant funds will be disbursed as an advance payment upon receipt of a fully executed grant agreement by the grantee. The Project completion date will be June 30, 2004.

Applications for the Program will be accepted by the Department beginning May 15, 2002, and continue through July 1, 2002. Applications must be postmarked by the closing date. Information and a grant application may be obtained from Peter C. Witmer, Director, Bureau of Market Development, Department of Agriculture, 2301 North Cameron Street, Room 308, Harrisburg, PA 17110-9408 or accessed at www.pda.state.pa.us.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 02-745. Filed for public inspection April 26, 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 April 16, 2002.

BANKING INSTITUTIONS

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-10-02	NorthSide Bank Pittsburgh Allegheny County	1112 Freeport Road O'Hara Township Allegheny County	Filed
4-15-02	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	511 Scranton- Carbondale Highway Eynon Lackawanna County	Filed

Foreign Bank Organization Offices

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
2-15-02	National Band of Canada 600, rue de la Gauchetiere Ouest Montreal, Quebec Canada	301 Grant St. Suite 3440 Pittsburgh Allegheny County Pennsylvania	Discontinued

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-746. Filed for public inspection April 26, 2002, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Snowmobile and ATV Advisory Committee Meeting

The Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) will hold a meeting on Tuesday, May 7, 2002 at 9:30 a.m. in Room 105, First Floor of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 02-747. Filed for public inspection April 26, 2002, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Immaculata College for Approval of University Status

Notice of Opportunity for Hearing and Invitation to Protest

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

In accordance with 24 Pa.C.S. § 6503(e) (relating to certificate 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 aforemen-

tioned 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 Fleck at (717) 772-3623 to discuss how the Department may best accommodate their needs.

CHARLES B. ZOGBY,
Secretary

[Pa.B. Doc. No. 02-748. Filed for public inspection April 26, 2002, 9:00 a.m.]

Professional Standards and Practices Commission; Application of Craig Harris for Reinstatement of Teaching Certificate; Doc. No. RE 01-01

Notice of Hearing

Under the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.1—2070.18a), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Craig Harris for reinstatement of his teaching certificate.

On or about August 4, 2001, Craig Harris filed an application for reinstatement of his teaching certificate under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications generally; and contents of applications) and 22 Pa. Code § 233.14 (relating to reinstatements). Under section 16 of the act, the Department of Education on March 28, 2002, recommended to the Commission that the application be denied. In accordance with the act and 1 Pa. Code §§ 35.1 and 35.2, the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary, and to prepare a proposed report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties wishing to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27 and 35.32 within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23.

Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate, should contact Suzanne B. Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

CAROLYN ANGELO,
Executive Director

[Pa.B. Doc. No. 02-749. Filed for public inspection April 26, 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 the 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 a 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0060976 Sewage	Moyer's Grove Campground R. R. 2, Box 95 Wapwallopen, PA 18660	Luzerne County Hollenback Town- ship	Balliet Run (Watershed #5B)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0083046	Easco Hand Tools, Inc. 11011 McCormick Road Hunt Valley, MD 21031	Lancaster County West Hempfield Township	UNT to West Branch of the Little Conestoga Creek/ 7-G	Y

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

PA0210196, Industrial Waste, **Seneca Landfill, Inc.**, P. O. Box 1080, Mars, PA 16046. This proposed facility is located in Jackson Township, **Butler County**.

Description of Proposed Activity: an existing discharge of treated industrial waste.

The receiving stream, Connoquenessing Creek, is in watershed 20C and classified for: WWF, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the

existing/proposed downstream potable water supply considered during the evaluation is Zelenople Municipal Water Works on Connoquenessing Creek located at Zelenople, approximately 2.6 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.025 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>
(MO) Flow (MGD)	XX				
CBOD ₅	7.72	29.21	37	140	175
NH ₃ -N	1.04	2.08	4.9	10	12.5
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml 100,000/100 ml		
TSS	5.63	18.36	27	88	110
Oil and Grease	XX		15		30
Aluminum	XX	XX	0.275	0.55	0.69
Iron, Total	XX	XX	3.5	7.0	8.8
Manganese	XX	XX	1.0	2.0	2.5
Zinc	XX	XX	0.11	0.2	0.25
4,4'-DDT			0.00015	0.0003	0.0004
Total Residual Chlorine			XX		XX
a-Terpineol	XX	XX	0.016	0.033	0.041
Benzoic Acid	XX	XX	0.071	0.12	0.15
p-Cresol	XX	XX	0.014	0.025	0.031
Phenol	XX	XX	0.015	0.026	0.032
pH			Within limits of 6.0 to 9.0 standard units at all times.		

XX—Monitor and report on DMRs.

The proposed effluent limits for Outfall 002, 003, and 004 based on a design flow of n/a 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 Max.</i>
Chemical Oxygen Demand					
Oil and Grease					
Total Dissolved Solids (TDS)					
Total Organic Carbon (TOC)					
Barium (Total)					
Chromium (Total)					
Lead (Total)					
Mercury (Total)					
Magnesium (Total)					
Magnesium (Dissolved)					
Selenium (Total)					
Silver (Total)					
Ammonia					
Arsenic (Total)					
Cyanide (Total)					
Nitrate plus Nitrite					
Nitrogen					
Iron (Dissolved)					
pH					

In addition to the effluent limits, the permit contains the following major special conditions.

The EPA Waiver is in effect.

PA0028274, Sewage, **Borough of New Wilmington**, 134 High Street, New Wilmington, PA 16142. This proposed facility is located in New Wilmington Borough, **Lawrence County**.

Description of Proposed Activity: Renewal of a Part I permit for an existing discharge.

The receiving stream, Little Neshannock Creek, is in watershed 20-A and classified for: TSF, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Municipal Authority of the Township of North Sewickley on the Beaver River located at North Sewickley Township, approximately 22 miles below point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.564 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22.5	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	3		6
(11-1 to 4-30)	9		18
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		4,400/100 ml as a geometric average	
Total Residual Chlorine (Final)	0.2		0.7
Copper	0.032		0.064
Dissolved Oxygen		minimum of 5.0 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

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

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

PA#0064165, Sewage, **Silver Lake Township Municipal Authority**, Box 1975, Brackney, PA 18812. This proposed facility is located in Silver Lake Township, **Susquehanna County**.

Description of Proposed Activity: The receiving stream, Silver Creek, is in the State Water Plan watershed #4E and is classified for: CWF. The nearest downstream public water supply intake for Danville Borough Water Authority is located on Susquehanna River over 100 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.014.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	25		
Total Suspended Solids	30		
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric mean	
(10-1 to 4-30)		2,000/100 ml as a geometric mean	
pH		6.0 to 9.0 standard units at all times.	
Total Residual Chlorine	1.2		

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

Application No. PA 0024431, Sewage, **Dillsburg Area Authority**, P. O. Box 370, Dillsburg, PA 17019-0370. This facility is located in Carroll Township, **York County**.

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

The receiving stream, Dogwood Run, is in Watershed 7-E and classified for CWF, water supply and recreation and fish consumption. The nearest downstream public water supply intake for United Water Company is located on Yellow Breeches Creek, approximately 18 miles downstream. The discharge is not expected to affect the water supply.

The proposed interim effluent limits for Outfall 001 for a design flow of 1.0 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	8.0		16
(11-1 to 4-30)	20		40
Total Phosphorus	2.0		4.0
Total Residual Chlorine	0.4		1.4
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		4,200/100 ml as a geometric average	
Total Copper	Monitor and Report		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Nitrogen			Monitor and Report ⁽¹⁾
⁽¹⁾ Maximum Daily			

The proposed final effluent limits for Outfall 001 for a design flow of 1.53 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.7		5.4
(11-1 to 4-30)	8.0		16
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		3,200/100 ml as a geometric average	
Total Copper	0.022	—	0.055
Total Nitrogen	—	—	Monitor and Report ⁽¹⁾
⁽¹⁾ Maximum Daily			

In addition to the effluent limits, the permit contains the following major special conditions:

- A. Water quality based effluent goals for copper.
- B. Conduct whole effluent toxicity testing 2 years after permit issuance.

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

The EPA waiver is not in effect.

Application No. PA 0246441, CAFO, **Deer Stone Ag (Willow Brook Farm)**, 10049 Ferguson Valley Road, Lewistown, PA 17044, Granville Township, **Mifflin County**.

The CAFO is situated near an unnamed tributary to Strodes Run in Watershed 12-A, which is classified for HQ-CWF. The CAFO is designed to maintain an animal population of approximately 763 animal equivalent units consisting of 1,384 sows with litter, 23 boars and 3,400 nursery pigs. The animals will be housed in standard swine barns. Manure is exported to neighboring farms. The total capacity of the manure storage facilities is approximately 2.1 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 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.

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

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

PA0219053, Industrial Waste, SIC, 4212, **Terminal Leasing, Inc.**, 9 Industry Drive, Washington, PA 15301. This application is for issuance of an NPDES permit to discharge treated stormwater from the Washington Terminal in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary of Little Chartiers Creek, classified as a HQ-WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is West View Municipal Water Authority, 210 Perry Highway, Pittsburgh, PA 15229, 41.17 miles below the discharge point.

Outfall 001: new discharge, design flow of 4.6 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Suspended Solids			Monitor and Report		

The EPA waiver is in effect.

PA0219169, Sewage, **Laurel Highlands Municipal Authority**, 164 Jubilee Street, Rockwood, PA 15557. This application is for issuance of an NPDES permit to discharge treated sewage from New Centerville Borough STP in New Centerville Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Middle Creek, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ohiopyle Borough Municipal Water Works.

Outfall 001: new discharge, design flow of 0.04 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31) (11-1 to 4-30)	10.0			20.0
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	Monitor and Report			
Total Residual Chlorine	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean			
pH	1.0			2.3
	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).

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

WQM Permit No. 6702401, Sewerage, **Jacob L. Miller, Paradise Mobile Home Park**, 1124 Lake Road, Spring Grove, PA 17362-8813. This proposed facility is located in Paradise Township, **York County**.

Description of Proposed Action/Activity: Authorization for the replacement of the existing 20,000 gallon per day extended aeration package wastewater treatment plant serving the 93-unit Paradise Mobile Home Park.

WQM Permit No. 6772405, Amendment 02-1, Sewerage, **Borough of Wellsville Municipal Authority**, 299 Main Street, Wellsville, PA 17365. This proposed facility is located in Warrington Township, **York County**.

Description of Proposed Action/Activity: Authorization for the replacement of the existing pointer setter pumping station.

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

Application No. 6390201-A2, Industrial Waste, **Pennsylvania Transformer Technology Inc.**, 30 Curry Avenue, Canonsburg, PA 15317. Application for the modification and operation of a Wastewater Treatment Plant to serve the Canonsburg Area located in Cecil Township, **Washington County**.

Application No. 1185402-A3, Sewerage, **Municipal Authority of the Borough of Ebensburg**, 300 West High Street, Ebensburg, PA 15931. Application for the modification and operation of the wastewater treatment plant that serves the Borough of Ebensburg and surrounding portions of Cambria Township located in Cambria Township, **Cambria County**.

Application No. 6594403-A1, Sewerage, **Charles H. Allen**, P. O. Box 815, Ligonier, PA 15658. Application for the modification and operation of a single residence sewage treatment plant to serve the Allen residence located in Cook Township, **Westmoreland County**.

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

WQM Permit No. 1002407, Sewerage, **Moniteau School District, Dassa McKinney Elementary School**, 1810 West Sunbury Road, West Sunbury, PA 16061. This proposed facility is located in Clay Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the replacement of a sewage treatment plant with a pump station.

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 which restrict the rate and quantity of sediment discharged.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate

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

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

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

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

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

NPDES Permit PAS10 J057, Stormwater, **Koll Bren Schreiber Realty Associates**, 125 Summer Street, Suite 1640, Boston, ME 02110, has applied to discharge stormwater associated with a construction activity located in Tincum Township, **Delaware County** to unnamed tributary Delaware Estuary (WWF).

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

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS10S111	Arrowhead Lake Community Assn., Inc. HC88, Box 305 Pocono Lake, PA 18347	Monroe County Coolbaugh and Tobyhanna Townships	Arrowhead Lake HQ-CWF

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

Bedford County Conservation District: 702 W. Pitt Street Suite 4, Bedford, PA 15522, (814) 623-8099.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS100421	Northern Bedford Community Athletic Assn. Michael Shaffer 152 NBC Drive Loysburg, PA 16659	South Woodbury Township Bedford County	Yellow Creek (HQ-CWF)

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

Indiana County Conservation District: 1432 Route 286 Highway E, Indiana, PA 15701, (724) 463-8547.

NPDES Permit PAS103119-1, Stormwater, **Pennsylvania Department of Transportation**, P. O. Box 429, Indiana, PA 15701 has applied to discharge stormwater associated with a construction activity located in East Wheatfield Township, Indiana County to Findley Run (HQ-CWF) and Blacklick Creek (CWF).

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

NPDES Permit PAS10X101, Stormwater, **ASC Development, Inc.**, One Atlantic Avenue, Pittsburgh, PA 15202 has applied to discharge stormwater associated with a construction activity located in Delmont Borough, Westmoreland County to Beaver Run Drainage Basin (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).

Central Office: Bureau Director, Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467.

Permit No. 9996509, Public Water Supply.

Applicant **Southern Beverage Packers, Inc.**

Township Harlem, GA
 Responsible Official David M. Byrd, President
 Type of Facility Out-of-State bottled water system
 Application Received Date April 5, 2002
 Description of Action Applicant requesting Department approval to sell bottled water in this Commonwealth under the brand name Springtime Artesian Water.

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. 3486401, Minor Amendment (Permit by Rule).

Applicant **H₂O to Go**
 Township or Borough Nanticoke City
 Responsible Official William F. Brightman, P.E., President
 49 Village Square Drive
 Marietta, PA 17547
 Type of Facility Vended Water System
 Weis Markets #152
 35 Colonial Village
 Nanticoke, PA 18634
 Consulting Engineer William F. Brightman, P.E., President
 49 Village Square Drive
 Marietta, PA 17547
 Application Received Date April 1, 2002
 Description of Action The applicant proposes to add a new NAMA approved water dispenser and increase the finished water storage capacity from 40 gallons to 100 gallons, with UV disinfection at Weis Market #152.

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.

Dana Structural Solutions International Division, City of Reading, **Berks County**. RMT Integrated Environmental Solutions, 527 Plymouth Road, Suite 406, Plymouth Meeting, PA 19462-1641, on behalf of Dana Corporation, 3222 West Central Avenue, Toledo, OH 43606, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, lead, heavy metals, BTEX, PHCs, PAHs and solvents. The applicant proposes to remediate the site to meet the requirements for a combination of the Statewide Health and Site-Specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Reading Times* on March 29, 2002.

Former GS Electric Facility, Borough of Carlisle, **Cumberland County**. Dechert Price & Rhoads, 4000 Bell Atlantic Tower, 1717 Arch Street, Philadelphia, PA 19103-2793, on behalf of General Signal Technology Corporation, 700 Terrace Point Drive, P. O. Box 3301, Muskegon, MI 49443, submitted a Notice of Intent to Remediate site groundwater contaminated with BTEX, PAHs and solvents. The applicant proposes to remediate

the site to meet the requirements for a combination of Background, Statewide Health and Site-Specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Carlisle Sentinel* on March 29, 2002.

Harrisburg International Airport Industrial Area, Lower Swatara Township and Middletown Borough, **Dauphin County**. Rhoads & Sinon LLP, P. O. Box 1146, Harrisburg, PA 17108-1146, on behalf of Susquehanna Area Regional Airport Authority, 513 Airport Authority, 513 Airport Drive, Middletown, PA 17057, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, heavy metals and solvents. 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 *Harrisburg Patriot News* on April 15, 2002.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application received, denied, withdrawn or returned 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. 101622, Waste Treatment Corporation, 1 Harmar Street, Warren, PA 16365, City of Warren, **Warren County**. This is a permit renewal for a municipal and residual waste processing operation. The application was received by the Northwest Regional Office on April 15, 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.

40-323-013: Truth Hardware (Valmont Industrial Park, 500 Jaycee Drive, West Hazleton, PA 18202-1186) for construction of a fluidized sand bed rack cleaning operation and associated air cleaning device in Hazle Township, **Luzerne County**.

40-320-016: Quebecor World Hazleton, Inc. (Humboldt Industrial Park, R. R. 1, Box 409Z, Hazleton, PA 18201) for the construction of a lithographic printing line and associated air cleaning device in Hazleton, **Luzerne County**.

39-399-053: Agere Systems, Inc. (555 Union Boulevard, Allentown, PA 18109-3286) for construction of an integrated circuit manufacturing operation (M-8) and associated air cleaning devices in Allentown, **Lehigh County**.

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

06-05014A: Garden State Tanning Co. (16 South Franklin Street, Fleetwood, PA 19522) for construction of a leather coating line controlled by a water curtain and low solvent coating in the Borough of Fleetwood, **Berks County**. The facility is subject to 40 CFR Part 63, Subpart TTTT—National Standards for Hazardous Air Pollutants for Leather Finishing Operations.

ER-36-05117: Dart Container Corp. of PA (110 Pitney Road, Lancaster, PA 17602) to authorize the transfer and use of certified VOC emission reduction credits as emission offsets for construction of an expandable polystyrene cup manufacturing plant in East Lampeter Township, **Lancaster County**. Dart Container Corp. of PA is a major facility that is subject to the emission offset requirements of 25 Pa. Code Chapter 127, Subchapter E.

67-05004E: P. H. Glatfelter Company (228 S. Main Street, Spring Grove, PA 17362) for installation of a baghouse on an existing steel ash bin vent of the Nos. 1, 3 and 4 Power Boilers' Ash Unloading System in Spring Grove Borough, **York County**.

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

18-00011E: Croda, Inc. (8 Croda Way, Mill Hall, PA 17751-9601) for construction of product loading operations in Bald Eagle Township, **Clinton County**.

60-310-006A: Eastern Industries, Inc. (P. O. Box 177, Winfield, PA 17889) for construction of a stone crushing plant and associated air cleaning device (a water spray dust suppression system) at the Lewisburg Quarry in Buffalo Township, **Union County**. This plant will be subject to Subpart OOO of the Federal Standards of Performance for New Stationary Sources.

08-303-003B: State Aggregates, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9454) for modification of a batch asphalt plant and associated air cleaning device (a fabric collector) by using reprocessed oil as fuel in the plant's aggregate dryer in Wysox Township, **Bradford County**.

14-313-039A: Rutgers Organics Corp. (201 Struble Road, State College, PA 16801) for modification of a chemical process (Product 9001) by increasing the allowable annual production rate in College Township, **Centre County**.

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

56-00232B: Shade Landfill, Inc. (West Pointe Corporate Center One, Suite 200, 1550 Coraopolis Heights Road, Moon Township, PA 15108) for expansion of landfill in Shade Township, **Somerset County**.

56-00181B: Southern Alleghenies Landfill (West Pointe Corporate Center One, Suite 200, 1550 Coraopolis Heights Road, Moon Township, PA 15108) for expansion of landfill in Conemaugh Township, **Somerset County**.

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

25-197C: Erie Bronze and Aluminum Co. (6300 West Ridge Road, P. O. Box 8099, Erie, PA 16505) for modification of particulate limit in an existing plan approval for an electric induction furnace for the melting of stainless steel with a fabric collector in the City of Erie, **Erie County**.

10-303B: C.U.E., Inc. (11 Leonberg Road, Cranberry, PA 16066-3601) for post construction of nine polyurethane casting machines with associated mold release application activities in Cranberry Township, **Butler County**.

10-303A: C.U.E., Inc. (11 Leonberg Road, Cranberry, PA 16066-3601) for post-construction of monorail spray

washer, dryoff oven and adhesive spray station in Cranberry Township, **Butler County**.

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

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

09-0134A: Reed Minerals Division, A Harsco Co. (Steel Road South, Morrisville, PA 19067) for installation of a coal slag processing plant in Falls Township, **Bucks County**. This facility is a non-Title V facility. This plan approval revises and replaces Plan Approval 09-0134. The revision is for the installation of two different baghouses. The Plan Approval will contain record keeping, operating restrictions and performance testing requirements designed to keep the facility operating within the allowable emissions and 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.

39-309-056: Lafarge North America (5160 Main Street, Whitehall, PA 18052) for replacement of an air cleaning device (fabric collector) for the B5 bulk storage group at the Whitehall Plant in Whitehall Township, **Lehigh County**. The particulate emissions from the fabric collector will not exceed the Best Available Technology standard of 0.015 grain/DSCFT (2.67 tons per year). The plan approval and operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 39-00011. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

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

31-05003A: Texas Eastern Transmission, L.P. (P. O. Box 1642, Houston, TX 77251-1642) for modification to its existing turbine compressor facility known as the Entriken Compressor Station in Todd Township, **Huntingdon County**. Annual emissions of oxides of nitrogen, carbon monoxide and VOCs are projected to decrease by 40, 76 and 1.8 tons. Annual emissions of sulfur oxides and particulates/PM10 are projected to increase by 2.4 and 4.7 tons.

The proposed facility is subject to the applicable requirements of 25 Pa. Code Chapter 127, 40 CFR Part 60, Subpart GG and 25 Pa. Code §§ 145.1—145.9. The Department believes that the facility will meet these requirements by complying with the following Plan Approval conditions:

1. The facility is to be constructed in accordance with the plans submitted with the application (as approved herein).

2. This plan approval authorizes temporary operation of the sources covered by this plan approval provided the following conditions are met:

a. The Department must receive written notice from Texas Eastern Transmission, L.P. of the completion of construction and Texas Eastern Transmission, L.P.'s intent to commence operation at least 5 working days prior to the completion of construction. The notice must state when construction will be completed and when Texas Eastern Transmission, L.P. expects to commence operation.

b. Operation is authorized only to facilitate the startup and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c. This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from Texas Eastern Transmission, L.P. under subpart a.

d. Texas Eastern Transmission, L.P. may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established.

e. The notice submitted by Texas Eastern Transmission, L.P., under subpart a, prior to the expiration of this Plan Approval, shall modify the plan approval expiration date. The new plan approval expiration date shall be 180 days from the date of the commencement of operation.

3. This Plan Approval authorizes Texas Eastern Transmission, L.P. to modify (uprate) a GE manufactured turbine at the Entriken Compressor Station located in Todd Township, Huntingdon County, PA (25 Pa. Code § 127.12b).

4. The modified turbine shall be equipped with dry low NOx combustors for use during the combustion of natural gas (25 Pa. Code § 127.12b).

5. Turbine exhaust gases shall be treated with an oxidation catalyst for VOC and CO control (25 Pa. Code § 127.12b).

6. Existing support equipment at this site includes an emergency generator engine (LeRoi, Model L-3460) and a gas heater (25 Pa. Code § 127.12b).

7. The emissions from oxides of nitrogen (as NOx) and carbon monoxide (CO) from the turbine, with the operation of the DLN combustors and oxidation catalyst, during the combustion of natural gas, on a 12 consecutive month rolling total basis shall not exceed the following (25 Pa. Code § 127.12b):

<i>Pollutant</i>	<i>Lbs/Hr</i>	<i>Tons/Year</i>
NOx	29.07	95.0
CO	19.12	30.0

8. A continuous emission monitoring system (CEMS) shall be installed to continuously demonstrate compliance with the proposed NOx and CO emission limits. The turbine will undergo periodic performance testing, during the annual RATA for the CEMS, to demonstrate compliance with the NO and CO emission limits.

9. The owner/operator shall determine emissions of a consecutive 12-month period to determine compliance with the annual emission limitations for NOx and CO (25 Pa. Code § 127.12b).

10. The hourly emission limits established do not apply during startup and shutdown. Startup/shutdown emissions and emissions during a failure of the emission controls must be included in determination of compliance with annual emission limits (25 Pa. Code § 127.12b).

11. The potential to emit from this facility is established at 98 tons per year NO_x and 36 tons per year of CO emissions (25 Pa. Code § 127.12b).

12. The combustion turbine is subject to the applicable requirements of the 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines.

13. The combustion turbine is subject to the applicable requirements of the NO_x Budget State Trading Program established in 25 Pa. Code §§ 145.1—145.90.

14. In accordance with 40 CFR 60.4, copies of all requests reports, applications, submittals and other communications shall be forwarded to both the Environmental Protection Agency and the Department at the following addresses, unless otherwise noted: Director, Air, Toxics and Radiation, Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103; and Department of Environmental Protection, Regional Manager, Air Quality, 909 Elmerton Avenue, Harrisburg, PA 17110.

15. The owner/operator shall install, certify, maintain and operate a Department-approved CEMS in accordance with 25 Pa. Code Chapter 139 and 40 CFR Part 60. At a minimum the system shall measure and record the following: nitrogen oxide emissions (as NO₂), carbon monoxide emissions (CO) and percent oxygen (or CO₂).

16. The owner/operator shall record hours of operation for the turbine and the amount of fuel (natural gas) consumed on a daily basis (25 Pa. Code § 127.12b).

17. In accordance with 25 Pa. Code § 127.35, HAP emissions from the combustion turbine shall be less than 10 tons of any single HAP and less than 25 tons aggregate for any combination of HAPs on a 12 consecutive month rolling total basis.

18. The owner/operator shall monitor fuel sulfur content in accordance with the custom system-wide schedule and maintain the results onsite (40 CFR 60.344(b)(2)).

19. The owner/operator shall comply with the applicable reporting requirements of 40 CFR 60.7 and 60.334(c).

20. Logs and required records be maintained onsite for a minimum of 5 years and be made available to the Department upon request (25 Pa. Code § 127.12b).

21. Compliance with the turbine emission limitations for NO_x and CO shall be demonstrated through performance testing on the CEM (25 Pa. Code § 127.12b).

a. In accordance with 40 CFR 60.335(c)(2), the monitoring device required by 40 CFR 60.334 shall be used to determine the fuel consumption.

b. Stack testing shall be performed in accordance with 40 CFR 60.8 and 60.335, 25 Pa. Code Chapter 139 and the most recent version of the Department's source testing manual.

c. Two copies of the performance test protocol shall be submitted to the Department at least 60 days in advance of the performance test date. Performance testing shall not take place until the owner/operator has received written approval of the performance test protocol.

d. The owner/operator shall notify the Department of the date and time of the performance test at least 2 weeks prior to the tests so that an observer may be present.

e. Two copies of the performance test results shall be submitted to the Department within 60 days of the completion of the test.

f. Performance testing shall be performed within 60 days of achieving maximum firing rate but no later than 180 days after the initial startup.

g. The owner/operator shall record all pertinent operating data during the performance test and include this data with the performance test results.

22. In accordance with 25 Pa. Code §§ 123.1 and 123.2, there shall be no fugitive emissions from this facility except those that arise from the use of roads. All reasonable actions shall be taken to minimize fugitive emissions that arise from the use of roads. Reasonable actions shall include, but shall not be limited to paving, sweeping and application of water or other dust suppressants. In no case shall fugitive emissions arising from the use of roads be permitted to cross the property line.

23. In accordance with 25 Pa. Code § 123.31, the owner/operator shall not permit the emission of any malodorous air contaminants from any source in a manner that the malodors, as determined by the Department, are detectable outside the owner/operator's property.

24. The opacity of the exhaust from the turbine at this facility shall not exceed 10% at any time (25 Pa. Code § 127.12b).

36-03136A: K and M Woodworking (82 South Groffdale Road, Leola, PA 17540) for construction of a surface coating operation for the painting of wood cabinets and furniture at its facility in Upper Leacock Township, **Lancaster County**. This surface coating, woodworking operation is a non-Title V facility. The construction will result in the potential emission of 106 tons of VOCs, 32 tons of HAPs and less than 1 ton of PM per year. K and M Woodworking will have emission restrictions of less than 25 tons of VOCs, less than 10 tons of a single HAP and less than 25 tons of combined HAPs per year to remain a non-Title V facility. Standard monitoring, recordkeeping and work practice standards are included to keep the facility operating within all applicable requirements.

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

32-00230A: Texas Eastern Transmission, L.P. (P. O. Box 1642, Houston, TX 77251) for emission changes associated with modification, proposed emission monitoring equipment and new emission restrictions developed under 25 Pa. Code § 27.12b for their Armagh Compressor Station in West Wheatfield Township, **Indiana County**. This is a Title V facility.

The proposed modification is subject to the applicable requirements of 25 Pa. Code Chapter 127 and 40 CFR Part 60, Subpart GG. The Department believes that the facility will meet these requirements by complying with the following Plan Approval conditions:

1. This Plan Approval authorizes Texas Eastern Transmission, L.P. to modify (uprate) a GE manufactured turbine at the Armagh Compressor Station located in New Florence, Indiana County, PA (25 Pa. Code § 127.12b).

2. The modified turbine shall be equipped with dry low NOx combustors for use during the combustion of natural gas (25 Pa. Code § 127.12b).

3. Turbine exhaust gases shall be treated with an oxidation catalyst for VOC and CO control (25 Pa. Code § 127.12b).

4. Existing support equipment at this site includes an emergency generator engine (LeRoi, Model L-3460) and a gas heater (25 Pa. Code § 127.12b).

5. The emissions from oxides of nitrogen (as NO₂) and carbon monoxide (CO) from the turbine, with the operation of the DLN combustors and oxidation catalyst, during the combustion of natural gas, on a 12 consecutive month rolling average basis shall not exceed the following (25 Pa. Code § 127.12b):

<i>Pollutant</i>	<i>Lbs/Hr</i>	<i>Tons/Year</i>
NOx	28.20	95.0
CO	18.60	30.0

6. A Continuous Emission Monitoring System (CEMS) shall be installed to continuously demonstrate compliance with the proposed NOx and CO emission limits. The turbine will undergo periodic performance testing, during the annual RATA for the CEMS, to demonstrate compliance with the NO and CO emission limits.

7. The owner/operator shall determine emissions on a consecutive 12 month period to determine compliance with the annual emission limitations for NOx at 98 tons and CO at 35 tons (25 Pa. Code § 127.12b).

8. The hourly emission limits previously established do not apply during startup and shutdown. Startup/shutdown emissions and emissions during a failure of the emission controls must be included in determination of compliance with annual emission limits (25 Pa. Code § 127.12b).

9. The combustion turbine is subject to the applicable requirements of the 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines.

10. The combustion turbine is subject to the applicable requirements of the NOx Budget State Trading Program established in 25 Pa. Code §§ 145.1—145.90.

11. In accordance with 40 CFR 60.4, copies of all request, reports, applications, submittals and other communications shall be forwarded to both the Environmental Protection Agency and the Department at the following addresses, unless otherwise noted: Director, Air, Toxics and Radiation, Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103; and Department of Environmental Protection, Regional Air Quality Manager, Office of Air Quality, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

12. The owner/operator shall install, certify, maintain and operate a Department-approved CEMS in accordance with 25 Pa. Code Chapter 139 and 40 CFR Part 75 and applicable requirements of 40 CFR 60. At a minimum the system shall measure and record the following: nitrogen oxide emissions (as NO₂), carbon monoxide emissions (CO) and percent oxygen (or CO₂).

13. The owner/operator shall record hours of operation for the turbine and the amount of fuel (natural gas) consumed on a daily basis (25 Pa. Code § 127.12b).

14. In accordance with 25 Pa. Code § 127.35, HAP emissions from the combustion turbine shall be less than

10 tons of any single HAP and less than 25 tons aggregate for any combination of HAPs on a 12 consecutive month basis.

15. The owner/operator shall monitor fuel sulfur content in accordance with the custom system-wide schedule and maintain the results onsite (40 CFR 60.344(b)(2)).

16. The owner/operator shall comply with the applicable reporting requirements of 40 CFR 60.7 and 60.334(c).

17. Logs and required records shall be maintained for a minimum of 5 years and be made available to the Department upon request (25 Pa. Code § 127.12b).

18. Compliance with the turbine emission limitations for NOx and CO shall be demonstrated through performance testing on the CEM (25 Pa. Code § 127.12b).

a. In accordance with 40 CFR 60.335(c)(2), the monitoring device required by 40 CFR 60.334 shall be used to determine the fuel consumption.

b. Stack testing shall be performed in accordance with 40 CFR 60.8 and 60.335, 25 Pa. Code Chapter 139 and the most recent version of the Department's source testing manual.

c. Two copies of the performance test protocol shall be submitted to the Department at least 60 days in advance of the performance test date. Performance testing shall not take place until the owner/operator has received written approval of the performance test protocol.

d. The owner/operator shall notify the Department of the date and time of the performance test at least 2 weeks prior to the tests so that an observer may be present.

e. Two copies of the performance test results shall be submitted to the Department within 60 days of the completion of the test.

f. In regards to initial performance testing shall be performed within 60 days of achieving maximum firing rate but no later than 180 days after the initial startup.

g. The owner/operator shall record all pertinent operating data during the performance test and include this data with the performance test results.

19. In accordance with 25 Pa. Code §§ 123.1 and 123.2, there shall be no fugitive emissions from this facility except those that arise from the use of roads. All reasonable actions shall be taken to minimize fugitive emissions that arise from the use of roads. Reasonable actions shall include, but shall not be limited to paving, sweeping and application of water or other dust suppressants. In no case shall fugitive emissions arising from the use of roads be permitted to cross the property line.

20. In accordance with 25 Pa. Code § 123.31, the owner/operator shall not permit the emission of any malodorous air contaminants from any source in a manner that the malodors, as determined by the Department, are detectable outside the owner/operator's property.

21. The opacity of the exhaust from the turbine at this facility shall not exceed 10% at any time (25 Pa. Code § 127.12b).

24. Per 25 Pa. Code § 127.13, if the construction is not commenced within 18 months of issuance of this Plan Approval or if there is more than an 18 month lapse in construction, a new Plan Approval Application shall be submitted.

25. This Plan Approval authorizes the temporary operation of the sources covered by this Plan Approval provided that the following conditions are met (25 Pa. Code § 127.12b(d)):

a. The Department must receive written notice from the owner/operator of the anticipated date that sources will commence operation.

b. Operation is authorized only to facilitate the startup and shakedown of the sources, to permit operation of the sources pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

c. This condition authorizes temporary operation of the sources for a period of 180 days from the start of commencement of operation, provided that the Department receives notice from the owner/operator under subpart a.

d. Owner/operator may request an extension of this Plan Approval if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons that compliance has not been established.

e. The notice submitted by the owner/operator under subpart a, prior to the expiration date of this Plan Approval, shall modify the Plan Approval expiration date. The new Plan Approval expiration date shall be 180 days from the date of the start-up.

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

24-131E: SGL Carbon LLC (900 Theresia Street, St. Marys, PA 15857) for construction of a CVD reactor and scrubber control device in St. Marys, **Elk County**. This installation will result in 0.0006 ton per year of HCl emissions. The facility currently has a Title V Operating Permit No. 24-00131. 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.

24-131F: SGL Carbon LLC (900 Theresia Street, St. Marys, PA 15857) for construction of a VOG furnace and scrubber control device in St. Marys, **Elk County**. This installation will result in no additional emissions. The facility currently has a Title V Operating Permit No. 24-00131. 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.

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.

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

41-00005: Textron Lycoming (652 Oliver Street Williamsport, PA 17701) for their aircraft engine manufacturing facility in Williamsport, **Lycoming County**. The Title V Operating Permit revision is to incorporate conditions from the amended reasonably available control

technology plan for a number of VOC emitting sources at the facility including 23 spray booth degreasers (Source ID P206), 6 small Cooper Tanks (Source ID P203), 55 dip degreasing tanks (Source ID P204), 21 corrosion protection tanks (Source ID P205), 3 check valve tables (Source ID P250) and a fluorescent dye penetrant booth (Source ID P233). The proposed revised Title V Operating Permit contains all revised VOC RACT conditions and all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

13-399-007: Panther Creek Partners (1001 Industrial Road, Nesquehoning, PA 18240) for operation of an ash handling system and associated air cleaning device in Nesquehoning Borough, **Carbon County**.

40-305-021: Northampton Fuel Supply Co. (1 Horwith Drive, Northampton, PA 18067-9728) for operation of silt dry-screening operations and associated air cleaning device in Hanover Township, **Luzerne County**.

48-320-012: Wheaton USA, Inc. (2400 Baglyos Circle, Bethlehem, PA 18020) for operation of a heat-set printing operation in Bethlehem Township, **Northampton County**.

40-313-030D: KAMA Corp. (600 Dietrich Avenue, Hazleton, PA 18201) for operation of an extrusion line and associated air cleaning device in Hazleton, **Luzerne County**.

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

01-05026: Bituminous Paving Materials of York (20 Greensprings Road, Hanover, PA, 17331) for operation of an asphalt paving facility at its Berwick Plant in Berwick Township, **Adams County**. The facility has the potential to emit 395 tons per year of CO, 24.5 tons per year of NOx, 8 tons per year of VOCs, 4.5 tons per year of SOx and 1 ton per year (after control) of PM. The facility has restricted its hours of operation to 2,000 hours per year to achieve a CO emission of 90 tons per year. The Synthetic Minor operating permit shall contain additional testing, monitoring, record keeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

06-03094: K & L Woodworking, Inc. (440 North Fourth Street, Reading, PA 19601) for operation of a wooden cabinet manufacturing operation with a coating operation controlled by dry filters and low VOC coatings in the City of Reading, **Berks County**. The facility is not subject to Title V (State only operating permit). The foundry has the potential to emit 10 tons of VOCs and less than 10 tons of HAPs per year. The permit will restrict the amounts of VOCs and HAPs emitted during any consecutive 12-month period. The permit will include work practices, monitoring, record keeping and reporting required to keep the foundry operating within all applicable air quality requirements.

31-05013: New Enterprise Stone & Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) for the operation of an asphaltic concrete batch plant (controlled by a

cyclone in series with a fabric collector) at its Tyrone Blacktop Plant in Warriors Mark Township, **Huntingdon County**. Actual emissions for criteria pollutants will be below Title V thresholds. This will be accomplished by limiting the annual production of hot mix asphalt. The operating permit will contain appropriate conditions designed to keep the facility operating within all other applicable air quality requirements. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

36-03069: Nissin Foods (USA) Co., Inc. (2901 Hempland Road, Lancaster, PA 17601) for operation of a food preparation facility in East Hempfield Township, **Lancaster County**. The facility is not subject to Title V (State only operating permit). Actual emissions are estimated at 0.4 ton per year of PM, 0.2 ton per year of SO_x, 6.1 tons per year of NO_x, 2.6 tons per year of CO, 1 ton per year of VOCs and 0.01 ton per year of HAPs. The operating permit shall include appropriate conditions designed to keep the facility operating within all applicable air quality requirements.

67-05028: Reliant Energy Mid Atlantic Power Holdings LLC (1001 Broad Street, Johnstown, PA 15907) for operation of two turbines at its electric generating station in Hopewell Township, **York County**. The emissions of NO_x will remain below the major source threshold of 100 tons per year. This will be accomplished by limiting the amount of heat input to each unit. The operating permit shall include appropriate conditions designed to keep the facility operating within all other applicable air quality requirements.

67-05074: Bituminous Paving Materials of York (1300 Zinn's Quarry Road, York, PA, 17404) for operation of an asphalt paving facility at its West Manchester Plant in West Manchester Township, **York County**. The facility has the potential to emit 289 tons per year of CO, 18 tons per year of NO_x, 6 tons per year of VOC, 3 tons per year of SO_x and less than 1 ton per year (after control) of PM. The facility has restricted their hours of operation to 2,000 hours per year to achieve a CO emission of 66 tons per year. The Synthetic Minor operating permit shall contain additional testing, monitoring, record keeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

43-00152: Sharon Tube Co.—Sharon Facility (134 Mill Street, Sharon, PA 16146) for a Synthetic Minor Permit to operate a steel pipe and tubing manufacturing plant in the City of Sharon, **Mercer County**.

PUBLIC HEARINGS

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

Proposed Revision to the State Implementation Plan for Oxides of Nitrogen and VOCs

Public Hearing and Notice of Intent to Issue a Revised Air Quality Title V Operating Permit

41-00005: Textron Lycoming (652 Oliver Street, Williamsport, PA 17701) for modification and clarification of various reasonable available control technology (RACT) determinations made by the Department on April 21, 1999, for their facility in the City of Williamsport, **Lycoming County**.

In accordance with 25 Pa. Code §§ 129.91—129.95, the Department has made a preliminary determination to approve an amendment of a previously-submitted RACT plan and an amendment to the State Implementation Plan (SIP) for various air contamination sources at the Textron Lycoming facility.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amendment of the RACT approval for the facility which are intended to comply with current regulations.

The preliminary RACT determination, if finally approved, will result in the revision of Title V Operating Permit 41-00005 and will be submitted to the EPA as a revision to the Commonwealth's SIP.

The following is a summary of the preliminary RACT determination/revisions which the Department proposes to incorporate into Title V Operating Permit 41-00005, as a revision to that permit:

1. Air contamination source: 23 spray booth degreasers (P206). RACT revision: revise VOC emission limit of 15.7 tons in any 12 consecutive month period to 24.69 tons in any 12 consecutive month period.

2. Air contamination source: six small Cooper tanks (P203). RACT revision: revise VOC emission limit of 2.4 tons in any 12 consecutive month period which applies to the combination of these tanks and 5 large Cooper tanks (P202) to 36.54 tons in any 12 consecutive month period.

3. Air contamination source: 55 dip degreasing tanks (P204). RACT revision: revise VOC emission limit of 15.45 tons in any 12 consecutive month period to 4.8 tons in any 12 consecutive month period. Also revise source identification to reflect the existence of 76 dip degreasing tanks rather than 55.

4. Air contamination source: 21 corrosion protection tanks (P205). RACT revision: revise VOC emission limit of 10.95 tons in any 12 consecutive month period to 2.76 tons in any 12 consecutive month period. Also revise source identification to reflect the existence of 26 corrosion protection tanks rather than 21.

5. Air contamination source: three check valve tables (P250). RACT determination: VOC containing materials shall not be used.

6. Air contamination source: fluorescent dye penetrant booth (P233). RACT determination: VOC emissions not to exceed 3 pounds per hour, 15 pounds per day or 2.7 tons in any 12 consecutive month period.

There will additionally be a number of clarifications to air contamination source identifications, none of which involve a revision of a RACT-established emission limitation or requirement.

A public hearing will be held for the purpose of receiving comments on the proposed operating permit revision and the proposed Title V Operating Permit revision, RACT revision and SIP revision. The hearing will be held on June 5, 2002, at 1 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Daniel Spadoni at (570) 327-3659 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written

copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Daniel Spadoni at (570) 327-3659 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

A copy of the revision request, the Department's analysis and other documents used in the evaluation of the request are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-3693.

Those unable to attend the hearing, but wishing to comment or provide the Department with additional information, which they believe should be considered prior to the revision of Title V Operating Permit 41-00005, may submit the comments or information to the Department at the following address. Each written comment must contain the name, address and telephone number of the person submitting the comments or information as well as a concise statement regarding the relevancy of the comments or information provided.

Written comments or information should be directed to David W. Aldenderfer, Air Quality Environmental Program Manager, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701. Comments or information must be received by the Department by no later than June 20, 2002, to be considered.

MINING ACTIVITY APPLICATIONS

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

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

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

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

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

Coal Applications Received

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

54970204R. Jeddo-Highland Coal Co. (46 Public Square Suite 600, Wilkes-Barre, PA 18701), Renewal Application for Coal Refuse Reprocessing Permit in Frailey and Reilly Townships, **Schuylkill County**, affecting 265 acres. Receiving stream: none. Application received April 10, 2002.

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

63990103 and NPDES No. PA0202614. David Breeden Enterprises, Inc. (P. O. Box 89, Tarentum, PA 15084-0089). Revision for propose stream crossing to an existing bituminous surface mine located in Somerset Township, **Washington County**, affecting 287.1 acres. Receiving streams: unnamed tributaries to Center Branch of Pigeon Creek, classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is Ellsworth Borough Water Department. Revision application received April 8, 2002.

63000101 and NPDES No. PA0202819. Mulligan Mining, Inc. (5945 Puddingstone Lane, Bethel Park, PA 15102). Revision for additional acres to an existing bituminous surface mine located in Smith Township, **Washington County**, affecting 158.7 acres. Receiving streams: unnamed tributaries to Raccoon Creek and Burgetts Fork, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Revision application received April 8, 2002.

03010104 and NPDES No. PA0203025. Blackridge Associates, Inc. (R. D. 7, Box 375B, Kittanning, PA 16201). Resubmittal of application for commencement,

operation and reclamation of a bituminous surface mine located in Gilpin Township, **Armstrong County**, affecting 60.2 acres. Receiving streams: unnamed tributary to Allegheny River, classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is Freeport Water Company. Application received April 10, 2002.

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

56920101 and NPDES Permit No. PA0599395. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, permit renewal for reclamation only for continued restoration of a bituminous surface mine and for existing discharge of treated mine drainage in Summit Township, **Somerset County**, affecting 49.0 acres. Receiving streams: unnamed tributary to/and Casselman River and Shafer Run classified for the following uses: CWF, WWF. There are no potable water supply intakes within 10 miles downstream. Application received April 10, 2002.

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

33860113 and NPDES Permit No. PA0107387. Cloe Mining Company, Inc. (P. O. Box I, Grampian, PA 16838). Renewal of an existing bituminous surface strip operation in Young and Oliver Townships, **Jefferson County** affecting 311.6 acres. Receiving streams: unnamed tributary to Little Elk Run, classified for the following uses: Statewide water uses: CWF. No public water supplies are within 10 miles downstream of this proposed operation. Application received April 8, 2002.

37910107 and NPDES Permit No. PA0210994. The East Fairfield Coal Co. (P. O. Box 217, 10900 South Avenue, North Lima, OH 44452). Renewal of an existing bituminous surface strip operation in Little Beaver Township, **Lawrence County** affecting 165.1 acres. Receiving streams: unnamed tributary to Sugar Creek, classified for the following uses: Statewide water uses: CWF. No public water supplies are within 10 miles downstream of this proposed operation. Application received April 8, 2002.

Coal Applications Returned

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

54001301T. John E. Lucas (268 Second Street, Tremont, PA 17981), transfer of an existing anthracite underground mine operation from M & M Anthracite Coal Company in Frailey Township, **Schuylkill County** affecting 3.0 acres, receiving stream: Middle Creek. Application received October 15, 2001. Application returned: April 10, 2002.

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

1195-37010105-E-1. Kerry Coal Company (R. D. 2, Box 2139, Wampum, PA 16159) Application for a stream encroachment to conduct mining within 25 feet of unnamed tributary B to North Fork Little Beaver Creek in Little Beaver Township, **Lawrence County**. Receiving streams: unnamed tributaries to North Fork Little Beaver Creek. Application received August 27, 2001. Stream Encroachment returned: April 10, 2002.

Noncoal Applications Received

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

40020301. Popple Brother Coal Company (P. O. Box 126, Duryea, PA 18642), commencement, operation and restoration of a quarry operation in Duryea Borough,

Luzerne County affecting 85.8 acres, receiving stream: none. Application received April 4, 2002.

ABANDONED MINE RECLAMATION

Under Act 181 of 1984, the Department of Environmental Protection (Department) gives notice of unsolicited proposals received from Amerikohl Mining, Inc. and Fieg Brothers to reclaim an abandoned surface mine in Brothersvalley Township, **Somerset County**. The Department intends to enter into negotiations with either Amerikohl Mining, Inc. or Fieg Brothers to contract for site reclamation, if funding is available.

The project, CN-14, involves reclamation of the area mined by Top Grade Fuels, Inc. where bonds are forfeited by the Department under Permit No. SMP No. 56841316.

They are proposing to remove structures, backfill, re-grade and revegetate 39 acres. All areas will be regraded to promote surface drainage and provide integration with surrounding unmined areas.

Under Act 181 of 1984, the Department solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine project: CRF 003-101.1, Slippery Rock Township, Butler County, 24 acres.

Letters of interest must be received by Roderick A. Fletcher, P.E., Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, 400 Market Street, P. O. Box 8476, Harrisburg, PA, 17105-8476, no later than 4 p.m., May 27, 2002, to be considered. Telephone inquiries shall be directed to Charles Lonkart, Division of Mine Hazards, at (717) 787-3448.

PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT

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

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

Project Proposals Received

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

EGS 40001. Earth Conservancy. A project for the Luzerne County Recreational Area at Sugar Notch in Hanover Township, **Luzerne County**, affecting 63 acres, receiving stream: Sugar Notch Creek. Project proposal received December 21, 2001.

EGS 40002. Earth Conservancy. The Hanover 7A Flood Debris project in Hanover Township, **Luzerne County**, affecting 38 acres, receiving stream: Warrior Run. Project proposal received December 21, 2001.

Written comments or objections may be submitted by any person or any office or head of any Federal, State or local government agency or authority to the Department of Environmental Protection, District Mining Operations,

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454 within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

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.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E48-323. Lower Mount Bethel Township, P. O. Box 257, Martins Creek, PA 18063, in Lower Mount Bethel Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a bridge having a single span of 12 feet and an underclearance of 6 feet across Mud Run (CWF). The project is located along Township Road T623 (Capp Road), approximately 200 feet west of the intersection with T660 (Upper Mud Run Road) (Bangor, PA Quadrangle N: 6.5 inches; W: 13.2 inches).

E40-600. City of Wilkes-Barre, 40 East Market Street, Wilkes-Barre, PA 18711, in City of Wilkes-Barre, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a road crossing of Spring Run (locally known as Bowman Spring Run) (CWF), consisting of a 12.0-foot by 5.5-foot concrete box culvert with its invert depressed 6 inches below stream bed elevation. The project includes a temporary flow diversion, consisting of a 60-inch culvert. Approximately 130 linear feet of channel will be impacted by temporary and permanent activities. The project is located along Stanton Street, approximately 100 feet northwest of the intersection of Stanton Street and South Empire Street (Wilkes-Barre West, PA Quadrangle N: 18.7 inches; W: 1.5 inches).

E13-132. Carbon County Commissioners, P. O. Box 129, Jim Thorpe, PA 18229, in Penn Forest and Kidder Townships, **Carbon County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a concrete box beam bridge across Mud Run (HQ-CWF). The project is along Henning Road (T-512) approximately 0.4 mile north of its intersection with S.R. 0903 (Blakeslee, PA Quadrangle N: 2.6 inches; W: 13.9 inches).

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

E01-232. Mark Burkhead, Pennsylvania Department of Transportation 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Hopewell Township, **Bedford County**, ACOE Baltimore District.

To remove the existing bridge and to construct and maintain a new bridge across Willoughby Run (WWF) on SR 0030, Segment 0240, Offset 1720 (Lincoln Hwy) located just outside the Gettysburg National Military Park boundary (Fairfield, PA Quadrangle N: 16.33 inches; W: 0.9 inch) in Cumberland Township, Adams County.

E05-302. Earl Neiderhiser, Pennsylvania Department of Transportation District 9-0, 1620 N. Juniata Street, Hollidaysburg, PA 16648 in Hopewell Township, **Bedford County**, ACOE Baltimore District.

To remove the existing structure and to construct and maintain a two span concrete bridge across the Yellow Creek (HQ-CWF) on SR 0036, Section 005, Segment 004, Offset 0023 located in Little Jack Corners. The new bridge will be located approximately 151 feet downstream of the existing bridge to realign the roadway (Hopewell, PA Quadrangle N: 5.7 inches; W: 14.75 inches) in Hopewell Township, Bedford County.

E21-339. Mark Burkhead, Pennsylvania Department of Transportation 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Southampton Township, **Cumberland County**, ACOE Baltimore District.

To remove the existing structure and to construct and maintain a 14-foot by 6-foot concrete box culvert at the channel of an unnamed tributary to Burd Run (Reservoir

Hollow) (CWF) on SR 3001, Section 015, Segment 0110, Offset 0325 (Baltimore Road) located 0.7 mile south of Cleversburg Village (Walnut Bottom, PA Quadrangle N: 4.78 inches; W: 12.8 inches) in Southampton Township, Cumberland County.

E28-297. Mark Burkhead, Pennsylvania Department of Transportation 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Quincy Township, **Franklin County**, ACOE Baltimore District.

To remove the existing culvert and to construct and maintain a 5-foot by 5-foot concrete box culvert at the channel of an unnamed tributary to West Branch Antietam Creek (CWF) on SR 2018, Segment 0010, Offset 1613 (Manheim Road) located near its intersection with Buttermilk Road (Waynesboro, PA Quadrangle N: 13.38 inches; W: 13.81 inches) in Quincy Township, Franklin County.

E28-298. Mark Burkhead, Pennsylvania Department of Transportation 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Antrim Township, **Franklin County**, ACOE Baltimore District.

To remove the existing arch bridge and to construct and maintain a 16-foot by 7.5-foot concrete box culvert at the channel of an unnamed tributary to Conococheague Creek (WWF) on SR 3005, Segment 0040, Offset 0000 (Worleytown Road) located about 0.5 mile northwest of Worleytown Village (Mason-Dixon, MD-PA Quadrangle N: 22.3 inches; W: 4.95 inches) in Antrim Township, Franklin County.

E36-735. Mark Burkhead, Pennsylvania Department of Transportation 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Clay and Elizabeth Townships, **Lancaster County**, ACOE Baltimore District.

To remove the existing culvert and to construct and maintain a 7-foot by 5-foot box culvert at the channel of an unnamed tributary to Middle Creek (WWF) on SR 1035, Segment 0110, Offset 1935 (Clay Road) located about 0.3 mile south from its intersection with US 322 (Lititz, PA Quadrangle N: 16.21 inches; W: 0.95 inch) in Clay and Elizabeth Townships, Lancaster County.

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

E03-406. P C Exploration, Inc., 502 Keystone Drive, Warrendale, PA 15086. Cowanshannock Township, **Armstrong County**, ACOE Pittsburgh District.

To construct and maintain a ford crossing in Cowanshannock Creek (WWF) located off of S.R. 0839 (Plumville, PA Quadrangle N: 11.9 inches; W: 17.0 inches).

E03-407. David J. Kushon d/b/a Logansport Marina, 215 River Avenue, Pittsburgh, PA 15215. Bethel Township, **Armstrong County**, ACOE Pittsburgh District.

To construct and maintain a 600-foot x 40-foot floating marina and a boat launching ramp along the left bank of the Allegheny River at approximately Mile Point 38.3 (Leechburg, PA Quadrangle N: 21.3 inches; W: 12.0 inches).

E56-314. Pennsylvania Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. Summit Township, **Somerset County**, ACOE Pittsburgh District.

To rehabilitate a nine span, steel truss and plate girder bridge (Keystone Viaduct) by removing three girder spans and two concrete piers, constructing a new single girder

span and therefore maintaining a 7-span steel truss and plate girder bridge having spans of 245.3 feet, 80.8 feet, 241.5 feet, 100.5 feet, 80.5 feet, 80.5 feet and 80.8 feet and an underclearance of 48.0 feet over Flaugherty Creek (CWF). Also to place and maintain R-6 rock scour protection at existing concrete piers #5 and #6 and to construct fish habitat enhancement in Flaugherty Creek (CWF). During construction, to construct and maintain a temporary diversion and a temporary R-6 rock access platform in Flaugherty Creek (CWF). The project is located on the Allegheny Highlands Trail where it crosses S.R. 2006 (Wittenberg, PA Quadrangle N: 10.9 inches; W: 16.9 inches).

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

E25-644. William Witkowski, 909 Troupe Road, Harborcreek, PA 16421, Troupe Road Warehouse Project, in Harborcreek Township, **Erie County**, ACOE Pittsburgh District (Harborcreek, PA Quadrangle N: 6.9 inches; W: 12.0 inches).

Development of the northern 18.5 acres of the 47-acre lot located at the northwest corner of Troupe Road and Iroquois Avenue in Harborcreek Township, Erie County. The proposed development includes the construction of three warehouses (a total of 275,000 square feet, a fire pumphouse, access roads, stormwater conveyance swales and two stormwater detention basins). The development is located in the former Hoover Sand and Gravel, Incorporated gravel pit and will impact several small wetlands totaling 0.2 acre.

E27-067. Pennsylvania Suburban Water Company, Shenango Valley Division, 665 South Dock Street, Sharon, PA 16146. Jenks Township Water System—Water Transmission Line, in Jenks Township, **Forest County**, ACOE Pittsburgh District (Marienville East, PA Quadrangle N: 19.2 inches; W: 14.5 inches).

Construct and maintain an 8-inch diameter water transmission line across approximately 250 linear feet of wetland and to tributaries to Scott Run to serve as a water supply to the State Correctional Institution at Forest County and other user along SR 66 northeast of Marienville.

ACTIONS

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the 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 an 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.

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

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

NPDES Permit No. PA-0062791, Industrial Waste, **Just Born, Inc.**, 1300 Steffo Boulevard, Bethlehem, PA 18017-6672. This proposed facility is located in City of Bethlehem, **Northampton County**.

Description of Proposed Action/Activity: Renewal of the NPDES Permit to discharge treated wastewater to the Lehigh River.

NPDES Permit No. PA-0064157, Sewage, **New Ringgold Borough**, P. O. Box 180, New Ringgold, PA 17960. This proposed facility is located in New Ringgold Borough, **Schuylkill County**.

Description of Proposed Action/Activity: Issuance of a new NPDES Permit to discharge 0.04 MGD of treated domestic wastewater to the Little Schuylkill River.

NPDES Permit No. PA-0021199, Sewage, **Beaver Meadows Borough**, P. O. Box 215, Beaver Meadows, PA 18216-0215. This proposed facility is located in Banks Township, **Carbon County**.

Description of Proposed Action/Activity: Renewal of an existing NPDES permit to discharge 0.180 mgd of treated domestic wastewater. Receiving stream is the Beaver Creek.

WQM Permit No. 3902401, Sewerage, **Upper Saucon Township Municipal Authority**, 5500 Camp Meeting Road, Center Valley, PA 18034. This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: The applicant has been granted a Part II Permit for the construction of a 15-inch extension to the North Branch Interceptor Sewer and 8-inch collector sewer lines.

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

NPDES Permit No. PA0024457, Sewage, **Halifax Municipal Authority**, Halifax Wastewater Treatment Plant, P. O. Box 443, Halifax, PA 17032-0443. This proposed facility is located in Halifax Borough, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River in Watershed 6-C.

NPDES Permit No. PA0032964, Sewage, **Department of Conservation and Natural Resources, Bureau of State Parks**, Cowan's Gap State Park, P. O. Box 8551, Harrisburg, PA 17105-8551. This proposed facility is located in Todd Township, **Fulton County**.

Description of Proposed Action/Activity: Authorization to discharge to South Branch Little Aughwick Creek in Watershed 12-C.

NPDES Permit No. PA0083062, Sewage, **Williams Valley School District**, Williams Valley High School, 10300 Route 209, Tower City, PA 17980-9611. This proposed facility is located in Williams Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to Wiconisco Creek in Watershed 6-C.

NPDES Permit No. PA0084115, Sewage, **All American Travel Plazas, Inc., Clarks Ferry Auto/Truck Plaza STP**, P. O. Box 320, Bethel, PA 19507. This proposed facility is located in Reed Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to Halderman Channel of Susquehanna River in Watershed 6-C.

NPDES Permit No. PA0084255, Sewage, **Audrey Estevez, Swatara Mobile Homes**, 2459 Grace Avenue, Lebanon, PA 17046. This proposed facility is located in Swatara Township, **Dauphin County**.

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

NPDES Permit No. PA0040673, Sewage, **Ralph Chapin, Teen Challenge Training Center**, P. O. Box 98, Rehersburg, PA 19550-0098. This proposed facility is located in Tulpehocken Township, **Berks County**.

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

NPDES Permit No. PA0087581, Sewage, **James Saunders, Maiden Creek Associates, Inc.**, 1112 Mountain Road, Kempton, PA 19529. This proposed facility is located in Centre Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Irish Creek in Watershed 3-C.

NPDES Permit No. PA0008087, Industrial Waste, **Patrick G. Kilgore, Hershey Foods Corporation**, 19 E. Chocolate Avenue, Hershey, PA 17033-0819. This proposed facility is located in Derry Township, **Dauphin County**.

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

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

NPDES Permit No. PA0228486, Sewage, **Allen J. Dormuth**, P. O. Box 52, North Bend, PA 17760-0052. This proposed facility is located in Chapman Township, **Clinton County**.

Description of Proposed Action/Activity: Renewal of NPDES permit for single residence sewage treatment system.

WQM Permit No. 4102401, Sewerage, **Williamsport Sanitary Authority**, 253 W. 4th St., Williamsport, PA 17701. This proposed facility is located in the City of Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: Construction of an effluent dechlorination system.

WQM Permit No. 4177407-T2, Sewerage, **Patricia B. McQuiston**, 2864 Pleasant Valley Rd., Cogan Station, PA 17728. This existing facility is located in Hepburn Township, **Lycoming County**.

Description of Proposed Action/Activity: Transfer permit from Josephine W. Houseman to Patricia B. McQuiston.

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

NPDES Permit No. PA0041602, Industrial Waste, **Exxon Mobil Oil Corporation**, 2760 Neville Road, Pittsburgh, PA 15225 is authorized to discharge from a facility located at Neville Island Terminal, Neville Township, **Allegheny County** to receiving waters named the Ohio River.

NPDES Permit No. PA0217158, Industrial, **The Authority of the Borough of Charleroi**, 325-327 McKean Avenue, Charleroi, PA 15022 is authorized to discharge from a facility located at Charleroi Borough, **Washington County** to receiving waters named the Monongahela River.

NPDES Permit No. PA0046230, Sewage, **Carmichaels-Cumberland Joint Sewer Authority**, P. O. Box 304, 103 Municipal Road, Carmichaels, PA 15320-0304 is authorized to discharge from a facility located at Carmichaels-Cumberland Joint Sewer Authority Sewage Treatment Plant, Cumberland Township, **Greene County** to receiving waters named Muddy Creek.

Permit No. 2601403, Sewage, **Franklin/Fayette Sewer Authority**, 353 Town and Country Road, Vanderbilt, PA 15486. Construction of Sewage Treatment Plant and Sanitary Sewers located in Franklin Township, **Fayette County** to serve the Smock Area.

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

WQM Permit No. 2502405, Sewerage, **Union Township Municipal Authority**, Route 6 Sewer Extension and Pump Station, 16300 Route 8, Union City, PA 16438.

This proposed facility is located in Union Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the installation of a pump station and sanitary sewerage system that will connect to an existing 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 an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the 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 an 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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G491	Pulte Homes of PA, LP 1100 Northbrook Drive Suite 200 Trevose, PA 19053	Chester	Willistown Township	UNT to Hunters Run (HQ, TSF)
PAS10G492	Stonewall Links, LLP P. O. Box 866 Kimberlon, PA 19442	Chester	Warwick Township	French Creek (EV)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10N029	First Industrial Acquisitions, Inc. 200 Philips Rd. Exton, PA 19341-1326	Lackawanna	Covington and Clifton Townships	Tamarack Roaring Brook Meadow Brook HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q232	Marion A. Betz 7209 Kernsville Rd. Orefield, PA 18069 Lehigh	Lehigh	Lowhill Township	Jordan Creek HQ-CWF
PAS10U162	Fairfield Development Associates Two Courtney Place Suite 140 3864 Courtney St. Bethlehem, PA 18017	Northampton	Lower Nazareth and Bethlehem Townships	Unnamed tributary to Bushkill Creek

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

Clarion Conservation District: R. R. 3 Box 265, Mayfield Prof. Bldg., Clarion, PA 16214, (814) 226-4070.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS101504	Pennsylvania American Water Company 800 West Hersheypark Drive P. O. Box 888 Hershey, PA 17033	Clarion County Clarion Township Elk Township Paint Township	Deer Creek (CWF) Paint Creek (CWF) UNT to Deer Creek (CWF) Clarion River (CWF)

Lawrence Conservation District: Lawrence Conservation Government Center, 430 Court Street, New Castle, PA 16101, (814) 226-4070.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS103713	Jay Russell Lawrence 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)

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 This Commonwealth; (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 & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Valley Township Chester County	PAR10G464	Valley Crossing 4 P. O. Box 494 Edgemont, PA 19028	Sucker Run (WWF, MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Sharon Hill Borough Delaware County	PAR10J239	Southeast Delco School District P. O. Box 328 Delmar Dr. and Primose Ave. Folcroft, PA 19032	Darby Creek (MF, WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Montgomery Township Montgomery County	PAR10T853	Pennmark Management Co., Inc. 1000 Germantown Pk. Suite A-2 Plymouth Meeting, PA 19462	Wissahickon Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Montgomery Township Montgomery County	PAR10831	Redeemer Church 1325 Upper State Road North Wales, PA 19454	UNT to Little Neshaminy Creek (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lehigh County Weisenberg Township	PAR10Q1032	Richard Thulin 54 S. Commerce Way Suite 175 Bethlehem, PA 18017	Mill Creek CWF	Lehigh County Conservation District (610) 391-9583
New Freedom Borough Shrewsbury Township York County	PAR10Y574	The Trails at New Freedom P.E.S. Development LLP 8 Greensprings Valley Road Suite 200 Owings Mills, MD 21117	Bee Tree Run NL	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Fairview Township York County	PAR10Y576	Equilibrium Equities Adam Meinstein 110 E. 59th Street 18th Floor New York, NY 10022	UNT to Fishing Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Shrewsbury Borough Hopewell Township York County	PAR10Y5781	Shrewsbury Commercial Center Joseph Silbaugh 242 S. Main Street Shrewsbury, PA 17327	Deer Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
South Hanover Township Dauphin County	PAR10I260	Meadows of Hanover Dev. Inc. 225 N. Presidential Blvd. Bala Cynwyd, PA 19004	UNT to Swatara Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Allegheny County Ross Township	PAR10A556	Minnock Land and Development Company 7202 Old McKnight Road Pittsburgh, PA 15237	UNT Pine Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAR10A559	Richland Holdings, L.L.C. 1426 Pittsburgh Road Valencia, PA 16059	UNT Deer Creek CWF	Allegheny County Conservation District (412) 241-7645

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Allegheny County Kennedy Township	PAR10A564	Ohio Valley General Hospital Heikle Road McKees Rocks, PA 15136	UNT Ohio River WWF	Allegheny County Conservation District (412) 241-7645
Cambria County West Carroll Township	PAR101084	West Carroll Township Water and Sewer Authority P. O. Box 328 Elmora, PA 15737	UNT West Branch Susquehanna River CWF	Cambria County Conservation District (814) 472-2120
Washington County North Strabane Township	PAR10W205	Kerry Bove Meadow Lake Development 3901 Washington Road Suite 301 Crossroad Commons McMurray, PA 15317	Chartiers Creek WWF	Washington County Conservation District (724) 228-6774
Butler County Butler Township Summit Township	PAR10E176	Joseph P. Dubovi, III Pennsylvania Department of Transportation District 10 2550 Oakland Avenue Indiana, PA 15701	Connoquenessing Creek (WWF)	Butler County Conservation District (724) 284-5270
Erie County Millcreek Township	PAR10K193	Erie Christian Fellowship Church 5900 Sterrettania Road Fairview, PA 16415	Walnut Creek (CWF; MF)	Erie County Conservation District (814) 796-6700
Lawrence County Mahoning Township Union Township	PAR103748	William Kelvington Pennsylvania American Water Company P. O. Box 1290 300 Galley Road McMurray, PA 15137	Mahoning River (WWF) Shenango River (WWF)	Lawrence County Conservation District (724) 652-4512

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
York County Manchester Township	PAR233532	Graham Packaging Company LP 2401 Pleasant Valley Road York, PA 17402	UNT to Codorus Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Elizabethtown Borough	PAR803535	7 T's Mgmt., LLC P. O. Box 64019 St. Paul, MN 55164	UNT to Conewago Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Woodward Township Lycoming County	PAG044952	Ralph and Carol Roy 2765 Daugherty Run Rd. Linden, PA 17744	UNT to Daugherty Run (WWF)	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Shamokin Township Northumberland County	PAG044938	Marie Boguslaw R. R. 1, Box 323 Paxinos, PA 17860	Shamokin Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Hepburn Township Lycoming County	PAG011387	Patricia B. McQuiston 2864 Pleasant Valley Rd. Cogan Station, PA 17728	UNT to Fisher Hollow CWF	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 & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Former Fahringer's General Store R. R. 2, Route 93 Berwick, PA 18603 (approx. 5 miles north of Berwick on SR 93) North Centre Township Columbia County	PAG054821	Michael Zenzel R. R. 5, Box 476 Bloomsburg, PA 17815	Unnamed tributary to Fester Hollow	Northcentral Regional Office 208 West Third Street Ste. 101 Williamsport, PA 17701 (570) 321-6550

General Permit Type—PAG-7

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Telephone No.</i>
Athens Township Bradford County	PAG074828	Valley Joint Sewer Authority 1 South River Rd. Athens, PA 18810	Valley JSA Wastewater Tmnt. Facility 1 South River Rd. Athens, PA 18810	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3655

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Lancaster County Conoy Township	PAG123531	Zeager & Sons, Inc. 159 Yoder Road Bainbridge, PA 17502	UNT to Snitz Creek WWF/7-G	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110- 8200
Fulton County Belfast Township	PAG123534	Hickory Lane Farm II 1180 Wertzville Road Needmore, PA 17238	Barnett's Run TSF/13-B	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110- 8200

PUBLIC WATER SUPPLY PERMITS

The Department of Environmental Protection 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 an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the 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 an 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.

Permit No. 5401507, Public Water Supply.

Applicant **Far Away Auburn**
71 West Jefferson Lane
Auburn, PA 17922

Borough or Township South Manheim Township

County **Schuylkill**

Type of Facility Bulk water hauling

Consulting Engineer Charles J. Yourshaw, P.E.
Yourshaw Engineering
2520 West Norwegian Street
Pottsville, PA 17901

Permit to Construct Issued March 27, 2002

Operations Permit issued to Lake Water Land Owner's Association, P. O. Box 111, Springville, PA 18844, PWS I.D. #2580032, Springville Township, Susquehanna County on April 5, 2002, for the operation of facilities approved under Construction Permit 5897502.

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

Permit No. 1601504, Public Water Supply.

Applicant **Pennsylvania-American Water Company—Clarion District**
800 West Hersheypark Drive
P. O. Box 888
Hershey, PA 17033-0888

Borough or Township Monroe, Piney, Paint and Elk Townships

County **Clarion**

Type of Facility PWS

Consulting Engineer Jerry Hankey, P.E.
Pennsylvania-American Water Company
1909 Oakland Avenue
Indiana, PA 15701

Permit to Construct Issued April 9, 2002

Permit No. 1601503, Public Water Supply.

Applicant **Pennsylvania-American Water Company—Clarion District**
800 West Hersheypark Drive
P. O. Box 888
Hershey, PA 17033-0888

Borough or Township Clarion Township

County **Clarion**

Type of Facility PWS

Consulting Engineer Jerry Hankey, P.E.
Pennsylvania-American Water Company
1909 Oakland Avenue
Indiana, PA 15701

Permit to Construct Issued April 9, 2002

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Kidder Township	P. O. Box 576 Lake Harmony, PA 18624	Carbon

Plan Description: The approved plan provides for temporary use of sewage holding tanks, in the Lake Harmony/Split Rock area of Kidder Township. This area is receiving new sanitary sewer service in the near future as approved in the Kidder Township's May 2000 Act 537 Sewage Plan Revision. The submission is consistent with the planning requirements given in 25 Pa. Code Chapter 71 and the Plan is approved. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

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>
Dauphin Borough	P. O. Box 487 Dauphin, PA 17018	Dauphin

Plan Description: The approved plan revision provides for an onlot sewage disposal system management program in the River Road area and an expansion of the sewer service area to serve 26 existing residential properties in the Hillside Road and Erie Street areas. The Department's review of the sewage facilities update revision has not identified any significant impacts resulting from this proposal.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Broad Top Township	187 Municipal Road P. O. Box 57 Defiance, PA 16633	Bedford County

Plan Description: The approved plan of April 11, 2002, for Wilcox Woods by Richard Wilcox provides for approval of a revision to the Official Sewage Plan of Broad Top Township, Bedford County. Project involves construction of a small flow discharge facility to serve a vacation getaway structure and is located north of SR 915 at the intersection of SR 1020. Treated effluent is to be discharged to an unnamed tributary of Sherman Valley Run. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Aleppo Township	100 North Drive Sewickley, PA 15143	Allegheny

Plan Description: The approved plan provides for an extension of sewers to three areas of the Township to serve existing residents. Two of these areas will be conveyed to the Borough of Sewickley's treatment facility via Osborne Borough's sewer system. A municipal service agreement with Sewickley and Osborne Borough will need to be negotiated. The third area will flow by gravity to a proposed pump station which will convey the flows by force main to the existing I-79 North Wastewater Treatment Plant. A 4-year schedule to complete this work is also included. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Ebensburg Borough	300 West High Street Ebensburg, PA 15931	Cambria
Cambria Township	P. O. Box 248 Revloc, PA 15948	Cambria

Plan Description: The approved plan provides for the expansion of the Ebensburg Sewage Treatment Plant to 2.4 million gallons per day and sewer line improvements. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

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

The Department has received the following final reports:

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

Stackpole Center—North East Area, 201 Stackpole Street, City of St. Marys, **Elk County**, has submitted a Remedial Investigation Report concerning remediation of soil, groundwater and surface water contaminated with PCBs, lead, heavy metals, BTEX, PHCs, PAHs and solvents. The report is intended to document remediation of the site to meet the Site Specific Standards.

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

Good Residence, Manheim Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Daniel and Karen Good, 135 Ridge Road, Millersville, PA 17551, submitted a final report concerning remediation of site soils contaminated with BTEX. The report is intended to document remediation of the site to the Statewide Health Standard.

UGI Utilities, Inc. Lebanon Service Building, City of Lebanon, **Lebanon County**. EPSYS Corporation, 1414 North Cameron Street, Suite A, Harrisburg, PA 17103, on behalf of UGI Utilities, Inc., P. O. Box 12677, Reading, PA 19612, submitted a final report concerning the remediation of site soils and groundwater contaminated with BTEX, PAHs and PHCs. The report is intended to document remediation of the site to the Site-Specific standard.

Enola Railyard Greenhouse Area, East Pennsboro Township, **Cumberland County**. ENSR International, One Chatham Center, Suite 900, 112 Washington Place, Pittsburgh, PA 15219-3443, on behalf of Pennsylvania Lines LLC, Three Commercial Place, Norfolk, VA 23510-9241 and Consolidated Rail Corporation, Two Commerce Square, 2001 Market Street, Philadelphia, PA 19101-1416, submitted a final report concerning remediation of site soils and groundwater contaminated with PCBs, lead, heavy metals, BTEX, PHCs, PAHs and solvents. The report is intended to document remediation of the site to the Statewide Health Standard.

Modern Dry Cleaners, Chambersburg Borough, **Franklin County**. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Emory Becker, Modern Dry Cleaners, 130 Lincoln Highway West, Chambersburg, PA 17201, submitted a final report concerning remediation of site soils and groundwater contaminated with BTEX and PHCs. The report is intended to document remediation of the site to a combination of the Statewide Health and Site Specific standards.

Diesel Spill Area at Junction of Routes 222 and 30, City of Lancaster, **Lancaster County**. ECS Claims Administrators, LLC, 520 Eagleview Boulevard, P. O. Box 616, Exton, PA 19341-0636, submitted a final report within 90 days of release concerning remediation of site soils contaminated with PHCs. The report is intended to document remediation of the site to the Statewide Health Standard.

Northwest Region: Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Lord Corporation Cambridge Springs Facility, 124 Grant St., Cambridge Springs, PA 16403-0246, **Crawford County**. Arcadis G & M Inc., 6397 Emerald Parkway, Suite 150, Dublin, OH 43016 (on behalf of Lord Corporation Cambridge Springs Facility, 124 Grant St., Cambridge Springs, PA 16403) has submitted a Final Report concerning remediation of site contaminated with Solvents in the Soil and Groundwater. The report is intended to document remediation of the site to meet the Site Specific Standards. Public notice in the *Erie Times Newspapers* and the *Meadville Tribune* will be complete on or about March 28, 2002.

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.

Capitol Heights Project, City of Harrisburg, **Dauphin County**. Apex Environmental, 220 North Park Road, Reading, PA 19610, on behalf of Streuver Rouse Homes, 1040 Holl Street, Suite 200, Baltimore, MD 21230, 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 April 3, 2002.

Mobil Pipeline Fahnestock Property, Rapho Township, **Lancaster County**. IT Corporation, 1160 McDermott Drive, Suite 102, West Chester, PA 19380 (on behalf of ExxonMobil Refining & Supply Company, P. O. Box 728, Linden, NJ 07036) submitted a final report concerning remediation of site soils contaminated with BTEX and PAHs. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 22, 2002.

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, submitted a final report concerning remediation of site soils and groundwater contaminated with lead, BTEX and solvents. The final report demonstrated attainment of a combination of the Statewide Health and Background standards and was approved by the Department on April 16, 2002.

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

L M Stevenson, Inc., Park and Monroe Streets, Grove City, PA, City of Grove City, **Mercer County** has submitted a Final Report to remediate soil and groundwater contaminated with lead, heavy metals, PHCs and PAHs. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department April 10, 2002.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit Modifications 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.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. 101568. University Area Joint Authority for the Spring Creek Composting Facility located in College Township, **Centre County**. To increase the amount of biosolids for composting and enlarge the composting building. The permit modification was issued by the Williamsport Regional Office on April 9, 2002.

Persons interested in reviewing the permit may contact John C. Hamilton, P.E., Facilities Operations Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

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

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.

23-312-217GP: Sunoco, Inc. (Delaware Avenue and Green Streets, Marcus Hook, PA 19061) on April 12, 2002, for nine storage tanks in Marcus Hook Borough, **Delaware County**.

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

GP-04-00034R: Engineered Polymer Solutions (372 Cleveland Avenue, Rochester, PA 15074) on April 8, 2002, for operation of one 11,000 gallon storage tank containing Isopropyl Alcohol with a Vapor Pressure of 0.3556 psia at storage temperature in Rochester, **Beaver 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.

46-0203: Limerick Partners, LLC (3298 Sanatoga Road, Pottstown, PA 19464) on April 9, 2002, for operation of a 500 mw combined cycle power plant in Limerick Township, **Montgomery County**.

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

36-05026A: R. R. Donnelley and Sons Co. (1375 Harrisburg Pike, Lancaster, PA 17601) on April 8, 2002, for installation of one web offset printing press in the City of Lancaster, **Lancaster County**.

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

20-145A: PPG Industries, Inc.—Works #8 (Kebert Industrial Park, Meadville, PA 16335) on April 10, 2002, for modifications to Line 1 Glass Melting Furnace in Greenwood Township, **Crawford County**.

37-318A: International Specialty Alloys, Inc.—Aerospace Division (Route 551, Edenburg, PA 16116) on April 8, 2002, for construction of a thermite reduction process in Neshannock Township, **Lawrence County**.

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

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

15-0018: Wyeth-Ayerst Pharmaceuticals, Inc. (31 Morehall Road, Frazer, PA 19355) on April 10, 2002, for operation of three internal combustion engines in East Whiteland Township, **Chester County**.

09-0046A: RJM Manufacturing, Inc. (250 Canal Road, Fairless Hills, PA 19030) on April 10, 2002, for operation of a surface coater on Line 3 in Falls Township, **Bucks County**.

46-0198C: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041) on April 10, 2002, for operation of a 400 winnower and baghouse in Upper Hanover Township, **Montgomery County**.

46-0198: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041) on April 10, 2002, for operation of a alkalization reactor in Upper Hanover Township, **Montgomery County**.

46-0198B: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041) on April 12, 2002, for operation of a jetzone grinding unit mist eliminator in Upper Hanover Township, **Montgomery County**.

46-0198A: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041) on April 12, 2002, for operation of a cocoa bean deshelling operation in Upper Hanover Township, **Montgomery County**.

301-259B: East Norriton Plymouth Whitpain JSA (200 Ross Street, Plymouth Meeting, PA 19462) on April 15, 2002, for operation of a sludge incinerator in Plymouth Township, **Montgomery County**.

46-0115: Knoll, Inc. (1235 Water Street, East Greenville, PA 18041) on April 15, 2002, for operation of a tornado dust collector to exhaust in East Greenville Borough, **Montgomery County**.

15-0060B: SECCRA Landfill (219 West Street Road, Kennett Square, PA 19348) on April 15, 2002, for operation of a landfill gas open flare in London Grove Township, **Chester County**.

09-0007A: Waste Management Disposal Services of PA (1513 Bordentown Road, Morrisville, PA 19067) on April 15, 2002, for operation of a solid waste landfill expansion in Falls Township, **Bucks County**.

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

41-0007A: Coastal Aluminum Rolling Mills, Inc. (2475 Trenton Avenue, Williamsport, PA 17701) on April 12, 2002, to extend authorization to operate a cold aluminum rolling mill (#3) and associated air cleaning device (a filter system and a thermal oxidizer) on a temporary basis until August 10, 2002, in the City of Williamsport, **Lycoming County**.

47-0001E: PPL Montour, LLC (c/o PPL Generation, LLC, 2 North Ninth Street, Allentown, PA 18101-1179) on April 10, 2002, to extend authorization to operate a bituminous coal-fired electric utility boiler (Unit #1) and

associated air cleaning devices (an electrostatic precipitator and a selective catalytic reduction system) on a temporary basis until August 8, 2002, at the Montour Steam Electric Station in Derry Township, **Montour County**.

53-00006A: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222-3199) on April 9, 2002, to extend authorization to operate five natural gas-fired reciprocating internal combustion compressor engines (Engines 3—8) on a temporary basis until August 7, 2002, at the Ellisburg Compressor Station in Genesee Township, **Potter County**.

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

24-106A: Allegheny Color Corp. (20 Gillis Avenue, Ridgway, PA 15853) on March 31, 2002, for ball mills in Ridgway, **Elk County**.

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

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

59-00005: Dominion Transmission, Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) on March 18, 2002, revised to include terms and conditions for operation of screw-in prechambers on five 1,300 horsepower natural gas fired internal combustion engines (Engines 1—5) installed under Plan Approval 59-00005C at their Sabinsville Gas Compressor Station in Clymer Township, **Tioga County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

18-00006: Dominion Transmission, Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) on March 18, 2002, revised to include terms and conditions for operation of screw-in prechambers on five 2,000 horsepower natural gas fired internal combustion engines (Engines 1—3, 7 and 8) installed under Plan Approval 18-00006A at their Leidy Gas Compressor Station in Leidy Township, **Clinton County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

53-00004: Dominion Transmission, Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) on March 18, 2002, revised to include terms and conditions for operation of a 25.2 mmBtu/hr natural gas fired boiler constructed under Plan Approval 53-00004A at their Harrison Gas Compressor Station in Harrison Township, **Potter County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

18-00005: Dominion Transmission, Inc. (625 Liberty Avenue, Pittsburgh, PA 15222) on March 20, 2002, revised to include terms and conditions from a revised RACT determination for Engine #4, a 4,000 horsepower natural gas fired internal combustion engine, at their Finnefrock Gas Compressor Station in Leidy Township, **Clinton County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

55-00001: Sunbury Generation, LLC (P. O. Box 19002 Green Bay, WI 54307) on March 20, 2002, revised to include terms and conditions for operation of an

enclosed screw conveyer at the facility's dry flyash handling system in Shamokin Dam Borough, **Snyder County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

19-00001: Magee Rieter Automotive Systems, Inc. (480 West Fifth Street, Bloomsburg, PA 17815) on March 20, 2002, revised to include terms and conditions for operation of a 13.5 mmBtu/hr natural gas fired carpet dryer constructed under Plan Approval 19-00001A at their facility in Bloomsburg, **Columbia County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

12-00002: GKN Sinter Metals (R. R. 2 Box 47, Emporium, PA 15834) on March 22, 2002, revised to include terms and conditions for operation of an oil impregnation system constructed under Plan Approval 12-00002A at their Cameron Road facility in Shippen Township, **Cameron County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

63-00016: Allegheny Energy Supply Co., LLC (4350 Northern Pike, Monroeville, PA 15146-2841) on March 26, 2002, for operation of an electric power generation facility in Monongahela Township, **Washington County**.

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

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

06-03114: Aluminum Alloys, Inc. (P. O. Box 2197, Sinking Spring, PA 19608-2197) on April 9, 2002, for operation of its aluminum foundry in Lower Heidelberg Township, **Berks County**.

06-05083: Williams Metal Finishing, Inc. (850 Commerce Street, Sinking Spring, PA 19608) on April 10, 2002, for operation of a metal finishing facility in Sinking Spring Borough, **Berks County**.

67-03086: Electro-Platers of York, Inc. (209 East Willow Street, Wrightsville, PA 17368) on April 10, 2002, for operation of metal plating systems in Wrightsville Borough, **York County**.

67-05094: Kemps Foods, LLC (2 West Hamilton Avenue, York, PA 17401) on April 12, 2002, for operation of a 40 mmBtu/hr Keeler boiler fired by No. 4 fuel oil or natural gas in the City of York, **York County**.

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

60-00001: Bucknell University (University Avenue, Lewisburg, PA 17837) on February 11, 2002, for their power plant in Lewisburg Borough, **Union County**. The facility's main sources include a Tampella boiler, an Indeck Boiler, a duct burner, a combustion turbine, 25 small boilers and furnaces and 15 emergency generators. This operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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.

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

49-00019: Sunoco Partners Marketing and Terminals L.P. (1801 Market Street—26/10 PC Philadelphia, PA 19103-1699) on April 5, 2002, revised for a change of ownership of the Northumberland terminal formerly owned by Atlantic Refining and Marketing Corp. and operated by Sunoco, Inc. (R and M) in Point Township, **Northumberland County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

47-00002: Great Dane L.P. (R. R. 8, Box 281, Danville, PA 17821) on April 12, 2002, revised for a change of ownership of the Danville facility formerly owned by Strick Corp. in Limestone Township, **Montour County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

49861303R3. Snyder Coal Company (66 Snyder Lane, Hegins, PA 17938), renewal of an existing anthracite underground mine operation in Zerbe Township, **Northumberland County** affecting 2.8 acres, receiving stream: none. Application received October 24, 2001. Renewal issued April 11, 2002.

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

03970103 and NPDES No. PA0201944. Marquise Mining Corp. (3889 Menoher Blvd., Johnstown, PA 15905). Renewal permit for reclamation only of a bituminous surface mine located in Kiskiminetas Township, **Armstrong County**, affecting 184 acres. Receiving streams: unnamed tributary to Sulphur Run and Long

Run. Renewal application received January 22, 2002. Renewal issued April 9, 2002.

26970102 and NPDES No. PA0201936. Amerikohl Mining, Inc. (202 Sunset Dr., Butler, PA 16001). Renewal permit for reclamation only of a bituminous surface mine located in Saltlick Township, **Fayette County**, affecting 93.5. Receiving streams: unnamed tributary "A" to Poplar Run 7 and Indian Creek. Renewal application received January 24, 2002. Renewal issued April 9, 2002.

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

37010105. Kerry Coal Company (R. D. 2, Box 2139, Wampum, PA 16159) Commencement, operation and restoration of a bituminous strip operation in Little Beaver Township, **Lawrence County** affecting 133.6 acres. Application received August 27, 2001. Permit Issued April 10, 2002.

Noncoal Permits Actions

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

67000301 and NPDES Permit #PA0224065. Cemex, Inc. (1200 Smith Street, Suite 2400, Houston, TX 77002), commencement, operation and restoration of a quarry operation in Jackson Township, **York County** affecting 288.75 acres, receiving stream: Little Conewago Creek. Application received January 19, 2000. Permit issued April 8, 2002.

40012803. Dotzel Trucking (1898 Slocum Road, Mountaintop, PA 18707), commencement, operation and restoration of a quarry operation in Slocum Township, **Luzerne County** affecting 5.0 acres. Receiving streams: Little Wapwallopen Creek and Susquehanna River. Application received November 30, 2001. Permit issued April 10, 2002.

09870302C4 and NPDES Permit #PA0036721. Delaware Valley Concrete Co., Inc. (248 E. County Line Road, P. O. Box 457, Hatboro, PA 19040), renewal of NPDES Permit in Tincum Township, **Bucks County**, receiving stream: Delaware River. Application received February 25, 2002. Renewal issued April 10, 2002.

64012804. Johnston & Rhodes Bluestone Co. (P. O. Box 130, East Branch, NY 13756), commencement, operation and restoration of a quarry operation in Scott Township, **Wayne County**, affecting 5.0 acres. Receiving streams: Tarbox Brook and Balls Creek. Application received December 17, 2001. Permit issued April 10, 2002.

64010813. Johnston & Rhodes Bluestone Co. (P. O. Box 130, East Branch, NY 13756), commencement, operation and restoration of a bluestone quarry operation in Scott Township, **Wayne County**, affecting 1.0 acre. Receiving stream: Sherman Creek, tributary to West Branch Delaware River. Application received December 12, 2001. Permit issued April 11, 2002.

50820303C4 and NPDES Permit #PA0613169. Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105), renewal of NPDES Permit in Oliver Township, **Perry County**, receiving stream: Little Buffalo Creek. Application received February 27, 2002. Renewal issued April 11, 2002.

7075SM1C3 and NPDES Permit #PA0612120. Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105), renewal of NPDES Permit in Spring Township, **Perry County**, receiving stream: Sherman's Creek. Application received February 27, 2002. Renewal issued April 11, 2002.

7175SM1A1C5 and NPDES Permit #PA0613827. Pennsy Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105), renewal of NPDES Permit in South Hanover Township, **Dauphin County**, receiving stream: Swatara Creek. Application received February 27, 2002. Renewal issued April 11, 2002.

7973SM3C6 and NPDES Permit #PA0594369. Miller Quarries (P. O. Box 161, 1371 West Street Road, Warminster, PA 18974), depth correction for existing quarry operation in Wrightstown Township, **Bucks County** affecting 60.0 acres, receiving stream: Mill Creek. Application received August 5, 2001. Correction issued April 12, 2002.

40020802. Piacenti Trucking & Excavating, Inc. (Rear 538 Putnam Street, Hazleton, PA 18201), small quarry operation in Butler Township, **Luzerne County**, affecting 40.0 acres, with 5 acres authorized for mining. Receiving stream: None. Application received January 29, 2002. Permit issued April 12, 2002.

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

08010819. Duane D. Harper, 2065 Highway 98W, Louisburg, NC 17549. Commencement, operation and restoration of a small industrial minerals (flagstone) permit in Terry Township, **Bradford County** affecting 1 acre. Receiving streams: unnamed stream, tributary to West Branch Susquehanna River. Application received July 30, 2001. Permit issued April 8, 2002.

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

26920401 and NPDES No. PA0203441. Coolspring Mining, Inc. (P. O. Box 1328, Uniontown, PA 15401). Renewal of NPDES for a noncoal surface mine located in North Union Township, **Fayette County**, affecting 60.6 acres. Receiving streams: unnamed tributary to Coolspring Run to Shute Run to Cove Run to Redstone Creek. Renewal application received January 25, 2002. Renewal issued April 9, 2002.

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

31000302 and NPDES Permit No. PA0235067. Glenn O. Hawbaker, Inc., 325 West Aaron Drive, State College, PA 16804, commencement, operation and restoration of a noncoal surface mine in Morris Township, **Huntingdon County**, affecting 118.44 acres. Receiving streams: Shaffers Run, a tributary of the Frankstown Branch of the Juniata River classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 4, 2000. Application issued April 9, 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 to Kooser Run. NPDES renewal application received February 12, 2002. Permit Issued April 9, 2002.

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

10010305. Glacial Sand & Gravel Co. (P. O. Box 1022, Kittanning, PA 16201) Commencement, operation and restoration of a sand and gravel operation in Worth Township, **Butler County** affecting 104.6 acres. Receiving streams: None. Application received April 12, 2001. Permit Issued April 11, 2002.

ing streams: None. Application received April 12, 2001. Permit Issued April 11, 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

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

14024006. Satalia Construction, 183 Slab Cabin Lane, State College, PA 16801, for construction blasting located in College Township, **Centre County** with an expected duration of 5 days. Permit issued April 9, 2002.

14024007. Sunrise Homes, 2790 West College Avenue, State College, PA 16801, for construction blasting located in College Township, **Centre County** with an expected duration of 30 days. Permit issued April 9, 2002.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the 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 an 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 an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the 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 an 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

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

E35-342. First Industrial Acquisitions, Inc., 200 Phillips Road, Exton, PA 19341-1329. Covington and Clifton Townships, **Lackawanna County**, Army Corps of Engineers Philadelphia District.

To place fill in 0.09 acre of wetlands within the Meadow Brook Watershed and to place fill in 0.46 acre of wetlands within the Tamarack Creek Watershed for the purpose of constructing and developing the Covington Industrial Park. The permittee is required to provide 0.55 acre of replacement wetlands by restoring a channelized portion of Tamarack Creek and reestablishing hydrology to a drained wetland. The project is located along the east side of SR 0435, between SR 2013 and SR 0307 (Sterling, PA Quadrangle N: 3.2 inches; W: 17.0 inches).

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

E22-436. Exxon Mobile Pipeline Company, 8 South Main Street, Malvern, PA 19355 in Lower Swatara and Londonderry Townships, **Dauphin County**, ACOE Baltimore District

To construct No. 2A bedding stone over an existing 8-inch diameter high pressure petroleum products pipeline covered with a cabled articulated concrete block mat and backfilled upstream and downstream with R-4 rock riprap in the channel of Swatara Creek (WWF) for the purpose of providing scour protection located at SR 2003 bridge crossing of the Creek (Middletown, PA Quadrangle N: 15.9 inches; W: 13.4 inches) in Lower Swatara and Londonderry Townships, Dauphin County.

E28-295. John Fred Stenger, 99 Limekiln Drive, Chambersburg, PA 17201 in Chambersburg Borough, **Franklin County**, ACOE Baltimore District

To construct and maintain a 6-inch outfall structure to provide a stable discharge point for roof/foundation drainage and regrade the stream embankment to create a mowable/maintainable slope for the property owner along Falling Spring Creek (TSF) (Chambersburg, PA Quadrangle N: 10.5 inches; W: 2.3 inches) in Chambersburg Borough, Franklin County.

E31-179. Robert Hartnett, SR HC1 BRECC Lane, Spruce Creek, PA 16683 in Franklin Township, **Huntingdon County**, ACOE Baltimore District

To maintain 327 feet of timber retaining all with limestone backfill and to construct and maintain fish habitat structures including a log frame deflector, two log frame wings with overhead cover, two sections of log-framed overhead cover sills, removal of a rock dam and random boulder placement along the retaining wall and within the channel of Spruce Creek (HQ-CWF) at a point approximately 1,500 feet downstream of Franklinville (Franklinville, PA Quadrangle N: 2.7 inches; W: 12.7 inches) in Franklin Township, Huntingdon County.

E36-726. Lancaster Area Sewer Authority, 130 Centerville Road, Lancaster, PA 17603 in West Hempfield Township, **Lancaster County**, ACOE Baltimore District

To upgrade and maintain the existing sewage facilities pump station (Farmdale Pumping Station) to a recommended capacity of 690 gpm minimum from 488 gpm current and the addition of an odor control and corrosion inhibiting system within the floodplain of Chickies Creek (WWF) at the intersection of Bridge Valley Road and Miller Drive (Columbia East, PA Quadrangle N: 12.1 inches; W: 14.3 inches) in West Hempfield Township, Lancaster County.

E67-708. Texas Eastern Pipeline Company, 71-73 Denison Parkway, P. O. Box 99, Corning, PA 14830 in Fairview Township, **York County**, ACOE Baltimore District

To construct a pipeline protection project for an exposed TEPPCO A-3 Petroleum Products Pipeline (LPG) which requires the placement of a 12.0-foot long, 8.0-foot wide, 9.0-inch thick gabion revetment mattress, filled with R-4 size rock riprap, over top of the existing pipeline in an unnamed tributary to the Marsh Run (WWF) located about 100 feet south of the eastbound lane of Marsh Run Road (SR 1005) at a point 1.1 miles east southeast of the intersection of Marsh Run Road and the Susquehanna Trail (SR 1003) (Steelton, PA Quadrangle N: 12.9 inches; W: 11.2 inches) in Fairview Township, York County.

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

E63-500. Pennsylvania Department of Transportation, Engineering District 12-0, P. O. Box 459, Uniontown, PA 15401. California Borough, **Washington County**, ACOE Pittsburgh District.

To remove the existing bridges and to construct and maintain two new bridges across an unnamed tributary to Gorby Run (TSF) and Gorby Run (TSF) and to relocate and maintain 146.0 meters (479.0 feet) of the channel of Gorby Run for the purpose of improving S.R. 2030. The project is located on S.R. 2030, Section G01, Station 1+920 and S.R. 2030, Section G02, Station 1+724.5. This permit also authorizes the construction and maintenance of several outfall structures, two temporary road crossings and a temporary stream diversion pipe (California, PA Quadrangle N: 14.6 inches; W: 6.5 inches).

E63-501, Richard S. and Johnnie G. Peteritis, 1013 California Drive, Coal Center, PA 15423. California Borough, **Washington County**, ACOE Pittsburgh District.

To remove the existing bridge and to construct and maintain a new bridge having a span of 4.11 meters (13.5 feet) with an underclearance of 1.02 meters (3.35 feet) across Gorby Run (TSF) for the purpose of improving S.R. 2030, Sections G01 and G02. The project is located on the north side of S.R. 2030, approximately 60 meters (197 feet) downstream from the intersection of S.R. 2030 and South California Drive (California, PA Quadrangle N: 14.35 inches; W: 6.37 inches).

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

E42-286, Tuna Valley Trail Association, 20 Russell Boulevard, Bradford, PA 16701. Tuna Valley North Trail Crook Farm Loop, in Foster Township, **McKean County**, ACOE Pittsburgh District.

To construct and maintain a 1.4 mile long 10 foot wide recreational trail along the west bank of Tunungwant Creek beginning at Bolivar Drive (Bradford, PA-NY Quadrangle N: 18.5 inches; W: 0 inch) and extending north to Tuna Cross Road (Derrick City, PA-NY Quadrangle N: 22.1 inches; W: 16.8 inches) within the Bradford Flood Control Project and to construct and maintain a 50-foot long steel beam bridge across Latchaw Creek at near its confluence with Tunungwant Creek approximately 1,600 feet south of Tuna Cross Road (Bradford, PA-NY Quadrangle N: 21.4 inches; W: 0.1 inch).

DAM SAFETY

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

D45-033, Pocahontas Rod and Gun Club (302 East Main Street, Stroudsburg, PA 18360). To modify, operate and maintain Pocahontas Dam across a tributary to Brodhead Creek (HQ-CW), for the purpose of recreation (East Stroudsburg, PA Quadrangle N: 9.1 inches; W: 9.95 inches) in Stroud Township, **Monroe County**.

SPECIAL NOTICES

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

Categorical Exclusion

Location: **Adams Township Municipal Authority**, P. O. Box 265, Sidman, PA 15926. Adams Township, **Cambria County**.

Description: The Pennsylvania Infrastructure Investment Authority (PENNVEST), which Administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority pro-

poses to replace existing sewers to prevent sanitary and sewer overflows. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Location: **North Apollo Borough**, Box 501, North Apollo, PA 15673. North Apollo Borough, **Armstrong County**.

Description: PENNVEST, which Administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Borough proposes to separate existing sewers to eliminate combined sewer overflows. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Location: **City of Jeannette Municipal Authority**, P. O. Box 294, Penn, PA 15675. City of Jeannette, **Westmoreland County**.

Description: PENNVEST, which Administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to rehabilitate existing sewers and modify a pump station to eliminate sanitary sewer overflows. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Location: **Kiski Valley Water Pollution Control Authority**, 1200 Pine Camp Road, Leechburg, PA 15656. Allegheny Township, **Westmoreland County**.

Description: PENNVEST, which Administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to rehabilitate the existing sewage treatment plant to minimize combined sewer overflows. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Location: **New Eagle Borough Municipal Sewer Authority**, 157 Main Street, New Eagle, PA 15067. New Eagle Borough, **Washington County**.

Description: PENNVEST, which Administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to rehabilitate existing sewers to prevent basement flooding and sewer overflows. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Location: **Ligonier Township Sanitary Authority**, 16 Old Lincoln Highway West, Ligonier, PA 15658. Ligonier Township, **Westmoreland County**.

Description: PENNVEST, which Administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to rehabilitate existing sewers to prevent sewer overflows. The Department's review of the project and the information received has not identified any significant, adverse

environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Location: **Borough of North Belle Vernon**, 503 Speer Street, North Belle Vernon, PA 15012. North Belle Vernon Borough, **Westmoreland County**.

Description: PENNVEST, which Administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Borough proposes to separate existing sewers to eliminate combined sewer overflows. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Location: **Borough of Windber**, 1409 Somerset Avenue, Windber, PA 15963. Windber Borough, **Somerset County**.

Description: PENNVEST, which Administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Borough proposes to replace existing sewers to prevent basement flooding and sewer overflows. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Location: **City of Uniontown**, 20 N Gallatin Avenue, Uniontown, PA 15401. City of Uniontown, **Fayette County**.

Description: PENNVEST, which Administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The City proposes to separate existing sewers to prevent basement flooding and sewer overflows. The Department's review of the

project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

[Pa.B. Doc. No. 02-750. Filed for public inspection April 26, 2002, 9:00 a.m.]

Stream Redesignation Evaluations; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use) the Department of Environmental Protection (Department) hereby gives notice that evaluations of all or portions of the following streams are being or will be conducted. Stream evaluations for designated uses other than High Quality (HQ) or Exceptional Value (EV) are also listed. The portion of each water body being evaluated is outlined.

Persons who have technical data concerning the water quality, instream habitat or biological condition of these waters are encouraged to make it available to the Department for consideration in the assessments. These assessments may lead to recommendations to the Environmental Quality Board for redesignation.

Data should be submitted to Robert F. Frey, Division of Water Quality Assessment and Standards, Bureau of Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467, e-mail rofrey@state.pa.us. Data should be submitted no later than May 31, 2002. Questions concerning these evaluations can be directed to Robert Frey at (717) 787-9637.

<i>Water Body</i>	<i>County</i>	<i>Tributary to</i>	<i>HQ/EV</i>
Bald Eagle Creek Main stem, confluence of Spring Creek to inlet of Sayers Lake	Centre	W. Br. Susquehanna R.	
Big Brook Basin, source to Gridline Road (T-477)	Wayne	Dyberry Creek	X
Blue Eye Run Evaluation will initially focus near the PA Route 27 crossing near Garland, but may extend upstream	Warren	Brokenstraw Creek	X
Bowman Creek Evaluation will initially focus near the SR 3002 crossing near Stull, but may extend upstream	Wyoming	Susquehanna River	X
Brooke Evans Creek Entire basin	Montgomery	Schuylkill River	X
Conewago Creek Evaluation will initially focus near the Bottom Road (T-363) crossing, but may extend upstream	Adams	Susquehanna River	X
East Branch Dyberry Creek Evaluation will initially focus near the confluence with the West Branch, but may extend upstream	Wayne	Dyberry Creek	X
Little Wills Creek Evaluation will initially focus near the PA Route 96 crossing at Bard, but may extend upstream	Bedford, Somerset	Wills Creek	X
Mill Creek Entire basin	Berks	Tulpehocken Creek	
Minister Creek Evaluation will initially focus near the PA Route 666 crossing near mouth, but may extend upstream	Forest, Warren	Tionesta Creek	X
Mountain Creek Evaluation will focus near the T-340 crossing at Pine Grove Furnace, but may extend upstream	Cumberland, Adams	Yellow Breches Creek	X

<i>Water Body</i>	<i>County</i>	<i>Tributary to</i>	<i>HQ/EV</i>
Muncy Creek Evaluation will initially focus near the confluence of Slip Run, but may extend upstream	Sullivan	W. Br. Susquehanna R.	X
Pine Creek Entire basin	Schuylkill	Little Schuylkill River	X
Pine Run Entire basin	Clearfield	Chest Creek	X
Spruce Run Evaluation will initially focus near the SR 1001 crossing, but may extend upstream	Union	Buffalo Creek	X
UNT Conestoga Creek Entire basin	Lancaster	Conestoga Creek	
UNT Lackawanna River (Clarks Creek) Entire basin	Wayne	Lackawanna River	X
UNT Lizard Creek Entire basin	Carbon	Lizard Creek	X
UNT Tunkhannock Creek Evaluation will initially focus near the SR 2046 crossing at Gelatt, but may extend upstream	Susquehanna	Tunkhannock Creek	X
Young Womans Creek Evaluation will initially focus near the confluence of Laurelly Fork, but may extend upstream	Clinton, Potter, Lycoming	West Branch Susquehanna R.	X

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Robert Frey directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 02-751. Filed for public inspection April 26, 2002, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Contractors

The Department of General Services is seeking contractors to remove mixed scrap metals, scrap batteries and scrap drums from State agencies throughout this Commonwealth. Contracts begin on July 1, 2002. For more information call (717) 787-4085 or e-mail mthrush@state.pa.us before the bid opening on May 17, 2002.

KELLY POWELL LOGAN,
Secretary

[Pa.B. Doc. No. 02-752. Filed for public inspection April 26, 2002, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Armstrong County Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Armstrong County Memorial Hospital has requested an exception to the requirements of 28 Pa. Code §§ 51.3(a) and 51.23 (relating to notification; and positron emission tomography).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-753. Filed for public inspection April 26, 2002, 9:00 a.m.]

Application of Clearfield Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Clearfield Hospital has requested an exception to the requirements of 28 Pa. Code §§ 51.23 and 107.2 (relating to positron emission tomography; and medical staff membership).

These requests are on file with the Department. Persons may receive a copy of a request for exception by

requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DDITLOW@STATE.PA.US.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address previously listed.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT: (717) 783-6154 for Speech and/or Hearing Impaired Persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-754. Filed for public inspection April 26, 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 Wednesday May 15, 2002, and Thursday May 16, 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 desire to attend the meeting, and require an auxiliary aid, service or other accommodation to do so, should 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. 02-755. Filed for public inspection April 26, 2002, 9:00 a.m.]

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on June 6, 2002, from 10 a.m. to 2 p.m. The meeting will be held at the offices of the Gift of Life Donor Program, Main Conference Room, Suite 201, Rodin Building, 2000 Hamilton Street, Philadelphia, PA.

For additional information, contact William J. Neil, Manager, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention or Betty Lou Rapp, Clerk Typist II, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention, 1000 Health and Welfare Building, Harrisburg, PA, at (717) 787-5900.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William J. Neil or Betty Lou Rapp at (717) 787-5900. V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-756. Filed for public inspection April 26, 2002, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Mercy Center Nursing Unit, Inc.
Box 370, Lake Street
Dallas, PA 18612

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.9(a) (relating to corridors):

Dock Terrace
275 Dock Drive
Lansdale, PA 19446-6215

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.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address previously listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of 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. 02-757. Filed for public inspection April 26, 2002, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Federal Poverty Income Guidelines for 2002

The Department of Public Welfare (Department) announces the implementation in this Commonwealth of the 2002 Federal Poverty Income Guidelines (FPIGs) which were issued by the Department of Health and Human Services and published at 67 FR 6931 on February 14, 2002.

The FPIGs are the basis for the income eligibility limits for several categories of Medicaid whose regulations are published in 55 Pa. Code and administered by the Department. These categories include Healthy Beginnings for Pregnant Women and Qualified Children, Chapter 140, Subchapter A; Healthy Horizons for the Elderly and Disabled, Chapter 140, Subchapter B; and Extended Medical Coverage under Categorically Needy TANF-Related Categories, Chapter 140, Subchapter C.

The percentages for the Medicaid categories of Healthy Beginnings and Healthy Horizons are set forth as follows:

Persons	100% of FPIG		120% of FPIG		133% of FPIG		135% of FPIG		175% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$ 739	\$ 8,860	\$ 886	\$10,632	\$ 982	\$11,784	\$ 997	\$11,961	\$1,293	\$15,505
2	\$ 995	\$11,940	\$1,194	\$14,328	\$1,324	\$15,881	\$1,344	\$16,119	\$1,742	\$20,895
3	\$1,252	\$15,020	\$1,502	\$18,024	\$1,665	\$19,977	\$1,690	\$20,277	\$2,191	\$26,285
4	\$1,509	\$18,100	\$1,810	\$21,720	\$2,007	\$24,073	\$2,037	\$24,435	\$2,640	\$31,675
5	\$1,765	\$21,180	\$2,118	\$25,416	\$2,348	\$28,170	\$2,383	\$28,593	\$3,089	\$37,065
6	\$2,022	\$24,260	\$2,426	\$29,112	\$2,689	\$32,266	\$2,730	\$32,751	\$3,538	\$42,455
7	\$2,279	\$27,340	\$2,734	\$32,808	\$3,031	\$36,363	\$3,076	\$36,909	\$3,988	\$47,845
8	\$2,535	\$30,420	\$3,042	\$36,504	\$3,372	\$40,459	\$3,423	\$41,067	\$4,437	\$53,235
Each Additional Person	\$ 257	\$ 3,080	\$ 308	\$ 3,696	\$ 342	\$ 4,097	\$ 347	\$ 4,158	\$ 450	\$ 5,390

Persons	185% of FPIG		200% of FPIG		235% of FPIG		250% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$1,366	\$16,391	\$1,477	\$17,720	\$1,736	\$20,821	\$1,846	\$22,150
2	\$1,841	\$22,089	\$1,990	\$23,880	\$2,339	\$28,059	\$2,488	\$29,850
3	\$2,316	\$27,787	\$2,504	\$30,040	\$2,942	\$35,297	\$3,130	\$37,550
4	\$2,791	\$33,485	\$3,017	\$36,200	\$3,545	\$42,535	\$3,771	\$45,250
5	\$3,266	\$39,183	\$3,530	\$42,360	\$4,148	\$49,773	\$4,413	\$52,950
6	\$3,741	\$44,881	\$4,044	\$48,520	\$4,751	\$57,011	\$5,055	\$60,650
7	\$4,215	\$50,579	\$4,557	\$54,680	\$5,355	\$64,249	\$5,696	\$68,350
8	\$4,690	\$56,277	\$5,070	\$60,840	\$5,958	\$71,487	\$6,338	\$76,050
Each Additional Person	\$ 475	\$ 5,698	\$ 514	\$ 6,160	\$ 604	\$ 7,238	\$ 642	\$ 7,700

These percentages apply as follows:

Healthy Beginnings—

- 185% for pregnant women and infants up to 1 year of age.
- 133% for children 1—5 years of age.
- 100% for children 6 years of age and older who were born after September 30, 1983.

Healthy Horizons—

- 100% for those persons eligible for the categorically needy and Medicare cost-sharing benefits.
- 120% for those persons eligible for the Specified Low-Income Medicare Beneficiaries and Medically Needy Only benefits.
- 135% and 175% for those persons eligible for the Qualifying Individuals Beneficiaries benefits.

(There are different resource limits for each of these programs.)

Additional information on the specific program is available at the county assistance offices.

Effective Date

This notice shall take effect upon publication in the *Pennsylvania Bulletin* and apply retroactively to February 14, 2002.

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-320. No fiscal impact; (8) recommends adoption. The Medical Assistance Inpatient and Outpatient appropriations provide for the additional costs resulting from the increase in the income guidelines.

Annex A

TITLE 55. PUBLIC WELFARE

PART II. PUBLIC ASSISTANCE MANUAL

Subpart C. ELIGIBILITY REQUIREMENTS

CHAPTER 140. SPECIAL MA ELIGIBILITY PROVISIONS

Subchapter C. ELIGIBILITY PROVISIONS FOR EMC UNDER THE CATEGORICALLY NEEDY PROGRAM FOR AFDC/AFDC-U RELATED CATEGORIES

APPENDIX A

EXTENDED MEDICAL COVERAGE (EMC) MONTHLY INCOME LIMITS

185% OF THE 2002 FEDERAL POVERTY INCOME GUIDELINES

<i>Family Size</i>	<i>185% of the Federal Poverty Income Guidelines</i>
1	\$1,366
2	\$1,841
3	\$2,316
4	\$2,791
5	\$3,266
6	\$3,741
7	\$4,215
8	\$4,690
Each Additional Person	\$ 475

[Pa.B. Doc. No. 02-758. Filed for public inspection April 26, 2002, 9:00 a.m.]

Income Limits for the Categorically Needy Non-money Payment Medicaid Program

The Department of Public Welfare (Department) increased the income limits codified in 55 Pa. Code § 181.1(f)(1), (2) and (4) (relating to general policy on MA income common to all categories of MA) effective January 1, 2002.

The regulations in 55 Pa. Code § 181.1(f)(1), (2) and (4) establish that the income limits for the Categorically Needy Nonmoney Payment Medicaid Program for aged, blind and disabled persons are based on the Supplemental Security Income (SSI) Federal benefit rate payable under Title XVI of the Social Security Act (42 U.S.C.A. §§ 1381—1383c). Effective January 1, 2002, the Federal benefit rate was increased due to the Federal cost-of-living increase.

As required under 55 Pa. Code § 181.1(f), the Department revised the income limits for the Categorically Needy Nonmoney Payment Medicaid Program for aged, blind and disabled persons effective January 1, 2002. Those limits are set forth in Appendices A, B and D, which are recommended for codification in 55 Pa. Code Chapter 181 (relating to income provisions for categorically needy NMP-MA and MNO-MA). Appendix A is the SSI Federal benefit rate plus the State supplement payable under Title XVI. Appendix B is 300% of the SSI Federal benefit rate payable under Title XVI. Appendix D is the SSI Federal benefit rate payable under Title XVI. Item 1 of Appendix D is half of the SSI Federal benefit rate for one person. Item 2 of Appendix D is half of the SSI Federal benefit rate for two persons.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

FEATHER O. HOUSTOUN,
Secretary

Fiscal Note: 14-NOT-321. (1) General Fund;

	<i>Outpatient</i>	<i>Inpatient</i>	<i>Capitation</i>
(2) Implementing Year 2001-02 is	\$12,000	\$ 7,000	\$35,000;
(3) 1st Succeeding Year 2002-03 is	\$35,000	\$22,000	\$69,000;
2nd Succeeding Year 2003-04 is	\$35,000	\$22,000	\$69,000;
3rd Succeeding Year 2004-05 is	\$35,000	\$22,000	\$69,000;
4th Succeeding Year 2005-06 is	\$35,000	\$22,000	\$69,000;
5th Succeeding Year 2006-07 is	\$35,000	\$22,000	\$69,000;

	<i>Outpatient</i>	<i>Inpatient</i>	<i>Capitation</i>
(4) 2002-01 Program—	\$668,586,000	\$418,707,000	\$1,487,944,000;
1999-00 Program—	\$622,669,000	\$392,528,000	\$1,384,763,000;
1998-99 Program—	\$695,935,000	\$453,594,000	\$1,026,075,000;

(7) MA—Outpatient, MA—Inpatient and MA—Capitation; (8) recommends adoption.

APPENDIX A

CATEGORICALLY NEEDY NONMONEY PAYMENT MONTHLY INCOME LIMITS FOR THE AGED, BLIND AND DISABLED CATEGORIES EFFECTIVE JANUARY 1, 2002

1 PERSON	\$572.40
2 PERSONS	\$860.70

APPENDIX B

CATEGORICALLY NEEDY NONMONEY PAYMENT MONTHLY INCOME LIMITS FOR THE AGED, BLIND, AND DISABLED CATEGORIES RECEIVING SKILLED CARE, HEAVY CARE/INTERMEDIATE SERVICES OR INTERMEDIATE CARE EFFECTIVE JANUARY 1, 2002

1 PERSON	\$1,635
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APPENDIX D

MONTHLY FEDERAL BENEFIT RATE EFFECTIVE JANUARY 1, 2002

1 PERSON	\$545
2 PERSONS	\$817

PERCENTAGES OF MONTHLY FEDERAL BENEFIT RATE EFFECTIVE JANUARY 1, 2002

ITEM 1) 50% of Federal Benefit Rate
for 1 person = \$272.50

ITEM 2) 50% of Federal Benefit Rate
for 2 persons = \$408.50

[Pa.B. Doc. No. 02-759. Filed for public inspection April 26, 2002, 9:00 a.m.]

DEPARTMENT OF REVENUE

[Correction]

Cigarette Tax Notice

(Editor's Note: An error appeared at 32 Pa.B. 1928 (April 13, 2002). The costs of the retailer (for sale to retail customers) was incorrect. The correct amounts appear in this notice.)

Under section 227-A of the Fiscal Code (72 P. S. § 227-A) relating to administration powers and duties, the Department of Revenue (Department) announces the lowest cost of the stamping agent, wholesaler and retailer, respectively, effective April 1, 2002, as follows:

	<i>Premium Brands (a.k.a. Kings and Regulars)</i>	<i>Generic Brands</i>
Cost of the Stamping Agent (for sales to wholesalers)	\$30.74	\$28.04
Cost of the Wholesaler (for sales to retailers)	\$31.97	\$29.17
Cost of the Retailer (for sales to retail customers)	\$33.89	\$30.92

The Department considers these costs as presumptive minimum costs. Cigarette stamping agents, wholesalers and retailers are prohibited from selling cigarettes at a price lower than their respective presumptive minimum costs. These costs are listed on a per carton basis, 10 packs of cigarettes per carton, 20 cigarettes per pack. To determine the presumptive minimum price per pack of cigarettes, one should divide the costs listed in this notice by 10 and round to the nearest hundredth of a percent. For example, the presumptive minimum price of a pack of cigarettes sold by a retailer to a consumer is \$3.39 for premium brands (\$33.89/10), \$3.10 for generic brands (\$30.92/10).

Cigarette dealers who either sell cigarettes under a different packaging setup (that is, eight packs per carton) or sell cigarettes that do not qualify as premium or generic brands (that is, subgeneric, foreign or specialty cigarettes) as described in this notice are prohibited from selling cigarettes at a price lower than the cost of the stamping agent, cost of the wholesaler or cost of the retailer, respectively, as further defined and explained in the Department's cigarette tax regulations, 61 Pa. Code Part I, Subpart B, Article III (relating to cigarette and beverage taxes).

Cigarette dealers wishing to prove a cost different from the Department's presumptive costs as stated in this notice must follow the procedures listed under 61 Pa. Code Chapter 76 (relating to unfair sales of cigarettes).

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 02-587. Filed for public inspection April 12, 2002, 9:00 a.m.]

Pennsylvania Royal Riches 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 Royal Riches.

2. *Price:* The price of a Pennsylvania Royal Riches instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Royal Riches instant lottery game ticket will contain one play area featuring one "Winning Numbers" area, one "Your Numbers" area and a "Bonus Box" area. The play symbols and their captions located in the "Winning Numbers" area 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) and 16 (SIXTN). The play symbols and their captions located in the "Bonus Box" area are: Diamond Symbol (DIMND), Moneybag Symbol (MNYBAG), Gold Bar Symbol (GOLD), Rainbow Symbol (RBOW), Crown Symbol (CROWN) and Rabbit Foot Symbol (RBTFT).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$6.⁰⁰ (SIX DOL), \$8.⁰⁰ (EGT DOL), \$12\$ (TWELV), \$18\$ (EGHTN), \$25\$ (TWY FIV), \$36\$ (TRY SIX), \$50\$ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$2,500 (TWYFIVHUN) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$6, \$8, \$12, \$18, \$25, \$36, \$50, \$100, \$250, \$2,500 and \$25,000. The player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 7,680,000 tickets will be printed for the Pennsylvania Royal Riches instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$25,000 (TWYFIVTHO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$2,500 (TWYFIVHUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$250 (TWOHUNFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(d) Holders of tickets with a Diamond Symbol (DIMND) in the "Bonus Box" area, two prize play symbols of \$50\$ (FIFTY) and six prize play symbols of \$25\$ (TWY FIV) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$250.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with a Diamond Symbol (DIMND) in the "Bonus Box" area, five prize play symbols of \$18\$ (EGHTN), a prize play symbol of \$5.00 (FIV DOL), a prize play symbol of \$3.00 (THR DOL) and a prize play symbol of \$2.00 (TWO DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$50\$ (FIFTY) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets with a Diamond Symbol (DIMND) in the "Bonus Box" area, six prize play symbols of \$5.00 (FIV DOL), a prize play symbol of \$12\$ (TWELV) and a prize play symbol of \$8.00 (EGT DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning 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.

(j) Holders of tickets with a Diamond Symbol (DIMND) in the "Bonus Box" area, four prize play symbols of \$8.00 (EGT DOL) and four prize play symbols of \$1.00 (ONE DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$36.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$25\$ (TWY FIV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(l) Holders of tickets with a Diamond Symbol (DIMND) in the "Bonus Box" area, three prize play symbols of \$5.00 (FIV DOL), two prize play symbols of \$3.00 (THR DOL), a prize play symbol of \$2.00 (TWO DOL) and two prize play symbols of \$1.00 (ONE DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$25.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning 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.

(n) Holders of tickets with a Diamond Symbol (DIMND) in the "Bonus Box" area, six prize play symbols of \$2.00 (TWO DOL) and two prize play symbols of \$3.00 (THR DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$18.

(o) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning 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.

(p) Holders of tickets with a Diamond Symbol (DIMND) in the "Bonus Box" area, four prize play symbols of \$2.00 (TWO DOL) and four prize play symbols of \$1.00 (ONE DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$12.

(q) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$8.00 (EGT DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(r) Holders of tickets with a Diamond Symbol (DIMND) in the "Bonus Box" area and eight prize play symbols of \$1.00 (ONE DOL) in the "Your Numbers" area, on a single ticket, shall be entitled to a prize of \$8.

(s) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$6.00 (SIX DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(t) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$5.00 (FIV DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$3.00 (THR DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(v) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$2.00 (TWO DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(w) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$1.⁰⁰ (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:

<i>When Any Of Your Numbers Match Either Winning Number Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 7,680,000 Tickets</i>
\$1 × 2	\$2	1:8.33	921,600
\$2	\$2	1:16.67	460,800
\$2 + \$1	\$3	1:75	102,400
\$1 × 3	\$3	1:75	102,400
\$3	\$3	1:150	51,200
\$3 + \$2	\$5	1:1,500	5,120
\$2 × 2 + \$1	\$5	1:750	10,240
\$1 × 5	\$5	1:93.75	81,920
\$5	\$5	1:1,500	5,120
\$5 + \$3	\$8	1:1,500	5,120
\$3 × 2 + \$1 × 2	\$8	1:750	10,240
\$1 × 8 w/Diamond	\$8	1:93.75	81,920
\$8	\$8	1:1,500	5,120
\$8 + \$2 × 2	\$12	1:750	10,240
\$2 × 6	\$12	1:1,500	5,120
\$3 × 4	\$12	1:500	15,360
\$2 × 4 + \$1 × 4 w/Diamond	\$12	1:500	15,360
\$12	\$12	1:1,500	5,120
\$12 + \$3 × 2	\$18	1:1,500	5,120
\$3 × 6	\$18	1:1,500	5,120
\$6 × 2 + \$3 × 2	\$18	1:1,500	5,120
\$2 × 6 + \$3 × 2 w/Diamond	\$18	1:250	30,720
\$18	\$18	1:1,500	5,120
\$12 + \$8 + \$3 + \$2	\$25	1:1,500	5,120
\$5 × 5	\$25	1:1,500	5,120
\$5 × 4 + \$3 + \$2	\$25	1:1,500	5,120
\$5 × 3 + \$3 × 2 + \$2 + \$1 × 2 w/Diamond	\$25	1:250	30,720
\$25	\$25	1:1,500	5,120
\$12 × 2 + \$2 × 6	\$36	1:6,000	1,280
\$8 × 4 + \$2 × 2	\$36	1:6,000	1,280
\$8 × 4 + \$1 × 4 w/Diamond	\$36	1:333.33	23,040
\$36	\$36	1:8,571	896
\$12 × 4 + \$2	\$50	1:4,000	1,920
\$8 × 6 + \$2	\$50	1:6,000	1,280
\$5 × 6 + \$12 + \$8 w/Diamond	\$50	1:1,200	6,400
\$50	\$50	1:12,000	640
\$18 × 5 + \$5 + \$3 + \$2 w/Diamond	\$100	1:4,800	1,600
\$100	\$100	1:24,000	320
\$50 × 2 + \$25 × 6 w/Diamond	\$250	1:384,000	20
\$250	\$250	1:384,000	20
\$2,500	\$2,500	1:768,000	10
\$25,000	\$25,000	1:1,280,000	6

Diamond Symbol in “Bonus Box” wins all 8 prizes

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Royal Riches 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 Royal Riches, prize money from winning Pennsylvania Royal Riches 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 Royal Riches 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 Royal Riches or through normal communications methods.

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 02-760. Filed for public inspection April 26, 2002, 9:00 a.m.]

DEPARTMENT OF STATE

Private Certified Bond Tenders or Drafts Referencing Uniform Commercial Code Filings

The Acting Secretary of the Commonwealth hereby gives public notice of the circulation of private certified bond tenders or drafts referencing Uniform Commercial Code (UCC) filings made with the Department of State's (Department) Corporation Bureau. An example of a private certified bond tender can be viewed on the Department's website at www.dos.state.pa.us. Be advised that certain individuals are making and executing these paper documents and are presenting them as payment. The checks are of questionable validity and acceptance of these documents is at an individual's own risk.

Although the documents vary somewhat in form and content, some of the common characteristics are as follows:

1) A statement at the top indicating that "THIS INSTRUMENT HAS A COLORED BACKGROUND AND MICROPRINTING. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK."

2) The word "CERTIFIED" in bold shown immediately below the statement referenced in item 1) that is followed by the words "Bond-Tender Dissolution Bond," "Release of Collateral Bond Revenue" or "Tender of Payment."

3) A reference to UCC 3-311(a), (b) below the words referenced in item 2).

4) Entries for the following—the a) "Date," b) "For," c) "Account number," d) "To the order of" or "Pay to," e) "Amount tendered" and f) "Exactly."

5) A statement above the signature line indicating that "UCC PARTIAL ASSIGNMENT OF SECURITY INTEREST FILED WITH PENNSYLVANIA DEPARTMENT OF STATE CORPORATION BUREAU UNIFORM COMMERCIAL CODE P. O. BOX 8721, HARRISBURG, PENNSYLVANIA 17105-8721" (emphasis added).

6) The words "Signature without recourse" below the signature line.

7) A statement at the bottom indicating that "THIS TENDER IS EXECUTED AND FILED PURSUANT TO PENNSYLVANIA CONSOLIDATED STATUTE, TITLE 13, 3-302, (VERSION OF YOUR UCC 9-405) TAKEN FOR VALUE UCC 3-303 UCC 1-201, (25), (27), (35) NOTICE, LAWFUL U.S. FUNDS IN ACCORDANCE WITH PUBLIC POLICY, HJR-192 OF 6/15/1933, UCC 1-104, 10-104, 1-207."

8) Possible inclusion of the words "NON-NEGOTIABLE NON TRANSFERABLE" (usually at the bottom of the document).

These instruments presented to the Department for payment, or brought to the Department's attention, are

not honored or paid by or through the Department and are referred to the appropriate law enforcement agencies. For additional information or assistance, contact the Department's Office of Chief Counsel at (717) 787-6802.

Individuals who are presented with one of these documents or has information concerning this matter should notify local law enforcement officials. For additional information about fictitious sight drafts payable upon the United States Treasury, refer to the August 6, 1999, Alert of the United States Office of the Comptroller of the Currency, Administrator of National Banks (OCC Alert 99-10) accessible at <http://www.occ.treas.gov/altlst99.htm>.

C. MICHAEL WEAVER,
Acting Secretary of the Commonwealth

[Pa.B. Doc. No. 02-761. Filed for public inspection April 26, 2002, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Addendum and Revision of the Listing of Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles, under the authority of 75 Pa.C.S. § 3368, published at 31 Pa.B. 7078 (December 29, 2001), a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published. An addendum to the list was published at 32 Pa.B. 1778 (April 6, 2002).

Correction of Address

As an addendum to the listing of approved official maintenance and calibration stations, the Department hereby gives notice of the following correction of address for station number S35:

S & D Calibration Services, 1963 Route 837, Monongahela, Washington County, PA 15063.

Comments, suggestions or questions may be directed to Peter Gertz, Manager, Admin/Tech Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Third Floor, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 783-7016.

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 31 Pa.B. 7078 and addenda at 32 Pa.B. 669 (February 2, 2002), 32 Pa.B. 1145 (February 23, 2002), 32 Pa.B. 1589 (March 23, 2002) and 32 Pa.B. 1778.

BRADLEY L. MALLORY
Secretary

[Pa.B. Doc. No. 02-762. Filed for public inspection April 26, 2002, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meetings Scheduled

The following meetings of the Health Care Cost Containment Council (Council) have been scheduled: Wednesday, May 1, 2002, Mandated Benefits Review Committee

meeting—9:30 a.m., Data Systems Committee meeting—10 a.m.; Thursday, May 2, 2002, Council meeting—10 a.m. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodation due to a disability who wish to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC VOLAVKA,
Executive Director

[Pa.B. Doc. No. 02-763. Filed for public inspection April 26, 2002, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(d) of the Regulatory Review Act (71 P.S. § 745.5(d)) provides that the designated standing Committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the Committees' comment period. The Commission's comments are based upon the criteria contained in section 5.1(h) and (i) of the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

*Final-Form
Submission*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Deadline</i>
#2-138	Department of Agriculture Agricultural Area Security Program; Agricultural Conservation Easement Purchase Program; Agricultural Security Area Program (32 Pa.B. 775 (February 9, 2002))	4/11/02	3/11/04
#7-374	Environmental Quality Board Great Lakes Initiative (32 Pa.B. 427 (January 26, 2002))	4/11/02	3/12/04
#57-225	Pennsylvania Public Utility Commission Street Railway Transportation (32 Pa.B. 797 (February 9, 2002))	4/11/02	3/11/04

Department of Agriculture Regulation No. 2-138 Agricultural Area Security Program; Agricultural Conservation Easement Purchase Program; Agricultural Security Area Program

April 11, 2002

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)) which have not been met. The Department of Agriculture (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 11, 2004, the regulation will be deemed withdrawn.

1. Section 138e.16. Minimum criteria for application.—Reasonableness; Clarity.

Subsection (a)(2)(i) requires a farmland tract to be at least 50 acres in size. A similar requirement proposed in § 138e.255(b)(3)(i)(B) contains a lesser standard of at least 25 acres. The Department should either make both of these requirements 25 acres or explain why different standards are appropriate.

2. Section 138e.73. Survey requirements.—Fiscal impact; Reasonableness.

In the Preamble, the Department states this rule-making is not expected to impose appreciable costs on political subdivisions. However, commentators state that it will cost more to meet the new survey requirements and are concerned that these costs could be prohibitive. We have three questions.

First, what is the cost of a typical land survey that meets the proposed requirements in the regulation? How does this cost compare to the cost of land surveys the Department has accepted for properties that are already in the Agricultural Conservation Easement Program?

Second, what are the benefits of the proposed survey requirements?

Finally, do the benefits of the requirements outweigh the costs?

Subsection (a) General requirement.

This subsection requires a survey to “comply with the most current boundary survey measurement standards published by the Pennsylvania Society of Land Surveyors.” There are three concerns.

First, where are the Pennsylvania Society of Land Surveyors standards published?

Second, how can a person determine whether the standards they have are the most current standards?

Third, there may be a time delay between when a property survey was performed and the application for an easement. If the Pennsylvania Society of Land Surveyors changes their standards in that time period, would a survey still be acceptable if it met the Pennsylvania Society of Land Surveyors standards at the time the survey was conducted?

Subsection (c) Monumentation.

What qualifies as an “unmovable monument”?

Also, the last sentence of this subsection requires use of 5/8-inch “rebar.” To be consistent with the prior sentence, it should require use of 5/8-inch “reinforcing bar.”

3. Section 138e.91. Recommendation for purchase.—Fiscal impact; Reasonableness; Clarity.

Subsection (1)

Subsection (1) and paragraph (1)(x) require the filing of 25 copies of documents and specify the copies “shall be individually collated and three-hole punched, but not stapled.” This provision constitutes a significant paper burden, and in some instances may already be outdated. If the Department can accommodate electronic filing of documents, an alternative should be added to allow a county board to submit one copy of this document electronically.

Subsection (8)

This subsection references a “conservation plan agreement form as described in § 138e.222(a). . . .” Section 138e.222(a) describes an agreement, but does not mention a form. These provisions should be consistent with each other.

One commentator expressed concern that a fully-executed conservation plan agreement may not be available prior to State Board review. The Department should explain the need for a fully-executed conservation plan agreement at this point in the process.

4. Section 138e.93. Postsettlement recording and reporting procedures.—Reasonableness; Need; Clarity.

Subsection (b) Prompt recording of the deed of agricultural conservation easement and other documents and Subsection (c) Prompt recording of agricultural security area; reporting to the State Board.

The body of subsections (b) and (c) require actions “promptly.” These requirements are vague. The regulation should provide specific timeframes.

Also, what happens if a local government unit fails to record these documents?

Subsection (d) Reporting the agricultural conservation easement purchase to the State Board.

Paragraph (1)(iii) requires the county board to file a copy of the settlement sheet. One commentator stated a settlement sheet is not used for all settlements. Unless the Department can establish a need for a settlement sheet in all settlements, paragraph (1)(iii) should only require a copy of the settlement sheet if one was used in the settlement.

Paragraph (1)(iv) requires the county board to file “a marked-up title insurance commitment document. . . .” The county board is allowed 10 days after settlement to file this document. If a title insurance policy has been issued, the county board should be allowed to file this document in lieu of a marked-up title insurance commitment document.

5. Section 138e.102. Allocation of funds to counties.—Reasonableness; Fiscal impact.

This provision requires “the written certification of the county governing body that the specific amount of county matching funds . . . is available and intended for the purchase.” One commentator believes it would be more appropriate for this certification to come from a County Executive or Chief Fiscal Officer. If certification from a county official is sufficient, the regulation should allow it.

6. Section 138e.104. Installment sales.—Clarity.

It is not clear what provision paragraph (d)(5) describes. This provision should be reworded to clearly state the intent.

7. Section 138e.202. Inspections.—Reasonableness.

Existing subsection (a) requires the county board to complete the first inspection within 1 year from the date of the easement sale. The proposed language requires an inspection to be completed “within 1 year of the date of easement sale and in sufficient time to be included in the annual report.” For sales that occur later in a year, such as in December, there would only be a few months to complete the first inspection to meet the annual report deadline of March 1. Is it practical for a county board to complete an inspection in sufficient time to include the land in the annual report rather than allowing a full year?

8. Section 138l.1. Definitions.—Consistency with statute; Clarity.

General

This section defines three terms that are also defined in 3 P. S. § 903. The definitions of the following terms differ from the definitions contained in the statute: “eligible counties,” “planning commission” and “Secretary.” The Department should use the statutory definitions in the final-form regulation, or justify any changes.

Economic viability of farmland for agricultural production

Clarity would be improved if the last phrase of this definition that references the criteria in § 138e.16(a) was moved to the beginning of the definition.

Interim review

The phrase “interim review” is used in the definition of “interim review.” A term should not be used to define itself.

9. Section 138l.18. Public hearing by local government unit on ASA proposal.—Consistency with statute; Clarity.

Subsection (b)(ii)(A) states that “any person who proposed a modification to the ASA” should be provided a written hearing notice. In 3 P. S. § 906(c) of the statute, the term “landowner” is used. The term “person” should be changed to “landowner” in the regulation.

10. Section 138l.19. Decision of local government unit.—Consistency with statute.

Subsection (b) lists the factors that are to be considered for an ASA proposal or proposed modifications, as does 3 P. S. § 908(a) of the Act. Absent from subsection (b) of the regulation is a reference to existing utilities found in the Act. To be consistent with the statute, the regulation should include this provision regarding utilities.

Environmental Quality Board Regulation No. 7-374

Great Lakes Initiative

April 11, 2002

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Environmental Quality Board must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 12, 2004, the regulation will be deemed withdrawn.

Section 93.8a. Toxic substances.—Consistency with other regulations; Clarity.

There are two incorrect citations.

First, the definition of “bioaccumulative chemicals of concern (BCCs)” in subsection (j)(1) refers to a list of BCCs in Federal regulations at 40 CFR Part 132 Table 6, Subpart A. However, the Federal definition of BCCs at 40 CFR 132.2 uses the term “section” rather than “subpart” in referring to “section A of Table 6” in 40 CFR Part 132. The final-form regulation should not use the word “subpart” in referencing Table 6 in 40 CFR Part 132.

A similar concern exists in subsection (j)(2). It refers to 40 CFR Part 132, Appendix F, Procedure 3, Subpart D. The subsection incorrectly uses the term “subpart” in referring to provisions of Appendix F, Procedure 3. The Federal regulations refer to the provisions of Procedure 3 in Appendix F as “sections.” To avoid confusion, the subsection in the final-form regulation should not use the word “subpart” in referencing 40 CFR Part 132, Appendix F, Procedure 3, Subpart D (relating to deriving TMDLs, WLAs, and LAs for Point and Nonpoint Sources: WLAs in the Absence of a TMDL; and Preliminary WLAs for Purposes of Determining the Need for WQBELs for OWGL).

Pennsylvania Public Utility Commission Regulation No. 57-225**Street Railway Transportation**

April 11, 2002

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Pennsylvania Public Utility Commission (PUC) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 11, 2004, the regulation will be deemed withdrawn.

General.—Consistency with existing regulations.

This proposed rulemaking from the PUC deletes existing Chapter 35, relating to street railway transportation. We have one concern with this proposed rulemaking.

There are three other sections of Title 52 that contain references to, or terminology from, the deleted Chapter. These include: 1) § 5.11(b), relating to applications generally, which references § 35.1; 2) § 29.73, relating to posting notice prohibiting conversation, which uses the term “street railway cars”; and 3) § 33.1, relating to definitions, which uses the term “street railway” in the definition of “carrier.”

These terms and reference to § 31.1 should be deleted in the final-form regulation, as they will become obsolete with the deletion of Chapter 35.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-764. Filed for public inspection April 26, 2002, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations on the dates indicated. To obtain the date and time of the meeting at which the Commission will consider these regulations, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
10-164	Department of Health Drug and Alcohol Facilities and Services Standards for Approval of Prevention and Intervention Activities	4/11/02

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
15-420	Department of Revenue Powerball	4/11/02

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-765. Filed for public inspection April 26, 2002, 9:00 a.m.]

INSURANCE DEPARTMENT**Highmark Inc. d/b/a Pennsylvania Blue Shield; Filing No. 200207; Certificate of Assumption of Security65 Medicare Supplement Policy**

On April 11, 2002, Highmark Inc. d/b/a Pennsylvania Blue Shield submitted Filing Number 200207 seeking approval of a certificate of assumption form for the nongroup Security65 Medicare Supplement program offered in the 21 counties of central Pennsylvania and the Lehigh Valley that also comprise the service area of Capital Blue Cross. Approval is requested for assumption coverage effective July 1, 2002.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Jeffrey Russell, Office of Rate and Policy Regulation, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-766. Filed for public inspection April 26, 2002, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Montgomery County, Wine & Spirits Shoppe #4627, Gary's Plaza Shopping Center, 517 South Broad Street, Lansdale, PA 19446-3701.

Lease Expiration Date: January 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space on Main Street (Route 63) South of Broad Street in Lansdale.

Proposals due: May 17, 2002, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: Robert J. Jolly, (215) 482-9671

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 02-767. Filed for public inspection April 26, 2002, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Order

Public Meeting held
 April 11, 2002

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

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. CCCPA, Inc. (2001.0359); Doc. No. C-20026934; A-310740

Default Order

By the Commission:

On February 25, 2002, the Law Bureau Prosecutory Staff instituted a complaint against CCCPA, Inc. (the Respondent), a competitive local exchange carrier certificated at A-310740. Currently, the Respondent has assigned to it two NXX codes from the 267 and 484 area codes located in Southeastern Pennsylvania. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its 2001-2002 annual assessment was overdue. The complaint charged that the Respondent's failure to pay this assessment violates 66 Pa.C.S. § 510(c).

The complaint sought an order from the Commission canceling the Respondent's license for failure to pay its annual assessment. The complaint was mailed by the Secretary's Bureau on February 26, 2002, and according to the postal return receipt, service was perfected on March 1, 2002. To date, more than 20 days later, no answer has been filed to the complaint and the annual assessment has still not been paid. Additionally, the telephone number the Commission has for the company is no longer in service; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Absent the filing of adverse public comment, 20 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate held by CCCPA, Inc. at Docket No. A-310740 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

4. The Bureau of Fixed Utility Services is hereby directed to take all steps to ensure that upon the effective date of the cancellation of CCCPA, Inc.'s certificate of public convenience, that the North American Numbering Plan Administrator shall reclaim the two NXX codes currently assigned to CCCPA, Inc., and if any numbers from these two NXX codes have been ported, then the North American Numbering Plan Administrator shall select another code holder or the Local Exchange Routing Guide assignee.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-768. Filed for public inspection April 26, 2002, 9:00 a.m.]

Default Order

Public Meeting held
 April 11, 2002

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

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Equalnet Corporation (2001.0359); Doc. No. C-20026936; A-310209

Default Order

By the Commission:

On February 25, 2002, the Law Bureau Prosecutory Staff instituted a complaint against Equalnet Corporation (the Respondent), a telecommunications interexchange reseller certificated at A-310209. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its 2001-2002 annual assessment was overdue. The complaint charged that the Respondent's failure to pay this assessment violates 66 Pa.C.S. § 510(c).

The complaint sought an order from the Commission canceling the Respondent's license for failure to pay its annual assessment. The complaint was mailed by the Secretary's Bureau on February 26, 2002, and according to the postal return receipt, service was perfected on February 28, 2002. To date, more than 20 days later, no answer has been filed to the complaint and the annual assessment has still not been paid. Additionally, the

company's consultant advised Commission staff that the company is out of business; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Absent the filing of adverse public comment, 20 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate held by Equalnet Corporation at Docket No. A-310209 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-769. Filed for public inspection April 26, 2002, 9:00 a.m.]

Default Order

Public Meeting held
April 11, 2002

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

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Erbia Network, Inc. (2001.0359); Doc. No. C-20026936; A-310809

Default Order

By the Commission:

On February 25, 2002, the Law Bureau Prosecutory Staff instituted a complaint against Erbia Network, Inc. (the Respondent), a telecommunications interexchange reseller certificated at A-310809. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its 2001-2002 annual assessment was overdue. The complaint charged that the Respondent's failure to pay this assessment violates 66 Pa.C.S. § 510(c).

The complaint sought an order from the Commission canceling the Respondent's license for failure to pay its annual assessment. The complaint was mailed by the Secretary's Bureau on February 26, 2002, to its last known business address. To date, more than 20 days since the filing of the complaint, no answer has been filed to the complaint and the annual assessment has still not been paid; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small

Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Absent the filing of adverse public comment, 20 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate held by Erbia Network, Inc. at Docket No. A-310809 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-770. Filed for public inspection April 26, 2002, 9:00 a.m.]

Default Order

Public Meeting held
April 11, 2002

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

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Pathnet, Inc. (2001.0359); Doc. No. C-20026935; A-310946

Default Order

By the Commission:

On February 25, 2002, the Law Bureau Prosecutory Staff instituted a complaint against Pathnet, Inc. (the Respondent), a telecommunications interexchange reseller certificated at A-310946. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its 2001-2002 annual assessment was overdue. The complaint charged that the Respondent's failure to pay this assessment violates 66 Pa.C.S. § 510(c).

The complaint sought an order from the Commission canceling the Respondent's license for failure to pay its annual assessment. The complaint was mailed by the Secretary's Bureau on February 26, 2002, and according to the postal return receipt, service was perfected on February 28, 2002. To date, more than 20 days later, no answer has been filed to the complaint and the annual assessment has still not been paid; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Absent the filing of adverse public comment, 20 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate held

by Pathnet, Inc. at Docket No. A-310946 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-771. Filed for public inspection April 26, 2002, 9:00 a.m.]

Default Order

Public Meeting held
April 11, 2002

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

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Summit Telco, LLC (2001.0359); Doc. No. C-20026932; A-310936

Default Order

By the Commission:

On February 25, 2002, the Law Bureau Prosecutory Staff instituted a complaint against Summit Telco, LLC (the Respondent), a telecommunications interexchange reseller certificated at A-310936. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail a notice to the Respondent that its 2001-2002 annual assessment was overdue. The complaint charged that the Respondent's failure to pay this assessment violates 66 Pa.C.S. § 510(c).

The complaint sought an order from the Commission canceling the Respondent's license for failure to pay its annual assessment. The complaint was mailed by the Secretary's Bureau on February 26, 2002, and according to the postal return receipt, service was perfected on February 28, 2002. To date, more than 20 days later, no answer has been filed to the complaint and the annual assessment has still not been paid; *Therefore,*

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Absent the filing of adverse public comment, 20 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate held by Summit Telco, LLC at Docket No. A-310936 shall be canceled, and the company's name stricken from all active utility lists maintained by the Tariff and Annual Report

Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-772. Filed for public inspection April 26, 2002, 9:00 a.m.]

Limousine Carriers Operating Within Allegheny County

Public Meeting held
April 11, 2002

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr., Concurring and Dissenting Statement follows; Terrance J. Fitzpatrick; Kim Pizzingrilli

Regulation of Limousine Carriers Operating within Allegheny County; Doc. No. M-00021609

Order

By the Commission:

On April 2, 2002, Act No. 23, HB 1402 was enacted. HB 1402 amended the Public Utility Code by providing, inter alia, for Commission oversight of limousine service in counties of the second class. HB 1402 provides that in order to operate limousine service in a county of the second class, a carrier must have a certificate of public convenience issued by this Commission. Prior to passage of HB 1402, the Commission lacked jurisdiction over limousine service provided within counties of the second class by virtue of the Second Class County Port Authority Act (55 P. S. §§ 551—563.5). See Also: *Port Authority of Allegheny County v. Pennsylvania Public Utility Commission*, 431 A.2d 243 (Pa. 1981); 52 Pa. Code § 41.13.

In light of the extension of Commission jurisdiction granted by HB 1402, all carriers providing service within Allegheny County must file applications for authority with the Commission.¹ Given the exigency of a carrier's business demands, the Commission will endeavor to process these applications as quickly and efficiently as possible. Toward this end, we will provide all applicants with Emergency Temporary Authority (ETA), since an immediate need for limousine service can be assumed. 52 Pa. Code § 3.384.² Carriers are required to submit an application³ for ETA immediately, but no later than 60 days from the date of entry of this Order. Given the unique circumstances involved, we will waive the filing fee for ETA applications filed within the 60-day period.

Carriers must file simultaneously with the ETA application acceptable evidence of insurance. Initially, the Commission will accept temporary proof of insurance, including an insurance binder, a copy of the declaration page from an insurance policy, or a copy of the Form 'E' certificate of insurance. 52 Pa. Code § 32.2. Within 60 days of the grant of ETA, a carrier will be required to file a Form "E" certificate of insurance. Failure by a carrier to

¹ We note that some limousine carriers currently hold authority from the Commission to serve all points in Pennsylvania. This authority was granted prior to enactment of HB 1402 and, by necessity, did not include authority to serve points within Allegheny County, since the Commission never had jurisdiction over those services.

² We will dispense with the requirement for supporting shipper statements, normally required to be filed with ETA applications. However, an applicant will need to include an applicant's statement as well as all other required documentation. 52 Pa. Code § 3.383(c).

³ Forms are available at our web site, <http://puc.paonline.com>, or from our Pittsburgh office upon request.

file a Form 'E' within 60 days of the grant of ETA will result in revocation of the ETA.

Following approval of an ETA application, a carrier will be required to file an application for Permanent Authority, with the required fee, within 30 days of date of approval.⁴ Filing of an application for Permanent Authority automatically extends a carrier's ETA.⁵ ETA will automatically be revoked for carriers who fail to file an application for Permanent Authority within 30-day period.

Following the submission of applications for Permanent Authority, the Commission will process these applications in the normal course, including publication. It will be incumbent upon applicants to comply with our evidentiary criteria outline in 52 Pa. Code § 41.14.

Therefore, It Is Ordered:

1. Any carrier providing limousine service within Allegheny County must file an application for ETA with the Commission within 60 days of the date of entry of this Order. The filing fee is hereby waived.

2. Any carrier filing an application for ETA must file acceptable temporary proof of insurance simultaneously with its application.

3. Within 60 days of the date of approval of the ETA by this Commission, a carrier must file an acceptable Form 'E' certificate of insurance with this Commission.

4. Failure to file the Form 'E' certificate of insurance within the 60 day period will be cause for cancellation of the ETA.

5. Applications for Permanent Authority must be filed within 30 days of the date of approval of an application for ETA. The filing of an application for Permanent Authority automatically extends the ETA. There is no requirement to file for Temporary Authority following the approval of the ETA. If a carrier fails to file an application for Permanent Authority within the 30 day period, the ETA will automatically terminate.

6. Any applications for ETA filed more than 60 days after the date of entry of this Order will be subject to the requirements of 52 Pa. Code Chapter 3, including payment of the applicable fees.

7. This Order shall be served on all currently certificated limousine carriers as well as on all noncertificated limousine carriers listed in the Pittsburgh/Allegheny County telephone directory. We direct the Bureau of Transportation and Safety to provide these lists to the Secretary's Bureau for service.

8. This Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website.

JAMES J. MCNULTY,
Secretary

Concurring and Dissenting Statement of Commissioner Wilson

On April 2, 2002, the General Assembly passed a new law that now regulates limousine service in counties of the second class (Allegheny County). Nine days later, the Commission issues this expedited order implementing that legislation because, in part, the law was effective on April 2, 2002.

⁴ We waive any conflicting filing requirements. 52 Pa. Code § 3.383.

⁵ Our regulations envision filing an application for Temporary Authority in order to extend ETA. 52 Pa. Code § 3.383(c). We are waiving this requirement and permitting extension of ETA by the timely filing of an application for Permanent Authority.

I generally support issuance of the Implementation Order. However, I dissent from the proposal to waive the \$100 filing fee for Applicants seeking Emergency Temporary Authority (ETA) in Allegheny County. I do so for several reasons.

First, the Commission's resources are already constrained by multiple revocation, suspension, and reinstatement cases in which the Commission does not recover any application fee. Second, this exemption applies only to ETA Applicants in Allegheny County and not to all applicants seeking ETA authority anywhere in the Commonwealth. This denial of equal protection is unreasonable and cannot be justified by any express language or exigent circumstances in the law. Third, the waiver imposes unequal regulatory costs and may result in unreasonable discrimination in rates and services in violation of sections 1304 and 1502 of the Public Utility Code. Finally, the application fee is not so burdensome as to constitute a regulatory barrier to competition nor is there evidence that the economic vitality of transportation services in Allegheny County is jeopardized by a \$100 filing fee.

I also have one other concern. Although we have no exact number on the pool of potential applications, the Implementation Order does not inform any Applicant of their right to formally appeal any decision of our Staff directly to the Commissioners under 52 Pa. Code § 5.44 or our regulations. By advising the regulated community of their appeal option, we minimize the potential for uneven or arbitrary decisions given the press of time.

[Pa.B. Doc. No. 02-773. Filed for public inspection April 26, 2002, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before May 20, 2002, as set forth at 52 Pa. Code § 3.381 (relating to the applications for the transportation of property, household goods in use and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under each application.

A-00118809. Carol J. Ahmed (2526 Shingletown Road, State College, Centre County, PA 16801)—persons in airport transfer service, from points in the borough of State College, Centre County, to the University Park Airport, located in the township of Benner, Centre County.

A-00118810. Felix M. Szipepanski t/d/b/a J. B. Taxi (233 Midland Avenue, Midland, Beaver County, PA 15059)—persons upon call or demand in the borough of Midland, Beaver County, and within an airline distance of 8 statute miles of the limits thereof.

A-00118822. Elizabethan Coaches, Inc. (1775 McDowell Street, Sharon, Mercer County, PA 16146), a corporation of the Commonwealth of Pennsylvania, persons in limousine service, between points in the counties of Mercer and Lawrence, and from points in said counties, to points in the counties of Allegheny and Washington, and return. *Attorney:* Andrew L. Blattenberger, 40th Floor, One Oxford Centre, Pittsburgh, PA 15219-6498.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety V. Oguledo Cab, Inc.; Doc. No. A-00116252T0201; P-109

Complaint

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate motor carriers and brokers within this Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Oguledo Cab, Inc., respondent, maintains a principal place of business at 816 Norcross Street, Lindenwold, NJ 08021.
2. That all times relevant to this Complaint, respondent held a certificate of public convenience issued by this Commission at Application Docket No. A-00116252, P-109.
3. That pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.
4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance, in violation of the Public Utility Code and regulations cited in Paragraph 3 of this complaint.
5. That as a result of failure to maintain evidence of current insurance on file with this Commission, the Bureau of Transportation and Safety Prosecutory Staff requests that the Secretary of the Commission revoke respondent's certificate of public convenience.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Secretary of the Commission revoke the certificate of public convenience held by Oguledo Cab, Inc. at Docket No. A-00116252, P-109, for failure to maintain evidence of current insurance on file with the Commission.

Respectfully submitted,
Michael E. Hoffman, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Michael E. Hoffman

NOTICE TO PLEAD

A. You must file an answer within twenty (20) days of the date of service. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice to plead. 52 PA Code § 1.56(a). The answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Complaint. Your answer must be verified and the original and two (2) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service as identified in Paragraph A. above, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license or imposing such other remedy as may be appropriate.

C. In lieu of an answer, you may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the proof of insurance from your insurer, the complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order revoking your certificate of public convenience; contract carrier permit; or brokerage license.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-774. Filed for public inspection April 26, 2002, 9:00 a.m.]

Telecommunications

A-310092F7000. Verizon Pennsylvania Inc. and Business Telecom, Inc. Joint Petition of Verizon Pennsylvania Inc. and Business Telecom, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Business Telecom, Inc. filed on March 28, 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

Verizon Pennsylvania Inc. and Business Telecom, Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-775. Filed for public inspection April 26, 2002, 9:00 a.m.]

Telecommunications

A-310295F7000. Verizon Pennsylvania Inc. and CTC Communications Corp. Joint Petition of Verizon Pennsylvania Inc. and CTC Communications Corp. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and CTC Communications Corp. filed on April 1, 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 Verizon Pennsylvania 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. 02-776. Filed for public inspection April 26, 2002, 9:00 a.m.]

Telecommunications

A-310072F7000. Verizon Pennsylvania Inc. and VarTec Telecom, Inc. d/b/a VarTec Telecom. Joint Petition of Verizon Pennsylvania Inc. and VarTec Telecom, Inc. d/b/a VarTec Telecom for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and VarTec Telecom, Inc. d/b/a VarTec Telecom, filed on March 27, 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 Verizon Pennsylvania Inc. and VarTec Telecom, Inc. d/b/a VarTec Telecom 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. 02-777. Filed for public inspection April 26, 2002, 9:00 a.m.]

STATE BOARD OF CHIROPRACTIC

Bureau of Professional and Occupational Affairs v. Ronald Gene Polcawich, D.C.; Doc. No. 0358-43-98

Ronald Gene Polcawich, license no. DC-001774-L, of Pittsburgh, Allegheny County, was revoked and assessed a civil penalty of \$1,000, based on his practice of chiropractic while his license was unregistered or inactive (April 1, 2002).

Individuals may obtain a copy of the adjudication by writing to Alicia S. Miller, Board Counsel, State Board of Chiropractic, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Chiropractic (Board) 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 Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

JONATHAN W. MCCULLOUGH, D.C.,
Chairperson

[Pa.B. Doc. No. 02-778. Filed for public inspection April 26, 2002, 9:00 a.m.]