

NOTICES

DEPARTMENT OF AGRICULTURE

Continuation of the Pennsylvania Apple Marketing Program

Under the applicable provisions of the Agricultural Commodities Marketing Act, a review referendum was held from April 1, 2002, to April 15, 2002, to determine if the producers affected by the Pennsylvania Apple Marketing Program (program) desired to continue the program for an additional 5 years. To pass, a majority of eligible producers voting had to vote in favor of the program's continuation. An impartial Teller Committee met on April 25, 2002, to count the ballots. The following results were submitted to me by the Teller Committee: a total of 181 eligible votes were cast with 105 producers voting in favor of and 76 voting against the continuation of the program. Votes favoring continuation of the program by number of producers represented 58% of eligible votes and votes against continuation of the program represented 42% of eligible votes. There were two ineligible ballots due to postmarks dated after the designated voting deadline. Because a majority of the votes were cast in favor of the program, the program shall continue for 5 years, effective immediately.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 02-845. Filed for public inspection May 10, 2002, 9:00 a.m.]

Interstate/International Quarantine Order

Whereas, avian influenza is an infectious disease of poultry;

Whereas, avian influenza is designated a "Dangerous Transmissible Disease" of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(d);

Whereas, the Pennsylvania Department of Agriculture ("PDA") has broad authority under the Domestic Animal Law to regulate the keeping and handling of domestic animals in order to exclude, contain or eliminate dangerous transmissible diseases;

Whereas, avian influenza has caused significant loss in the past to the Pennsylvania poultry industry;

Whereas, avian influenza is of particular concern to the entire Pennsylvania poultry industry and may severely limit the market for Pennsylvania product;

Whereas, avian influenza, H7N2, currently exists in a mildly virulent form (low or mildly pathogenic) in commercial poultry in Virginia, North Carolina and in the live bird marketing system in the Northeastern United States;

Whereas, avian influenza sub-types H5 and H7 are of particular concern due to their potential for developing into a virulent (highly pathogenic) form of disease;

Whereas, the strains of avian influenza that are of concern (H5 and H7) are not known to exist in the Commonwealth;

Whereas, the Domestic Animal Law allows (at 3 Pa.C.S.A. § 2329(c)) for the establishment of an Interstate/International Quarantine under the circumstances described above;

Now, therefore, the Pennsylvania Department of Agriculture, pursuant to the authority granted it under the Domestic Animal Law and § 1702 of the Administrative Code of 1929 (71 P. S. § 442), orders the establishment of an interstate/international quarantine with respect to the shipment of live poultry and hatching eggs into the Commonwealth. The quarantine restrictions are as follows:

1. Poultry and hatching eggs shall only be allowed into the Commonwealth under either of the following circumstances:

a. The poultry and hatching eggs originate from a flock that participates in the National Poultry Improvement Plan "U.S. Avian Influenza Clean" program and the shipment is accompanied by a USDA form 9-3 or other NPIP form; or,

b. The poultry and hatching eggs originate from a flock that participates in a state sponsored avian influenza monitoring program and the shipment is accompanied by a document from the state of origin indicating participation; or,

c. The poultry and hatching eggs originate from a flock in which a minimum of twenty birds, four weeks of age, or older, were tested serologically negative for avian influenza within ten days of shipment and the shipment is accompanied by the test report; or,

d. The poultry and hatching eggs originate from a flock that participates in an equivalent testing/surveillance program, as approved by the Pennsylvania State Veterinarian.

2. Poultry and hatching eggs from flocks that are serologically positive shall not be imported unless the flock is determined to be free of virus by virtue of a negative virus isolation test of tracheal and/or cloacal specimens from a minimum of 150 birds.

3. Poultry and hatching eggs imported into the Commonwealth shall meet all other import requirements required under Title 7, PA Code.

4. This Order shall not be construed as limiting PDA's authority to establish additional quarantine or testing requirements on imported poultry and hatching eggs.

5. This Order is effective April 29, 2002.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 02-846. Filed for public inspection May 10, 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 30, 2002.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
4-29-02	Berkshire Financial Holdings, Inc., Collegeville, to acquire 100% of voting shares of USABancShares.com, Inc., Philadelphia	Collegeville	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-22-02	Community Banks Millersburg Dauphin County	2685 S. Queen St. York York County	Opened
4-29-02	First Susquehanna Bank & Trust Sunbury Northumberland County	24 North Cedar St. Lititz Lancaster County	Filed
4-30-02	Northside Bank Pittsburgh Allegheny County	1112 Freeport Rd. O'Hara Township Allegheny County	Approved
4-30-02	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	511 Scranton— Carbondale Highway Eynon Lackawanna County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-847. Filed for public inspection May 10, 2002, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Weatherization Assistance Program Meetings

The Department of Community and Economic Development (DCED) hereby publishes notice of a public hearing to be held at 10 a.m. on Thursday, May 30, 2002, in Room H-East, 4th Floor, Commonwealth Keystone Building, 400

North Street, Harrisburg, PA. The purpose of this hearing is to receive comments on the Weatherization Assistance Program's proposed State Plan to be submitted to the United States Department of Energy for the program year 2002-2003.

A copy of this plan may be obtained by contacting the Department of Community and Economic Development, Office of Community Services, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, (717) 787-1984. A copy may also be obtained at the following DCED Regional Offices:

DCED
Central Regional Office
4th Floor, Comm. Keystone
Building
400 North Street
Harrisburg, PA 17120
(717) 787-1984

DCED
Southwest Regional Office
1405 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
(412) 565-5002

DCED
Southeast Regional Office
908 State Office Building
Broad and Spring Garden
Streets
Philadelphia, PA 19130
(215) 560-2256

DCED
Northeast Regional Office
201 Samters Building
101 Penn Avenue
Scranton, PA 18503-2025
(717) 963-4571

DCED
Northwest Regional Office
Rothrock Building
1200 Lovell Place
Erie, PA 16503
(814) 871-4241

Written comments may be submitted to Dennis Darling, Director, Office of Community Services, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120 until 5 p.m. on May 30, 2002.

Persons with a disability who wishes to attend this hearing and require auxiliary aid, service or other accommodations to participate in the proceedings should contact Dennis Darling at (717) 787-1984 to discuss how the DCED may accommodate their needs. Alternative formats

of the document (such as large print or cassette tape) can be made available to the public upon request.

SAMUEL A. MCCULLOUGH,
Secretary

[Pa.B. Doc. No. 02-848. Filed for public inspection May 10, 2002, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, May 22, 2002, at 10 a.m. in the 2nd Floor Training Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf at (717) 705-0031. Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Claire Guisewite at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 02-849. Filed for public inspection May 10, 2002, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

Under the Federal Clean Water Act and The Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements. For all new permit applications, renewal application with major changes or applications for permits not waived by 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 the proposed permit are invited to submit a statement, to the office noted before the application within 30 days from the date of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding this application. The comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant. Following the comment period, the Department's Water Management Program

Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0042943	Owen J. Roberts School District 901 Ridge Road Pottstown, PA 19465	Chester County East Coventry Township	UNT to Schuylkill River	Y

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

PA0222089, Sewage, **Dale Littlefield**, Box 247, Route 346, Duke Center, PA 16729. This existing facility is located in Otto Township, **McKean County**.

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

The receiving stream, Tram Hollow Run (57545), is in watershed 16-C and classified for: CWF, 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 Allegheny River and is used by the State of New York which is 13.1 miles below point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.000800 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10		20
Total Suspended Solids	20		40
Fecal Coliform (all year)		200/100 ml as a geometric average	
Total Residual Chlorine	0.5		1.2
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

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

No. PA0026298, Sewage, **Whitemarsh Township Authority**, 616 Germantown Pike, Lafayette Hill, PA 19444-1821. This application is for renewal of an NPDES permit to discharge treated sewage from sewage treatment plant in Whitemarsh Township, **Montgomery County**. This is existing discharge to Schuylkill River.

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

The proposed effluent limits for Outfall 001, based on an average flow of 2.0 MGD are as follows:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	38	50
Suspended Solids	30	45	60
Ammonia (as N)	20	30	40
Nitrate and Nitrate (as N) (7-1 to 10-31)			
Phosphorus (as P)			
Total Residual Chlorine	0.5		1.2
Fecal Coliform		200 colonies/100 ml as a geometric average	
Dissolved Oxygen		minimum of 5.0 mg/l at all times	
pH		Within limits of 6.0—9.0 Standard Units at all times	

The EPA is not in effect.

No. PA0026794 A1, Sewage, **Conshohocken Borough Authority**, 601 East Elm Street, Conshohocken, PA 19428. This application is for amendment of an NPDES permit to discharge treated sewage from Conshohocken Borough Authority STP in Conshohocken Borough, **Montgomery County**. This is an existing discharge to Schuylkill River.

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

The proposed effluent limits for Outfall 001, based on an average flow of 2.3 mgd are as follows:

<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
Ammonia (as N)			
(5-1 to 10-31)	8		16
(11-1 to 4-30)	20		40
Total Residual Chlorine	0.5		1.6
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	Monitor only		
pH	Within limits of 6.0—9.0 Standard Units at all times		
Copper, Total	Monitor/Report		
Lead, Total	Monitor/Report		
Zinc, total	Monitor Report		

Other Conditions:

The EPA Waiver is not in effect.

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

PA-0062219, Sewage, **Frackville Area Municipal Authority**, 41 North Lehigh Avenue, Frackville, PA 17931. This proposed facility is located in Butler Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES Permit to discharge treated sewage from their existing treatment plant. The receiving stream, Little Mahanoy Creek, is in the State Water Plan watershed #6B and is classified for: aquatic life, CWF, water supply and recreation. The nearest downstream public water supply intake for Ashland Borough is located on Ashland Reservoir is 1 mile below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 1.4 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	10.0	15.0	20.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N			
(5-1 to 10-31)	2.5	3.5	5.0
(11-1 to 4-30)	7.5	11.0	15.0
Phosphorus as "P"	1.0	1.5	2.0
Dissolved Oxygen	A minimum of 6.0 mg/l at all times		
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		
NO ₂ plus NO ₃ -N	11.0	16.0	22.0

The EPA wavier is not in effect.

PA# 0052850, Sewage, **Stockertown Borough**, P. O. Box 174, 209 Main Street, Stockertown, PA 18083. This proposed facility is located in Stockertown Borough, **Northampton County**.

Description of Proposed Activity: Renewal of NPDES Permit to discharge treated sewage from their existing treatment plant.

The receiving stream, Little Bushkill Creek, is in the State Water Plan watershed #1F and is classified for: HQ-CWF. The nearest downstream public water supply intake for Neshaminy Water Resources Authority is located in Delaware is approximately 40 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .0865.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	37.5	50
Total Suspended Solids	30	45	60

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Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Maximum Daily (mg/l)
NH ₃ -N (5-1 to 10-31)	3		6
(11-1 to 4-30)	9		18
Phosphorus as "P"	2		4
Dissolved Oxygen	A minimum of 4 mg/l at all times		
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times		

PA-0036463, Sewage, **OMNOVA Solutions, Inc.**, 175 Gheat Road, Fairlawn, OH 44373. This proposed facility is located in West Brunswick Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES Permit to discharge treated sewage and noncontact cooling water from their existing treatment plant.

The receiving stream, wet weather channel to the Schuylkill River, is in the State Water Plan watershed #3A and is classified for CWF. The nearest downstream public water supply intake for Pottstown Water Authority is located on Schuylkill River is approximately 40 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .018 MGD.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
pH	6 to 9 Standard Units			
Dissolved Oxygen	Minimum of 2 mg/l at all times			
Oil and Grease			15	30

Internal Monitoring Point 101

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
CBOD ₅			25	50
TSS			30	60
Fecal Coliform (5-1 to 9-30)			200/100 ml	Geometric Avg.
(10-1 to 4-30)			2,000/100 ml	Geometric Avg.
pH	6 to 9 Standard Units			
TRC			1.2	2.8

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

PA 0088943, CAFO, **Hostetter Management Company, LLC**, P. O. Box 526, Ephrata, PA 17522; **James Eisenhour Jr.**, 721 Spring Valley Road, Wellsville, PA 17365; and **Terry Sweitzer**, 120 Harbold-Atland Road, Wellsville, PA 17365. Hostetter Management Company, LLC, James Eisenhour Jr. and Jerry Sweitzer have submitted an application for an Individual NPDES permit for an existing CAFO known as Cedar Hill Farm.

The CAFO is situated near Wolf Run in Watershed 7-F, which is classified for WWF. The CAFO is designed to maintain an animal population of approximately 1,435 AEU's consisting of 3,650 swine (total for sows, grower pigs and nursery pigs), 550 beef steers, 100 beef cows and calves and 60,000 chickens. The swine, beef and poultry operations are separate and each has its own manure storage facilities. At the swine operation, manure is stored in a 819,000-gallon circular concrete tank and in a 150' x 150' x 7' deep concrete pit beneath the nursery barn. Dry manure from the poultry operation is composted and then spread on fields. Solid manure from the beef operation is scraped and hauled to fields, with some manure runoff is collected in an underground storage tank. All manure from the operations is land-

applied in accordance with an approved Nutrient Management Plan.

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

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

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

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin*

at which time the determination may be appealed to the Environmental Hearing Board.

PA 0246662, CAFO, **Burkholder Reality (Reinholds Farm)**, 1440 Division Highway, Ephrata, PA 17522-8832. Leon Burkholder has submitted an application for an Individual NPDES permit for an existing CAFO known as Reinholds Farm, 1375 West Route 897, Reinholds, PA 17569 in West Cocalico Township, **Lancaster County**.

The CAFO is situated near an unnamed tributary to Cocalico Creek in Watershed 7-J, which is classified for HQ-WWF. The CAFO is designed to maintain an animal population of approximately 985 AEU's consisting of 8,000 finishing swine. The animals will be housed in four finishing swine barns. Manure is stored in an HDPE-lined lagoon. The total capacity of the manure storage facilities is 3,148,000 gallons. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

PAS604801, Industrial Stormwater SIC 5015, **Abramson Auto Wrecking**, 3149 Nittany Valley Drive, Howard, PA 16841. This existing facility is located in Walker Township, **Centre County**.

Outfall 001: existing discharge, design flow of 3.0 mgd.

Parameter	Average Monthly	Concentration (mg/l)		Instantaneous Maximum
		Average Weekly	Maximum Daily	
CBOD ₅	25	38		50
Suspended Solids	30	45		60

Description of Proposed Activity: This proposed action is for issuance of a NPDES permit for an existing discharge of industrial stormwater.

The receiving stream, Little Fishing Creek, is in the State Water Plan watershed 9-C and is classified for: HQ-CWF. The nearest downstream public water supply intake for the Pennsylvania-American Water Company is located on the West Branch Susquehanna River at Milton.

The proposed effluent limits are based on Best Management Practices (BMPs).

PAS224801, Industrial Stormwater SIC 2421, **Patterson Lumber Co., Inc.**, P. O. Box 57, Wellsboro, PA 16901. This existing facility is located in West Branch Township, **Potter County**.

Description of Proposed Activity: This proposed action is for issuance of a NPDES permit for an existing discharge of industrial stormwater.

The receiving stream, West Branch Pine Creek, is in the State Water Plan watershed 9-A and is classified for: HQ-CWF. The nearest downstream public water supply intake for the Pennsylvania-American Water Company is located on the West Branch Susquehanna River at Milton.

The proposed effluent limits are based on BMPs.

PAS204801, Industrial Stormwater SIC 3399, **GKN Sinter Metals, Inc.**, R. R. 2 Box 47, Emporium, PA 15834. This existing facility is located in Emporium Borough, **Cameron County**.

Description of Proposed Activity: This proposed action is for issuance of a NPDES permit for an existing discharge of industrial stormwater.

The receiving stream, West Creek, is in the State Water Plan watershed 8-A and is classified for: HQ-CWF. The nearest downstream public water supply intake for the Pennsylvania-American Water Company is located on the West Branch Susquehanna River at Milton.

The proposed effluent limits are based on BMPs.

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

PA0026891, Sewage, **Authority of the Borough of Charleroi**, 325-327 McKean Avenue, Box 211, Charleroi, PA 15022. This application is for renewal of an NPDES permit to discharge treated sewage from Charleroi Sewage Treatment Plant in Charleroi Borough, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, which are classified as a WWF 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 Pennsylvania American Water Company.

Parameter	Average Monthly	Concentration (mg/l)		Instantaneous Maximum
		Average Weekly	Maximum Daily	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	20,000 as a geometric mean			
Total Residual Chlorine	.5			1.6
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: Outfalls 002—013 will serve as combined sewer overflows.

The EPA waiver is not in effect.

PA0205681, Sewage, **Somerset Township Municipal Authority**, 2209 North Center Avenue, P. O. Box 247, Somerset, PA 15501-0247. This application is for renewal of an NPDES permit to discharge treated sewage from Somerset Correctional Facility Sewage Treatment Plant in Black Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Laurel Run, which are classified as a WWF 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 Municipal Wastewater Authority located on the Youghiogheny River.

Outfall 001: existing discharge, design flow of 0.42 mgd.

Parameter	Average Monthly	Concentration (mg/l)		Instantaneous Maximum
		Average Weekly	Maximum Daily	
CBOD ₅	10	15		20
Suspended Solids	10	25		20
Ammonia Nitrogen (5-1 to 10-31)	1.9	2.9		3.8
(11-1 to 4-30)	2.8	4.2		5.6
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.06			0.18
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0238694, Sewage, **Christopher N. Miller, Miller Subdivision**, 12536 East Lake Road, North East, PA 16428. This proposed facility is located in North East Township, **Erie County**.

Description of Proposed Activity: discharge of treated sewage from a five-unit subdivision.

The receiving stream, unnamed tributary of Lake Erie, is in Lake Erie watershed and classified for: CWF, MF. For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride and phenolics, there is no downstream public water supply affected by this discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.002 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10		20
Total Suspended Solids	20		40
Phosphorus	1.0		
Total Residual Chlorine	1.4		3.3
Fecal Coliform	200/100 ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

The EPA Waiver is in effect.

PA0238775, Sewage, **Rob Kurczewski**, 2142 North Manor Drive, Erie, PA 16505. This proposed facility is located at 8140 Old French Road, Summit Township, **Erie County**.

Description of Proposed Activity: This is a new discharge of treated sewage from a single residence, sewage treatment plant using a boiler-slag sand filter and ultraviolet disinfection.

The receiving stream, unnamed tributary of Walnut Creek, is in Walnut Creek watershed and classified for: CWF, MF. For the purpose of evaluating effluent requirements for TDS, NO₂—NO₃, fluoride and phenolics, there is no existing/proposed downstream potable water supply (stream and public water supplier) to consider until Lake Erie.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0005 MGD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10		20
Total Suspended Solids	20		40
Fecal Coliform		200/100 ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

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

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

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

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

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

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

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

WQM Permit No. 4802403, Palmer Township Municipal Sewer Authority, 3 Weller Place, Palmer, PA 18043. This proposed facility is located in Palmer and Bethlehem Townships, **Northampton County**.

Description of Proposed Action/Activity: This project consists of the construction of a sewer extension to serve 45 existing homes on Ridgewood Road, North Fulton Ave. and Green Pond Road in Palmer Township. The 45 homes in Palmer Township are presently served by individual onlot sewage disposal systems. The project, which involves the construction of approximately 9,200 feet of

8-inch diameter sewer main in Palmer and Bethlehem Townships, will also eliminate the Palmer Township Municipal Authority's (PTMA) Ridgewood Road pumping station, which currently serves 36 existing homes. In addition, the sewers to be constructed will pass by 12 existing homes and a church in Bethlehem Township that currently have onlot septic systems. Wastewater will be conveyed to the Easton Area Joint Sewer Authority wastewater treatment plant via the PTMA North Intercepting Sewer, the Forks Township Municipal Sewer Authority's Bushkill Creek Interceptor and downstream wastewater conveyance facilities in the City of Easton.

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

WQM Permit No. 0802401, Sewerage SIC 4952, **Valley Joint Sewer Authority**, One South River Street, Athens, PA 18810-1701. This proposed facility is located in Athens Borough, **Bradford County**.

Description of Proposed Action/Activity: Renovation of sewage plant, application received on March 25, 2002.

WQM Permit No. 4102403, Sewerage SIC 4952, **Jeanette L. Fraser**, 901 Harvey Road, Williamsport, PA 17701. This proposed facility is located in Eldred Township, **Lycoming County**.

Description of Proposed Action/Activity: Construction and operation of residential sewage treatment plant, application received on April 3, 2002.

WQM Permit No. 5902403, Sewerage SIC 4952, **Blossburg Municipal Authority**, 245 Main Street, Blossburg, PA 16912. This proposed facility is located in Blossburg Borough, **Tioga County**.

Description of Proposed Action/Activity: Renovation of sewage plant, application received on February 22, 2002.

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

Application No 0202406, Industrial Waste, **Duke Energy North America LLC**, 5400 Westheimer Court, Houston, TX 77056. Application for the construction and operation of a Wastewater Treatment Plant to serve the Fayette County Area located in German Township, **Fayette County**.

Application No. 0202406, Sewerage, **Ross Township, Municipal Building**, 5325 Perrysville Avenue, Pittsburgh, PA 15225. Application for the replacement and operation of a Sanitary Sewer System to serve the Ross Township, Borough of Bellevue and City of Pittsburgh located in Ross Township, **Allegheny County**.

Application No. 3202401, Sewerage, **Burrell Township Sewer Authority**, 4345 Park Drive, Black lick, PA 15716. Application for the construction and operation of a pump station and sanitary sewer system to serve 95 existing and/or proposed single family dwellings located in Burrell Township, **Indiana County**.

Application No. 566S051-A1, Sewerage, Borough of Patton, P. O. Box 175, Patton, PA 16668. Application for the modification and operation of the Patton Borough Sewage Treatment Plant to serve the Patton Borough area located in Patton Borough, **Cambria County.**

NPDES Stormwater Individual Permit

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

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted before the application within 30 days from the date of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations

regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department Regional Office during the 30-day public comment period.

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

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

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

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

Wayne County Conservation District: Ag Service Center, 470 Sunrise Ave., Honesdale, PA 18431, (570) 253-0930.

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS107421-1	Waymart Wind Farm, LP 405 14th St. Oakland, CA 94612	Canaan and Clinton Townships Wayne County Carbondale Township Lackawanna County	Middle Creek HQ-CWF, MF

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

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>	<i>County & Municipality</i>	<i>Receiving Water/Use</i>
PAS103714	Department of Environmental Protection Bureau of Abandon Mine Reclamation Cambria Office 286 Industrial Park Ebensburg, PA 15931	Lawrence County New Beaver Borough	North Fork Little Beaver Creek (HQ)

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

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

Permit No. 0903503, Public Water Supply.

Applicant	Pennsylvania-American Water Company
Township	Lower Makefield
Responsible Official	Steven J. Seidl 800 W. Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	American Water Works Service Company, Inc. 1025 Laurel Oak Road Voorhees, NJ 08043
Application Received Date	April 25, 2002
Description of Action	Installation of anionic polymer feed systems for use during periods of high raw water turbidity at the Mill Road Treatment Plant.

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

Permit No. 6602501, Public Water Supply.

Applicant	Westgate Water & Sewer Municipal Authority
Township or Borough	Washington Township, Wyoming County
Responsible Official	Edward Coleman, Chairperson Westgate Water & Sewer Municipal Authority 184 Keiserville Road Tunkhannock, PA 18677
Type of Facility	PWS
Consulting Engineer	Paul B. Milnes, P.E. Milnes Engineering, Inc. 12 Frear Hill Road Tunkhannock, PA 18657
Application Received Date	January 18, 2002
Description of Action	Upgrade existing water supply, storage, treatment and distribution facilities.

Permit No. 4802501, Public Water Supply.

Applicant	East Allen Township Municipal Authority
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Township or Borough	East Allen Township Northampton County
Responsible Official	Dr. Scott Cericola East Allen Township Municipal Authority 5340 Nor-Bath Blvd. Northampton, PA 18607
Type of Facility	PWS
Consulting Engineer	Ronald B. Madison Hanover Engineering Assoc., Inc. 252 Brodhead Road, Suite 100 Bethlehem, PA 18017
Application Received Date	January 8, 2002
Description of Action	Construction of a replacement well and a main line to connect to existing distribution system.

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

Permit No. 0602502, Public Water Supply.

Applicant	Tulpehocken Area School District—Bethel Elementary School
Municipality	Bernville Borough
County	Berks
Responsible Official	Dr. Augie Grant, Superintendent 428 New Schaefferstown Road Bernville, PA 19506 8939
Type of Facility	PWS
Consulting Engineer	Thomas E. Roberts, P.E. Spotts Stevens & McCoy Inc. 345 North Wyomissing Boulevard Reading, PA 19610-0307
Application Received Date	April 1, 2002
Description of Action	Addition of soda ash and ortho/polyphosphate for corrosion control.

Permit No. 0102504, Public Water Supply.

Applicant	Adams County Board of Commissioners
Municipality	Straban Township
County	Adams
Responsible Official	Thomas J. Weaver, Chairperson Board of Commissioners 111-117 Baltimore Street Gettysburg, PA 17325
Type of Facility	PWS
Consulting Engineer	Gene C. Koontz, P.E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Application Received Date	April 8, 2002

Description of Action Construction Permit application for a new community water system. The water system will serve the County's new prison, emergency services center and recycling center. The water system will consist of two wells, sodium hypochlorite disinfection and an elevated finished water storage tank.

Permit No. 6702507, Public Water Supply.

Applicant **The York Water Company**
Municipality Spring Garden Township
County **York**
Responsible Official William T. Morris P.E., President
CEO
130 East Market Street
York, PA 17405-7089

Type of Facility PWS
Consulting Engineer William T. Morris, P.E.
The York Water Company
130 East Market Street
York, PA 17405-7089

Application Received Date April 5, 2002

Description of Action PWS Construction Permit Application for the proposed Southern Repump Booster Station. The 4.75 MGD station will utilize two pumps to supply the southern repump segment of the York Water distribution system.

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

Permit No. 1102503, Public Water Supply.

Applicant **Reade Township Municipal Authority**
1032 Skyline Drive, P. O. Box 506
Blandburg, PA 16619-0506

Township or Borough Reade Township
Responsible Official James Krause, Chairperson
Reade Township Municipal Authority
1032 Skyline Drive, P. O. Box 506
Blandburg, PA 16619-0506

Type of Facility WTP
Consulting Engineer Gannett Fleming, Inc.
Foster Plaza III, Suite 200
601 Holiday Drive
Pittsburgh, PA 15220

Application Received Date April 22, 2002

Description of Action Emergency interconnection with BCI system, construction of a meter chamber and pressure reducing valve chamber and modification to disinfection/pump station piping.

Permit No. 1189501-A1, Public Water Supply.

Applicant **Nanty Glo Water Authority**
872 Chestnut Street
Nanty Glo, PA 15943-1200

Township or Borough Nanty Glo Borough
Responsible Official Diane Holby, Chairperson
Nanty Glo Water Authority
872 Chestnut Street
Nanty Glo, PA 15943-1200

Type of Facility WTP
Consulting Engineer Stiffler, McGraw & Associates, Inc.
19 N. Juniata Street, P. O. Box 462
Hollidaysburg, PA 16648

Application Received Date April 11, 2002

Description of Action The addition of powdered activated carbon pretreatment in lieu of chlorine.

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

Permit No. 2402501, Public Water Supply.

Applicant **Johnsonburg Municipal Authority**
520A Market Street
Johnsonburg, PA 15845

Township or Borough Ridgway Township, **Elk County**
Responsible Official Dale DeLong, Authority Chairperson

Type of Facility PWS
Consulting Engineer Uni-Tec Consulting Engineers, Inc.
2007 Cato Avenue
State College, PA 16801

Application Received Date April 19, 2002

Description of Action Backwash tank and pump station to recycle backwash water to the mix tank at the front end of the filtration system.

Permit No. 2502502, Public Water Supply.

Applicant **Erie City Water Authority**
340 West Bayfront Parkway
Erie, PA 16507

Township or Borough City of Erie, **Erie County**
Responsible Official James J. Rudy, Chief Operating Officer

Type of Facility WTP
Consulting Engineer Kemal Niksic
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received April 22, 2002
Date
Description of Action Construction of fluoridation facilities at the Sommerheim WTP.

Permit No. 2502503, Public Water Supply.

Applicant **Erie City Water Authority**
340 West Bayfront Parkway
Erie, PA 16507
Township or Borough City of Erie, **Erie County**
Responsible Official James J. Rudy, Chief Operating Officer
Type of Facility WTP
Consulting Engineer Kemal Niksic
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received April 22, 2002
Date
Description of Action Construction of fluoridation facilities at the Chestnut Street WTP.

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

Permit No. 9996491, Public Water Supply.

Applicant **Great Spring Waters of America, Inc.**
Borough Hollis, ME
Responsible Official Tamara Risser, Quality Control Manager
Type of Facility Out-of-State Bottled Water System
Application Received April 16, 2002
Date
Description of Action Applicant requesting Department approval to add the Sterling Spring source to their permit. Bottled water from this source to be sold in this Commonwealth under the brand names Deer Park Spring Water and Ice Mountain Natural Spring Water.

Permit No. 9996217, Public Water Supply.

Applicant **Great Spring Waters of America, Inc.**
Borough Poland Spring, ME
Responsible Official Pamela Fischer, Quality Control Manager
Type of Facility Out-of-State Bottled Water System
Application Received April 16, 2002
Date
Description of Action Applicant requesting Department approval to add the sterling Spring source to their permit. Bottled water from this source to be sold in this Commonwealth under the brand names; Deer Park Spring Water and Ice Mountain Natural Spring Water.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

Commerce Bank N.A. (Former Auto Service Station), Warwick Township, **Bucks County**. Jason D. Plucinski, React Environmental Services, Inc., 6901 Kingsessing Ave., Philadelphia, PA 19142, on behalf of Commerce Bank N.A., 1700 Atrium Way, Mount Laurel, NJ 08054, has submitted a Notice of Intent to Remediate site soil contaminated with benzene and site groundwater contaminated with lead and benzene. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier Times* on April 17, 2002.

Booth Property—Phase I, Bethel Township, **Delaware County**. John J. Ennis, Esq., Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Thomas Booth, Sr. and Thomas Booth, Jr., 3221 Foulk Rd., Boothwyn, PA 19061, has submitted a Notice of Intent to Remediate site groundwater contaminated with BTEX, naphthalene, MTBE and cumene. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Delaware County Daily Times* on April 9, 2002.

Former Cochrane, Inc., Upper Merion Township, **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Sugartown Worldwide, Inc., 500 American Ave., King of Prussia, PA 19406, has submitted a Notice of Intent to Remediate site soil contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *King of Prussia Courier* on April 23, 2002.

SYSCO Food Services Facility (Expansion), City of Philadelphia, **Philadelphia County**. Jonathan E. Rinde, Manko, Gold & Katcher, LLP, on behalf of the City of Philadelphia, 1401 JFK Blvd., Philadelphia, PA 19102, has submitted a Notice of Intent to Remediate site soil contaminated with lead, heavy metals, BTEX and petroleum; site groundwater contaminated with lead, heavy metals, polycyclic aromatic hydrocarbons, solvents, MTBE and petroleum; and site surface water contaminated with heavy metals and polycyclic aromatic hydrocarbons. The applicant proposes to remediate the site to meet special industrial area requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on December 20, 2001.

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

Rite Aid Steelton Site, Borough of Steelton, **Dauphin County**. BL Companies, 830 Sir Thomas Court, Harrisburg, PA 17109, on behalf of Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PAHs, BTEX and PHCs. The applicant proposes to remediate the site to meet a combination of the requirements for the Statewide Health and Site-Specific standards.

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

Baldwin Brothers, Inc., 3730 Sterrettania Rd., Erie, PA, Millcreek Township, **Erie County** and Environmen-

tal & Geological Consultants, Inc., 455 W. 2nd St., P. O. Box 512, Waterford, PA 16441, have submitted a Notice of Intent to Remediate soil and groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide Health Standard.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 301246. Innovative Supply, Inc., R. R. 9, Box 323, Latrobe, PA 15650. Innovative Supply, Inc., R. D. 5 at Humphreys, Greensburg, PA 15601. A major permit modification for a Radiation Protection Plan at a residual waste processing facility in Unity Township, **Westmoreland County**, was received in the Regional Office on April 22, 2002.

Permit Application No. 301238. Allegheny Recovery Corporation, One Library Place, Box #2, Duquesne, PA 15110. ARC Transfer/Processing Facility, City Center of Duquesne, Duquesne, PA 15110. A major permit modification for a Radiation Protection Plan at a residual waste processing facility in the City of Duquesne, **Allegheny County** was received in the Regional Office on April 25, 2002.

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

Permit Application No. 101603. Onyx Waste Services, Inc., R. D. 1, Route 6, Pittsfield, PA 16340, Pittsfield Township, **Warren County**. Permit reissuance application to transfer ownership of Warren County Transfer Station from Superior Waste Services of Pennsylvania, Inc. to Onyx Waste Services, Inc. The application was received by the Northwest Regional Office on April 18, 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

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.

48-318-133: Milliken Valve Co., Inc. (1995 Highland Avenue, Suite 500, Bethlehem, PA 18020) for construction of a Binks paint spray booth and associated air cleaning device in Bethlehem Township, **Northampton County**.

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

21-03006A: Nestle Purina PetCare Co. (6509 Brandy Lane, Mechanicsburg, PA 17050) for installation of a boiler and pet food processing line in Hampden Township, **Cumberland County**.

ER-22-03008: Buckeye Pipe Line Co., L.P. (P. O. Box 368, 5002 Buckeye Road, Emmaus, PA 18049) for the Emission Reduction Credit Registry from six pipeline breakout tanks at the shutdown Inglenook Station in Reed Township, **Dauphin County**. The facility has requested 12 tons of VOC emission reduction credit.

36-03138A: OpSec Advantage, Inc. (P. O. Box 10155, Lancaster, PA 17605-0155) for construction of two plastic film printing lines at its Security Technologies facility in East Lampeter Township, **Lancaster County**.

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

55-399-005: Professional Building Systems, Inc. (72 East Market Street, Middleburg, PA 17842) for construction of manufactured housing operations in Middleburg Borough, **Snyder County**.

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

65-00837B: Dominion Transmission, Inc. (CNG Tower, 625 Liberty Avenue, Pittsburgh, PA 15222) for installation of cleanburn equipment on Engine #6 at the Oakford Station in Salem Township, **Westmoreland County**.

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

61-185A: Heath Oil Co. (Route 8, P. O. Box 941, Oil City, PA 16301) for minor modification to Plan Approval 61-185A to change monitoring requirements for an oil refinery in Barkeyville, **Venango County**.

10-027B: Penreco (138 Petrolia Street, Karns City, PA 16041) to replace an aboveground agitator mixing vessel in Karns City Borough, **Butler County**. The vent from this vessel will be connected to a scrubber system that also serves Penreco's oleum and spent acid tanks. This facility is a Title V facility.

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

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

46-0037M: Cabot Performance Materials (P. O. Box 1608, County Line Road, Boyertown, PA 19512-1608) for modification of its processes in Buildings 47 and 101 in Douglass Township, **Montgomery County**. This company is a Title V facility. This modification will not result in any emission increase of any pollutants. 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 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.

23-00031: Mercy Fitzgerald Hospital (1500 Lansdowne Avenue, Darby, PA 19023) for operation of a hospital in Darby Borough, **Delaware County**. The permit is for a non-Title V (State only) facility. The hospital has the potential to emit 24.9 TPY of NOx. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the hospital operating within all applicable air quality requirements.

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

35-309-004: Northeastern Safety Products, Inc. (405 Railroad Avenue, P. O. Box 444, East Rutherford, NJ 07073-8647) for construction of glass bead production process in the City of Carbondale, **Lackawanna County**. This facility is a non-Title V facility. This construction will result in emissions of 15.12 tons per year of particulate matter. The plan approval will include all appropriate monitoring, record keeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

40-312-041: Eldorado Properties Corp. (Petroleum Products Corp., P. O. Box 2621, Harrisburg, PA 17105) for modification of two petroleum distillate storage tanks to store gasoline, as well as petroleum distillates at the Dupont Terminal in Pittston Township, **Luzerne County**. This gasoline terminal is a Title V facility. This modification will result in emissions of 5.36 tons per year of VOCs and 0.56 ton per year of HAPs. The modification is also subject to NSPS Subpart Kb of the Federal Standards of Performance for Volatile Organic Liquid Storage Vessels, 40 CFR 60.110b—60.117b. The plan approval will include all appropriate monitoring, record keeping, inspection and reporting requirements designed to keep the source operating within all applicable air quality requirements. The plan approval will be incorporated into the Title V Operating Permit through an Administrative Amendment in accordance with 25 Pa. Code § 127.450.

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

01-05025C: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201-0809) for replacement of a 51 inch crusher with an 84 inch crusher, the addition of an air classifier, baghouse and requisite conveyors at the Gettysburg Quarry, Cumberland Township, **Adams County**. The quarry is a non-Title V facility. Completion of this project will result in less than 2 tons per year of PM. The facility is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction or Modification Commenced After July 23, 1984. The permit will contain appropriate conditions designed to keep the facility operating within all applicable air quality requirements.

22-05046A: Haines and Kibblehouse, Inc. (P. O. Box 196 Skippack, PA 19474) for construction of a fabric filter at its Handwerk Materials, Asphalt plant in Lower Swatara Township, **Dauphin County**. This asphalt plant is a non-Title V facility. This construction will result in less than 1 ton per year of PM₁₀. The facility is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants. The permit will contain standard monitoring, recordkeeping and operating restrictions designed to keep the facility operating within applicable air quality requirements.

28-03039: Warrior Roofing Manufacturing of Pennsylvania, LLC (323 Development Avenue, Chambersburg, PA 17201) for construction of an asphalt roofing felt manufacturing plant in Greene Township,

Franklin County. The facility's potential emissions of VOC are less than 10 tons annually; annual emissions of all other pollutants are less than 1 ton per pollutant. The asphalt saturator and liquid asphalt storage tanks are subject to 40 CFR Part 60, Subpart UU—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture. The liquid asphalt storage tanks are also subject to 40 CFR Part 60, Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984. The plan approval and operating permit will contain emission limits along with conditions for testing, monitoring, recordkeeping and reporting to ensure the facility complies with the applicable air quality requirements.

28-05030: Industrial Power Generating Corp. (2250 Dabney Road, Richmond, VA 17011) for construction of an electrical power generating facility in Peters Township, **Franklin County**. The facility's potential emissions are 6.6 tons per year of CO; 99 tons per year of NO_x; 0.7 ton per year of VOC; 0.6 ton per year of PM, 11.1 tons per year of SO_x. 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.

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

18-00011D: Croda, Inc. (8 Croda Way, Mill Hall, PA 17751-9601) for construction of four VOC and hazardous air pollutant (HAP)-containing storage tanks and four associated distribution systems in Bald Eagle Township, **Clinton County**.

The Croda facility is a major facility which has been issued a Title V Operating Permit (#18-00011). The four storage tanks and associated distribution systems will result in combined VOC and HAP emissions of approximately 1.02 tons per year. All of the VOC emissions are also classified as HAP emissions.

The Department has determined that the storage tanks and distribution systems will comply with all applicable regulatory requirements pertaining to air contaminant sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12 and 40 CFR Subpart PPP—National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production. The Department consequently intends to issue a plan approval for the construction of the respective storage tanks and distribution systems. Additionally, if the Department determines that the storage tanks and distribution systems are operating in compliance with all applicable plan approval conditions and regulatory requirements, the conditions established in this plan approval will be incorporated into Title V Operating Permit 18-00011 via administrative amendment under 25 Pa. Code § 127.450.

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

1. The total combined VOCs emitted from the four storage tanks and associated distribution systems shall not exceed 1.02 tons in any 12 consecutive month period.

The total combined HAPs emitted from the four storage tanks and associated distribution systems shall not exceed 1.02 tons in any 12 consecutive month period.

2. The pressure relief valve associated with the propylene oxide storage tank shall be set to release at 90 psig of pressure.

3. The pressure relief valve associated with the epichlorohydrin storage tank shall be set to release at 60 psig of pressure.

4. The vapor space of the dimethyl sulfate storage tank shall be kept under a nitrogen blanket to minimize emissions of dimethyl sulfate due to breathing losses.

5. The dimethyl sulfate and diethanolamine storage tanks shall not be vented except through their respective distribution system, return line to their respective tank truck or breather vent.

6. The propylene oxide and epichlorohydrin storage tanks shall not be vented except through their respective distribution system, return line to their respective tank truck or pressure relief valve.

7. The permittee shall minimize the number of agitators, connectors/flanges, pumps, pressure relief valves and valves associated with the distribution systems as much as practicable to minimize the number of potential sources of equipment leak emissions.

8. The permittee shall first connect the flexible hose from a dedicated inlet fill line from the tank truck to each of the propylene oxide, epichlorohydrin, dimethyl sulfate and diethanolamine storage tanks before loading from each respective tank truck is initiated. In addition, the permittee shall first connect a vapor return line from the propylene oxide, epichlorohydrin and dimethyl sulfate storage tanks to each respective tank truck before loading is initiated. Once the loading of each of the propylene oxide and epichlorohydrin storage tanks is completed, all respective transfer lines shall be flushed with nitrogen before they are disconnected. All propylene oxide and epichlorohydrin vapors flushed directly from the transfer lines shall be captured and not emitted directly to the atmosphere.

9. The permittee shall obtain Department approval in writing prior to the storage of any other materials in the respective storage tanks and distribution systems.

10. The storage tanks and distribution systems are subject to 40 CFR Subpart PPP—National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production.

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.

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

62-00141: National Fuel Gas Supply Corp.—Roystone Compressor Station (Star Route Box 574, Sheffield, PA 16347) for a Title V Operating Permit Renewal to operate a Natural Gas Compressor Station in Sheffield Township, **Warren County**.

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 Saffko, Facilities Permitting Chief, (570) 826-2531.

54-313-081: Air Products and Chemicals, Inc. (R. R. 1, P. O. Box 351, Tamaqua, PA 18252) for operation of the West Nitrogen Tri-fluoride Plant and associated air cleaning devices in Rush Township, **Schuylkill County**.

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

36-03056: Weaver Industries, Inc. (425 South Fourth Street, Denver, PA 17517) for operation of a graphite machining facility controlled by fabric collectors in Denver Borough, **Lancaster County**. Actual emissions of PM are estimated at less than 6 tons annually. Emissions for other criteria pollutants will be well below Title V thresholds. The operating permit will contain testing, monitoring, record keeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-05008: Tyson Foods, Inc. (403 South Custer Avenue, New Holland, PA 17557) for operation of two poultry fryers in Earl Township, **Lancaster County**. The operation of the new poultry fryers will increase facility emissions of PM by approximately 500 lbs/year. The Synthetic Minor operating permit will include testing, monitoring, record keeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-05096: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) for operation of an asphalt batch plant controlled by a knockout box/fabric collector at its Paradise Plant in Paradise Township, **Lancaster 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 applicable air quality requirements. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

36-05097: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) for operation of an asphalt batch plant controlled by a knockout box/fabric collector at the Mason-Dixon Plant in Fulton Township, **Lancaster 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 applicable air quality requirements. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

36-05098: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) for operation of an asphalt batch plant controlled by a cyclone/fabric collector at the Elizabethtown Plant in Mount Joy Township, **Lancaster 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

ate conditions designed to keep the facility operating within all applicable air quality requirements. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

36-05099: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) for operation of an asphalt batch plant controlled by a knockout box/fabric collector at the East Petersburg Plant in East Hempfield Township, **Lancaster 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 applicable air quality requirements. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

36-05100: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) for operation of an asphalt batch plant controlled by a cyclone/fabric collector at the Lancaster Plant in Lancaster City, Manheim Township, **Lancaster 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 applicable air quality requirements. This source is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

38-03035: V & S Lebanon Galvanizing, LLC (1000 Buckeye Park Road, Columbus, OH 43207) for operation of its hot dip galvanizing facility in Union Township, **Lebanon County**. The facility has potential annual emissions of 2 tons per year of CO, 1 ton per year of NOx and 0.3 ton per year of PM-10. The Natural Minor operating permit will include testing, monitoring, record keeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

67-03027: PVC Container Corp., Airopak Division (One Devco Drive, Manchester, PA 17345-1337) for operation of the plastic blow molding facility in East Manchester Township, **York County**. Actual emissions of VOC are less than 1 ton per year. The permit will include 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.

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

65-00064: Latronics Corp. (1001 Lloyd Avenue, Box 469, Latrobe, PA 15650) for manufacture of semiconductor housings in Unity Township, **Westmoreland County**.

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

33-00155: Trail King Industries, Inc. (R. D. 5, Box 48, Brookville, PA 15825) for a Natural Minor Operating Permit for a truck trailer manufacturing facility in Pine Creek Township, **Jefferson County**.

MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); 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 Con-

trol 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

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

26000104 Patterson Coal Company (41 Elizabeth Drive, Smithfield, PA 15478). Application received to revise permit to extend the mining area to include the

area north of the haulroad for mining of the Pittsburgh coal seam at a bituminous surface mining site located in German, Georges and South Union Townships, **Fayette County**, affecting 138 acres. Receiving streams: unnamed tributary to Jennings Run, to Jennings Run, to the Monongahela River, classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is greater than 10 miles from the proposed site. Application received April 24, 2002.

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

11020101 and NPDES Permit No. PA0249203. E. P. Bender Coal Company, Inc., P. O. Box 594, Carrolltown, PA 15722, commencement, operation and restoration of a bituminous surface and auger mine and for discharge of treated mine drainage in Reade Township, **Cambria County**, affecting 141.0 acres. Receiving streams: Fallentimber Run, unnamed tributaries to Fallentimber Run classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 16, 2002.

11860101 and NPDES Permit No. PA0599191. Laurel Land Development, Inc., P. O. Box 629, Carrolltown, PA 15722, permit renewal for reclamation only for continued restoration of a bituminous surface mine in Blacklick Township, **Cambria County**, affecting 67.0 acres. Receiving streams: Coalpit Run classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 19, 2002.

32020103 and NPDES Permit No. PA0249211. S & M Mining, 15 Rayne Run Road, Marion Center, PA 15759, commencement, operation and restoration of a bituminous surface and auger mine and for discharge of treated mine drainage in Cherryhill Township, **Indiana County**, affecting 143.4 acres. Receiving streams: unnamed tributaries to Two Lick Reservoir—PWS to Two Lick Creek to Blacklick Creek to the Conemaugh River classified for the following uses: WWF. There are no potable water supply intakes within 10 miles downstream. Application received April 15, 2002.

56703107 and NPDES Permit No. PA0605956. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Fridens, PA 15541, permit revision to conduct mining activities within 100-foot of SR 601 in Paint Township, **Somerset County**, affecting 863.0 acres. Receiving streams: unnamed tributary to Paint Creek; to Kaufman Run; to unnamed tributaries to Kaufman Run; to Stony Creek; and to Shade Creek classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Cambria/Somerset Water Authority Border Dam. Application received April 19, 2002.

32870101 and NPDES Permit No. PA0597899. Urey Coal Company, 222 Forest Ridge Road, Indiana, PA 15701, permit renewal for reclamation only and for restoration of a bituminous surface and auger mine in Banks and Montgomery Townships, Glen Campbell Borough, **Indiana County**, affecting 156.4 acres. Receiving streams: unnamed tributaries to Cush Creek and Cush Creek classified for the following uses: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 22, 2002.

Noncoal Applications Received

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

58980830. William Sparks (R. R. 2 Box 45, Thompson, PA 18465) Stage I bond release for a small quarry operation in Harford Township, **Susquehanna County** affecting 1.0 acre for \$750 on property owned by Thomas Pinto. Application received April 17, 2002.

55960802. Scott E. Garrison Excavating (R. R. 1 Box 2064, Beavertown, PA 17813) Stage I and II release for a small quarry operation in Spring Township, **Snyder County** affecting 1.0 acre for \$1,000 on property owned by Joseph J. Byler. Application received April 24, 2002.

4975SM5A1C3 and NPDES Permit #PA0612430. Glen-Gery Corporation (P. O. Box 7001, Wyomissing, PA 19610-6001) NPDES renewal in Oxford Township, **Adams County**, affecting 113.0 acres. Receiving stream: unnamed tributary to South Branch Conewago Creek, classified for the following use: WWF. The first potable water supply intakes downstream of the discharge point include Littlestown Borough and Hanover Municipal Water Works. Application received April 22, 2002.

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

08020803. Heeman Quarries, Inc., R. R. 2, Box 227H, Wyalusing, PA 18853. Commencement, operation and restoration of a Small Industrial Minerals (Bluestone/Flagstone) permit in Tuscarora Township, **Bradford County** affecting 5 acres. Receiving streams: unnamed tributary to Mill Creek, tributary to Mill Creek. Application received March 19, 2002.

59020301. Clifford Cross, Jr., P. O. Box 240, Mainesburg, PA 16932-0240. Commencement, operation and restoration of a Large Industrial Minerals (Gravel) permit in Lawrence Township, **Tioga County** affecting 13.8 acres. Receiving streams: Harts Creek, tributary to Tioga River. Application received March 22, 2002.

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

56970301. Fieg Brothers Coal Company, 3070 Stoystown Road, Stoystown, PA 15563, renewal of NPDES Permit No. PA0234362, Black and Summit Townships, **Somerset County**, receiving stream Casselman River. NPDES Renewal application received April 19, 2002.

McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.

32841601. NPDES Permit #PA0214159, Robindale Energy Services, Inc. (1001 Broad St., Suite 130, Johnstown, PA 15906) to revise the permit for the Dilltown Prep. Plant in Brushvalley Township, **Indiana County** for land use change on 24 acres, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Application received April 2, 2002.

56851303. NPDES Permit #PA0214850, RoxCoal, Inc. (P. O. Box 149, Friedens, PA 15541) to renew the permit for the Barbara No. 1 and No. 2 Mines in Stoneycreek and Brothersvalley Townships, **Somerset County**, renewal, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, clas-

sified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A, Application received April 8, 2002.

56910701. NPDES Permit #PA0213560, PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541) to renew the permit for the Job 10 CRDA in Brothersvalley and Somerset Townships, **Somerset County**, renewal Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A, Application received April 15, 2002

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

43020302 and NPDES Permit No. PA 0242110. White Rock Silica Sand Company, Inc. (331 Methodist Road, Greenville, PA 16125) Commencement, operation and restoration of a gravel operation in Hempfield Township, **Mercer County** affecting 45.0 acres. Receiving streams: Mathay Run, classified for the following uses: Statewide water uses: WWF. No public water supplies are within 10 miles downstream of this proposed operation. Application received April 22, 2002.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-912. Whitpain Township, P. O. Box 800, Blue Bell, PA 19422, Whitpain Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities associated with the improvement and widening of the North Wales Road (T-377). This site is located approximately 1,800 feet southwest of the intersection of SR 073 and North Wales Road (Lansdale, PA Quadrangle N: 8.9 inches; W: 8.8 inches). To replace and maintain an existing culvert consisting of twin 26 linear-foot long and 54-inch diameter ductile iron pipes with a twin 39 linear-foot of 21 foot wide and 7 foot high concrete box culverts in and along Stony Run (TSF) under North Wales Road at the same locations. Work also includes 140 linear feet of channel change and incidental fill within the floodway to accommodate the roadway improvements.

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

E01-233. Laverne Leese, BJML Enterprises, 982 Bollinger Road, Littlestown, PA 17304 in Conewago Township, **Adams County**, ACOE Baltimore District.

To construct and maintain a stormwater discharge which will eventually discharge to an unnamed tributary to the South Brach Conewago Creek (WWF) for the purpose of the Chapel Ridge Residential Development. The repair of a sinkhole and liner installation will permanently impact 0.065 acre of wetlands (McSherrystown, PA Quadrangle N: 13.6 inches; W: 4.8 inches) in Conewago Township, Adams County.

E06-566. Terry Manmiller, Maiden creek Township, 1 Quarry Road, Blandon, PA 19510 in Maiden creek Township, **Berks County**, ACOE Philadelphia District.

To: (1) remove an existing 60-inch diameter corrugated metal pipe and construct and maintain a 5-foot by 11-foot precast concrete box culvert with end walls and remove an existing 4-foot by 7-foot precast concrete box culvert; and (2) construct and maintain a 25-foot span pedestrian footbridge at a point along Hoch Road (T-754) (Fleetwood, PA Quadrangle N: 13.3 inches; W: 15.7 inches and N: 13.0 inches; W: 15.5 inches respectively) in Maiden creek Township, Berks County.

E06-567. Edward Gonzales, Texas Eastern Transmission LP, 5400 Westheimer Court, Houston, TX 77058 in Pike and District Townships, **Berks County**; Perry County Conservation District, P. O. Box 36, 31 W. Main Street, New Bloomfield, PA 17068, (717) 582-8988 in Pike and District Townships, Berks County, ACOE Philadelphia District.

To construct and maintain approximately 4 miles of pipeline loops 36 inches in diameter connecting to the existing pipelines beginning at a point approximately 1.9 miles northeast of the intersection of Mine and Oysterville Roads extending approximately 3.9 miles east crossing Oysterville Creek (EV), four unnamed tributaries to Oysterville Creek (EV) and the Northwest Branch of

the Perkiomen Creek (EV) to a point 0.44 mile northeast of the intersection of Deer Run and Hardt Hill Roads (Manatawny, PA Quadrangle N: 7.1 inches; W: 11.5 inches and N: 7.8 inches; W: 1.2 inches respectively) in Pike and District Townships, Berks County.

E50-211. Christine Potteiger, Wheatfield Township, R. R. 2 Box 248B, Newport, PA 17074 in Wheatfield Township, **Perry County,** ACOE Baltimore District

To remove an existing culvert pipe and to construct and maintain an 81-inch by 59-inch, 35-foot long corrugated metal pipe arch culvert with riprap rock to prevent channel scouring in Dark Run (CWF) and 0.03 de minimis acre of associated wetlands for the purpose of Township Road maintenance located on Roseglen Road (T-345) about 200 feet west of its intersection with Dark Hollow Road (T-452) (Duncannon, PA Quadrangle N: 2.50 inches; W: 15.55 inches) in Wheatfield Township, Perry County.

E67-719. Mike Fobes, York County Commissioners, York County Park, 400 Mundle Race Road, York, PA 17402 in York Township, **York County,** ACOE Baltimore District

To construct and maintain a 2142 square foot wooden dock which will extend on to Lake Redman (WWF) (York, PA Quadrangle N: 1.1 inches; W: 8.9 inches) in York Township, York County.

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3574.

E14-419. John E. Glantz, 101 Norma Mae Circle, Port Matilda, PA 16870. Echo Hill Road Stream Crossing, in Patton Township, **Centre County,** ACOE Baltimore District (Julian, PA Quadrangle N: 12.0 inches; W: 10.5 inches).

To construct and maintain a 117-inch by 79-inch by 90-foot long Arch Corrugated Metal Pipe and associated approach fill to cross Waddle Run, located 2,200 feet east-northeast from the intersection of Sellers Lane and Meeks Lane. The project proposes to permanently impact 110 linear feet of the unnamed tributary to Buffalo Run (Waddle Run), which is classified as a HQ-CWF.

E12-129. Department of Conservation and Natural Resources, Bureau of Forestry, 258 Sizerville Road, Emporium, PA 15834. Bridge over Wykoff Run, in Gibson Township, **Cameron County,** ACOE Baltimore District (Driftwood, PA Quadrangle N: 5.25 inches; W: 2 inches).

The applicant proposes to construct a footbridge over Wykoff Run, which is designated as a HQ-CWF. The structure is intending to have a span of 38 feet and have an underclearance of 5 feet in the center and 3 feet along the stream banks. The new structure is intended to be built 30 yards downstream of the existing structure and will be constructed of pressure treated lumber. The project proposes to disturb 25 linear feet of stream and does not intend to impact any wetlands.

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

E 10959. Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 26301. Big Beaver Borough, New Sewickley Township, North Sewickley Township, Koppel Borough and Marion Township, **Beaver County,** ACOE Pittsburgh District.

To amend permit E10959 which authorized the construction of a pipeline crossing under the bed of the Beaver River (WWF) located approximately 10 miles above its mouth, to include the operation and maintenance

of this crossing and to operate and maintain approximately 25 miles of the same 20 inch natural gas pipeline (LN 25). The following stream crossings will be added to the permit: tributary to Jordan Run (HQ-CWF), Stockman Run (WWF), ten tributaries to Brush Creek (WWF) and Brush Creek (WWF). The project starts in Big Beaver Borough at the border of Lawrence County and Beaver County and ends in New Sewickley Township at the Beaver County and Butler County border (the project starts at Beaver Falls, PA Quadrangle N: 18.6 inches; W: 15.5 inches and ends at Baden, PA Quadrangle N: 21.6 inches; W: 3.8 inches).

E02-1375. Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 26301. Plum Borough, **Allegheny County,** ACOE Pittsburgh District.

To operate and maintain approximately 4.5 miles of an existing 20 inch natural gas pipeline (LN 25). The pipeline crosses the following streams: six tributaries to Little Plum Creek (WWF) and a tributary to Bodies Run (WWF). The project starts in Plum Borough at the Allegheny County and Westmoreland border and ends in Plum on the east side of the Allegheny River (the project starts at Murrysville, PA Quadrangle N: 21.7 inches; W: 10.7 inches and ends at New Kensington West, PA Quadrangle N: 6.5 inches; W: 2.1 inches).

E02-817-A1. Snyder Brothers, 4695 Campbells Run Road, Pittsburgh, PA 15205. Collier Township, **Allegheny County,** ACOE Pittsburgh District.

To amend permit E02-817 which authorized the construction and maintenance of a 16' x 7' 11" CMP arch culvert as part of an existing stream enclosure in the channel of Campbell's Run (WWF) located on the north side of the Parkway West (Routes 22 and 30) at the Campbell Run Road exit ramp to facilitate the construction of an auto service building at the site in Collier Township, Allegheny County. This amendment will authorize the construction of 16' x 7' 11" CMP arch culvert by 98' long extension to the existing stream enclosure to provide additional parking for the existing service station, food mart and auto repair shop (Oakdale, PA Quadrangle N: 10.0 inches; W: 1.2 inches).

E02-1374. South Park School District, 2178 Ridge Road, South Park, PA 15219. South Park Township, **Allegheny County,** ACOE Pittsburgh District.

To place and maintain fill in 0.55 acre of wetlands adjacent to Catfish Run (WWF) for the purpose of constructing a new high school. The project is located on the east side of Brownsville Road, approximately 1,400 feet northeast from the intersection of Brownsville Road and Wallace Road. The applicant proposes to construct 0.55 acre of replacement wetlands. (Glassport, PA Quadrangle N: 9.0 inches; W: 16.3 inches).

E04-285. Dominion Transmission, Inc., 445 West Main Street, Clarksburg, WV 26301. South Beaver Township, Big Beaver Borough and Chippewa Township, **Beaver County,** ACOE Pittsburgh District.

To operate and maintain approximately 12 miles of an existing 30 inch natural gas pipeline (TL-400). The pipeline crosses the following streams: four tributaries to the North Fork Little Beaver Creek (HQ-CWF), six tributaries to Brush Run (HQ-CWF), Brush Run (HQ-CWF), Painters Run (HQ-CWF), two tributaries to Clark Run (tributary to the Beaver River, WWF), one tributary to Clarks Run (tributary to the North Fork Little Beaver Creek, HQ-CWF), Clarks Run (tributary to the Beaver River, WWF) and Stockman Run (WWF). The project starts at the Pennsylvania and Ohio border and ends at

the Big Beaver Borough and Koppel Borough border (the project starts at East Liverpool North PA-WV Quadrangle N: 20.8 inches; W: 2.7 inches and ends at Beaver Falls, PA N: 15.1 inches; W: 11.1 inches).

E11-295. Pennsylvania Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648. Jackson Township, Cambria County, ACOE Pittsburgh District.

To remove existing structures and to construct and maintain the following structures and activities as part of the SR 0022, Section 005 Transportation Improvement Project:

To construct and maintain a 200 foot long, 36 inch diameter reinforced concrete pipe in an unnamed tributary to Rummel Run (CWF). Station 17 + 800; this pipe qualifies for Department waiver 105.12 (a)(2). (Vintondale, PA Quadrangle N: 10.9 inches; W: 6.6 inches).

To construct and maintain a 147 foot long, 24 inch diameter reinforced concrete pipe in an unnamed tributary to Laurel Run (HQ-CWF). Station 19 + 740; this pipe qualifies for Department waiver 105.12(a)(2). (Vintondale, PA Quadrangle N: 11.6 inches; W: 3.5 inches).

To construct and maintain a 246 foot long, 36 inch diameter pipe in an unnamed tributary to Laurel Run (HQ-CWF). Station 20 + 500; this pipe qualifies for Department waiver 105.12(a)(2). (Vintondale, PA Quadrangle N: 12.1 inches; W: 2.4 inches).

To relocate and maintain 112.0 feet of Laurel Run (HQ-CWF). Station 21 + 134. (Vintondale, PA Quadrangle N: 12.6 inches; W: 1.6 inches).

To construct and maintain a 194 foot long, 66 inch diameter culvert in Laurel Run (HQ-CWF). The invert of the culvert will be depressed 12 inches and will contain baffles. Station 21 + 134. (Vintondale, PA Quadrangle N: 12.6 inches; W: 1.6 inches).

To construct and maintain a 310 foot long, 42 inch diameter reinforced concrete pipe in an unnamed tributary to Hinckston Run (WWF). Station 22 + 680, this pipe qualifies for Department waiver 105.12(a)(2). (Nanty Glo, PA Quadrangle N: 13.9 inches; W: 16.9 inches).

To relocate and maintain 78.74 feet of Hinckston Run (WWF). Station 23 + 356. (Nanty Glo, PA Quadrangle N: 13.7 inches; W: 15.8 inches).

To construct and maintain a 323 foot long, 98.43 inch by 98.43 inch precast reinforced concrete box culvert in Hinckston Run (WWF). The invert of the box culvert will be depressed 12.0 inches and will contain baffles. Station 23 + 356. (Nanty Glo, PA Quadrangle N: 13.7 inches; W: 15.8 inches).

To place and maintain fill in 2.26 acres of wetland (1.27 acres PEM, 0.85 acre PEM/PSS, 0.04 acre PEM/PFO, 0.10 acre PEM/PSS/PFO). Replacement wetlands will be created at a 1:1 ratio at the AMD and ART Vintondale Demonstration Project. Begin (Vintondale, PA Quadrangle N: 12.1 inches; W: 10.0 inches and end at Nanty Glo, PA Quadrangle N: 13.7 inches; W: 15.6 inches).

E26-294. Fayette County Commissioners, Courthouse, 61 East Main Street, Uniontown, PA 15401. Henry Clay Township, Fayette County, ACOE Pittsburgh District.

To rehabilitate and maintain the Fayette County Bridge No. 174 having a clear span of 22 feet and an underclearance of 4 feet across Beaver Creek (HQ-CWF). The rehabilitation consists of replacement and widening of the

bridge deck. The project is located on T-381 approximately 1.3 miles west of its intersection with T-873 (Ohiopyle, PA Quadrangle N: 7.9 inches; W: 15.3 inches).

E32-440. Pennsylvania Electric Company, a FirstEnergy Company, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612-6001. East Wheatfield Township, Indiana County, ACOE Pittsburgh District.

To expand and maintain the existing Seward substation by installing a transformer, breakers and support structures along the Conemaugh River (WWF) for the purpose of accommodating the additional electrical equipment required for the new power plant located on the current Seward Station property (New Florence, PA Quadrangle N: 5.8 inches; W: 4.2 inches).

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

E10-344. Landmark Properties, Inc., 4848 Route 8, Allison Park, PA 15101. Emeryville Drive Lots 1 and 2 Wetland Fill in Cranberry Township, Butler County, ACOE Pittsburgh District (Mars, PA Quadrangle N: 9.3 inches; W: 14.1 inches).

To fill 0.13 acre of wetland on Emeryville Drive Lots 1 and 2 for construction of a five story office building and associated parking area along Emeryville Drive approximately 0.25 mile east of Margarite Drive. Project includes contribution to the Pennsylvania Wetland Replacement Fund for replacement of impacted wetland.

E25-649. Pennsylvania Department of Transportation, District 1-0, 255 Elm Street P. O. Box 398, Oil City, PA 16301. SR 3017, Segment 0090, Offset 0188 across tributary to Temple Creek, in Elk Creek, Erie County, ACOE Pittsburgh District (Albion, PA Quadrangle N: 2.9 inches; W: 11.9 inches).

To remove the existing structure and to construct and maintain a prestressed spread box beam bridge having a clear span of 46.4 feet and an underclearance of 9.5 feet on a 70 degree skew across tributary to Temple Creek approximately 200 feet north of SR 6N.

E42-293. University of Pittsburgh Bradford, 300 Campus Drive, Bradford, PA 16701. Frame-Westerberg Commons Building Addition, in Bradford Township, McKean County, ACOE Pittsburgh District (Bradford, PA-NY, PA Quadrangle N: 12.3 inches; W: 6.6 inches).

To construct and maintain an addition onto the northwest corner of the existing Frame-Westerberg Commons building measuring approximately 80 feet wide by 90 feet long and associated landscaping and paving partially within the 100-year flood plain of West Branch Tunungwant Creek east of Campus Drive approximately 1,500 feet west of Dorothy Lane.

ENVIRONMENTAL ASSESSMENTS

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

EA65-006SW. Sewickley Creek Watershed Association, P. O. Box 323, Youngwood, PA 15697-0323. Mt. Pleasant Township, Westmoreland County, ACOE Pittsburgh District.

To relocate approximately 800—1,000 linear feet of an unnamed tributary to Sewickley Creek (WWF) to divert surface water around a proposed acid mine drainage (AMD) treatment system. The watercourse currently flows into a large wetland complex (approximately 8.20 acres) that is affected by AMD. The proposed channel relocation will reportedly have direct impacts to 0.11 acre

of this wetland, but may have additional secondary impacts to the wetland, due to this proposed diversion of hydrology. Future impacts are also anticipated to the wetland from the construction of the proposed AMD treatment system, but the project sponsor is only currently seeking 401 Water Quality Certification for the proposed channel relocation. The project is located along Sewickley Creek, south of the Village of Brinkerton. (Mt. Pleasant, PA Quadrangle N: 17.2 inches; W: 3.0 inches)

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

D45-182. Paradise Falls Lutheran Association, 1320 Paradise Falls, Cresco, PA 18326. Paradise Township, **Monroe County**, ACOE Philadelphia District.

Project proposes to remove approximately 7 acres of accumulated silts and sediments from the reservoir of Lake Crawford Dam. The dam is located across Paradise Creek (HQ-CWF) at the Paradise Falls Lutheran Association Center (Mount Pocono, PA Quadrangle, N: 20.1 inches, W: 2.4 inches).

EA38-005CO. Franklin Greiner, Jr., 700 Cornwall Mountain Road, Lititz, PA 17543. South Lebanon Township, **Lebanon County**, ACOE Baltimore District.

Project proposes to construct a nonjurisdictional dam across a tributary to Shearers Creek (HQ-CWF) for wildlife habitat and recreation impacting approximately 0.07 acre of wetland (PFO) and providing 0.07 acre of replacement wetland within the impounded reservoir. The proposed dam will be located approximately 2,300 feet southeast of the intersection of Boyd Street and SR 0322 (Lebanon, PA Quadrangle, N: 0.3 inch, W: 0.3 inch).

EA36-0013CO. Ambassadors for Christ, Inc., 3256 Lincoln Highway East, Paradise, PA 17562. Paradise Township, **Lancaster County**, ACOE Baltimore District.

To remove an existing jurisdictional dam across Eshleman Run (CWF) provide bank stabilization at the location of the dam and install grade control structures in the reservoir area upstream of the dam. Installation of a water intake structure and dredging of an existing off stream pond to its original storage capacity also are proposed to maintain water for a mill race that is linked to the dam. The dam is located approximately 4,000 feet upstream of the Lincoln Highway (US Route 30) Bridge across Eshleman Run (New Holland, PA Quadrangle, N: 0.1 inch, W: 15.4 inches).

ACTIONS

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

INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

Persons aggrieved by 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).

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

NPDES Permit No. PA0043273, Sewage, **Holidaysburg Sewer Authority**, 401 Blair Street, Holidaysburg, PA 16648. This proposed facility is located in Frankstown Township, **Blair County**.

Description of Proposed Action/Activity: Authorization to discharge to Frankstown Branch Juniata River in Watershed 11-A.

NPDES Permit No. PA0021865, Sewage, **Adamstown Borough Authority of Lancaster County**, 98 Lancaster Avenue, Adamstown, PA 19501. This proposed facility is located in East Cocalico Township, **Lancaster County**.

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

NPDES Permit No. PA0021202, Sewage, **East Berlin Borough**, 128 Water Street, East Berlin, PA 17316. This proposed facility is located in East Berlin Borough, **Adams County**.

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

NPDES Permit No. PA0083801, Sewage, **Gateway Unlimited, Inc.**, 871 Range End Road, Dillsburg, PA 17019. This proposed facility is located in Franklin Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of North Branch Bermudian Creek in Watershed 7-F.

WQM Permit No. 3802401, Sewerage, **City of Lebanon Authority**, 400 South Eighth Street, Lebanon, PA 17042. This proposed facility is located in Lebanon City, **Lebanon County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of sewers and appurtenances and pump stations.

WQM Permit No. 2102404, Sewerage, **South Middleton Township Municipal Authority**, 345 Criswell Drive, Boiling Springs, PA 17007-0008. This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of pump stations.

WQM Permit No. 6785418 (Amendment 02-1), Sewerage, **Phillip Briddell, York City Sewer Authority**, c/o Blakey, Yost, Bupp and Rusch, 17 E. Market Street, York, PA 17401. This proposed facility is located in Manchester Township, **York County**.

Description of Proposed Action/Activity: Authorization for modifications to the construction/operation of their sewage treatment facilities.

NPDES Permit No. 3602401, Sewerage, **Fred Wissler, Chairperson, Earl Township Sewer Authority**, 517 North Railroad Avenue, New Holland, PA 17557. This proposed facility is located in Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of new design industrial park pump station.

WQM Permit No. 2802401, Industrial Waste, **John Holloway, Guilford Township Authority**, 115 Spring Valley Road, Chambersburg, PA 17201. This proposed facility is located in Guilford Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization for the construction/operation of sewers and appurtenances/pump stations.

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

WQM Permit No. 1496411-T2, Sewerage SIC 4952, **Randy Harpster**, 770 Steele Hollow Road, Julian, PA 16844. This existing facility is located in Huston Township, **Centre County**.

Description of Proposed Action/Activity: Transfer of water quality management permit for single residence.

WQM Permit No. 5998408-T2, Sewerage, **Max and Faith Johnson**, R. R. 6, Box 128A, Wellsboro, PA 16901. This existing facility is located in Delmar Township, **Tioga County**.

Description of Proposed Action/Activity: Transfer of water quality management permit for single residence.

NPDES Permit No. PA0002640, Industrial Waste 3255, **TYK America Inc.**, 301 Brickyard Road, Clairton, PA 15025. This proposed facility is located in Irvona Borough, **Clearfield County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge noncontact cooling water.

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

NPDES Permit No. PA0216399, Industrial, **Conemaugh Township Municipal Authority**, 113 South Main Street, Davidsville, PA 15928-0429 is authorized to discharge from a facility located in Jenner Township, **Somerset County** to receiving waters named South Fork Ben's Creek.

NPDES Permit No. PA0001775, Sewerage, **McFadden Machine Company, Inc.**, 160 Hill Road, Blairsville, PA 15717 is authorized to discharge from a facility located at

McFadden Machine Company STP, Blacklick Township, **Indiana County** to receiving waters named unnamed tributary of Muddy Run.

NPDES Permit No. PA0028452, Sewerage, **Dunkard Bobtown Municipal Authority**, P. O. Box 352, Bobtown, PA 15315 is authorized to discharge from a facility located at Dunkard Bobtown STP, Dunkard Township, **Greene County** to receiving waters named Dunkard Creek.

NPDES Permit No. PA0038172, Sewerage, **Hempfield Township Municipal Authority**, R. D. 6, P. O. Box 501, Greensburg, PA 15601 is authorized to discharge from a facility located at Rolling Hills STP, Hempfield Township, **Westmoreland County** to receiving waters named Andrews Run.

NPDES Permit No. PA0096733, Sewerage, **Lance L. Safran**, 5800 Steele Road, Murrysville, PA 15668 is authorized to discharge from a facility located at Pleasant View Mobile Home Park Sewage Treatment Plant, Saltlick Township, **Fayette County** to receiving waters named Indian Creek.

Permit No. 0202404, Sewerage, **Daniel Kuniak**, 1541 Bakerstown Road, Tarentum, PA 15084. Construction of a sewage treatment plant located in Frazer Township, **Allegheny County** to serve Daniel Kuniak single resident STP.

Permit No. 0202405, Sewerage, **Andrew Bell**, 405 Edgewood Drive, Sarver, PA 16055. Construction of a single residence sewage treatment facility located in Frazer Township, **Allegheny County** to serve Bell single residence.

Permit No. 0301404-A1, Sewerage, **Apollo Ridge School District**, Route 56 East, P. O. Box 219, Spring Church, PA 15686. Construction of Sewage Treatment Plant located in Kiskiminetas Township, **Armstrong County** to serve Apollo Ridge School District Wastewater Treatment Plant.

Permit No. 6590416-A2, Sewerage, **Penn Township Sewage Authority**, 1032 Nike Site Road, Irwin, PA 15642. Construction of sewage pumping station modifications located in Penn Township, **Westmoreland County** to serve Nike site pump station.

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

NPDES Permit No. PA0006343, Industrial Waste, **AK Steel Corporation—Butler Operations**, P. O. Box 832, Route 8 South, Butler, PA 16003-0832. This proposed facility is located in Butler Township and City of Butler, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Connoquenessing Creek, Sawmill Run, Rocklick Run and Sullivan Run.

NPDES Permit No. PA0238767, Sewerage, **Stoneworth Apartments**, 124 Eastwood Drive, Butler, PA 16001. This proposed facility is located in Worth Township, **Butler County**.

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

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.

WQM Permit No. 1601405, Sewerage, **Rimersburg Borough Municipal Authority**, P. O. Box 413, Rimersburg, PA 16248. This proposed facility is located in Madison Township, **Clarion County**.

Description of Proposed Action/Activity: This project is for the construction and installation of a chlorine contact tank and control building at the Rimersburg sewage treatment plant.

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 Residen-

tial 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-1

<i>Facility Location & Municipality</i>	<i>Approval No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
McKean County Bradford Township	4202001	Cline Oil Company One Longfellow Avenue Bradford, PA 16701-2140	East Branch Tunungwant Creek (CWF)	Northwest Regional Office 230 Chestnut Street Meadville, PA 16335 (814) 332-6860

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>
Lackawanna County Old Forge Borough	PAR10N136	Anthony Pero Old Forge Borough 314 S. Main St. Old Forge, PA 18518	Lackawanna River WWF	Lackawanna County Conservation District (570) 281-9495
Luzerne County Hanover Township	PAR10R248	Stork Holdings, Inc. 110 St. Mary's Rd. Hanover Township, PA 18706	Solomon Creek CWF	Luzerne County Conservation District (570) 674-7991

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Lehigh County North Whitehall Township	PAR10Q164	Fred Jandl Jandl Land Co. 3150 Coffeetown Rd. Orefield, PA 18069	Jordan Creek TSF, MF	Lehigh County Conservation District (610) 391-9583
Clinton County Wayne Township	PAR101924	James W. Johnson B & B Sites 457 Shoemaker Rd. Lock Haven, PA 17745	W. Branch Susquehanna River WWF	Clinton County Conservation District 216 Spring Run Rd. Room 104 Mill Hall, PA 17751 (570) 726-3798 X5
Clinton County Wayne Township	PAR101926	Big Woods Land Co. Fryer Tract MHP Shoemaker Rd. McElhattan, PA 17748	W. Branch Susquehanna River WWF	Clinton County Conservation District 216 Spring Run Rd. Room 104 Mill Hall, PA 17751 (570) 726-3798 X5
Columbia County Roaring Creek Township	PAR102154	Hillside Acres Project Michael Petro 159 Martin Dr. Catawissa, PA 18720	Tributary to Roaring Creek	Columbia County Conservation District 702 Sawmill Rd. Suite 105 Bloomsburg, PA 17815 (570) 784-1310
Tioga County Delmar Township	PAR106641	Delmar Township R. R. 5, Box 70A Wellsboro, PA 16901	Marsh Creek WWF	Tioga County Conservation District 29 East Ave. Wellsboro, PA 16901 (570) 724-1801
Allegheny County Pine Township	PAR10A301-1	Northway Christian Community, Inc. 12121 Perry Highway Wexford, PA 15090	Wexford Run CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Collier and Moon Townships Carnegie, Crafton, Ingram and Rosslyn Farms Boroughs City of Pittsburgh	PAR10A520-1	Port Authority of Allegheny County 345 Sixth Street Pittsburgh, PA 15222-2527	Chartiers Creek WWF Campbells Run WWF Ohio River WWF McClaren Run WWF Montour Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Franklin Park Borough	PAR10A560	Franklin Park Properties, LLC 25 Crestview Hills Mall Crestview, KY 41017	Fish Run CWF Bear Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Marshall Township	PAR10A565	Mitsubishi Electric Power Industries, Inc. 512 Keystone Drive Warrendale, PA 15086	Brush Creek WWF	Allegheny County Conservation District (412) 241-7645
Cambria County Cambria Township	PAR10L076	Edwin Long 3133-73 New German Rd. Ebensburg, PA 15931	South Branch Blacklick Creek CWF	Cambria County Conservation District (814) 472-2120
Fayette County South Union Township	PAR10L077	Abundant Life Church of Uniontown 55E Church Street Uniontown, PA 15401	UNT Redstone Creek WWF	Fayette County Conservation District (724) 438-4497
Fayette County City of Uniontown	PAR10L078	Greater Uniontown Joint Sewage Authority 90 Romaro Lane Uniontown, PA 15401	Redstone Creek WWF	Fayette County Conservation District (724) 438-4497

<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>
Butler County Butler Township	PAR10E181	Gary Pinkerton Butler County Parks and Recreation Butler County Courthouse Butler, PA 16003-1208	Connoquenessing Creek WWF	Butler County Conservation District (724) 284-5270
Butler County Middlesex Township	PAR10E161-1	Allan Randolph 1140 Blank Road Freedom, PA 15042	Glade Run WWF	Butler County Conservation District (724) 284-5270
Erie County Washington Township	PAR10K194	General McLane Bus Garage 11771 Edinboro Road Edinboro, PA 16412	Tributary to Conneauttee Creek WWF	Erie County Conservation District (814) 796-6700
Mercer County Wolf Creek Township	PAR104372	Ishraq Hafiz 12525 Akron-Canfield Road North Jackson, OH 44451	Black Run CWF	Mercer County Conservation District (724) 662-2242
Warren County Conewango Township	PAR107209	Gary Stoops Dairy Queen Brazier of Warren 1067 Market Street Extension Warren, PA 16365	Follett Run CWF	Warren County Conservation District (814) 563-3117

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>
Lehigh County Allentown	PAR122204	General Mills, Inc. 2132 Downyflake Lane Allentown, PA 18103	Unnamed tributary to Trout Creek WWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Susquehanna County Oakland Township	PAR602237	Boughton's Auto Salvage, Inc. R. R. 2 Box 39 Susquehanna, PA 18847	Unnamed feeder to Susquehanna River CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Luzerne County Hanover Township	PAR602221	Louis Cohen & Son, Inc. P. O. Box 1004 Wilkes-Barre, PA 18703	Solomon Creek CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511
Lebanon County Jonestown Borough	PAR203597	V & S Galvanizing 1000 Buckeye Park Road Columbus, OH 43207	Detention Pond	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Hempfield Township Westmoreland County	PAR326110	Better Materials Corp. P. O. Box 721 Berkeley Springs, WV 25411	UNT to Little Sewickley Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Huston Township Centre County	PAG044899	Randy Harpster 770 Steele Hollow Road Julian, PA 16844	Steele Hollow Run 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>
Delmar Township Tioga County	PAG044984	Max and Faith Johnson R. R. 6, Box 128A Wellsboro, PA 16901	E. Branch Stony Fork Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Frazer Township Allegheny County	PAG046250	Daniel Kuniak 1541 Bakerstown Road Tarentum, PA 15084	Tributary to Days Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000
Frazer Township Allegheny County	PAG046251	Andrew Bell 405 Edgewood Drive Sarver, PA 16055	Tributary to Bull Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000

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>
York County Manchester Township	PAG053564	Schmidt Baking Company 7801 Fitch Lane Baltimore, MD 21236	Codorus Creek via grass lined ditch WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Monroeville Borough Allegheny County	PAG056171	Sheetz Inc. 5700 Sixth Avenue Altoona, PA 16602	Turtle Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222- 4745 (412) 442-4000

General Permit Type—PAG-8 (SSN)

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Contact Office & Telephone No.</i>
Ramer #1 Farm Biosolids Site Buffington Township Indiana County	PAG086106	City of Johnstown 241 Asphalt Road Johnstown, PA 15906	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

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.

Operations Permit issued to **Far Away Auburn**, 71 West Jefferson Lane, Auburn, PA 17922, PWS I.D. #3546502, South Manheim Township, **Schuylkill County**, on April 16, 2002, for the operation of facilities approved under Construction Permit #5401507.

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

Permit No. 0600506, Public Water Supply.

Applicant	Western Berks Water Authority
Municipality	Spring Township
County	Berks
Type of Facility	New dissolved air floatation clarification units.
Consulting Engineer	Deborah M. Watkins, P.E. Roy F. Weston, Inc. 1400 Weston Way West Chester, PA 19380
Permit to Operate Issued	April 15, 2002

Permit No. 0101509, Public Water Supply.

Applicant	Appler Limited Partnership
Municipality	Littlestown
County	Adams
Type of Facility	A construction permit for Well No. 4 to be operated as part of the Littlestown Borough Authority community water system at a rate of 68 gallons per minute. Treatment, limited to disinfection, will be provided at an existing facility.
Consulting Engineer	Jack A. Raudenbush, P.E. Raudenbush Engineering Inc. 29 South Union Street Middletown, PA 17057
Permit to Construct Issued	April 19, 2002

Permit No. 2801509, Public Water Supply.

Applicant	Department of Conservation and Natural Resources, Bureau of State Parks—Caledonia
Municipality	Green Township
County	Franklin

Type of Facility	Operation permit for lead and copper corrosion control facilities. Revised facilities include equipment to add soda ash and zinc orthophosphate.
Consulting Engineer	David J. Brenneman, P.E. Department of Conservation and Natural Resources Bureau of Facility Design and Construction P. O. Box 8451 Harrisburg, PA 17105-8451

Permit to Operate Issued	April 18, 2002
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Permit No. 2800507, Public Water Supply.

Applicant	Guilford Water Authority
Municipality	Greene Township
County	Franklin
Type of Facility	Operation Permit for Cold Spring Wells No. 12 and 14. The Cold Spring Wells will be operated at rates up to 300 and 1,200 gpm, respectively. Treatment will be provided at existing, previously permitted facilities.

Consulting Engineer	Diana Young, P.E. Buchart-Horn, Inc. P. O. Box 15040 York, PA 17405-7040
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Permit to Operate Issued	February 19, 2002
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Permit No. 3102501 MA, Minor Amendment, Public Water Supply.

Applicant	Three Springs Borough Huntingdon
County	
Type of Facility	Construction of a new above ground 50,000 steel finished water storage tank and modifications to the existing disinfection facilities.

Consulting Engineer	Mark V. Glenn, P.E. Gwin, Dobson & Foreman, Inc. 3121 Fairway Dr. Altoona, PA 16602-4475
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Permit to Construct Issued	April 10, 2002
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Permit No. 2102503 MA, Minor Amendment, Public Water Supply.

Applicant	United Water Pennsylvania
Municipality	Mechanicsburg Borough
County	Cumberland
Type of Facility	Painting of clearwell, clarifier and filter

Consulting Engineer	R. Michael Gephart, P.E. United Water Pennsylvania 4211 East Park Circle Harrisburg, PA 17111
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Permit to Construct Issued	April 15, 2002
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Permit No. 7380417, Public Water Supply.

Applicant **Fredericksburg United Methodist Church**
 Municipality Bethel Township
 County **Lebanon**
 Type of Facility Operation of a cation exchange (softening) system and an anion exchange system for nitrate removal for an existing well source for the church building and the parsonage.
 Permit to Operate April 15, 2002
 Issued

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

Operations Permit issued to **Municipal Authority of the Township of Robinson**, P. O. Box 15539, Pittsburgh, PA 15244-0539, PWS #5020045, Robinson Township, **Allegheny County** on April 29, 2002, for the operation of facilities approved under Construction Permit #0201505.

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

Operations Permit issued to **North East Township Water and Sewer Authority**, 10300 West Main Road, North East, PA 16428, PWS ID#6250086, North East Township, **Erie County** on April 30, 2002, for the operation of facilities approved under Construction Permit 2588511-MA3.

Permit No. 3799502, MA1, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania-American Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Borough or Township Mahoning and Union Townships
 County **Lawrence**
 Type of Facility PWS
 Consulting Engineer HRG, Inc.
 290 Executive Drive, Suite 1A
 Cranberry, PA 16066
 Permit to Operate April 24, 2002
 Issued

WATER ALLOCATIONS**Application received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of this Commonwealth.**

WA 06-533A, Water Allocations, **Wernersville Municipal Authority, Berks County**. Application to continue withdrawal of 90,000 gallons per day from a collection of 11 springs in South Heidelberg Township, **Berks County**. Consulting Engineer: Steven E. Riley, P.E., Spotts Stevens and McCoy. Permit Issued April 3, 2002.

SEWAGE FACILITIES ACT PLAN APPROVAL**Plan Approval Granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20a).**

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

Plan Location:

Borough or Township	Borough or Township Address	County
Grove City Borough	Grove City Borough 123 Main Street Grove City, PA 16127	Mercer

Plan Description: The approved plan provides for provide for taking steps to reduce infiltration and inflow, construct a new digester, construct a third high flow retention pond and rehabilitate various equipment and tankage at the sewage treatment plant. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**UNDER ACT 2, 1995****PREAMBLE 2****The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

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

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

The Department has received the following final reports:

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

Booth Property—Phase I, Bethel Township, **Delaware County**. John J. Ennis, Esq., Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Suite 500, Bala

Cynwyd, PA 19004, on behalf of Thomas Booth, Sr. and Thomas Booth, Jr., 3221 Foulk Rd., Boothwyn, PA 19061, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX, naphthalene, MTBE and cumene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Knipe Estate, Cumru Township, **Berks County**. Hafer Environmental Services, Inc., P. O. 4418, Reading, PA 19606, on behalf of Knipe Estate, c/o Allfirst Trust, 110 South Paca Street, Mail Code 109-742, Baltimore, MD 21210, has submitted a final report concerning remediation of site soils contaminated with lead, BTEX and PAHs. The report is intended to document remediation of the site to the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Act. Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following final reports:

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

Chester Waterfront Redevelopment Project Site, City of Chester, **Delaware County**. Kimberly Peck, Excelon Power, 200 Excelon Way, Suite 140, Kennett Square, PA 19348, has submitted a Cleanup Plan concerning the remediation of site soil contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, PHCs and PAHs; and groundwater contaminated with lead, heavy metals, pesticides, solvents, BTEX, PHCs and PAHs. The Plan was approved with modifications by the Department on April 26, 2002.

Liquor Control Board Warehouse/Distribution Center, City of Philadelphia, **Philadelphia County**. Daniel Richard, Quad Three Group, Inc., 116 N. Washington Ave., Scranton, PA 18503, on behalf of the Liquor Control Board, Northwest Office Building, Harrisburg, PA 17124, has submitted a Final Report concerning remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 15, 2002.

Philadelphia Business & Technology Center, City of Philadelphia, **Philadelphia County**. David J. Arber, American Resources Consultants, Inc., P. O. Box 1809, Doylestown, PA 18901, on behalf of Philadelphia Business & Technical Center, 5070 Parkside Ave., Philadelphia, PA 19131, has submitted a Baseline Environmental Report concerning the remediation of site soil contaminated with BTEX and petroleum hydrocarbons; and site groundwater contaminated with petroleum hydrocarbons. The site is located in a special industrial area. The Report was approved by the Department on April 15, 2002.

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

General Cigar, City of Lancaster, **Lancaster County**. Fuss & O'Neill, Inc., 146 Hartford Road, Manchester, CT 06040-5921, on behalf of Brown & Williamson Tobacco, 209 Pitney Road, Lancaster, PA and General Cigar Holdings, Inc., 35 Griffin Road South, Bloomfield, CT 06002-1398, submitted a final report concerning remediation of site soils and groundwater contaminated with BTEX. The final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 16, 2002.

Former Fruehauf Trailer Corporation Drive-A-Way Terminal, Lower Swatara Township, **Dauphin County**. Earth Tech, Two Market Plaza Way, Mechanicsburg, PA 17055, on behalf of Harrisburg Realty, Inc., 1740 Broadway, 16th Floor, New York, NY 10019 and Middletown Area School District, 55 West Water Street, Middletown, PA 17057, submitted an amendment to a Baseline Environmental Report concerning the remediation of site soils and groundwater contaminated with PCBs, lead, heavy metals, pesticides, solvents and PAHs. The amendment was approved by the Department on April 19, 2002.

Harrisburg International Airport/Middletown Airfield, Lower Swatara Township and Middletown Borough, **Dauphin County**. Susquehanna Area Regional Airport Authority, 513 Airport Drive, Middletown, PA 17057

submitted a final report concerning the remediation of site soils and groundwater contaminated with PCBs, heavy metals, solvents and PAHs. The final report demonstrated attainment of the Site-Specific standard and was approved by the Department on April 23, 2002.

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 final report concerning the remediation of site soils and groundwater contaminated with BTEX and PHCs. The final report demonstrated attainment of a combination of the Site-Specific and Statewide Health Standards and was approved by the Department on April 23, 2002.

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

Pennsylvania House—White Deer Facility, White Deer Township, **Union County**, Meiser & Earl, Inc., on behalf of Pennsylvania House, Inc. 137 North Tenth Street, Lewisburg, PA 17837-1388, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with PHCs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on April 26, 2002.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Bond reduced under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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

Intent to Reduce a Bond

PAD000739672. U. S. Steel Corporation, Delwar Road, West Mifflin Borough, **Allegheny County**. On February 8, 2002, the Department received a request for a bond reduction from U.S. Steel Corporation for its closed hazardous waste landfill. The Department has reviewed the request and has determined that it is consistent with 25 Pa. Code § 264a.165 and intends to approve the request.

Persons wishing to comment on the proposed action are invited to submit a statement to the Regional Office indicated as the office responsible, within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer; and concise statement to inform the Regional Office of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 45-day comment period and/or public hearing, the Department will make a final determination. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR071. Wickett & Craig of America, Inc., 120 Cooper Road, Curwensville, PA 16833. The applicant has requested that their application for a general permit for the beneficial use of leather trimmings and leather scrap from a tannery operation to manufacture fertilizer for agricultural purposes be withdrawn. The withdrawal of the application was effective April 24, 2002.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 100549. Waste Management Disposal Services of Pennsylvania, Inc., 1425 Sell Road, Pottstown, PA 19464, Douglass and West Pottsgrove Townships, **Berks and Montgomery Counties**. Language in Conditions 4 and 5 of the permit amendment issued on June 14, 2001, has been modified by the Department to amicably resolve issues raised in the permittees' appeal (EHB Docket No. 2001-165-MG) of the referenced 2001 amendment action. The permit was modified by the Southeast Regional Office on April 24, 2002.

AIR QUALITY

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

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

54-302-070GP: Air Products and Chemicals, Inc. (R. R. 1, Box 351, Tamaqua, PA 18252) for construction and operation of Cleaver Brooks Boiler #1 in Rush Township, **Schuylkill County**.

54-302-071GP: Air Products and Chemicals, Inc. (R. R. 1, Box 351, Tamaqua, PA 18252) for construction and operation of Cleaver Brooks Boiler #2 in Rush Township, **Schuylkill County**.

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

33-00155: Trail King Industries, Inc. (R. D. 5, Box 48, Brookville, PA 15825) for a Natural Minor Operating Permit for a truck trailer manufacturing facility in Pine Creek Township, **Jefferson 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.

46-0041A: Jefferson Smurfit Corp. US (1035 Longford Road, Phoenixville, PA 19460) on April 24, 2002, for operation of a lithographic printing press in Upper Providence Township, **Montgomery County**.

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

39-301-081: Lehigh Valley Hospital (1200 South Cedar Crest Boulevard, Allentown, PA 18103) on April 19, 2002, for construction of a medical waste incinerator and associated air cleaning device in Allentown, **Lehigh County**.

48-313-090: Elementis Pigments, Inc. (1525 Wood Avenue, Easton, PA 18042) on April 16, 2002, for modification of the lower blending plant system and associated air cleaning devices at the Easton Plant in Wilson Township, **Northampton County**.

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

06-05069A: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536) on April 24, 2002, for installation of two replacement mist eliminators to control the battery formation operation at the Industrial Battery Plant in Richmond Township, **Berks County**.

34-05017A: Jay Fulkroad and Sons, Inc. (R. D. 2 Box 125, McAlisterville, PA 17049) on April 23, 2002, for installation of two secondary crushers, a sand classifier and two fabric collectors in Fayette Township, **Juniata County**. The sources are subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

36-03135A: Shared Mail Acquisitions, LLC (72 Industrial Circle, Leola, PA 17540-0129) on April 22, 2002, for construction of two heatset offset web lithographic presses and associated dryers controlled by an oxidizer in Upper Leacock Township, **Lancaster County**.

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

03-00229A: Rosebud Mining Co. (R. D. 9, Box 379A, Kittanning, PA 16201) on April 22, 2002, for construction of a coal preparation plant at Logansport Mine in Bethel Township, **Armstrong County**.

30-00099A: Allegheny Energy Supply Co., LLC—Hatfield Power Station (4350 Northern Pike, Monroeville, PA 15146) on April 22, 2002, for installation of NOx control projects on Units 1—3 in Monongahela Township, **Greene 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.

46-0037C: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) on April 24, 2002, for operation of a tantalum scrap digestion in Douglass Township, **Montgomery County**.

46-313-057E: Republic Environmental Systems, Inc. (2869 Sandstone Drive, Hatfield, PA 19440) on April 24, 2002, for operation of a hazardous waste TSD in Hatfield Township, **Montgomery County**.

15-0112: Merck and Co., Inc. (466 Devon Park Drive, Wayne, PA 19087) on April 26, 2002, for operation of a diesel generator in Tredyffrin Township, **Chester County**.

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

67-05092: Starbucks Coffee Co. (3000 Espresso Way, York, PA 17402) on April 22, 2002, for construction of two coffee roasters each controlled by a catalytic oxidizer and a cyclone in East Manchester Township, **York County**. This plan approval was extended.

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

49-307-003A: Istil (USA) Milton, Inc. (P. O. Box 298, Milton, PA 17847) on April 16, 2002, to extend the expiration date for plan approval to reactivate a steel billet reheat furnace and bar rolling mill in Milton Borough, **Northumberland County**.

08-302-039: CraftMaster Manufacturing, Inc. (P. O. Box 311, Towanda, PA 18848) on April 17, 2002, to convert nitrogen oxides and carbon monoxide emission limitations for a woodwaste-fired boiler and associated air cleaning devices (an electrostatic precipitator and a selective noncatalytic reduction system) from a pounds per million Btu basis to a parts per million basis and to establish a continuous emission monitoring system data substitution requirement in Wysox Township, **Bradford County**.

19-304-003B: S & B Foundry Co. (3825 Columbia Boulevard, Bloomsburg, PA 17815) on April 22, 2002, to extend the plan approval expiration date for the construction of two iron-melting electric induction furnaces and associated air cleaning device (a fabric collector) to April 30, 2003, in South Centre Township, **Columbia County**.

49-331-001: Merck and Co., Inc. (P. O. Box 600, Danville, PA 17821-0600) on April 22, 2002, to add a condition to clarify that the continuous combustion chamber outlet temperature monitoring system and continuous carbon monoxide emission monitoring system associated with a fluidized bed hazardous waste incinerator must provide valid data at all times waste is actually being burned in the incinerator in Riverside Borough, **Northumberland County**.

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

30-127B: MonTee Hydraulics L.P. (3 Paisley Industrial Park, Carmichaels, PA 15320) on April 23, 2002, for installation of a rectifier and copper bus bars in Cumberland Township, **Green County**. This plan approval was extended.

65-602A: Derry Construction Co. Inc. (R. D. 5, Box 34, Latrobe, PA 15650) on April 23, 2002, to complete stack testing for a baghouse in Derry Township, **Westmoreland County**. This plan approval was extended.

65-661A: Derry Construction Co. Inc. (R. D. 5 Box 34, Latrobe, PA 15650) on April 23, 2002, to complete stack testing for a baghouse in Salem Township, **Westmoreland County**. This plan approval was extended.

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

10-021D: Indspec Chemical Corp. (133 Main Street, Petrolia, PA 16050) on April 30, 2002, for a Copeland Incinerator in Petrolia, **Butler County**.

10-313-028B: Indspec Chemical Corp. (133 Main Street, Petrolia, PA 16050) on April 30, 2002, for a resorcinol flaker/bagging and packaging system in Petrolia, **Butler County**.

25-648B: NEPA Energy (South Lake Street 10915 Ackerman, North East, PA 16428) on April 30, 2002, for a boiler in North East, **Erie 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.

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

07-05004: Eldorado Properties Corp. (P. O. Box 2621, Harrisburg, PA 17105) on April 26, 2002, for the administrative amendment to Title V Operating Permit No. 07-05004 for the Altoona Terminal to incorporate Tank 30, a storage tank for gasoline and distillate, installed as per Plan Approval 07-05004A, in Allegheny Township, **Blair County**. This is revision number one.

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

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

36-05119: Signature Custom Cabinetry, Inc. (434 Springville Road, P. O. Box 208, Ephrata, PA 17522) on April 22, 2002, for operation of a wood cabinet manufacturing facility and paint booths in Ephrata Township, **Lancaster County**.

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

10-00305: Recmix of PA, Inc. (359 North Pike Road, Sarver, PA 16055) issued a Natural Minor Operating Permit for a slag processing facility in Winfield Township, **Butler County**.

37-00152: Dixon Ticonderoga Co./New Castle Refractories Co. (915 Industrial Street, New Castle, PA

16102) issued a Natural Minor Operating Permit for a silicon-carbide refractory in the City of New Castle, **Lawrence County**.

25-00090: Zurn Industries, Inc. (1301 Raspberry Street, Erie, PA 16502) on April 25, 2002, for a Natural Minor Operating Permit for a gray iron foundry in Erie City, **Erie County**.

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

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

46-0176: A. Talone, Inc. (318 West Lancaster Avenue, Ardmore, PA 19003) on April 24, 2002, for Synthetic Minor VOC Facility in Lower Merion Township, **Montgomery County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); 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

49950202R. Gilberton Coal Company (P. O. Box 423, Gilberton, PA 17934), renewal of an existing coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 142.0 acres, receiving stream: none. Application received February 15, 2002. Renewal issued April 25, 2002.

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

17960106 and NPDES Permit No. PA 0220302. Bell Resources, Inc., R. R. 2, Box 281, Curwensville, PA 16833. Transfer of an existing bituminous surface mine permit from Cloe Mining Company, Inc. located in Penn and Pike Townships, **Clearfield County** affecting 124.8 acres. Receiving streams: Porter Run to West Branch Susquehanna River; unnamed tributaries of Passmore Run to Passmore Run to West Branch Susquehanna River; unnamed tributaries of Kratzer Run to Kratzer Run to Anderson Creek, Anderson Creek to West Branch Susquehanna River. Application received April 12, 2001. Permit issued April 8, 2002.

17940103. King Coal Sales, Inc., P. O. Box 712, Philipsburg, PA 16866. Revision to an existing bituminous surface mine permit for a change in land use from current postmining land use of forestland to pastureland or land occasionally cut for hay. The permit is located in Decatur Township, **Clearfield County** and affects 158 acres. Application received February 8, 2002. Permit issued April 5, 2002.

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

03960101 and NPDES Permit No. PA0201758. T. C. Mining, Inc. (R. D. 2, Box 301B, Kittanning, PA 16201). Permit renewal issued for continued reclamation only of a bituminous surface/auger/refuse preparation and processing facility located in Valley Township, **Armstrong County**, affecting 121.2 acres. Receiving streams: unnamed tributaries to South Fork, Pine Creek to South Fork of Pine Creek. Application received March 20, 2002. Reclamation only renewal issued April 25, 2002.

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

32010106 and NPDES Permit No. PA0248983, Walter L. Houser Coal Company, Inc., 13448 State Route 422, Suite 1, Kittanning, PA 16201, commencement, operation and restoration of a bituminous surface and auger mine and for discharge of treated mine drainage, in Washington Township, **Indiana County**, affecting 62.0 acres. Receiving streams: unnamed tributaries of South Branch Plum Creek and South Branch Plum Creek to Plum Creek to Crooked Creek to the Allegheny River classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 19, 2001. Permit issued April 22, 2002.

McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317, (724) 941-7100.

30841312. NPDES Permit #PA0013790, Consolidation Coal Co. (P. O. Box 100, Osage, WV 26543), to renew the permit for the Blacksville Mine No. 2 in Wayne, Gilmore and Jackson Townships, **Greene County**, 5 year renewal, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued April 16, 2002.

30841316. NPDES Permit #PA0213535, Consol PA Coal Co. (172 Route 519, Eighty Four, PA 15330), to revise the permit for the Bailey Mine in Richhill Township, **Greene County** to add 384 acres underground and 643 acres SCP, Surface Acres Proposed N/A, Underground Acres Proposed 384, SCP Acres Proposed 643, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued April 17, 2002.

Noncoal Permits Actions

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

4874SM2C7 and NPDES Permit #PA0123544. CEMEX, Inc. (P. O. Box 220, Thomasville, PA 17364-0220), renewal of NPDES Permit in Jackson Township,

York County, receiving stream: Little Conewago Creek. Application received March 6, 2002. Renewal issued April 23, 2002.

22880301C2. Rocky Licensing Corporation (1001 Paxton Street, Harrisburg, PA 17104), correction to an existing quarry operation in Lower Swatara Township, **Dauphin County** affecting 143.1 acres, receiving stream: Swatara Creek. Application received May 14, 2001. Correction issued April 24, 2002.

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

62010302. I. A. Construction Corporation (P. O. Box 8, Concordville, PA 19331) Commencement, operation and restoration of a sand and gravel operation in Pittsfield Township, **Warren County** affecting 99.5 acres. Receiving streams: Hosmer Run. Application received August 7, 2001. Permit Issued April 12, 2002.

1910-62010302-E-1. I. A. Construction Corporation (P. O. Box 8, Concordville, PA 19331) Application for a stream encroachment to mining activities within 100 feet of unnamed tributary No. 3 to Brokenstraw Creek for support activities in Pittsfield Township, **Warren County**. Receiving streams: Hosmer Run. Application received August 7, 2001. Permit Issued April 12, 2002.

37010304. Glacial Sand & Gravel (P. O. Box 1022, Kittanning, PA 16201) Commencement, operation and restoration of a sand and gravel operation in Plain Grove Township, **Lawrence County** affecting 61.0 acres. Receiving streams: Jamison Run. Application received August 15, 2001. Permit Issued April 22, 2002.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P. S. §§ 151–161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

39024005. Cedar Hill Memorial (1700 Airport Road, Allentown, PA 18109) and **Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414) blasting for burial site in Whitehall Township, **Lehigh County** with an expiration date of June 12, 2002. Permit issued April 23, 2002.

48024006. Labrador Construction (P. O. Box 1379, Marshalls Creek, PA 18335) construction blasting in Northampton Township, **Northampton County** with an expiration date of July 1, 2002. Permit issued April 23, 2002.

45024020. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in Jackson Township, **Monroe County** with an expiration date of April 1, 2003. Permit issued April 23, 2002.

06024017. Schlouch Incorporated (Excelsior Industrial, P. O. Box 69, Blandon, PA 19510), construction blasting in Exeter Township, **Berks County** with an expiration date of January 15, 2003. Permit issued April 24, 2002.

21024025. Conewago Enterprises, Inc. (660 Edgegrove Road, Hanover, PA 17331), construction blast-

ing in Lower Allen Township, **Cumberland County** with an expiration date of July 17, 2002. Permit issued April 24, 2002.

36024035. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in East Hempfield Township, **Lancaster County** with an expiration date of June 15, 2002. Permit issued April 24, 2002.

38024010. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in Jackson Township, **Lebanon County** with an expiration date of June 15, 2002. Permit issued April 24, 2002.

38024011. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543), construction blasting in Richland Borough, **Lebanon County** with an expiration date of May 15, 2004. Permit issued April 24, 2002.

46024022. Appaloosa Development Corp. (P. O. Box 126, 1501 Conshohocken Street Road, Gladwyne, PA 19035) and **Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting in Lower Merion Township, **Montgomery County** with an expiration date of November 30, 2002. Permit issued April 24, 2002.

46024023. Brubacher Excavating, Inc. (825 Reading Road, Bowmansville, PA 17507), construction blasting in Plymouth Township, **Montgomery County** with an expiration date of May 16, 2003. Permit issued April 24, 2002.

35024005. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in Madison Township, **Lackawanna County** with an expiration date of April 2, 2003. Permit issued April 25, 2002.

09024008. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting in Northampton Township, **Bucks County** with an expiration date of November 17, 2002. Permit issued; April 25, 2002.

09024009. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting in Warrington Township, **Bucks County** with an expiration date of November 17, 2002. Permit issued; April 25, 2002.

09024010. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting in Newtown Township, **Bucks County** with an expiration date of November 17, 2002. Permit issued; April 25, 2002.

09024011. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting in Northampton Township, **Bucks County** with an expiration date of November 17, 2002. Permit issued April 25, 2002.

09024012. Eastern Blasting Company, Inc. (1292 Street Road, New Hope, PA 18938), construction blasting in Newtown Township, **Bucks County** with an expiration date of November 17, 2002. Permit issued April 25, 2002.

06024018. Schlouch Incorporated (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Amity Township, **Berks County** with an expiration date of May 15, 2003. Permit issued April 25, 2002.

28024013. John W. Gleim, Jr., Inc. (625 Hamilton Street, Carlisle, PA 17013), construction blasting in Upper Allen Township, **Franklin County** with an expiration date of July 15, 2002. Permit issued April 25, 2002.

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

08024001. Lines Utility Construction, 2330 Greensburg Road, New Kensington, PA 15068, for construction blasting in South Creek Township, **Bradford County**, with an expected duration of 5 days. Permit issued April 17, 2002. Permit expires: November 30, 2002.

59024001. Lines Utility Construction, 2330 Greensburg Road, New Kensington, PA 15068, for construction blasting in Rutland Township, **Tioga County**, with an expected duration of 5 days. Permit issued April 16, 2002. Permit expires: June 30, 2002.

14024008. Tressler and Fedor Excavating, 26 Sandrock Court, Port Matilda, PA 16870, for construction blasting in College Township, **Centre County**, with an expected duration of 3 days. Permit issued April 17, 2002. Permit expires: April 30, 2002.

14024009. Kerstetter Excavating, 1536 Zion Road, Bellefonte, PA 16823, for construction blasting in Walker Township, **Centre County**, with an expected duration of 30 days. Permit issued April 17, 2002. Permit expires: December 31, 2002.

14024010. Glenn O. Hawbaker, Inc., 1952 Waddle Road, P. O. Box 135, State College, PA 16804-0135, for construction blasting in Patton Township, **Centre County**, with an expected duration of 8 months. Permit issued April 19, 2002. Permit expires: December 2, 2002.

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

02024002. Allegheny Excavating, Inc. (2591 Wexford-Bayne Road, Sewickley, PA 15143). Permit issued for construction of McCormick Farms new housing plan, located in Moon Township, **Allegheny County**, with an expected duration of 21 days. Permit issued April 25, 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 §§ 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.

E64-224. Pennsylvania Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. Damascus Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To remove the existing structure and to construct and maintain a stream enclosure of Hollister Creek, consisting of approximately 120 linear feet of 12.0-foot by 9.0-foot concrete box culvert with its invert depressed 1.0 foot below streambed elevation. The project is located along SR 1016, Section 670, Segment 0050, approximately 0.8 mile downstream of Snyder Pond (Long Eddy, NY-PA Quadrangle N: 2.9 inches; W: 3.0 inches).

E64-227. Gerald P. Falotico, 65 Palisade Avenue, Emerson, NJ 07630. Preston Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To modify and maintain an existing 0.29-acre pond, with work including expansion of the pond area by approximately 0.44 acre. The pond expansion will impact approximately 150 linear feet of a tributary to Riley Creek and will convert the pond from offstream to onstream. Issuance of this permit also constitutes approval of the Environmental Assessment for a nonjurisdictional dam. The project is located on the east side of SR 4033 (South Preston Road), approximately 300 feet south of the intersection of Township Road T-571 (Czapnik Road) and SR 4033 (Orson, PA Quadrangle N: 10.2 inches; W: 2.7 inches).

E48-315. Palmer Township, P. O. Box 3039, Palmer, PA 18043-3039. Palmer Township, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a pedestrian bridge having a single span of 40 feet and a maximum underclearance of approximately 6 feet across Schoeneck Creek. The project is located in Wolf's Run Subdivision between Camelot Drive and Melissa Drive (Nazareth, PA Quadrangle N: 16.5 inches; W: 1.3 inches).

E45-408. Golden Generation Students Association, 1857 Mt. Eaton Road, Saylorsburg, PA 18353. Ross Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain two private pedestrian bridges, each having a single span of approximately 20 feet and underclearance of approximately 2.5 feet across Ross Common Creek and to repair and maintain existing stone masonry walls along each streambank having a length of 130 feet and height of approximately 3 feet. The project is located at Camp Chestnut, approximately 0.3 mile southwest of the intersection of SR 3015 and SR 3017 (Wind Gap, PA Quadrangle N: 21.7 inches; W: 10.0 inches).

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

E05-298. Keith Van Horn, 1020 Wertz Road, Bedford, PA 15522 in Colerain Township, **Bedford County**, ACOE Baltimore District

To maintain a bridge having a span of 25 feet and an underclearance of 5.0 feet across the channel of Cove Creek (EV) at a point at Wertz Road (Beans Cove, PA Quadrangle N: 22.4 inches; W: 8.2 inches) in Colerain Township, Bedford County.

E07-356. Logan Township, 800 38th Street, Altoona, PA 16602 in Logan Township, **Blair County**, ACOE Baltimore District

To remove the existing two span steel I-beam bridge and to construct and maintain a single span prestressed adjacent box beam bridge having a normal clear span of 43.8 feet with an average underclearance of 4.8 feet across Burgoon Run (TSF) on 58th Street near its intersection with Valley Avenue (Hollidaysburg, PA Quadrangle N: 20.12 inches; W: 8.15 inches) in Logan Township, Blair County.

E67-711. Robert Wozniwicz, 14 Pin Oak Drive, Boiling Springs, PA 17007 in Fairview Township, **York County**, ACOE Baltimore District

To construct and maintain an open-bottom corrugated steel plate low profile box culvert having a span of 20.67 feet, a rise of 6.17 feet and a length of 21.0 feet across an

unnamed tributary to the Yellow Breeches Creek (CWF) for the purpose of providing access to a private residential property located along Brenneman Drive about 1.5 miles west of its intersection with Lisburn Road (Lemoyne, PA Quadrangle N: 5.28 inches; W: 5.09 inches) in Fairview Township, York County.

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

E57-087A. Game Commission, P. O. Box 220, Dallas, PA 18612. State Game Lands Number 13 Forestry Management Road crossing Bloody Run in Davidson Township, **Sullivan County**, ACOE Baltimore District (Elk Grove, PA Quadrangle N: 10.5 inches; W: 7.3 inches).

To amend existing Water Obstruction and Encroachment Permit E57-087 to authorize the construction, operation and maintenance of minor road crossing Bloody Run (HQ-CWF) for forestry management operations in State Game Lands Number 13. The minor road crossing shall be constructed with a corrugated steel arch culvert pipe that has a minimum span of 9.3-feet, rise of 6.2-feet and length of 40-feet. The road crossing shall also be constructed with the culvert pipe depressed a minimum of 0.5-foot, a rock scour pool at the outlet and R-4 rock lining of the upstream and downstream roadway embankment. Construction of the road crossing shall be conducted during stream low flow. The construction of the road crossing will not impact wetlands while impacting 50-feet of Bloody Run. This permit also authorizes the removal of soil, rock and timber slash from floodplain, floodway and flood channel areas for the restoration of the flood carrying capacity of the waterway. Permit No. E57-087 and thus this permit amendment, was issued under section 105.13(e) "Small Projects." Permit No. E57-087 and this amendment also include 401 Water Quality Certification.

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

E02-1369. Dormont Appliance Centers, 3447 Babcock Boulevard, Pittsburgh, PA 15237. Ross Township, **Allegheny County**, ACOE Pittsburgh District.

To operate and maintain a concrete structure approximately 70' long and having a span of 14' and rise of 8' and an attached downstream concrete structure approximately 50' long and having a span of 13' and rise of 7' within Girty's Run (WWF). The structures are located in the parking lot of the Dormont Appliances Center located on the west side of Babcock Boulevard approximately 200 feet north of its intersection with Bernice Avenue. The removal of the original deteriorating upstream structure and the construction of the replacement structure is authorized under EP0202202. (Emsworth, PA Quadrangle N: 7.3 inches; W: 3.6 inches).

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

E25-638, Greater Erie Industrial Development Corporation, 5240 Knowledge Parkway, Erie, PA 16510-4658. Fairview Business Park—GEIDC, in Fairview Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 1.5 inches; W: 16.0 inches).

To fill a total of 3.53 acres of seven nonexceptional value wetlands at the Fairview Business Park—GEIDC for lot development on the former Commodore Downs property located northeast of the intersection of I-90 and SR 98 (Exit 16). Project includes creation of 4.22 acres of replacement wetlands.

SPECIAL NOTICES

Bureau of Deep Mine Safety Request For Variance

The Department of Environmental Protection (Department), Bureau of Deep Mine Safety (Bureau), has received a request for variance from Maple Creek Mining, Inc. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the Bureau website at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. Comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Pennsylvania Bituminous Coal Mine Act (act) (52 P.S. § 702) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 268(b) of the act (52 P.S. § 702) states that shelter holes shall be provided on the clearance side along designated traveling ways, which are also used as haulage entries, other than belt conveyor haulage entries. The shelter holes shall be spaced not more than 80 feet apart.

Summary of the Request: Maple Creek Mining, Inc. requested a variance from section 268(b) of the act to allow shelter hole intervals in excess of 80 feet but not to exceed 165 feet along the track haulage in all development areas of the High Quality Mine.

[Pa.B. Doc. No. 02-850. Filed for public inspection May 10, 2002, 9:00 a.m.]

Availability of Part 1 Application for Section 112(j) MACT—Affected Sources

The United States Environmental Protection Agency (EPA) has not promulgated maximum achievable control technology (MACT) standards to control emissions of hazardous air pollutants (HAPs) from a number of source categories as required under section 112 of the Clean Air Act Amendments of 1990 (CAA). The 10-year-bin MACT standards were to be promulgated by November 15, 2000. The EPA may fail to promulgate 32 standards covering 60 source categories.

The Department of Environmental Protection (Department) is required under section 112(j) of the CAA, section 6.6(b) of the Air Pollution Control Act (35 P.S. § 4006.6(f) and 25 Pa. Code § 127.35(c) (relating to maximum achievable control technology standards for hazardous air pollutants) to make MACT determinations on a case-by-case basis for all major sources falling into categories for which the EPA fails to issue final MACT standards by May 15, 2002. Any stationary air contamination source located on contiguous or adjacent properties that are under common control that emits or has the potential to emit 10 tons per year of a single HAP or 25 tons per year of total HAPs is considered a major source.

On April 5, 2002, the EPA promulgated "Section 112(j) Rule" amendments. (See 67 CFR 16582—16611.) These amendments revised the section 112(j) of the CAA to create a two-part MACT application process. Part 1 MACT applications are due by May 15, 2002, from all major source categories for which the EPA has failed to issue a MACT standard. The Part 1 applications will include basic information such as source type and location.

The Part 2 MACT applications will include the relevant process, pollutant and control information to allow permitting authorities to develop MACT standards for the facility equivalent to what the EPA would have developed. The Part 2 MACT applications will be due to the Department no later than May 15, 2004. However, the EPA expects to promulgate all remaining MACT standards before any facility would be required to submit a Part 2 application.

The owner/operator of the MACT-affected source must submit the completed Part 1 application to the Department's regional offices by May 15, 2002. Additional information concerning section 112(j) of the CAA applicability is available on the EPA's air toxics website at <http://www.epa.gov/ttn/atw/eparules.html>.

For additional information, contact Krishnan Ramamurthy at (717) 787-4325 or e-mail at kramamurth@state.pa.us. The Part 1 MACT application and a sample application are also available on the Department website at <http://www.dep.state.pa.us>.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 02-851. Filed for public inspection May 10, 2002, 9:00 a.m.]

Proposed Reauthorization of and Revisions to the General NPDES Permit for Stormwater Discharges Associated with Construction Activities (PAG-2)

The Department of Environmental Protection (Department) by this notice is proposing to renew the General NPDES Permit for Stormwater Discharges Associated with Construction Activities (PAG-2) issued on October 10, 1997, involving 5 acres or more of earth disturbance, which shall expire on October 9, 2002, unless extended by the Department.

The renewed general permit, as with the existing general permit, will generally apply to eligible existing and new stormwater discharges associated with construction activities including clearing and grading and excavation activities involving 5 acres or more of earth disturbance or an earth disturbance on any portion, part or during any stage of, a larger common plan of development or sale that involves 5 acres or more of earth disturbance over the life of the project.

The proposed reauthorization relates to the Phase I (5 acres or more) permit requirements only and does not incorporate the Phase II requirements of NPDES permit coverage for construction activities between 1 and 5 acres with a point source discharge, which must be in place by December 2002. The draft Phase II program requirements will be published in a subsequent notice. The revised PAG-2 does incorporate clarifications related to the design and implementation of postconstruction stormwater controls. Other minor revisions include:

- General information and requirements have been added to clarify what information is required for an NPDES General Permit for Stormwater Discharges Associated with Construction Activities.

- Definitions of "erosion and sediment control plan" and "authorized county conservation district" have been added. The definition for "reviewing entity" has been deleted.

The proposed revisions to PAG-2 have been sent to the EPA Region III Administrator.

Persons wishing to comment on the proposed revisions are invited to obtain a copy of the revised permit from and/or submit a written statement to Kenneth Murin, Chief, Technical Support Section, Department of Environmental Protection, Bureau of Watershed Management, Division of Waterways, Wetlands and Erosion Control, 10th Floor, Rachel Carson State Office Building, P. O. Box 8775, Harrisburg, PA 17105-8775 or e-mail kmurin@state.pa.us.

Comments must be submitted within 30 days from the date of this notice. The period for comment may be extended at the discretion of the Department for one additional 15-day period. Comments received within this 30-day period will be considered in the formulation of the Final Notice of Availability of Amendments to PAG-2. 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 the comment and the relevant facts upon which it is based. A public hearing may be held if there is significant public interest and request identified by the comments.

Following the 30-day comment period, the Department will make a final determination regarding the proposed revisions to PAG-2. Notice of this determination will be published in the *Pennsylvania Bulletin*.

A draft of the permit with the proposed revisions and related documents is on file at the Central Office of the Bureau of Watershed Management at the location previously noted. Persons wishing to review or receive further information should contact the Central Office of the Bureau of Watershed Management at (717) 787-6827. Persons with a disability may use the AT&T relay service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 02-852. Filed for public inspection May 10, 2002, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Saint Vincent Health Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Saint Vincent Health Center has requested an exception to the requirements of 28 Pa. Code § 107.62(b) (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DH, PAExcept.

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. 02-853. Filed for public inspection May 10, 2002, 9:00 a.m.]

Application of Shamokin Area Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Shamokin Area Community Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum requirements), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.2.A3 (relating to windows in each patient room), 7.28.A10 (relating to operable windows in patient rooms) and 12-3.8.1 (relating to special features of windows in patient rooms).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DH, PAExcept.

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. 02-854. Filed for public inspection May 10, 2002, 9:00 a.m.]

Application of Temple University Children's Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Temple University Children's Medical Center has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail address: DH, PAExcept.

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. 02-855. Filed for public inspection May 10, 2002, 9:00 a.m.]

Application of Temple University Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Temple University Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax: (717) 772-2163, e-mail Address: DH, PAExcept.

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. 02-856. Filed for public inspection May 10, 2002, 9:00 a.m.]

Availability of Draft Maternal and Child Health Services Block Grant Application for Federal Fiscal Year 2003

The Draft Maternal and Child Health Services Block Grant (Grant) application for Federal Fiscal Year 2003, under 42 U.S.C.A. § 705(a)(5)(F), is available for review and comment on the Department of Health website (Department). This application is the Commonwealth's request to the United States Department of Health and Human Services for block grant funding.

The grant application describing proposed services, program goals and objectives and activities can be obtained on the Department's website at <http://www.health.state.pa.us/php/2003Blockgrant.htm>.

The draft grant application can also be obtained by contacting the Bureau of Family Health (Bureau) at (717) 787-7262. Persons with a disability who require an alternative format of the previously mentioned application (such as large print, audio tape or Braille) should also contact the Bureau at (717) 787-7192, V/TT: (717) 783-6514 or Pennsylvania AT&T Relay Service at (800) 654-5584 (TT).

Comments may be submitted to Ivonne C. Bucher, Director, Bureau of Family Health, Department of Health, P. O. Box 90, 7th Floor East, Health and Welfare Building, Harrisburg, PA 17108. Comments are due by May 31, 2002. Persons with a disability who desire to comment in alternative format should notify the Bureau at (717) 787-7192, TDD: (717) 783-6514.

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-857. Filed for public inspection May 10, 2002, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Office of Vocational Rehabilitation; Innovation and Expansion Grant to Provide a Coordinated State-wide Advocacy Network for Persons with Disabilities

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most significant disabilities will be accepted. This competition is authorized under the Rehabilitation Act of 1973, as amended.

Funding for this competition is under the auspice of the State Board of Vocational Rehabilitation and the OVR,

which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following area of emphasis:

To provide a coordinated Statewide advocacy network for persons with disabilities including:

- Coordinate, administer and provide guidance to an advocacy service capable of identifying and addressing independent living and disability-related needs/issues of persons with disabilities at the local and State levels.
- Working exclusively with recognized Centers for Independent Living (CILs) in this Commonwealth, the grantee will provide facilitation of a network of local/regional disability advocates integrated with, and coordinated by, a State-level advocacy service.
- Development of an advocacy agenda, advocacy plan and advocacy service cost allocation plan to be submitted to OVR annually throughout the life of the grant.
- Compilation, and submission to the OVR, of quarterly and year-end reports presenting advocacy service statistics, expenditure/revenue activity and progress/problems related to the accomplishment of project goals and objectives.
- Grantee will enter subcontracts with authorized CILs in this Commonwealth for purposes of providing disability-related advocacy services at the local level. The subcontracts will be funded at the level of \$35,500 per center. Grantee will administer disbursement of a combined CIL subcontract budget in excess of \$532,500 per year.
- Grantee will conduct annual onsite compliance reviews of project-supported local advocacy services as provided through subcontracted CILs. Grantee will review no fewer than 50% of the subcontracting CIL advocacy services per year.

Service Information

This competition will result in one award beginning October 1, 2002, with option for a single 12-month renewal. Activities required under this grant competition include those noted in the preceding section.

For purposes of this competition, an eligible applicant is an individual or a nonprofit organization incorporated under the laws of the Commonwealth, experienced in effectively implementing and managing advocacy efforts, particularly where the services have been undertaken on behalf of persons with significant disabilities.

An applicant must have experience in activities, as noted, for a minimum of 3 years prior to the date of application to be considered for this competition. A successful applicant must be able to demonstrate the effectiveness of previous experience in its grant application.

Application Information

Applications received by 5 p.m. on June 24, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be October 1, 2002, through September 30, 2003. Final awards made through this competition are subject to the approval of the Executive Director of the OVR.

A complete application package, which includes more detailed information, is available by contacting Jacqueline

B. Lucas, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 1521 North Sixth Street, Harrisburg, PA 17102-2913, (717) 787-7016, TDD: (717) 783-8917, fax: (717) 705-9345.

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Tuesday, May 21, 2002, at 10 a.m. at the OVR Central Office, 1521 North Sixth St., Harrisburg, PA. Copies of the application package will also be available at this conference.

Persons planning to attend the conference who have special needs that should be considered to participate fully in the conference should contact Jacqueline B. Lucas at (717) 787-7016 no later than 1 week in advance of the conference date.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-858. Filed for public inspection May 10, 2002, 9:00 a.m.]

Office of Vocational Rehabilitation; Innovation and Expansion Grant to Provide Job Creation Assistance on Behalf of Persons with Significant Disabilities in Berks, Bradford, Columbia, Luzerne, Lackawanna, Pike, Schuylkill, Sullivan, Susquehanna, Wayne and Wyoming Counties

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most significant disabilities will be accepted. This competition is authorized under the Rehabilitation Act of 1973, as amended.

Funding for this competition is under the auspice of the State Board of Vocational Rehabilitation and the OVR, which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following area of emphasis:

- To increase employment and career opportunities for persons with significant disabilities in mainstream industry jobs in Berks, Bradford, Columbia, Luzerne, Lackawanna, Pike, Schuylkill, Sullivan, Susquehanna, Wayne and Wyoming Counties.
- To stimulate development, retention and growth of commerce and industry in Berks, Bradford, Columbia, Luzerne, Lackawanna, Pike, Schuylkill, Sullivan, Susquehanna, Wayne and Wyoming Counties.

Service Information

This competition will result in one award and funding for a 4-year period, beginning September 30, 2002. Activities allowable under this grant competition include disbursement and management of project moneys, through the OVR grantee, to qualified local businesses for purchase of equipment. The equipment must create jobs for and be operated by persons with significant disabilities.

The successful applicant will enter a contract with the OVR to serve as the Commonwealth's agent administering a job creation project budget of no more than \$200,000 during the first year of the award. Job creation

project budgets will vary during subsequent contract years during the life of the award.

Eligible applicants are recognized Economic Development Groups (EDG), defined as any group, corporation or consortium which exists for the purpose of providing economic development funding, including capital equipment purchases, in the region for which the EDG has been designed.

For purposes of this competition, an eligible applicant may also be a nonprofit or governmental organization experienced in successfully collaborating with business and industry located in Berks, Bradford, Columbia, Luzerne, Lackawanna, Pike, Schuylkill, Sullivan, Susquehanna, Wayne and Wyoming Counties. The collaboration must have been in regard to development of employment, employment opportunities, placement of hard-to-place populations, workforce development or comparable areas of endeavor.

An applicant must have operated in these capacities for a minimum of 3 years for its application to be considered for this competition.

An applicant must demonstrate an understanding of the economy, market characteristics and market potential in the service area that encompasses Berks, Bradford, Columbia, Luzerne, Lackawanna, Pike, Schuylkill, Sullivan, Susquehanna, Wayne and Wyoming Counties.

For purposes of this competition, Job Creation Assistance on Behalf of Persons with Significant Disabilities, services focus upon activities that result in increased competitive employment of OVR-eligible persons with significant disabilities.

The grantee funded under this competition must comply with the following:

- Individuals placed in employment through this program must be eligible OVR customers.
- Job creation services must be implemented with the close coordination of the Wilkes-Barre or Reading OVR District Office, as appropriate, functioning in a leadership capacity. Proposals submitted for consideration under this grant competition must reflect this ongoing joint effort.
- The District Administrator in the Wilkes-Barre or Reading OVR District Office or that person's designee must personally be involved in all decisions regarding provision of equipment to applicant businesses in the respective counties. The corresponding District Administrator must cosign all disbursements made by the grantee to qualifying businesses.

Application Information

Applications received by 5 p.m. on June 19, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be September 30, 2002, through September 29, 2003. Final awards made through this competition are subject to the approval of the Executive Director of the OVR.

A complete application package, which includes more detailed information, is available by contacting Jacqueline B. Lucas, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 1521 North Sixth Street, Harrisburg, PA 17102-2913, (717) 787-7016, TDD: (717) 783-8917, fax: (717) 705-9345.

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Friday, May 17, 2002, at 10:30 a.m. at the Wilkes-Barre OVR District Office, 665 Carey Avenue, Suite 1, Wilkes-Barre, PA. Copies of the application package will also be available at this conference.

Persons planning to attend the conference who have special needs that should be considered to participate fully in the conference should contact Jacqueline B. Lucas at (717) 787-7016 no later than 1 week in advance of the conference date.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-859. Filed for public inspection May 10, 2002, 9:00 a.m.]

Office of Vocational Rehabilitation; Innovation and Expansion Grant to Provide Job Creation Assistance on Behalf of Persons with Significant Disabilities in Carbon, Lehigh, Monroe and Northampton Counties

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most significant disabilities will be accepted. This competition is authorized under the Rehabilitation Act of 1973, as amended.

Funding for this competition is under the auspice of the State Board of Vocational Rehabilitation and the OVR, which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following area of emphasis:

- To increase employment and career opportunities for persons with significant disabilities in mainstream industry jobs in Carbon, Lehigh, Monroe and Northampton Counties.
- To stimulate development, retention and growth of commerce and industry in Carbon, Lehigh, Monroe and Northampton Counties.

Service Information

This competition will result in one award and funding for a 4-year period, beginning September 30, 2002. Activities allowable under this grant competition include disbursement and management of project moneys, through the OVR grantee, to qualified local businesses for purchase of equipment. The equipment must create jobs for and be operated by persons with significant disabilities.

The successful applicant will enter a contract with the OVR to serve as the Commonwealth's agent administering a job creation project budget of no more than \$200,000 during the first year of the award. Job creation project budgets will vary during subsequent contract years during the life of the award.

Eligible applicants are recognized Economic Development Groups (EDG), defined as any group, corporation or consortium which exists for the purpose of providing economic development funding, including capital equipment purchases, in the region for which the EDG has been designed.

For purposes of this competition, an eligible applicant may also be a nonprofit or governmental organization experienced in successfully collaborating with business and industry located in Carbon, Lehigh, Monroe and Northampton Counties. The collaboration must have been in regard to development of employment, employment opportunities, placement of hard-to-place populations, workforce development or comparable areas of endeavor.

An applicant must have operated in these capacities for a minimum of 3 years for its application to be considered for this competition.

An applicant must demonstrate an understanding of the economy, market characteristics and market potential in the service area that encompasses Carbon, Lehigh, Monroe and Northampton Counties.

For purposes of this competition, Job Creation Assistance on Behalf of Persons with Significant Disabilities, services focus upon activities that result in increased competitive employment of OVR-eligible persons with significant disabilities.

The grantee funded under this competition must comply with the following:

- Individuals placed in employment through this program must be eligible OVR customers.
- Job creation services must be implemented with the close coordination of the Allentown OVR District Office functioning in a leadership capacity. Proposals submitted for consideration under this grant competition must reflect this ongoing joint effort.
- The District Administrator, Allentown OVR District Office or that person's designee must personally be involved in all decisions regarding provision of equipment to applicant businesses. The District Administrator must cosign all disbursements made by the grantee to qualifying businesses.

Application Information

Applications received by 5 p.m. on June 18, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be September 30, 2002, through September 29, 2003. Final awards made through this competition are subject to the approval of the Executive Director of the OVR.

A complete application package, which includes more detailed information, is available by contacting Jacqueline B. Lucas, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 1521 North Sixth Street, Harrisburg, PA 17102-2913, (717) 787-7016, TDD: (717) 783-8917, fax: (717) 705-9345.

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Wednesday, May 15, 2002, at 10 a.m. at the Allentown OVR District Office, 160 Hamilton Street, Suite 100, Allentown, PA. Copies of the application package will also be available at this conference.

Persons planning to attend the conference who have special needs that should be considered to participate fully in the conference should contact Jacqueline B. Lucas at (717) 787-7016 no later than 1 week in advance of the conference date.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-860. Filed for public inspection May 10, 2002, 9:00 a.m.]

Office of Vocational Rehabilitation; Innovation and Expansion Grant to Provide Job Creation Assistance on Behalf of Persons with Significant Disabilities in Clinton, Lycoming, Montour, Northumberland, Potter, Snyder, Tioga and Union Counties

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most significant disabilities will be accepted. This competition is authorized under the Rehabilitation Act of 1973, as amended.

Funding for this competition is under the auspice of the State Board of Vocational Rehabilitation and the OVR, which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following area of emphasis:

- To increase employment and career opportunities for persons with significant disabilities in mainstream industry jobs in Clinton, Lycoming, Montour, Northumberland, Potter, Snyder, Tioga and Union Counties.
- To stimulate development, retention and growth of commerce and industry in Clinton, Lycoming, Montour, Northumberland, Potter, Snyder, Tioga and Union Counties.

Service Information

This competition will result in one award and funding for a 4-year period, beginning September 30, 2002. Activities allowable under this grant competition include disbursement and management of project moneys through the OVR grantee to qualified local businesses for purchase of equipment. The equipment must create jobs for and be operated by persons with significant disabilities.

The successful applicant will enter a contract with OVR to serve as the Commonwealth's agent administering a job creation project budget of no more than \$200,000 during the first year of the award. Job creation project budgets will vary during subsequent contract years during the life of the award.

Eligible applicants are recognized Economic Development Groups (EDG), defined as any group, corporation or consortium which exists for the purpose of providing economic development funding, including capital equipment purchases, in the region for which the EDG has been designed.

For purposes of this competition, an eligible applicant may also be a nonprofit or governmental organization experienced in successfully collaborating with business and industry located in Clinton, Lycoming, Montour, Northumberland, Potter, Snyder, Tioga and Union Counties.

The collaboration must have been in regard to development of employment, employment opportunities, placement of hard-to-place populations, workforce development or comparable areas of endeavor.

An applicant must have operated in these capacities for a minimum of 3 years for its application to be considered for this competition.

An applicant must demonstrate an understanding of the economy, market characteristics and market potential in the service area that encompasses Clinton, Lycoming, Montour, Northumberland, Potter, Snyder, Tioga and Union Counties.

For purposes of this competition, Job Creation Assistance on Behalf of Persons with Significant Disabilities, services focus upon activities that result in increased competitive employment of OVR-eligible persons with significant disabilities.

The grantee funded under this competition must comply with the following:

- Individuals placed in employment through this program must be eligible OVR customers.
- Job creation services must be implemented with the close coordination of the Williamsport OVR District Office functioning in a leadership capacity. Proposals submitted for consideration under this grant competition must reflect this ongoing joint effort.
- The District Administrator, Williamsport OVR District Office or that person's designee must personally be involved in all decisions regarding provision of equipment to applicant businesses. The OVR District Administrator must cosign all disbursements made by the grantee to qualifying businesses.

Application Information

Applications received by 5 p.m. on June 20, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be September 30, 2002, through September 29, 2003. Final awards made through this competition are subject to the approval of the Executive Director of the OVR.

A complete application package, which includes more detailed information, is available by Jacqueline B. Lucas, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 1521 North Sixth Street, Harrisburg, PA 17102-2913, (717) 787-7016, TDD: (717) 783-8917, fax: (717) 705-9345.

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Thursday, May 16, 2002, at 10 a.m. at the Williamsport OVR District Office, The Grit Building, Suite 102, 208 W. 3rd Street, Williamsport, PA. Copies of the application package will also be available at this conference.

Persons planning to attend the conference who have special needs that should be considered to participate fully in the conference should contact Jacqueline B. Lucas at (717) 787-7016 no later than 1 week in advance of the conference date.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-861. Filed for public inspection May 10, 2002, 9:00 a.m.]

Office of Vocational Rehabilitation; Innovation and Expansion Grant to Provide Logistical Support and Coordination Services to the Pennsylvania Rehabilitation Council

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most significant disabilities will be accepted. This competition is authorized under the Rehabilitation Act of 1973, as amended.

Funding for this competition is under the auspice of the State Board of Vocational Rehabilitation and the OVR, which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following area of emphasis:

To provide logistical support and coordination services to the Pennsylvania Rehabilitation Advisory Council (PaRC) including:

- To arrange, coordinate, facilitate and produce minutes for a minimum of four quarterly meetings of the PaRC.
- To arrange, coordinate, facilitate and produce minutes for PaRC committee meetings. Committee meetings will be conducted via conference calls.
- To assist PaRC review information, solicit input and provide feedback related to OVR policy, procedures, and the like, as appropriate to its role as advisory to the OVR
- To assist PaRC prepare and disseminate information, solicit input and comply with reporting requirements as may be imposed upon it by the Federal government and/or the OVR.
- To coordinate and arrange logistics associated with any PaRC function sanctioned by the Commonwealth, including scheduling of events, lodging arrangements, related travel arrangements, maintenance of travel records, travel reimbursement and reasonable disability-related accommodations for PaRC members or others approved by the Commonwealth.

Service Information

This competition will result in one award and funding for a 4-year period, beginning October 1, 2002. Activities allowable under this grant competition include those noted in the preceding section.

The successful applicant will enter a contract with the OVR to serve as the Commonwealth's agent administering logistical and coordinative services as described, including management of a project budget in excess of \$250,000 during the first year of the award. PaRC project budgets may vary in subsequent contract years during the life of the award.

For purposes of this competition, an eligible applicant is a for-profit or nonprofit organization, incorporated under the laws of the Commonwealth or government agency or political subdivision experienced in effectively managing the budget and operations for, and facilitating the activities of, advisory boards or other advisory bodies, particularly entities as may be government-appointed and charged with affecting services for persons with significant disabilities.

An applicant must have experience in activities, as noted, for a minimum of 3 years prior to the date of application to be considered for this competition. In its grant application, a successful applicant must be able to demonstrate the effectiveness of previous experience.

Application Information

Applications received by 5 p.m. on June 22, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be October 1, 2002, through September 30, 2003. Final awards made through this competition are subject to the approval of the Executive Director of the OVR.

A complete application package, which includes more detailed information, is available by Jacqueline B. Lucas, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 1521 North Sixth Street, Harrisburg, PA 17102-2913, (717) 787-7016, TDD: (717) 783-8917, fax: (717) 705-9345.

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Monday, May 20, 2002, at 1:30 p.m. at the OVR Central Office, 1521 North Sixth St., Harrisburg, PA. Copies of the application package will also be available at this conference.

Persons planning to attend the conference who have special needs that should be considered to participate fully in the conference, should contact Jacqueline B. Lucas at (717) 787-7016 no later than 1 week in advance of the conference date.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-862. Filed for public inspection May 10, 2002, 9:00 a.m.]

Office of Vocational Rehabilitation; Innovation and Expansion Grant to Provide Logistical Support and Coordination Services to the Pennsylvania Statewide Independent Living Council

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Rehabilitation Act of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with the most significant disabilities will be accepted. This competition is authorized under the Rehabilitation Act of 1973, as amended.

Funding for this competition is under the auspice of the State Board of Vocational Rehabilitation and the OVR,

which will serve as administrator and fiscal agent for the grant awarded under this competition. Applications will be written to accomplish the following area of emphasis:

To provide logistical support and coordination services to the Statewide Independent Living Council (SILC) including:

- To arrange, coordinate, facilitate and produce minutes for a minimum of four quarterly meetings of the SILC.
- To arrange, coordinate, facilitate and produce minutes for SILC committee meetings. Committee meetings will be conducted via conference calls.
- To assist SILC conduct a minimum of three public forums per year soliciting consumer input regarding the State Plan for Independent Living (SPIL) for the Federal fiscal years ending September 30, 2003, and September 30, 2004.
- To assist SILC conduct a minimum of four public forums soliciting consumer input regarding the SPIL for the Federal fiscal years 2005-2007.
- To assist SILC to complete the United States Department of Education, Rehabilitation Services Administration (RSA), Section 704 Annual Performance Report for Independent Living Programs (Section 704 Report) and submit that report to OVR and RSA no later than January 31 of each year. The Section 704 Report reflects annual independent living services and accomplishments through September 30 of the preceding calendar year.
- To assist SILC prepare and disseminate information, solicit input and comply with reporting requirements imposed upon it by the Federal government or the OVR.
- To coordinate and arrange logistics associated with any SILC function sanctioned by the Commonwealth, including scheduling of events, lodging arrangements, related travel arrangements, including maintenance of travel records, travel reimbursement and reasonable disability-related accommodations for SILC members or others approved by the Commonwealth.

Service Information

This competition will result in one award and funding for a 4-year period, beginning October 1, 2002. Activities allowable under this grant competition include those previously noted.

The successful applicant will enter a contract with the OVR to serve as the Commonwealth's agent administering logistical and coordinative services as described, including management of a project budget of approximately \$275,000 during the first year of the award. SILC project budgets may vary in subsequent contract years during the life of the award.

For purposes of this competition, an eligible applicant is a for-profit or nonprofit organization, incorporated under the laws of the Commonwealth or a government agency or political subdivision experienced in effectively managing the budget and operations for, and facilitating the activities of, advisory boards or other advisory bodies.

A successful applicant must be able to demonstrate the effectiveness of previous experience in its grant application.

Application Information

Applications received by 5 p.m. on June 21, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

Applications will be evaluated by a panel of reviewers convened for that purpose.

The effective dates for the contract will be October 1, 2002, through September 30, 2003. Final awards made through this competition are subject to the approval of the Executive Director of the OVR.

A complete application package, which includes more detailed information, is available by contacting Jacqueline B. Lucas, Office of Vocational Rehabilitation, Contracts and Grants Management Section, 1521 North Sixth Street, Harrisburg, PA 17102, (717) 787-7016, TDD: (717) 783-8917, fax: (717) 705-9345.

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Monday, May 20, 2002, at 10 a.m. at the OVR Central Office, 1521 North Sixth St., Harrisburg, PA. Copies of the application package will also be available at this conference.

Persons planning to attend the conference who have special needs that should be considered to participate fully in the conference should contact Jacqueline B. Lucas at (717) 787-7016 no later than 1 week in advance of the conference date.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-863. Filed for public inspection May 10, 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 regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted by the date indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
#2-137	Department of Agriculture Food Code	4/25/02	3/25/04

(32 Pa.B. 1046 (February 23, 2002))

Department of Agriculture Regulation No. 2-137**Food Code****April 25, 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 25, 2004, the regulation will be deemed withdrawn.

1. Application of the statutes and proposed regulation to schools and nonprofit organizations.—Impact on public health; Consistency with other regulations; Clarity.

Two commentators, the Pennsylvania Catholic Conference and Pennsylvania School Boards Association, raised questions regarding the application of this regulation to different types of entities. There are two concerns.

First, it is unclear how the provisions and requirements of Chapter 46 will apply to cafeterias in private and public schools, kitchens in camps, nonprofit agencies, religious organizations and private clubs or similar establishments. For example, will school cafeterias or church kitchens need to obtain a permit, license or registration as required by § 46.1141? The Department should clearly delineate how this regulation will apply to these types of facilities.

Second, this proposed regulation is repealing existing regulations that are referenced in the existing regulations of other State agencies. For example, a regulation of the Environmental Quality Board at 25 Pa. Code § 171.6 references 7 Pa. Code Chapter 78. Chapter 78 will be deleted by this regulation and replaced by Chapter 46. What steps is the Department taking to notify other agencies of these changes and the need to update their regulations?

Subchapter A. Purpose and Definitions.

2. Section 46.3. Definitions.—Consistency; Reasonableness; Readability; Clarity.

Adulterated

Paragraph (iii) is an extremely long sentence. For clarity and readability, it should be edited into shorter sentences.

Approved

The definition of this term includes the following phrase "Acceptable to the Department based on a determination of conformity with principles, practices and generally recognized standards." We have two concerns.

First, the regulation doesn't specify the process for making the determination of conformity. The Department should include these steps in the final-form regulation, perhaps in Subchapter H, relating to administrative procedures.

Second, the phrase "principles, practices and generally recognized standards" is unclear. The definition should include examples, cross-references or citations to these practices and standards.

Food employee

A hyphen should be added between the words "food" and "contact" to be consistent with the definition of "food-contact surface."

Hazard

This definition contains the phrase "that may cause an unacceptable consumer health risk." For clarity, the Department should include examples of what it considers an "unacceptable consumer health risk" in the definition.

Honestly presented

The words "honestly presented" are used in §§ 46.1, 46.201, 46.421 and in other sections in the proposed regulation. Section 46.421(b)(1) contains a straightforward description of this phrase. Since this phrase is used in different provisions in the regulation, a definition, similar to the provision in § 46.421(b)(1), should be added to § 46.3.

Packaged

The definition of this term is not similar to the definition of the term "package" as set forth in section 20.2 of the Food Act (31 P. S. § 20.2). The Department should review the regulation, and determine whether it is more appropriate to use "packaged" or the statutorily defined term "package" in the final-form regulation.

Potentially hazardous food

There is a typographical error in paragraph (i) of the definition of "potentially hazardous food" in the *Pennsylvania Bulletin*. The word "ingredient" is misspelled.

Private water system

This term is not used in the regulation. Therefore, the definition is unnecessary and should be deleted.

Public eating or drinking place

The word "not" is missing in paragraph (ii) of this definition in the version printed in the *Pennsylvania Bulletin*. The word "not" should be placed between "does" and "apply" in this definition in the final-form regulation.

Substance

The definition of this term contains the word "substance." Section 1.7(e), relating to definitions, in the *Pennsylvania Code and Bulletin Style Manual* states, "the term being defined may not be included as part of the definition." The Department should either delete this term from the definition or replace it with a word or phrase that conveys the same meaning.

Subchapter B. Employees

3. Section 46.112. Disease or medical conditions that must be reported.—Protection of public health; Reasonableness; Clarity.

There are two concerns.

First, the structure of this section differs from that of the 1999 Federal Recommended Food Code at section 2-201.11. Specifically, paragraphs 1—4 of § 46.112, list diseases or medical conditions. However, paragraphs 5—8 describe situations where someone is suspected of causing or being exposed to a disease or is living with another person with a disease. The 1999 Federal Recommended Food Code clearly identifies the "someone" as the food employee or applicant. The proposed regulation does not clearly identify the subject of paragraphs 5—8 as the employee or applicant. This section should be rewritten to more closely reflect the 1999 Federal Recommended Food Code at section 2-201.11.

Second, the Chester County Health Department suggests the term "Esherichia coli O157:H7" in § 46.112 should be replaced by the term "Shiga toxin-producing E. coli." This change would allow for the use of rapid

nonculture assays, thereby avoiding delays in receiving results of culture-based subtyping procedures. The term "Esherichia coli O157:H7" is also used in § 46.113(a)(2)(ii). This update should be made in the final-form regulation.

4. Section 46.132. Duty of food employees to wash.—Protection of public health; Consistency with other regulations; Clarity.

The Department used the 1999 Federal Recommended Food Code as a model for developing this regulation. The Federal Recommended Food Code is updated and revised periodically. One commentator suggested that this section should be updated to match the 2001 Federal Recommended Food Code by including a requirement that employees wash their hands before using gloves. The Department should include this requirement in the final-form regulation.

5. Section 46.133. Required washing locations.—Fiscal impact; Reasonableness; Clarity.

This section prohibits food employees from using a utility sink for required hand washing. There are two concerns.

First, the term "utility sink" should be defined.

Second, the prohibition against using a "utility sink" as a washing location for employees may not be feasible for small business food establishments with limited space. The Department should consider providing a variance that allows food employees to wash their hands in a utility sink not used for food preparation when a facility, such as a small business, does not have space for additional sinks or lavatories for hand washing.

6. Section 46.134. Hand sanitizers.—Clarity.

Subsection (a)(1)(ii)(A) refers to the "current FDA monograph for OTC Health-Care Antiseptic Drug Products as an antiseptic handwash." OTC is not defined but only appears in § 46.134. The final-form regulation should include the words "over-the-counter" in parentheses following "OTC" to insure that readers know the meaning of the acronym.

Subchapter C. Food

7. Section 46.213. Packaged food.—Duplication of other regulations; Clarity.

There are two concerns.

First, this section states that packaged food shall be labeled as specified in the Food Act, this chapter, 21 CFR 101, 9 CFR 317 and 9 CFR 381, Subpart N. Labeling requirements are set forth in greater detail in § 46.422 with the same citations to Federal regulations. Rather than referencing the Food Act and Federal regulations, this section should cross-reference § 46.422.

Second, if the reference to "the Food Act" is retained in this section, it should be changed to "the Act" to be consistent with the definition of "the Act" in § 46.3.

8. Section 46.220. Wild mushrooms.—Reasonableness; Clarity.

This section refers to an "approved mushroom identification expert." What are the qualifications of an approved mushroom identification expert? Who approves them?

9. Section 46.241. Receiving temperature of food.—Reasonableness; Clarity.

Subsection (d) states, "Upon receipt, potentially hazardous food shall be free of evidence of previous temperature

abuse." This subsection should include examples of "visible evidence of improper temperature."

10. Section 46.261. Preventing contamination from food employees' hands.—Reasonableness; Clarity.

Stakeholders have suggested new language to clarify the situations when employees may contact food, including ready-to-eat food, with their bare hands. The Department should review the new language and make changes to the final-form regulation to clarify when employees may touch food with their bare hands.

11. Section 46.303. Linens and napkins: use limitations.—Clarity.

A commentator suggested that this provision should also apply to the use of linens or napkins in a retail display. This section should allow, and provide for, the use of linens or napkins in contact with food in retail displays.

12. Section 46.321. Food storage.—Clarity.

Subsection (d)(9) states, "Food may not be stored under any source of contamination." It is our understanding that the Department actually intends this provision to prohibit food storage in proximity of any source of contamination. The Department should clarify the language to indicate the minimum safe distance between food and a source of contamination.

13. Section 46.345. Miscellaneous sources of contamination.—Reasonableness; Clarity.

This section states, "Food shall be protected from contamination that may result from a factor not specified in §§ 46.261, 46.262, 46.281—46.286, 46.301—46.307, 46.321—46.323 and 46.341—46.344." It is understandable that the Department wants to insure that public health authorities can react to sources of contamination not foreseen by this regulation. However, it is unclear how this provision will be implemented. How will the Department measure or observe compliance with this provision? How will regulated parties know when they are in compliance?

The Department should outline procedures that its staff or public health officials will follow when notifying regulated facilities of a previously unidentified contamination source. The Department and public health officials should then inform the regulated community of the steps necessary to protect food from the new type of contamination.

14. Section 46.362. Microwave cooking.—Clarity.

A word is missing in the first sentence of this section in the *Pennsylvania Bulletin*. It reads: "Raw animal foods cooked in a microwave oven meet all of the following." It should read: "Raw animal foods cooked in a microwave oven shall meet all of the following."

15. Section 46.385. Potentially hazardous food: hot and cold holding.—Impact on public health; Reasonableness; Clarity.

The proposed regulation does not contain the date marking provisions found at section 3-501.17 of the 1999 Federal Recommended Food Code. One commentator contends that these provisions are necessary to insure proper refrigerated storage and to protect public health. If these provisions are not included in the final-form regulation, the Department should explain the reasons for not adopting this portion of the 1999 Federal Recommended Food Code.

Subchapter D. Equipment, Utensils and Linens.

16. Section 46.612. Manual warewashing: sink compartment requirements.—Reasonableness; Clarity.

Size of sink compartments

Subsection (b) requires sink compartments “shall be large enough to accommodate immersion of the largest equipment or utensils.” The definition of “equipment” in § 46.3 includes items that are not typically placed in a sink.

The Department should delete the word “equipment” in this subsection or add a quantifying term such as “equipment that requires cleaning by immersion” to describe the equipment that should fit in a sink compartment.

Alternative warewashing equipment

Subsection (c) provides for the use of alternative warewashing equipment. Examples of alternative warewashing equipment include “other task-specific cleaning equipment” in subsection (c)(3) and “brushes or other implements” in subsection (c)(5). For clarity, the Department should provide examples of both “other task-specific cleaning equipment” and “other implements” in this section.

Subchapter E. Water, Plumbing and Waste

17. Section 46.802. Drinking water system flushing and disinfection.—Clarity.

This section is not clear about whether the water will be tested before placing the system back in service after construction, repair, modification or after an emergency situation. In what instances, if any, would the Department require check samples to be taken?

18. Section 46.804. Quality of water.—Clarity.

Paragraph (b)(1) states, “A nondrinking water supply shall be used only if approved by the Department.” How does one get Department approval? This section should include a cross-reference or a citation to the procedure for requesting Department approval.

19. Section 46.805. Quantity and availability of water: capacity and pressure.—Clarity.

Paragraph (b) is one run-on sentence. For clarity, it should be redrafted.

20. Section 46.822. Design, construction and installation of plumbing systems.—Clarity.

Paragraph (a)(2) contains the phrase, “. . . such as a handwashing facility, toilet for urinal shall be. . . .” This is a typographical error. This phrase should be revised to say “. . . toilet *or* urinal. . . .” (Emphasis added.)

21. Section 46.823. Numbers and capacities of plumbing facilities.—Reasonableness; Clarity.

Paragraphs (a)(2) and (a)(3) both start with “If approved by the Department. . . .” How does one obtain Department approval?

Paragraph (b) references requirements for the number of toilets and urinals required. In what instance will the Department’s requirements be different than those of the Department of Labor and Industry? For clarity, the Department should remove the phrase “the Department or.”

22. Section 46.841. Materials used in construction of mobile water tanks and mobile food facility water tanks; Section 46.842. Design and construction of mobile water tanks and mobile food facility water tanks.—Clarity.

Paragraph (1) in § 46.841 and subsection (f)(1) in § 46.842 use the term “safe.” However, the Department

defines the term “safe materials” in § 46.3. Consistent terms should be used throughout the regulation.

23. Section 46.843. Numbers and capacities of mobile water tanks and mobile food facility water tanks.—Reasonableness.

Paragraph (c)(2) states, “Provided with a hose connection of a size or type that will prevent its use for any other service.” Is it necessary to require a hose connection that cannot possibly be used for another purpose?

Subchapter F. Physical Facilities

24. Section 46.922. Functionality of various physical facilities of a food facility.—Clarity.

Subparagraphs (e)(3)(ii) and (iii) appear to be different ways of stating the same thing. Therefore, one should be eliminated.

Subsection (e)(4) states, “. . . protected against the entry of insects and rodents. . . .” However, subsection (e)(5) states, “paragraph (4) does not apply if flying insects and other pests. . . .” These two paragraphs should use consistent language.

The Department should set forth and give examples of what constitutes “Other effective means,” found in subsection (e)(4)(iii), or the subparagraph should be deleted.

Subchapter G. Poisonous or Toxic Materials

25. Section 46.1022. Poisonous or toxic substances: limitations on presence and use.—Clarity.

The Department should set parameters for the “Additional conditions that may be established by the Department,” found in subsection (b)(3), or the paragraph should be deleted.

Subchapter H. Administrative Procedures

26. General.—Consistency with the statute.

This subchapter includes requirements for licensure, permitting and registration. In all instances, the Department appears to be responsible for these actions. However, the Department is not the only entity that is responsible for licensure, permitting and registration.

Under the definition of “licensor” in the Public Eating and Drinking Places Act (35 P.S. § 655.1) the other entities responsible for these administrative tasks are listed. For consistency with the statute, the Department should consider replacing the term “Department” in this subchapter with the defined term “licensor.”

27. Section 46.1101. Application for intended purpose: public health protection.—Unnecessary duplication.

This section repeats the regulation’s purpose, already noted in § 46.1, relating to purpose. Section 46.1 amply covers the entire regulation; there is no need to repeat the purpose in this section. Therefore, the Department should delete § 46.1101 in the final-form regulation.

28. Section 46.1102. Access to food facilities.—Clarity.

This section describes who will be able to gain access to food facilities to ensure regulatory compliance. We have two concerns.

Credentials

First, this section states, “After the Secretary presents *credentials*. . . .” (Emphasis added.) The term “credentials” in this context is confusing. There could be many acceptable examples of credentials that would satisfy this requirement. For clarity, the Department should replace

the word “credentials” with “identification,” or specify what type of identification is acceptable.

Reasonable times

Second, the regulations enable the Secretary to conduct these inspections “during the food facility’s hours of operation and other reasonable times.” The phrase “other reasonable times” is unclear. For example, does an inspection during “other reasonable times” require agreement by the owner or operator who may need to give up her or his day off to open a closed facility? The Department should either give examples of “other reasonable times” or delete the phrase.

29. Section 46.1121. Facility and operating plans.—Clarity.

Subsection (b)

Section 46.1121 requires food facility operators and applicants to submit plans and certifications to the Department in specific instances. We have two concerns.

First, subsection (b) describes the contents of the plans and specifications. Subsection (b)(5) states that the plans and specifications shall include “Other information that may be required by the Department.” This subsection should include a provision that the Department will issue written requests for “other information” to the operators.

Second, it is unclear how plans and specifications will be communicated to the Department. Will the information requested need to be in writing? Can it be filed electronically or by fax? The Department should explain the procedure and the format for delivery of this information in the final-form regulation.

30. General.—Clarity.

Incomplete references to statutes or other regulations

Several sections contain references to the Food Act or other statutes but do not identify the specific sections of the statutes that applied to the particular regulatory provision. Specific references should be used. The following sections are examples:

Section 46.3. Definitions.

In paragraphs (iii), (iv), (viii), (ix) and (xiv) of the definition of “adulterated food,” there are references to “Federal acts” and “Federal acts and their regulations.” The Department should specifically cite the pertinent sections of Federal statutes and regulations.

Sections 46.213, 46.421 and 46.422

These three sections include references to the Food Act. The Department should cite the specific sections of the Food Act that apply.

In addition, § 46.422(e)(1) states: “If required by law, consumer warnings shall be provided.” The final-form regulation should include citations to the appropriate statutes.

Sections 46.217 and 46.244

The references to the Milk Sanitation Law need specific citations to applicable sections.

Section 46.219. Molluscan shellfish.

Subsection (a) references the Food Act and this chapter. The Department should provide the specific sections that apply.

Section 46.221. Game animals.

This section refers to the “laws governing meat and poultry, as determined by the Department or other food

regulatory agency that has jurisdiction over the food establishment.” The regulation should identify the laws or regulations that apply to this section.

Section 46.243. Receiving shell eggs.

This section references Chapter 87 and the Egg Refrigeration Law. These references need to include the specific sections of the existing regulation that apply.

Section 46.821. Approved materials to be used in plumbing systems.

The reference to the Pennsylvania Construction Code Act needs a specific citation to applicable sections. This is also found in §§ 46.822(a)(1), 46.825(e), 46.862(b)(2), (b)(3) and (c)(1), 46.863(a)(2) and (b) and 46.902(b).

Section 46.1102. Access to food facilities.

This section allows the Secretary “to determine if the food facility is in compliance with this chapter by . . . providing information and records specified in this chapter and to which the Secretary is entitled under the Public Eating and Drinking Place Law, the act and any other relevant statutory or regulatory authority.” The phrase “any other relevant statutory or regulatory authority” is vague. The Department should delete this phrase, or replace it with citations to specific statutes and regulations that give the Secretary authority to obtain information from food facilities.

Nonexistent and inaccurate CFR cites

The two citations to the CFR in § 46.242 appear to be inaccurate. These citations, 9 CFR 318.7 and 40 CFR 185, are nonexistent. The Department should use appropriate citations that are consistent with existing sections of the CFR.

Additionally, § 46.1026(a)(1) contains an inaccurate cite to the United States Code Annotated.

Other regulatory agencies

There are a few sections in the rulemaking that reference other regulatory agencies. For example, §§ 46.220 and 46.221 contain the phrase “other food regulatory agency that has jurisdiction over the food establishment.” Additionally, § 46.221 contains “laws governing meat and poultry, as determined by the Department or other food regulatory agency that has jurisdiction over the food establishment.” The Department should explain what other regulatory agencies would have jurisdiction over food and food establishments in the final-form regulation and under what circumstances.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-864. Filed for public inspection May 10, 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 these regulations, contact the promulgating agency.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-656	State Board of Physical Therapy Sexual Misconduct	5/1/02
16A-662	Navigation Commission for the Delaware River Navigation Licensure and Re- newal	5/1/02

Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
16A-5210	State Board of Optometry Therapeutic Certification	5/1/02

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-865. Filed for public inspection May 10, 2002, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Redomesticate

QBE Insurance Corporation, a Delaware stock property and casualty insurance company, has submitted a Plan of Redomestication, whereby it proposes to redomesticate from the State of Delaware to this Commonwealth. The filing was made under the requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. §§ 1921—1932 and 15 P.S. §§ 21205—21207. Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Stephanie Ohnmacht, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557 or by e-mail to sohnmacht@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-866. Filed for public inspection May 10, 2002, 9:00 a.m.]

Application for Increase in Underwriting Authority of a Domestic Stock Casualty Insurance Company

Franklin Insurance Company (Franklin), a domestic stock casualty insurance company, has filed an application to increase its classes of underwriting authorities. The classes of insurance that Franklin has applied to add is as mentioned in 40 P.S. §§ 382(c)(3), (5), (9), (10) and (14). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 7 days from the date of

this issue of the *Pennsylvania Bulletin*. Written statements must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert A. Kotal, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax to (717) 787-8557 or by e-mail to rkotal@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-867. Filed for public inspection May 10, 2002, 9:00 a.m.]

HealthAmerica; Rate Filing

On April 24, 2002, HealthAmerica submitted a rate filing to revise the currently approved Group Specific Community Rating (GSCR) Methodology. The filing will affect the following:

- The enrollment requirement would be reduced from 250 to 100.
- The coverage period would be changed from 36 months to 12 months.
- The GSCR formula would continue to utilize up to 36 months of experience; however, the requirement at least 2 years and 4 months enrollment would be changed to not less than 8 months.
- A table would be added to vary the weighting of the percentage based on the number of years of claim information.
- The pooling levels and charges will be the same for 1,499 members and lower.
- The fixed-cost PMPM under administration and profit loads has increased by an annual rate of 4% over the previously approved amount.

This filing is available for public inspection during normal working hours at the Insurance Department's regional offices in Harrisburg and Pittsburgh.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120 within 30 days after the publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-868. Filed for public inspection May 10, 2002, 9:00 a.m.]

New Alliance d/b/a HealthAmerica; Rate Increase and Change in Rating Methodologies

On April 26, 2002, New Alliance d/b/a HealthAmerica submitted a rate filing to revise the medical and pharmacy rates and rating methodologies used in New Alliance's service area. The HMO medical rates will increase 19%. The HMO prescription drug plans are being revised to match the HealthAmerica plans. The rate increase for

prescription drug coverage varies by benefit plan and ranges from .4% to 12.2%. In addition, the filing requests that HealthAmerica's Group Specific Community Rating and Community Rating by Class (CRC and CRC-SBS) methodologies and factors be extended to the New Alliance service area.

These changes will affect approximately 35,000 members. An effective date of July 1, 2002, is requested.

This filing is available for public inspection during normal working hours at the Insurance Department's regional offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120 within 30 days after the publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-869. Filed for public inspection May 10, 2002, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68), in connection with the termination of the insured's automobile policy. The hearings will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg, Philadelphia and Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Tenille Leroy Turnbaugh; file no. 02-181-02798; Progressive Insurance Company; doc. no. P02-04-040; May 30, 2002, 1:30 p.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Stanley A. and Pearl Webb; file no. 02-210-01296; American International Insurance Company (AIGM); doc. no. PH02-04-041; June 4, 2002, 12:30 p.m.

Shelton Grigger; file no. 02-215-01366; American Independent Insurance Company; doc. no. PH02-04-038; June 4, 2002, 1:30 p.m.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Sharon White; file no. 02-181-02438; Progressive Insurance Company; doc. no. PI02-04-037; June 7, 2002, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, wit-

nesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-870. Filed for public inspection May 10, 2002, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's regional offices in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Nationwide Mutual Fire Insurance Co.; file no. 02-182-02383; Luther and Joane Dundore; doc. no. P02-04-036; May 28, 2002, 1:30 p.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or

their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-871. Filed for public inspection May 10, 2002, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Montgomery County, RAMP District Office, Meetinghouse Business Center, Suite 100, 140 W. Germantown Pike, Plymouth Meeting, PA 19462-1421.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 1,300 net useable square feet of new or existing office space within 1/2-mile radius of the Turnpike and Germantown Pike in Plymouth Township.

Proposals due: May 31, 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

Bucks County, Wine & Spirits Shoppe #0903, 720 Easton Road, Riegelsville, PA 18077-0111.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space in Durham Township on Route 611 near Route 412, Riegelsville.

Proposals due: May 31, 2002, at 12 p.m.

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

Bucks County, Wine & Spirits Shoppe #0906, Pennsbury Plaza, 229 Plaza Blvd., Morrisville, PA 19067.

Lease Expiration Date: June 30, 2007

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 within a 1 mile radius of Plaza Boulevard and Route 13, Morrisville.

Proposals due: May 31, 2002, at 12 p.m.

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

Bucks County, Wine & Spirits Shoppe #0911, 510 S. Oxford Valley Road, Fairless Hills, PA 19030.

Lease Expiration Date: September 30, 2003

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 7,000 net useable square feet of new or existing retail commercial space within a 1 mile radius of Oxford Valley Road and Levittown Highway, Fairless Hills.

Proposals due: May 31, 2002, at 12 p.m.

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

Chester County, Wine & Spirits Shoppe #2331, 1027 Pontiac Road, Drexel Hill, PA 19026.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space within a 3/4-mile radius of the intersection of Route 1 Township Line Road and Burmont Road, Drexel Hill.

Proposals due: May 31, 2002, at 12 p.m.

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

Montgomery County, Wine & Spirits Shoppe #4608, 922 W. Lancaster Avenue, Bryn Mawr, PA 19010.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space within 1/2-mile radius of Lancaster Avenue and Montrose Street, Bryn Mawr.

Proposals due: May 31, 2002, at 12 p.m.

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

Montgomery County, Wine & Spirits Shoppe #4630, North End Shopping Center, 1300 N. Charlotte Street, Pottstown, PA 19464.

Lease Expiration Date: August 31, 2003

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 net useable square feet of new or existing retail commercial space within a 1 mile radius of Mervine Street and North Charlotte, Pottstown.

Proposals due: May 31, 2002, at 12 p.m.

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

Philadelphia County, Wine & Spirits Shoppe #5101, 135 W. Cheltenham Avenue, Philadelphia, PA 19144.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 net useable square feet of new

or existing retail commercial space within 1/2-mile radius of the intersection of Cheltenham and Wayne Avenues, Philadelphia.

Proposals due: May 31, 2002, at 12 p.m.

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

Philadelphia County, Wine & Spirits Shoppe #5109, 1100 S. Delaware Avenue, Philadelphia, PA 19147.

Lease Expiration Date: May 31, 2004

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 7,000 net useable square feet of new or existing retail commercial space within 1 mile radius of Delaware and Washington Avenues, Philadelphia.

Proposals due: May 31, 2002, at 12 p.m.

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

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 02-872. Filed for public inspection May 10, 2002, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Order

Public Meeting held
 April 24, 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. Communications Network Int'l., Ltd (2001.0359); Doc. No. C-20026938; A-310248

Default Order

By the Commission:

On February 25, 2002, the Law Bureau Prosecutory Staff instituted a complaint against Communications Network International, Ltd (the Respondent), a telecommunications interexchange reseller certificated at A-310248. 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 4, 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. Assent 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 Communications Network International, Ltd at Docket No. A-310248 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. 02-873. Filed for public inspection May 10, 2002, 9:00 a.m.]

Rescission Order

Public Meeting held
 April 24, 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. Americatel Corporation (1998.0232.01); Doc. No. C-00015649

Rescission Order

By the Commission:

Pursuant to our regulations at 52 Pa. Code § 63.36, utilities are required to file their Annual Reports for the preceding year by April 30 of the following year. Thus, the 1999 Annual Reports were due April 30, 2000. On June 19, 2001, Law Bureau Prosecutory Staff instituted a complaint against Americatel Corporation (the Respondent), an IXC reseller certificated at A-310609 for failure to file its 1999 Annual Report. Subsequently, on April 4, 2002, the Commission entered a Default Order that sustained the complaint and cancelled Respondent's certificate. It has since been learned that subsequent to the filing of the complaint, but prior to entry of the Default Order, Respondent filed its 1999 Annual Report. Consequently, the Default Order was issued in error and should be rescinded; *Therefore,*

It is Ordered That:

1. The Default Order entered April 4, 2002 at this docket is hereby rescinded.

2. The certificate of public convenience held by Americatel Corporation at A-310609 is hereby reinstated.

3. Notice of this Rescission Order shall be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-874. Filed for public inspection May 10, 2002, 9:00 a.m.]

Rescission Order

Public Meeting held
April 24, 2002

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

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Broadpoint Communications, Inc.
(1998.0232.01); Doc. No. C-20015679*

Rescission Order

By the Commission:

Pursuant to our regulations at 52 Pa. Code § 63.36, utilities are required to file their Annual Reports for the preceding year by April 30 of the following year. Thus, the 1999 Annual Reports were due April 30, 2000. On June 19, 2001, Law Bureau Prosecutory Staff instituted a complaint against Broadpoint Communications, Inc. (the Respondent), an IXC reseller certificated at A-310790, for failure to file its 1999 Annual Report. Subsequently, on April 4, 2002, the Commission entered a Default Order that sustained the complaint and cancelled Respondent's certificate. It has since been learned that subsequent to the filing of the complaint, but prior to entry of the Default Order, Respondent filed its 1999 Annual Report. Consequently, the Default Order was issued in error and should be rescinded; *Therefore,*

It is Ordered That:

1. The Default Order entered April 4, 2002 at this docket is hereby rescinded.

2. The certificate of public convenience held by Broadpoint Communications, Inc. at A-310790 is hereby reinstated.

3. Notice of this Rescission Order shall be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-875. Filed for public inspection May 10, 2002, 9:00 a.m.]

Rescission Order

Public Meeting held
April 24, 2002

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

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Buyers United International, Inc.
(1998.0232.01); Doc. No. C-20015714*

Rescission Order

By the Commission:

Pursuant to our regulations at 52 Pa. Code § 63.36, utilities are required to file their Annual Reports for the preceding year by April 30 of the following year. Thus, the 1999 Annual Reports were due April 30, 2000. On June 25, 2001, Law Bureau Prosecutory Staff instituted a complaint against Buyers United International, Inc. (the Respondent), an IXC reseller certificated at A-310662 for failure to file its 1999 Annual Report. Subsequently, on April 4, 2002, the Commission entered a Default Order which sustained the complaint and cancelled Respondent's certificate. It has since been learned that subsequent to the filing of the complaint, but prior to the entry of the Default Order, Respondent filed its 1999 Annual Report. Consequently, the Default Order was issued in error and should be rescinded; *Therefore,*

It is Ordered That:

1. The Default Order entered April 4, 2002 at this docket is hereby rescinded.

2. The certificate of public convenience held by Buyers United International, Inc. at A-310662 is hereby reinstated.

3. Notice of this Rescission Order shall be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-876. Filed for public inspection May 10, 2002, 9:00 a.m.]

Rescission Order

Public Meeting held
April 24, 2002

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

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. Primetel Communications, Inc.
(1998.0232.01); Doc. No. C-20015754*

Rescission Order

By the Commission:

Pursuant to our regulations at 52 Pa. Code § 63.36, utilities are required to file their Annual Reports for the preceding year by April 30 of the following year. Thus, the 1999 Annual Reports were due April 30, 2000. On June 25, 2001, Law Bureau Prosecutory Staff instituted a complaint against Primetel Communications, Inc. (the Respondent), an IXC reseller certificated at A-310365 for failure to file its 1999 Annual Report. Subsequently, on April 4, 2002, the Commission entered a Default Order which sustained the complaint and cancelled Respondent's certificate. It has since been learned that subsequent to the filing of the complaint, but prior to the entry of the Default Order, Respondent filed its 1999 Annual Report. Consequently, the Default Order was issued in error and should be rescinded; *Therefore,*

It is Ordered That:

1. The Default Order entered April 4, 2002 at this docket is hereby rescinded.

2. The certificate of public convenience held by Primetel Communications, Inc. at A-310365 is hereby reinstated.

3. Notice of this Rescission Order shall be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-877. Filed for public inspection May 10, 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 June 3, 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-00109911, F.2. Noga Ambulance Service, Inc. (2615 Wilmington Road, New Castle, Lawrence County, PA 16105), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Lawrence, and from points in said county, to points in the counties of Allegheny, Beaver, Butler and Mercer, and vice versa.

A-00118839, Edgardo Perez (512 Walnut Street, Lebanon, Lebanon County, PA 17042)—persons in limousine service, between points in the county of Lebanon, and from points in said county, to points in Pennsylvania, and return.

A-00118860, Jonathan Edwards t/d/b/a Day & Nite Car Service (P. O. Box 1084, Pocono Summit, Monroe County, PA 18346)—to transport, as a common carrier, by motor vehicle, persons upon call or demand in Monroe County.

A-00118855, F.2. 2 Places at Once, Inc. (127 East Main Street, York, York County, PA 17349)—persons in paratransit service, between points in the county of York. *Attorney:* Jody Anderson Leighty, P. O. Box 5167, York, PA 17405-5167.

A-00118861, Black Tie Limousine Services, Inc. (800 Chestnut Street, city and county of Philadelphia, PA 19107), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, in the city and county of Philadelphia, bounded as follows: beginning at the intersection of Broad Street and Hunting Park Avenue, thence proceeding west on Hunting Park Avenue to the Schuylkill River, thence proceeding northwest along the Schuylkill River to Fayette Road, thence proceeding north on Fayette Road to Butler Pike, thence proceeding north on Butler Pike to US Route 309, thence proceeding south on US Route 309 to Cheltenham Avenue, thence proceed-

ing south on Cheltenham Avenue to Broad Street, thence proceeding south on Broad Street to Hunting Park Avenue, the beginning point, and from points in said bounded area, to points in Pennsylvania, and return.

A-00118864, Alpha Omega Limousine Network, Inc. (2416 East County Line Road, Ardmore, Montgomery County, PA 19003), a corporation of the state of New York—persons in limousine service, between points in the city and county of Philadelphia, and the counties of Delaware and Montgomery, and from points in said city and counties, to points in Pennsylvania, and return.

A-00118865, Glen & Laurie, LLC t/d/b/a Glen's Taxi (1610 Olympic Way, Effort, Monroe County, PA 18330)—persons upon call or demand in the boroughs of Delaware Water Gap, East Stroudsburg, Stroudsburg, and the townships of Chestnut Hill, Eldred, Hamilton, Jackson, Mount Pocono, Pocono, Polk, Stroud, Tobyhanna and Tunkhannock, all in Monroe County.

A-00118866, Suburban Emergency Medical Services (3231 Freemansburg Avenue, Easton, Northampton County, PA 18045) a corporation of the Commonwealth of Pennsylvania—to transport persons in paratransit service, between points in the counties of Lehigh, Northampton and Monroe, and from points in said counties, to points in Pennsylvania and return; subject to the following condition: That transportation is limited to persons that require medical monitoring. *Attorney:* Christie M. Mellott, 5010 East Trindle Road, Suite 202, Mechanicsburg, PA 17050.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods* as described under each application.

A-00118868, Thomas E. Werth t/d/b/a You Got Me Babe! (609 North McKean Street, Butler, Butler County, PA 16001)—household goods in use, between points in the counties of Butler, Lawrence, Beaver, Venango, Allegheny, Clarion, Armstrong and Mercer, and from points in said counties, to points in Pennsylvania, and vice versa.

Application of the following for the approval of the *transfer of stock* as described under the application.

A-00106168, Folder 5000, Perry J. Cab Co., Inc. (615 Forest Avenue, Rydal, Montgomery County, PA 19046), a corporation of the Commonwealth of Pennsylvania, for the approval of the transfer of 100 shares of the issued and outstanding 100 shares of stock from Perry J. Hassman (deceased) to Rosemary T. Hassman involving one Philadelphia Medallion at A-00106168, P-65.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-878. Filed for public inspection May 10, 2002, 9:00 a.m.]

Telecommunications

A-310200F0007 and A-311350F0006, Verizon Pennsylvania Inc. and Verizon North Inc. Application of Verizon Pennsylvania Inc. and Verizon North Inc. for all approvals required under 66 Pa.C.S. (relating to public utility code) for the transactions related to the transfer of assets and the ongoing coordination of certain operations.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before May 27, 2002, under 52 Pa. Code (relating to public utilities).

Applicant: Verizon Pennsylvania Inc. and Verizon North Inc.

Through and By Counsel: Julia A. Conover, Daniel E. Monagle, Verizon Pennsylvania Inc., 1717 Arch Street, 32nd Floor, Philadelphia, PA 19102.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-879. Filed for public inspection May 10, 2002, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals for Project #0235.S, Port of Philadelphia Coastal Waterways Freight Development Analysis, until 2 p.m. on Thursday, June 20, 2002. The proposal documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available May 15, 2002. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 02-880. Filed for public inspection May 10, 2002, 9:00 a.m.]

SECURITIES COMMISSION

Designation of an Investment Adviser Registration Depository for Applications, Renewals, Amend- ments and Fees for Pennsylvania Registered Investment Advisers

Whereas, Section 303(a) of the Pennsylvania Securities Act of 1972 (1972 Act) requires investment advisers seeking registration in Pennsylvania to file an application with the Pennsylvania Securities Commission (Commission); and

Whereas, Sections 602(d.1) and 602.1(a)(4) of the 1972 Act requires investment advisers to pay filing fees and compliance assessment fees annually to the Commission (Filing Fees); and

Whereas, Commission Regulation 303.012, 64 Pa. Code § 303.012, states that the application required by Section 303(a) of the 1972 Act shall be the Uniform Application for Investment Adviser Registration (Form ADV); and

Whereas, Commission Regulation 303.012, 64 Pa. Code § 303.012, requires an amendment to Form ADV when material information contained in the Form ADV becomes incorrect or incomplete (Form ADV Amendment); and

Whereas, Form ADV requires the filing of an annual updating amendment to Form ADV within 90 days after the end of the investment adviser's fiscal year end (Annual Updating Amendment); and

Whereas, Commission Regulation 303.012, 64 Pa. Code § 303.012, authorizes the Commission, by order, to designate an investment adviser registration depository for the receipt of Form ADV, Form ADV Amendments and Filing Fees; and

Whereas, the Commission, finds it necessary and appropriate in the public interest and for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of the 1972 Act to issue the following Order:

Now Therefore, the Commission, on the 23rd day of April, 2002, pursuant to Commission Regulation 303.012, 64 Pa. Code § 303.012, orders the following:

1. For purposes of Commission Regulation 303.012, the Commission designates the following as the only investment adviser registration depository authorized to receive Form ADV, Form ADV Amendments, Annual Updating Amendments and Filing Fees on behalf of the Commission (IARD):

FORMS

IARD Document Processing
NASD Regulation, Inc.
P. O. Box 9495
Gaithersburg, MD 20898-
9495
www.iard.com

FEES

NASD Regulation, Inc.,
CRD-IARD
P. O. Box 7777-W9995
Philadelphia, PA 19175-
9995

2. Effective with the date of this order and thereafter, all investment advisers that are registered in Pennsylvania, as of the effective date of this order, shall transition their registration to the IARD ("Transition Filing") no later than September 30, 2002, which Transition Filing shall include submission of a complete and accurate electronic Form ADV, Parts 1A and 1B using the amended Form ADV. This electronic filing shall be made through the IARD at www.iard.com.

3. For any renewal occurring after the effective date of this order, Pennsylvania registered investment advisers making a renewal with the Commission in accordance with Section 301(e) of the 1972 Act shall pay Filing Fees through IARD.

4. This Order shall be published in the *Pennsylvania Bulletin*.

5. The effective date of this Order shall be the date published in the *Pennsylvania Bulletin*.

Alternative formats of this document may be available upon request. Call (717) 787-1165 or TDD Users: via AT&T Relay Center (800) 654-5984.

M. JOANNA CUMMINGS,
Secretary

[Pa.B. Doc. No. 02-881. Filed for public inspection May 10, 2002, 9:00 a.m.]

Designation of an Investment Adviser Registration Depository for Applications, Renewals, Amendments and Fees for Investment Adviser Representatives of State Registered Investment Advisers

Whereas, Section 303(a) of the Pennsylvania Securities Act of 1972 (1972 Act) requires investment adviser representatives seeking registration in Pennsylvania to file an application with the Pennsylvania Securities Commission (Commission); and

Whereas, Sections 602(d.1) and 602.1(a)(1) and (2) of the 1972 Act require investment adviser representatives to pay filing fees and compliance assessment fees annually to the Commission (Filing Fees); and

Whereas, Commission Regulation 303.014, 64 Pa. Code § 303.014, states that the application required by Section 303(a) of the 1972 Act shall be the Uniform Application for Securities Industry Registration or Transfer (Form U-4); and

Whereas, Commission Regulation 303.014, 64 Pa. Code § 303.014, requires an amendment to Form U-4 when material information contained in Form U-4 becomes incorrect or incomplete (Form U-4 Amendment); and

Whereas, Commission Regulation 303.014, 64 Pa. Code § 303.014, authorizes the Commission, by order, to designate an investment adviser registration depository for the receipt of Form U-4, Form U-4 Amendments and Filing Fees; and

Whereas, the Commission, finds it necessary and appropriate in the public interest and for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of the 1972 Act to issue the following Order:

Now, Therefore, the Commission on the 23rd day of April, 2002, pursuant to Commission Regulation 303.014, 64 Pa. Code § 303.014, orders the following:

1. For purposes of Commission Regulation 303.014, the Commission designates the following as the only investment adviser registration depository authorized to receive Form U-4, Form U-4 Amendments and Filing Fees on behalf of the Commission (IARD):

FORMS

IARD Document Processing
NASD Regulation, Inc.
P. O. Box 9495
Gaithersburg, MD 20898-9495
www.iard.com

FEES

NASD Regulation, Inc.,
CRD-IARD
P. O. Box 7777-W9995
Philadelphia, PA 19175-9995

2. Effective with the date of this order and thereafter, all investment adviser representatives of Pennsylvania registered advisers making an initial application for registration, shall file Form U-4 electronically and pay the Filing Fee through www.iard.com. Form U-4 shall be deemed filed and the Filing Fee shall be deemed received by the Commission on the date such items are accepted by the IARD. All Form U-4 amendments shall be filed electronically through www.iard.com.

3. Investment adviser representatives of Pennsylvania registered investment advisers, that are registered in Pennsylvania, as of the effective date of this order, shall transition their registration to the IARD ("Transition Filing") no later than September 30, 2002, which Transition Filing shall include submission of a complete and accurate electronic Form U-4.

4. For any renewal occurring after the effective date of this order, Pennsylvania registered investment adviser representatives making a renewal with the Commission in accordance with Section 301(e) of the 1972 Act shall pay Filing Fees through IARD.

5. As provided by Commission Regulation 603.011, 64 Pa. Code § 603.011, an application for registration as an investment adviser representative is not deemed complete until all the required documents, filing fees and compliance assessment fees have been received by the Commission.

6. This Order shall be published in the *Pennsylvania Bulletin*.

7. The effective date of this Order shall be the date published in the *Pennsylvania Bulletin*.

Alternative formats of this document may be available upon request. Call (717) 787-1165 or TDD Users: via AT&T Relay Center (800) 654-5984.

M. JOANNA CUMMINGS,
Secretary

[Pa.B. Doc. No. 02-882. Filed for public inspection May 10, 2002, 9:00 a.m.]