

# PENNSYLVANIA BULLETIN

Volume 32

Number 25

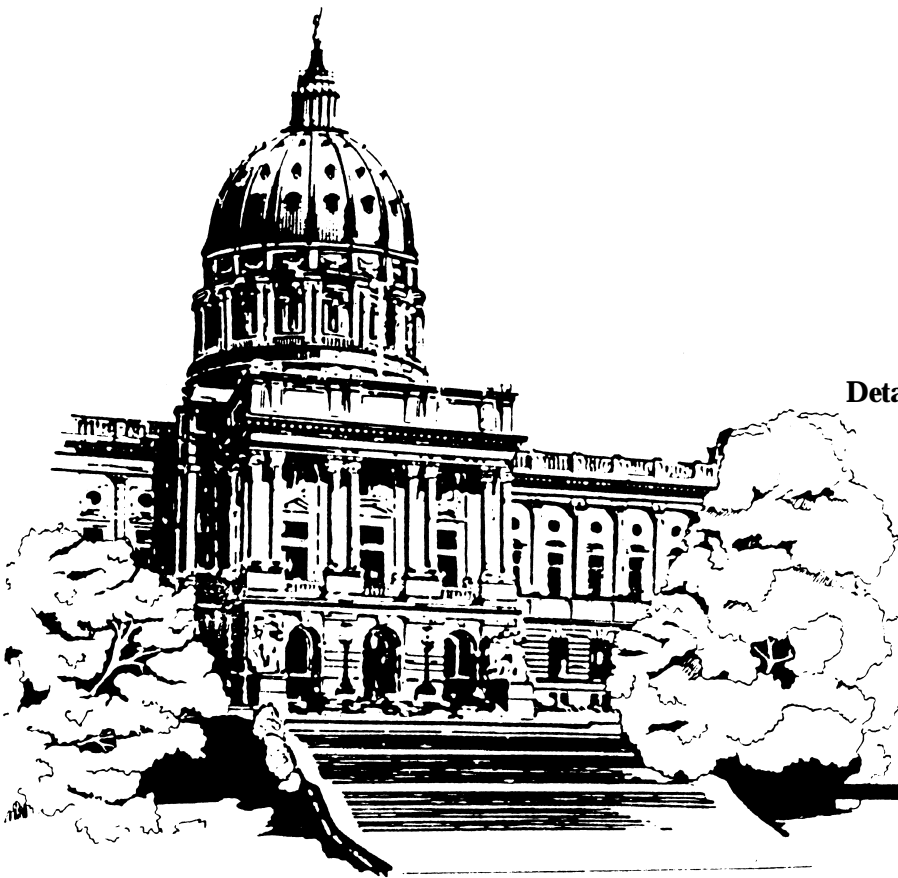
Saturday, June 22, 2002 • Harrisburg, Pa.

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**No. 331, June 2002**

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**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 647 Main Capitol Building, State & Third Streets, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "Fry Communications, Inc." Periodicals postage paid at Harrisburg, Pennsylvania.

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800 W. Church Rd.  
Mechanicsburg, Pennsylvania 17055-3198  
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ISBN 0-8182-0004-9

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 W. Church Road, Mechanicsburg, Pennsylvania 17055-3198.

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

## ***Pennsylvania Bulletin***

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

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

## **How to Find Documents**

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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

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# THE GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 1]

[EXECUTIVE ORDER 2002-3]

### Equal Employment Opportunity

May 3, 2002

*Whereas*, this Administration believes that the employment practices of the Commonwealth of Pennsylvania should be nondiscriminatory in intent and effect to promote public confidence in the fairness and integrity of government; and

*Whereas*, past governors of the Commonwealth have recognized a constitutional and legislative mandate to take affirmative steps to remedy employment discrimination and have issued Executive Orders promoting equal employment opportunity; and

*Whereas*, this Administration is firmly committed to strengthening and developing equal employment opportunity programs in the Commonwealth.

*Now, Therefore*, I, Mark S. Schweiker, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby order and direct as follows.



Governor

**Fiscal Note:** GOV 02-3. No fiscal impact; (8) recommends adoption.

#### Annex A

#### TITLE 4. ADMINISTRATION

#### PART I. GOVERNOR'S OFFICE

#### CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

#### Subchapter M. AFFIRMATIVE ACTION

Sec.

- 1.161. Prohibition of discrimination and affirmation of equal employment opportunity.
- 1.162. Responsibility for implementing equal employment opportunity.
- 1.168. Rescission.

#### § 1.161. Prohibition of discrimination and affirmation of equal employment opportunity.

(a) Agencies under the jurisdiction of the Governor may not discriminate against an employee or applicant for employment because of race, color, religious creed, ancestry, union membership, age, gender, sexual orientation, national origin, AIDS or HIV status or disability.

(b) Positive steps shall be taken by each agency under the jurisdiction of the Governor to ensure fair and equal employment opportunity at every level of government for African Americans, Hispanics, Asians, American Indians, Alaskans, Pacific Islanders, persons with a disability, persons of 40 years of age or older and women.

(c) Sexual harassment or harassment based on any of the factors in subsection (a) is prohibited.

**§ 1.162. Responsibility for implementing equal employment opportunity.**

(a) The Secretary of Administration supervises the development, implementation and enforcement of the Commonwealth's equal employment opportunity programs through the Bureau of Equal Employment Opportunity, which shall:

(1) Develop and promote steps designed to ensure equal employment opportunity and fair treatment of the protected classes at all levels of State government.

(2) Develop Commonwealth-wide equal employment opportunity policies and procedures to ensure consistency and uniformity.

(3) Conduct or participate in periodic onsite reviews and audits of agency equal employment opportunity programs.

(4) Develop complaint resolution procedures for implementation by all agencies under the jurisdiction of the Governor.

(5) Review complaint investigation reports at any time during the complaint process.

(6) Develop and implement a standardized equal employment opportunity procedure to monitor personnel transactions in all Commonwealth agencies under the jurisdiction of the Governor.

(7) Develop and issue guidelines for the conduct of agency equal employment opportunity programs and review of equal employment opportunity plans prior to implementation.

(8) Design and implement monitoring and reporting systems to measure effectiveness of agency equal employment opportunity programs.

(9) Consult with agency officials regarding personnel actions affecting agency equal employment opportunity professional staff, including recruitment, hiring, promotion, demotion, separation, transfer, performance standards and evaluation, and rate of pay.

(10) Provide leadership to agencies in the design and implementation of innovative equal employment opportunity strategies which will further the Commonwealth's fulfillment of the commitment to equal employment opportunity.

(b) Heads of departments and agencies under the jurisdiction of the Governor shall:

(1) Designate an equal opportunity manager or specialist with primary responsibility to develop and implement the agency's equal employment opportunity program.

(2) Ensure that the agency equal opportunity manager or specialist reports directly to the individual who has overall responsibility for the agency's equal employment opportunity program.

(3) Ensure that the agency's commitment to equal employment opportunity is clearly transmitted to all agency employees and that bureau directors and managers provide adequate support to the equal opportunity manager or specialist in the development and implementation of program plans designed to achieve the agency's equal employment opportunity objectives.

(4) Seek input from the Director of the Bureau of Equal Employment Opportunity on personnel actions affecting equal employment opportunity professional staff.

(5) Ensure that the agency develops and implements effective equal employment opportunity plans and auditing and reporting mechanisms.

(6) Ensure that all agency supervisory and management employees are rated on equal employment opportunity, diversity and inclusiveness based in part upon criteria identified in the agency's equal employment opportunity plan.

**§ 1.168. Rescission.**

Executive Order 1996-9, Equal Employment Opportunity, dated December 20, 1996, is rescinded.

[Pa.B. Doc. No. 02-1089. Filed for public inspection June 21, 2002, 9:00 a.m.]

**PART I. GOVERNOR****[4 PA. CODE CH. 6]****[EXECUTIVE ORDER 2002-2]****Governor's Task Force on Early Childhood Care and Education**

*Whereas*, all infants are born ready to learn; and

*Whereas*, the majority of a child's brain development occurs in the first five years of a child's life, building the foundation for future learning and success; and

*Whereas*, the Commonwealth has a duty to assess every setting where our children spend their days, whether under the care of their parents, a relative, neighbor, or a center-based setting; and

*Whereas*, early identification of developmental delay and other risk factors is crucial to improving a child's individual linguistic, cognitive, social, and emotional development and thus, school readiness; and

*Whereas*, involved, informed parents, caregivers, and educators are critical to ensure the early identification of developmental delay; and

*Whereas*, school readiness is a critical workforce issue, with early skill building leading to greater academic achievement and graduates with the knowledge necessary to allow Pennsylvania to compete in the 21st Century economy; and

*Whereas*, it is the duty of the Commonwealth to invest resources on research-based, cost-effective programs or models with a documented record of success.

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



*Governor*

**Fiscal Note:** GOV 02-2. No fiscal impact; (8) recommends adoption.

**Annex A****TITLE 4. ADMINISTRATION****PART I. GOVERNOR'S OFFICE****CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES****Subchapter G. GOVERNOR'S TASK FORCE ON EARLY CHILDHOOD CARE AND EDUCATION**

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**§ 6.61. Mission.**

The Governor's Task Force on Early Childhood Care and Education (Task Force) is charged with examining the full range of proven, evidence-based school readiness strategies available for early childhood care and education targeted at children age 0-8 and the existing Commonwealth services targeted to that age group. The Task Force will provide implementation cost estimates of each strategy based on experience in this Commonwealth or other states.

**§ 6.62. Functions.**

The Governor's Task Force on Early Childhood Care and Education (Task Force) has the powers and duties to do the following:

- (1) Serve in an advisory capacity.
- (2) Assess the current menu of early care and education programs and services offered or funded by the Commonwealth for children and their families.
- (3) Develop a model for the identification of programs that have a sufficient basis in science and a demonstrated record of effectiveness for discussion by the Task Force.
- (4) Develop a comprehensive listing of programs meeting the effectiveness standards developed under paragraph (3).
- (5) Provide per participant cost estimates for each program included in the list of effective programs.
- (6) Identify innovative financing sources and models for early care and education based on existing initiatives in this Commonwealth and Nationally.

**§ 6.63. Composition and appointments.**

(a) The Governor's Task Force on Early Childhood Care and Education (Task Force) consists of certain designated public officials and other individuals appointed by the Governor. The membership includes the heads of agencies of the Commonwealth that have responsibilities in the development, funding or regulation of early care and education programming, as well as various early care and education stakeholders. The Task Force consists of the following members:

- (1) The Secretary of Education.
- (2) The Secretary of Public Welfare.
- (3) The Secretary of Health.
- (4) The Physician General.
- (5) Representatives from each of the following stakeholder groups:
  - (i) Child advocacy community.
  - (ii) Business community.
  - (iii) Faith community.
  - (iv) School administrator.
  - (v) Civic, not-for-profit organization.
  - (vi) Statewide professional childcare organization.
  - (vii) Local community partnerships.
  - (viii) Public health/medical community.
  - (ix) Head Start provider.
  - (x) Child care provider.

- (xi) Family literacy community.
- (xii) Clinical practitioner (psychologist, psychiatrist).
- (xiii) Family-based programs.
- (xiv) K-3 educator.
- (xv) Philanthropic organization.
- (xvi) Public outreach and education professional.

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

(c) The Governor's Community Partnership for Safe Children (Partnership), or its successor entity, shall provide administrative support to the Task Force, with the Executive Director of the Partnership serving as the Task Force's project director and direct advisor to the Chairperson.

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

**§ 6.64. Terms of membership.**

(a) Members of the Governor's Task Force on Early Childhood Care and Education (Task Force) serve at the pleasure of the Governor.

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

**§ 6.65. Compensation.**

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

**§ 6.66. Reports.**

The Governor's Task Force on Early Childhood Care and Education (Task Force) shall present an initial report to the Governor by September 30, 2002. The Task Force shall present a comprehensive assessment of child care quality, across all settings, in this Commonwealth by November 15, 2002.

**§ 6.67. Annual report.**

The Governor's Task Force on Early Childhood Care and Education shall provide a brief update of the reports to the Governor by September 30, 2003, and each subsequent year. The annual update shall include additional programming, practices and funding allocated during the previous year as well as outcomes related to existing programming and practices.

**§ 6.68. Executive agencies.**

Agencies under the Governor's jurisdiction shall provide assistance to the Governor's Task Force on Early Childhood Care and Education as requested by the chairpersons.

**§ 6.69. Termination date.**

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

[Pa.B. Doc. No. 02-1090. Filed for public inspection June 21, 2002, 9:00 a.m.]

**PART I. GOVERNOR'S OFFICE**  
**[4 PA. CODE CH. 7]**  
**[EXECUTIVE ORDER NO. 2002-5]**  
**Disability-Related Policy**

May 3, 2002

*Whereas*, Pennsylvania cannot be a Commonwealth to all of its people until all of its people enjoy the opportunity to participate fully in society; and

*Whereas*, Pennsylvania has a proud and distinguished history of protecting the rights of individuals with disabilities through such laws as the Pennsylvania Human Relations Act and the Universal Accessibility Act, as amended, December 20, 1988; and

*Whereas*, the Americans With Disabilities Act of 1990, P. L. 101-336 and the Rehabilitation Act of 1973, P. L. No. 93-112, are intended to empower people with disabilities to lead independent and productive lives and to participate fully in the activities of their communities; and

*Whereas*, the Americans With Disabilities Act and the Rehabilitation Act complement those state laws and thereby further open the doors of opportunity for Pennsylvanians who seek to be considered on the basis of their abilities and not their disabilities; and

*Whereas*, the Americans With Disabilities Act requires state services, programs, and activities, when viewed in their entirety, to be accessible to individuals with disabilities; and

*Whereas*, this Administration has an abiding commitment to the equal rights of all Pennsylvania's citizens.

*Now, Therefore*, I, Mark S. Schweiker, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby order and direct as follows.



Governor

**Fiscal Note:** GOV 02-5. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION**

**PART I. GOVERNOR'S OFFICE**

**CHAPTER 7. MISCELLANEOUS PROVISIONS**

**Subchapter MM. COMMONWEALTH DISABILITY-RELATED POLICIES**

- Sec.  
7.571. Individuals with disabilities.  
7.572. Programs offered by Commonwealth agencies.  
7.573. Direction for disability-related policy.  
7.574. Coordination of meetings.  
7.575. Rescission.

**§ 7.571. Individuals with disabilities.**

A Commonwealth agency under the Governor's jurisdiction may not discriminate against an individual with a disability because of his disability. Individuals with disabilities shall be treated with respect and dignity and shall be provided access to Commonwealth services, programs, activities and employment opportunities.

**§ 7.572. Programs offered by Commonwealth agencies.**

Commonwealth agencies under the Governor's jurisdiction shall ensure that the programs they offer to the public are nondiscriminatory, accessible and address the particular challenges faced by persons with disabilities.

**§ 7.573. Direction for disability-related policy.**

Direction for disability-related policy will be assigned as follows:

(1) The Secretary of Administration, as required by Federal law and court decisions, is responsible for ensuring compliance with the employment provisions of the Americans With Disabilities Act of 1960 (act) (42 U.S.C.A. §§ 12101—12213), sections 504 and 508 of the Rehabilitation Act of 1973 (42 U.S.C.A. §§ 794 and 794d) and the Pennsylvania Human Relations Act (43 P.S. §§ 951—963), relating to Commonwealth employment and for ensuring public access to Commonwealth programs and services.

(2) The Secretary of General Services is responsible for ensuring compliance with Title II of the act (42 U.S.C.A. §§ 12131—12165) and other applicable laws relating to Commonwealth buildings and facilities and contract compliance.

(3) The Governor's Policy Office coordinates the implementation of Commonwealth disability-related policies and assesses the effectiveness of those policies.

(4) The Office of General Counsel provides direction and guidance to executive agency legal counsel on handling disability-related litigation and reviews proposed disability-related rules and regulations of executive agencies before they are deposited with the Legislative Reference Bureau as required by sections 102, 201—208 and 602 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1102, 1201—1208 and 1602), known as the Commonwealth Documents Law.

**§ 7.574. Coordination of meetings.**

The Governor's Policy Office shall coordinate regular meetings of the responsible agencies to discuss disability-related policy and resolve issues that may arise.

**§ 7.575. Rescission.**

Executive Order 1996-11, Disability-Related Policy dated December 20, 1996, is rescinded.

[Pa.B. Doc. No. 02-1091. Filed for public inspection June 21, 2002, 9:00 a.m.]

**PART I. GOVERNOR'S OFFICE**

**[4 PA. CODE CH. 7]**

**[EXECUTIVE ORDER NO. 2002-4]**

**Prohibition of Sexual Harassment in this Commonwealth**

May 3, 2002

*Whereas*, sexual harassment is a form of discrimination that undermines the integrity of the employment relationship and/or service delivery; and

*Whereas*, the Commonwealth of Pennsylvania, Pennsylvania's largest employer, has an obligation to assertively address sexual harassment issues in the workplace; and

*Whereas*, sexual harassment shall not be tolerated in Commonwealth workplaces under any circumstances; and

*Whereas*, this Administration is committed to providing a work environment where employees, applicants for employment, or individuals receiving services from the Commonwealth shall not be subjected to sexual harassment; and



*Whereas*, to prevent sexual harassment in the workplace, all managers, supervisors, and employees must be made aware of the Commonwealth's sexual harassment policy, the steps to take when concerns arise, and our commitment to address instances of sexual harassment aggressively and equitably.

*Now, Therefore*, I, Mark S. Schweiker, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby adopt and reaffirm the Commonwealth's sexual harassment policy.



Governor

**Fiscal Note:** GOV 02-4. No fiscal impact; (8) recommends adoption.

#### **Annex A**

### **TITLE 4. ADMINISTRATION**

#### **PART I. GOVERNOR'S OFFICE**

#### **CHAPTER 7. MISCELLANEOUS PROVISIONS**

#### **Subchapter NN. PROHIBITION OF SEXUAL HARASSMENT IN THIS COMMONWEALTH**

Sec.	
7.591.	Prohibition.
7.592.	Prohibited actions.
7.593.	Disciplinary action.
7.594.	Retaliation.
7.595.	Education.
7.596.	Workplace environment.
7.597.	Complaint mechanism.
7.598.	Oversight and resolution of complaints and appeals.
7.599.	Commonwealth policy.
7.600.	Cooperation by State agencies.
7.601.	Rescission.

#### **§ 7.591. Prohibition.**

A department, board, commission or other agency under the Governor's jurisdiction may not tolerate sexual harassment by a Commonwealth employee against another employee, applicant for employment, or client or other person receiving services from or conducting business with the Commonwealth. Sexual harassment in Commonwealth work settings is strictly forbidden. Further, a department, board, commission or other agency under the Governor's jurisdiction may not tolerate acts of sexual harassment by persons not employed by the Commonwealth within Commonwealth offices or upon employees of the Commonwealth in the performance of their duties. Sexual harassment is a violation of Federal and State law. Therefore, all Federal and State laws relating to sexual harassment or sex discrimination, or both, will be enforced.

#### **§ 7.592. Prohibited actions.**

(a) Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature when:

(1) Submission to or rejection of the conduct is made either explicitly or implicitly a term or condition of an individual's employment.

(2) Submission to or rejection of the conduct by an individual is used as a basis for employment decisions affecting the individuals.

(3) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

(b) Prohibited sexual harassment may include actions by members of the opposite sex of an employee as well as members of an employee's own sex.

Prohibited sexual harassment may include actions which are overtly sexual or facially neutral if the actions constitute gender-based discrimination.

**§ 7.593. Disciplinary action.**

A Commonwealth employee who engages in or knowingly condones sexual harassment related to Commonwealth employment shall be subject to disciplinary action, up to and including dismissal.

**§ 7.594. Retaliation.**

Retaliation in any form against an employee, applicant for employment, client or person conducting business with or receiving services from the Commonwealth who exercises his right to make a good faith complaint under this subchapter or who cooperates in an investigation of any complaint is strictly prohibited, and will itself be cause for appropriate disciplinary action.

**§ 7.595. Education.**

Commonwealth employees will be educated in sexual harassment issues. Education may consist of written materials, formal training, educational videos, orientation sessions, workplace discussions or individual counseling. Commonwealth employees will be provided with a copy of this policy and shall sign an acknowledgement that they have received and reviewed the policy.

**§ 7.596. Workplace environment.**

Agency heads shall create a workplace environment which encourages discussion of sexual harassment issues, where employees are educated and sensitized to sexual harassment, and where individuals with sexual harassment questions or complaints are provided with a response which is clear, impartial and timely.

**§ 7.597. Complaint mechanism.**

The Secretary of Administration shall require each agency to have an effective complaint mechanism, which ensures that an employee does not have to complain to the alleged harasser, and which provides for prompt and effective investigation of complaints. The Secretary of Administration shall also have the authority to issue Management Directives and establish rules necessary to carry out the mandates of this subchapter.

**§ 7.598. Oversight and resolution of complaints and appeals**

The Office of Administration, Bureau of Equal Employment Opportunity, shall provide appropriate oversight and resolution of complaints.

**§ 7.599. Commonwealth policy.**

This subchapter and *Management Directive 505.30, Prohibition of Sexual Harassment in Commonwealth Work Settings*, constitute the Commonwealth's sexual harassment policy.

**§ 7.600. Cooperation by State agencies.**

Commonwealth departments, boards, commissions and other agencies under the Governor's jurisdiction shall cooperate fully with the Secretary of Administration and provide assistance and information, as needed, in the implementation of this subchapter.

**§ 7.601. Rescission.**

Executive Order 1999-3, Prohibition of Sexual Harassment in the Commonwealth is rescinded.

[Pa.B. Doc. No. 02-1092. Filed for public inspection June 21, 2002, 9:00 a.m.]

# THE COURTS

## Title 255—LOCAL COURT RULES

### FAYETTE COUNTY

#### Local Rule 1303—Compulsory Arbitration Initiation, Scheduling, Hearings and Continuances; Civil Division; No. 1216 of 2002

##### Order

And Now, this 30th day of May, 2002, pursuant to Rule 239 of the Pennsylvania Rules of Civil Procedure, it is hereby ordered that the previously-stated Local Rule be amended as follows.

The Prothonotary is directed as follows:

(1) Seven certified copies of the Local Rule shall be filed with the Administrative Office of Pennsylvania Courts.

(2) Two certified copies of the Local Rule shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(3) One certified copy of the Local Rule shall be sent to the State Civil Procedural Rules Committee.

(4) One certified copy shall be sent to the Fayette County Law Library.

(5) One certified copy shall be sent to the Editor of the *Fayette Legal Journal*.

This Local Rule shall be continuously available for public inspection and copying in the Office of the Prothonotary. Upon request and payment of reasonable costs of reproduction and mailing, the Prothonotary shall furnish to any person a copy of any local rule.

This Local Rule shall be effective 30 days after the date of publication in the *Pennsylvania Bulletin*.

By the Court

WILLIAM J. FRANKS,  
*President Judge*

#### Rule 1303. Compulsory Arbitration: Initiation, Scheduling, Hearings and Continuances.

(a)(1) After the pleadings have been closed for thirty (30) days, any party may initiate arbitration by filing with the Prothonotary a praecipe for reference to a board of arbitration. The form set forth in Rule 1303(a)(3) shall be used. Such party shall notify all other parties of his intent to file such praecipe at least ten (10) days prior to the filing.

(2) The Prothonotary shall furnish to the Court Administrator a copy of each such praecipe with a notation of the date of filing.

(3) The praecipe for reference to a board of arbitration shall be substantially in the following form:

**IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA  
CIVIL ACTION—LAW  
PRAECIPE FOR ARBITRATION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff

No. \_\_\_\_\_

Type of Case:

\_\_\_\_ CIVIL COMPLAINTS

\_\_\_\_ OTHER \_\_\_\_\_ (Indicate)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant

APPROXIMATE LENGTH OF HEARING:

\_\_\_\_\_ HOURS

\_\_\_\_\_  
\_\_\_\_\_

Additional Defendant

NOTE: All opposing counsel shall notify the Court Administrator's Office by letter within 10 days of the estimated length of their case.

TO THE PROTHONOTARY:

Please place the captioned case on the next available Arbitration List. I hereby certify that 10 days notice of the filing of this praecipe has been given to all parties to this action.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff's Attorney

Address

Phone Number

Defendant's Attorney

Address

Phone Number

Additional Defendant's Attorney

Address

Phone Number

Attorney filing Praecipe

\_\_\_\_ Plaintiff Counsel

\_\_\_\_ Defendant Counsel

\_\_\_\_ Additional Defendant Counsel

A COPY OF THIS PRAECIPE MUST BE SERVED ON ALL PARTIES BY THE ATTORNEY FILING PRAECIPE. PLEASE NOTIFY THE COURT ADMINISTRATOR OF ANY SPECIAL PROBLEMS IN SCHEDULING HEARING.

(4) The Court Administrator shall designate one day of each calendar month as arbitration day. A day will be selected which does not conflict with criminal or civil trial schedules or other regular business of the Court. The Court Administrator will endeavor to standardize the selection of arbitration days so that all concerned will become accustomed to the schedule.

(5) For each arbitration day, the Court Administrator shall appoint a board of arbitration. The Court Administrator shall appoint an additional board or boards if the Court Administrator determines that the number of pending cases so requires. The Court Administrator shall notify all arbitrators of their appointment at least thirty (30) days before the arbitration day involved.

(6) When arbitration is initiated in any case, the Court Administrator shall schedule that case to be heard on the next arbitration day, which is at least forty-five (45) days thereafter.

(7) The Court Administrator shall prepare a list of cases scheduled to be heard on each arbitration day. Cases shall be listed in chronological order according to the date on which arbitration was initiated. The list shall include the name of the attorney for each party. A copy of the list will be posted in the Prothonotary's office. At least thirty (30) days before the arbitration day, the Court Administrator shall furnish to each arbitrator appointed to serve on that day, to each attorney involved, and to any party not represented by counsel a copy of the list as well as a roster of each board appointed to sit on that day and notice of the place each board will sit.

(8) All arbitration hearings shall be held in a courtroom or some other suitable space in the courthouse. The Court Administrator shall reserve the space for each board.

(9) The senior arbitrator from the chair list shall chair a board of arbitration.

(10) The arbitration procedure is intended to be economical for the parties and, therefore, the proceedings are abbreviated and somewhat less formal. The consequences to the litigants are nevertheless of great significance. To assure that all present understand the seriousness of the proceedings, the arbitrators will conduct their proceedings with appropriate dignity and decorum at all times.

(11) Each board of arbitration shall hear cases in the order in which they appear on the list for the day. If more than one board is sitting on the same day, when a board completes one case, it will take the next case remaining on the list.

(12) Each board of arbitration will convene at 9:30 o'clock A.M. and will remain in session until 4:00 o'clock

P.M., or such earlier time as all cases on the list have been heard. The lunch recess will ordinarily be from noon until 1:30 o'clock P. M. and, unless the parties consent, no case will be called to start during that period.

(13) If an arbitrator is unable to hear a particular case because of a conflict of interest, the case will be heard by another board of arbitration sitting on the same day. If no other board is sitting on that day, the case will be continued to the next arbitration day.

(14) Each board of arbitration shall file its award in each case with the Prothonotary not later than noon of the next business day after the hearing is concluded.

(15) When it is not possible to conclude a hearing on the day on which it commences, the board of arbitration will fix the time to resume the hearing. Each hearing will be completed within ten (10) days after the arbitration day unless the Court allows a longer time.

(16) The Court Administrator will coordinate the hearings on each arbitration day. At the conclusion of its hearings on any day, each board will report to the Court Administrator its disposition of the cases heard by it.

(b) If a party is not prepared to proceed when the case is called to be heard, the board of arbitration shall hear the parties who are present and decide the case on the basis of their evidence. If none of the parties is prepared to proceed when a case is called to be heard, the board of arbitration shall enter an award for the defending parties on each count.

(c) Continuances shall be granted by the Court upon cause shown. There shall be no continuances granted on the date of the hearing except for emergencies.

(d) A \$25.00 fee shall be charged for continuances. No continuance shall be granted without payment of the required fee unless waived by the Court. Proof of payment shall be attached to the Motion when presented in accordance with Fayette County Rule 211.

[Pa.B. Doc. No. 02-1093. Filed for public inspection June 21, 2002, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Renita Reynolds having been disbarred from the practice of law in the State of Illinois by Order dated November 28, 2001, the Supreme Court of Pennsylvania issued an Order on June 6, 2002, disbaring Renita Reynolds from the Bar of this Commonwealth. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the

Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director and Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 02-1094. Filed for public inspection June 21, 2002, 9:00 a.m.]

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### Notice of Suspension

Notice is hereby given that Edward Bissau Mendy having been suspended from the practice of law in the

State of Louisiana for a period of six months, the Supreme Court of Pennsylvania issued an Order dated June 6, 2002 suspending Edward Bissau Mendy from the practice of law in this Commonwealth for a period of six months. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Executive Director and Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 02-1095. Filed for public inspection June 21, 2002, 9:00 a.m.]

# PROPOSED RULEMAKING

## ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 93]

### Oysterville Creek, et al. Stream Redesignations; Public Meeting, Hearing and Extension of Public Comment Period

The Environmental Quality Board (Board) will hold a public meeting and hearing to discuss and accept comments on its proposal to redesignate portions of Oysterville Creek and West Branch Perkiomen Creek in Berks County as High Quality (HQ) and Exceptional Value (EV) Waters. The Board's proposal is based on specific segments of the basins meeting the biological test for HQ or EV designation as specified by the antidegradation regulations in 25 Pa. Code Chapter 93 (relating to water quality standards).

For Oysterville Creek, the proposed EV segment includes the upper reaches of the basin (source to T-634). The remainder of the basin (T-634 to mouth) qualifies for HQ, with the exception of Unnamed Tributary 01680, which would retain its Cold Water Fishes (CWF) designation. For West Branch Perkiomen Creek, the proposed EV segment includes the lower portion of the basin (SR 1022 to SR 2069). The remainder of the basin would retain its CWF designation.

The Board's proposal to redesignate portions of Oysterville Creek and West Branch Perkiomen Creek was published at 32 Pa.B. 2219 (May 4, 2002) and in the *Reading Eagle Times* on May 4, 2002, with a public comment period that closed on June 18, 2002. During the public comment period, the Board received a request to conduct a public hearing on the proposed redesignations. As a result of this request, a public meeting and hearing has been scheduled for August 7, 2002, in Topton, PA. In addition, the public comment period has been extended until August 21, 2002.

#### *Public Meeting and Hearing*

The public meeting and hearing will be held as follows:

August 7, 2002 Brandywine Heights High School  
Auditorium  
200 West Weis Street  
Topton, PA 19562

The meeting segment will begin at 6:30 p.m. with staff from the Department of Environmental Protection (Department) providing a brief overview of the proposed redesignations and responding to questions. The public hearing will follow and begin at approximately 7:30 p.m.

Persons interested in presenting testimony at the hearing are requested to contact Debra Failor, Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, at least 1 week in advance of the hearing to reserve a time to present testimony. It is not necessary to preregister for the public meeting. Oral testimony is limited to 5 minutes for each witness. Witnesses are requested to submit three written copies of their statement at the hearing. Each organization is limited to designating one witness to present testimony on its behalf.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommoda-

tion to participate should contact Debra Failor at (717) 787-4526 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how their needs may be accommodated.

#### *Written Comments*

Written comments will be accepted and must be sent to Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments on the proposal must be received by August 21, 2002. Comments may also be submitted via e-mail to RegComments@state.pa.us and must also be received by August 21, 2002. Comments submitted by facsimile will not be accepted.

#### *Availability of the Proposed Redesignations*

Copies of the proposed redesignations are available from Roxy Naugle, Bureau of Water Supply and Wastewater Management, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-9031, e-mail rnaugle@state.pa.us. The proposed redesignations are also available on the Department website at <http://www.dep.state.pa.us> (Public Participation Center/Proposals Open for Comment).

DAVID E. HESS,  
*Chairperson*

[Pa.B. Doc. No. 02-1096. Filed for public inspection June 21, 2002, 9:00 a.m.]

# PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

[22 PA. CODE CH. 237]

## Definitions of Statutory Terms

The Professional Standards and Practices Commission (Commission) proposes to amend Chapter 237 (relating to definitions of statutory terms) to read as set forth in Annex A. The proposed amendments are made under the authority of sections 5(a)(11) and 9.2 of the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.5(a)(11) and 2070.9b).

The Commission was created by the act of December 12, 1973 (P. L. 397, No. 141) as amended by the act of November 21, 2000 (P. L. 918, No. 123) (Act 123). By virtue of the act, the General Assembly has empowered the Commission to discipline professional educators and charter school staff members. In addition, the General Assembly directed the Commission to establish definitions consistent with its authority to discipline under sections 5(a)(11) and 9.2 of the act. Accordingly, the Commission did promulgate definitions in May of 1994.

#### *Purpose*

This chapter establishes definitions under sections 5(a)(11) and 9.2 of the act. The act recently was amended by Act 123 and this proposed rulemaking reflects the amendments to the act.

*Requirements of the Propose Amendments*

The most significant new requirements under the proposed amendments to this chapter are:

1. The recognition of the extended jurisdiction of the Commission to discipline charter school staff members, as well as professional educators, as contemplated by the recent amendments to the act.

2. The standard for "morals of a community" within the definition of immorality has been changed from a local standard to a Statewide standard to comport with the overall mission of the Commission.

3. A definition for the term "surrender in lieu of discipline" has been added to this chapter to reflect the recent amendments to the act, which designated a surrender in lieu of discipline as a specific type of discipline. The most significant impact of this designation is that surrenders in lieu of discipline are now considered public under the act.

*Affected Parties*

This chapter primarily affects professional educators who have been certified by the Department of Education (Department) as well as charter school staff members who are employed by a charter school in a position for which Pennsylvania certification would be required in a public school other than a charter school but who are not required to hold State certification under section 1724-A of the School Code of 1949 (24 P. S. § 17-1724-A).

*Cost and Paperwork Estimates*

It is not anticipated that the proposed amendments will engender any additional costs or paperwork for affected parties, which include professional educators, charter school staff members, local school districts and the Department.

*Effective Date*

This proposed rulemaking would become effective upon final-form publication in the *Pennsylvania Bulletin*.

*Sunset Date*

The Commission will review the effectiveness of Chapter 237 on an ongoing basis. Thus, no sunset date is necessary.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on June 11, 2002, the Commission submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees on Education. In addition to submitting the proposed rulemaking, the Commission has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis Form prepared by the Board in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

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

*Public Comments and Contact Person*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposal to Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333 within 30 days following publication in the *Pennsylvania Bulletin*. Persons needing additional information regarding this proposal may contact Carolyn Angelo at (717) 787-6576.

Persons with disabilities who need an alternative means of providing public comment may make arrangements by calling Carolyn Angelo at (717) 787-6576. Alternative formats of this proposed rulemaking (such as, Braille, large print, cassette tape) can be made available to members of the public upon request to Carolyn Angelo at the telephone number previously listed.

CAROLYN ANGELO,  
*Executive Director*

**Fiscal Note:** 6-274. No fiscal impact; (8) recommends adoption.

**Annex A****TITLE 22. EDUCATION****PART XIV. PROFESSIONAL STANDARDS AND PRACTICES COMMISSION****CHAPTER 237. DEFINITIONS OF STATUTORY TERMS****Subchapter A. DEFINITIONS****§ 237.1. Purpose**

(a) Under [ **section** ] **sections 5(a)(11) and 9.2** of the [ **act of December 12, 1973 (P. L. 397, No. 141) (act) (24 P. S. § 12-1255(a)(11))** ], known as the **Teacher Certification Law** ] **Professional Educator Discipline Act (act) (24 P. S. §§ 2070.5(a)(11) and 2070.9b)**, the Professional Standards and Practices Commission (Commission) is vested with the duty and granted the power to discipline professional educators [ **charged with or convicted of certain criminal offenses or found guilty by the Commission, after hearing, of certain statutory offenses** ] and **charter school staff members and to consider the reinstatement applications of professional educators and charter school staff members who seek to have previously revoked or suspended certificates or eligibility reinstated.**

(b) Under section 5(a)(11) of the act, the Commission has adopted this subchapter to define terms in [ **section 5(a)(11) of** ] the act which describe the conduct for which discipline of a professional educator **or charter school staff member** might be imposed by the Commission.

(c) This subchapter is not the sole authority for defining terms under [ **section** ] **sections 5(a)(11) and 9.2** of the act. Judicial interpretations and adjudications of the Commission will authoritatively define the statutory terms. Judicial decisions **and decisions of the Secretary** under Article XI, Part C of the Public School Code of 1949 (24 P. S. §§ 11-1121—11-1133) [ — ], known as the **Teachers' Tenure Act** [ — ], and decisions of the Secretary under the **Teachers' Tenure Act** are not binding upon the Commission but [ **will** ] **may** be regarded as persuasive authority.

(d) The standards and conduct expected of a professional educator **or charter school staff member** are also prescribed by Chapter 235 (relating to Code of Professional Practice and Conduct for Educators), the violation of which may be grounds for discipline.

(e) **The definitions found in section 1.1 of the act (24 P. S. § 2070.1b) are incorporated herein by reference.**

#### § 237.2. Scope and effect.

(a) *Applicability.* This subchapter applies to the terms in **[ section ] sections 5(a)(11) and 9.2** of the **[ act of December 12, 1973 (P. L. 397, No. 141) (act), known as the Teacher Certification Law ] Professional Educator Discipline Act (24 P. S. §§ 2070.5(a)(11) and 2070.9b)**, and proceedings before the Commission. This subchapter does not apply to similar or identical terms used in other regulations or statutes, including section 1122 of the Public School Code of 1949 (24 P. S. § 11-1122), or to proceedings before a board of school directors or the Secretary under Article XI of the Public School Code of 1949 (24 P. S. §§ 11-1121—11-1133), known as Teachers Tenure Act, or to proceedings before the Secretary under **[ sections ] section 2(i) and (j)** of the act of May 29, 1931 (P. L. 210, No. 126), and section 1211 of the Public School Code of 1949, which were partially preserved from repeal by section 2 of the act of April 26, 1990 (P. L. 122, No. 33).

(b) *Statewide effect.* The act and this subchapter will be construed and applied by the Commission in the context of the Commission's power and duty to determine the present, continuing and future fitness and ability of a person to properly perform in this Commonwealth the duties and responsibilities of a professional educator **[ in the area of the person's certification ] or charter school staff member.**

#### § 237.3. Immorality.

**[ (a) Definition. ]** Immorality is conduct which offends the morals of **[ a community ] the Commonwealth** and is a bad example to the youth whose ideals a professional educator **or a charter school staff member** has a duty to foster and elevate.

**[ (b) Morals of a community.** For purposes of the definition of the term "immorality" set forth in subsection (a), the "morals of a community" means the morals of the community in which the professional educator is employed. ]

#### § 237.4. Incompetency.

Incompetency is a continuing or persistent mental or intellectual inability or incapacity to perform the services expected of a professional educator **or a charter school staff member.**

#### § 237.6. **[ Habitual use of drugs or narcotics ] (Reserved).**

**[ (a) Definition.** Habitual use of drugs or narcotics is the illegal or improper use of drugs or narcotics on a frequent or regular basis.

(b) *Drugs and narcotics.* The terms "drug or narcotics" as used in section 5(a)(11) of the act of December 12, 1973 (P. L. 397, No. 141), known as the Teacher Certification Law (24 P. S. § 12-1225(a)(11)) are defined as the terms "drug" and "narcotic" are defined in section 2 of The Controlled Substance,

**Drug, Device and Cosmetic Act (35 P. S. § 780-102), and as the term "drug" is defined by section 2 of the Pennsylvania Drug and Alcohol Abuse Control Act (71 P. S. § 1690.102). ]**

#### § 237.8. Negligence.

(a) *Definition.* Negligence is a continuing or persistent **[ actions ] action or [ omissions ] omission** in violation of a duty.

(b) *Duty.* A duty may be established by law, by **[ duly ]** promulgated school rules, **policies** or procedures, by express direction from superiors or by duties of professional responsibility, including duties prescribed by Chapter 235 (relating to Code of Professional Practice and Conduct for Educators).

#### § 237.9. Crimes **[ and misdemeanors ]** involving moral turpitude.

(a) *Definition.* Moral turpitude includes the following:

(1) That element **[ and ]** of personal misconduct in the private and social duties which a person owes to his fellow human beings or to society in general, which characterizes the act done as an act of baseness, vileness or depravity, and contrary to the accepted and customary rule of right and duty between two human beings.

\* \* \* \* \*

(b) *Elements of the crime [ or misdemeanor ].* A determination of whether a crime **[ or misdemeanor ]** involves moral turpitude will be determined based solely upon the elements of the crime **[ or misdemeanor ]**. The underlying facts or details of an individual criminal charge, indictment or conviction **[ is ]** are not relevant to the issue of moral turpitude. **[ The actual guilt or professed innocence of the charged, indicted or convicted professional educator is not relevant. ]**

(c) *Specific crimes [ or misdemeanors ].* Crimes **[ or misdemeanors ]** involving moral turpitude **per se** include the following:

(1) An offense under 18 Pa.C.S. (relating to crimes and offenses) listed in section 111(e)(1) of the Public School Code of 1949 (24 P. S. § 1-111(e)(1)). **At any time subsequent to the adoption of this chapter if section 111(e)(1) is amended to add or delete crimes, the Commission will consider each additional or deleted crime to determine if the crime involves moral turpitude per se and will vote at a public meeting whether the crime will be designated as involving moral turpitude per se for purposes of cases coming before the Commission under section 9.2 of the Professional Educator Discipline Act (24 P. S. § 2070.9.2) (act).**

\* \* \* \* \*

(3) An offense of a criminal law of the Commonwealth, the Federal government or another state or territory of the United States, **or another nation**, an element of which offense is delivery of a controlled substance or possession of a controlled substance with intent to deliver.

(4) A State offense, out-of-State offense or Federal offense **or an offense of another nation** similar in nature to crimes **[ listed ]** in paragraphs (1)—(3).

(d) *Certified copy.* For purposes of section **[ 5(a)(11) ] 9.2** of the **[ act of December 12, 1973 (P. L. 397, No.**



**141), known as the Teacher Certification Law ] (act)** (24 P. S. § [ **12-1225(a)(11) (act) ] 2070.9b**) and this section, a document certified by the clerk of court or other judicial officer designated by law as the official custodian of criminal court records **or certified by the official custodian of the appropriate licensing authority in another state, territory or nation** will be treated by the Commission as a certified copy of the document.

(e) *Indictment.* Indictment under section [ **5(a)(11) ] 9.2** of the act includes a criminal complaint, criminal information or other similar document filed in a court of competent jurisdiction.

(f) *Conviction.* The term conviction under section [ **5(a)(11) ] 9.2** of the act is defined to mean the [ **entry of a judgment of sentence ] verdict, judgment or sentence** or the entry of an order which constitutes a final order by the sentencing court. [ **Judgment of sentence following a ] A plea of guilty or nolo contendere** constitutes a conviction for purposes of this section.

**§ 237.10. Surrender in lieu of discipline.**

**A professional educator's teaching certificate or a charter school staff member's eligibility to teach will be considered surrendered in lieu of discipline whenever the certificate or eligibility is surrendered to the Department after a local school entity furnishes the educator or charter school staff member with a written statement of charges for dismissal under section 1127 of the Public School Code of 1949 (24 P. S. § 11-1127), or after the educator or charter school staff member is discharged for cause by a local school entity, or after the Department receives a report concerning the educator or charter school staff member under section 9.1 of the Professional Educator Discipline Act (24 P. S. § 2070.9b) (act), or after the Department receives a complaint concerning the educator or charter staff member under section 9 of the act (24 P. S. § 2070.9).**

[Pa.B. Doc. No. 02-1097. Filed for public inspection June 21, 2002, 9:00 a.m.]

## STATE BOARD OF VETERINARY MEDICINE

[49 PA. CODE CH. 31]

### Professional Conduct; Prescription Drugs

The State Board of Veterinary Medicine (Board) proposes to amend § 31.21 (relating to Rules of Professional Conduct for Veterinarians) to read as set forth in Annex A. The proposed amendment would require veterinarians to dispense prescription drugs in child resistant or manufacturer's original packaging; require veterinarians to place certain information on the label of dispensed prescription drugs; require veterinarians to dispense or administer prescription drugs and other medications only if they are within the manufacturer's expiration date; and provide that a veterinarian will not be disciplined for refusing to issue a written prescription, rather than dispensing a prescription drug, if the veterinarian has a good faith belief that a written prescription may be misused.

### *Effective Date*

The rulemaking would be effective upon publication of the final-form regulation in the *Pennsylvania Bulletin*.

### *Statutory Authority*

Section 5(2) of the Veterinary Medicine Practice Act (act) (63 P. S. § 485.5(2)) authorizes the Board to adopt rules and regulations of professional conduct appropriate to establish and maintain a high standard of integrity, skills and practice in the profession of veterinary medicine.

### *Background and Need for Amendment*

The Board currently has no regulations addressing the issues of dispensing, packaging and labeling of drugs by a veterinarian. Several inquiries have been addressed to the Board regarding the proper packaging of veterinary drugs. In the past, it was common for veterinarians to dispense prescription drugs in paper envelopes. However, both professionals and the public have become more aware of the dangers inherent in having prescription drugs in the home.

Current Federal regulations require drugs dispensed for human consumption to be packaged in child resistant packaging. Approximately 60% of the drugs used by a small animal veterinary practitioner are also prescribed for humans. In the interest of public safety, the Board believes it is appropriate to address the issue of packaging of prescription drugs dispensed by veterinarians. Requiring child resistant or manufacturer's original packaging, except in limited circumstances, would promote the safety of children who may come into contact with prescription drugs dispensed for animals in their home environments. In addition, public safety demands that a prescription drug be readily identified by its label. In the case of an accidental ingestion, that information may be life saving.

In a disciplinary context, the Board has determined that a veterinarian's use of outdated prescription drugs is a violation of the act, because that conduct fails to conform to the standards of acceptable and prevailing veterinary medical practice. However, there are no regulations that specifically restrict a veterinarian to dispensing and administering only prescription drugs and other drugs that are not date-expired. Some of the states surrounding this Commonwealth have adopted regulations specifically precluding the use of outdated prescription drugs or drugs. The proposed prohibition on the use of outdated prescription drugs or drugs would be purposefully broader than the packaging and labeling requirements. The packaging and labeling requirements of the proposed rulemaking would apply only to prescription drugs (those determined by the United States Food and Drug Administration to be limited to use on the order of a veterinarian or other medical doctor); in contrast, the prohibition on the use of outdated prescription drugs or drugs would apply to all drugs, whether or not a prescription is required for their use.

Finally, there are no current regulations addressing the provision of written prescriptions to clients. Both veterinarians and consumers have questioned the Board about proper veterinary practice related to providing a written prescription for veterinary drugs. The Board therefore proposes this amendment to establish the standard of professional conduct of a veterinarian with regard to written prescriptions.

### *Description of Proposed Amendment*

The Board proposes to amend its professional conduct regulations in § 31.21 to add a new Principle 8 related to prescription drugs and drugs. The proposed amendment would, with just three exceptions, require a veterinarian to dispense prescription drugs in child resistant packaging. The amendment would set forth requirements for the proper labeling of prescription drugs dispensed by a veterinarian. The amendment would mandate that veterinarians dispense or administer only currently dated drugs. Finally, the amendment would provide that a veterinarian will not be disciplined for refusing to issue a written prescription to a client if the veterinarian has a good faith belief that the prescription may be misused.

### *Definitions*

Subsection (a) would define "drug" as that term is defined in both the Federal Food, Drug, and Cosmetic Act, 21 U.S.C.A. § 321(g), and section 102 of The Controlled Substance, Drug Device and Cosmetic Act (35 P. S. § 780-102). "Prescription drug" would be defined as any drug, except for blood and blood components intended for transfusion, required by Federal law, including Federal regulation, to be dispensed only by a prescription. This definition encompasses both the definition of prescription drug and veterinary prescription drug in 21 U.S.C.A. § 353(b) and (f) and is consistent with the definition of "prescription drug" used in 21 CFR 203.3(y) (relating to definitions).

### *Prescribing Limited to Animals under the Care of the Veterinarian*

Subsection (b) would limit veterinarians to prescribing prescription drugs for animals that are under the veterinarian's care. This provision would require that the veterinarian or an authorized licensed associate have personal, first-hand knowledge of, and medical responsibility for, the animal for which the drug is prescribed. This provision is designed to ensure the safety of animals and prevent unscrupulous persons from obtaining prescription drugs by misrepresenting information to a veterinarian. As an alternative, a veterinarian may also prescribe prescription drugs for an animal if the veterinarian has made medically appropriate and timely visits to the premises where the animal is kept. This alternative would set forth the appropriate criteria for a veterinarian who works with herd animals.

### *Packaging Requirements*

Subsection (c) would require veterinarians to dispense prescription drugs, other than for food animals, in child resistant or manufacturer's original packaging. The draft sent to interested parties used the term "safety closure packaging" instead of "child resistant packaging." Several commentators asked the Board to clarify what was intended by "safety closure" packaging. The Board determined that the standard language in use in the Federal regulations for the appropriate type of packaging is "child resistant" packaging and has adopted this term for its regulation. See 16 CFR 1700.15 (relating to poison prevention packaging standards).

The proposed amendment would allow a veterinarian to dispense a prescription drug in the manufacturer's original packaging for several reasons. First, this type of packaging is often inherently child resistant. For example, manufacturers sometimes package pills and single dose topical preparations in a sheet of individually separated, sealed plastic containers. Second, it may be impractical for a veterinarian to repackage certain types of

prescription drugs. For example, tubes of an ointment would be impossible to repackage and, depending on the size of the tube, it might be impractical or costly to place the entire tube inside a child resistant package. Finally, some drugs used by veterinarians are dispensed in a quantity that would be difficult for the veterinarian to obtain safety closure packaging to accommodate the medication. Moreover, this exemption for manufacturer's original packaging would not exempt medications with a high risk of accident, such as syringes prefilled with the correct dosage of a drug because the syringe does not come prefilled from the manufacturer. No hardship would be created for the veterinarian, because safety closure packaging for syringes is readily available.

The following two exceptions would be permitted: (1) when dispensing for food animals; and (2) when the client specifically requests alternate packaging. Dispensing for food animals is exempted for three reasons. First, the drugs are not normally kept within the reach of children, thus lessening the danger of accidental ingestion. Second, laypersons administering drugs to food animals are generally familiar with safe handling procedures because administration of drugs is a common part of animal husbandry. Third, because drugs dispensed for food animals are often dispensed on a "per herd" basis, their quantity would make meeting the general requirement impractical and costly.

Finally, an exemption is permitted under a client's request to allow a veterinarian to dispense drugs to a person who has difficulty opening child resistant packaging in a container that is more easily opened by that person. This exemption mirrors the exemption to the child resistant packaging requirement for human drugs in Federal law. See 16 CFR 1701.1(d) (relating to definitions).

### *Labeling Requirements*

Subsection (d) would address labeling requirements for prescription drugs dispensed by veterinarians. Requiring information about the prescribing or dispensing, or both, veterinarian on the medication's label would serve the public interest by allowing consumers immediate access to veterinarian contact information in the case of questions or concerns about the prescription drug or its effects and in case of an emergency accidental ingestion. The proposed amendment would require the name, address and telephone number of the prescribing veterinarian and the name and telephone number of the dispensing veterinarian, if different. The address of the dispensing veterinarian, if a different veterinarian than the veterinarian who prescribed the drug, is unnecessary because the client would already know the address of the dispensing veterinarian because the client would have to go to the dispensing veterinarian to pick up the medication. The information required would enable the two veterinarians to more easily communicate with each other and would allow the client ready access to the contact information of the prescribing veterinarian, who is in the best position to answer questions or concerns about the drug prescribed.

The information regarding the name, potency, quantity of the drug and date dispensed would permit a veterinarian, medical doctor or poison control center to more accurately provide the appropriate treatment in the case of accidental ingestion and would provide important information to enable a veterinarian to answer a client's questions. Requiring directions for use and cautionary statements would aid the veterinary client in proper administration of the drug. The reference to cautionary

statements required by law encompasses Federal law that requires the statement that the drug may only be dispensed on the prescription of a veterinarian and any other cautionary statements that Federal law may require to be placed on specific drugs. Providing the expiration date of the drug would identify the drug as either within the expiration date or expired and requiring disposal. Other information required would include the number of refills allowed and the name of the patient, if applicable, that is, when not prescribed for a herd.

*Requirement that Veterinarians Administer and Dispense only Currently Dated Medications*

Section 21(11) of the act (63 P. S. § 485.21(11)) authorizes the Board to discipline licensees who depart from, or fail to conform to, the standards of acceptable and prevailing veterinary medical practice. The Board's regulations currently do not address the issue of whether a veterinarian departs from the standards of acceptable and prevailing veterinary medical practice by prescribing, administering or dispensing a medication that is expired. The Board has reviewed the issue and found that the acceptable and prevailing standards of veterinary medical practice demand that veterinarians administer or dispense only medications that are within the date set by the manufacturer as the drug's effective date. The determination of this expiration date has been given thorough review by the United States Food and Drug Administration and the Board finds that it is the date that shall determine whether a drug is current or expired.

The Board uses the term "drugs" in this section of the proposed amendment rather than using the term "prescription drugs." The Board intends to require that all drugs administered or dispensed by a licensed veterinarian, whether or not the drug is a prescription drug, shall be current, within the date as determined by the manufacturer. The Board believes that the safety and efficacy of outdated drugs, as well as prescription drugs, could negatively impact the health and safety of animals and their human custodians.

*Issuance of Written Prescriptions*

Finally, the amendment as submitted for predraft commentary required a veterinarian to provide the client with a prescription if one was requested, rather than dispensing the medication. A number of commentators who work with farm animals voiced strong objections to the draft language. Because these veterinarians often dispense drugs in large, multiple dose quantities, providing a prescription rather than the drug itself would make it impossible for the veterinarian to have even minimal knowledge or control over the remaining quantity or expiration date of the drug. This could be particularly dangerous to humans when food animals are involved. The Board determined that its regulation should leave the decision of whether to provide a prescription upon request of a client to the professional judgment of the veterinarian. However, the proposed amendment requires that a veterinarian have a good faith reason for refusing a client's request for a prescription. This provision clarifies the Board's position that a veterinarian should not be motivated solely by profit in determining whether to issue a prescription rather than dispense a medication.

*Compliance with Executive Order 1996-1*

In accordance with "Regulatory Review and Promulgation," Executive Order 1996-1 in drafting and promulgating the proposed amendment, the Board sent the text of the proposed amendment to interested parties, including State and regional veterinary medical associations, asso-

ciations of animal health technicians and schools of veterinary medicine. Several persons submitted comments. One commentator suggested that the Board clarify the term "food animal" to specifically include or exclude equines. The Board determined that it would not further define the term because equines are not intended for human food consumption in this country. Another commentator suggested that the amendment provide that "hazardous or potentially toxic medications are recommended to be dispensed in" child resistant packaging. The Board rejected this suggestion for two reasons. First, if the amendment sets forth a recommendation rather than a requirement, the amendment would be impossible to enforce. Second, the Board rejected the suggestion that the packaging requirements be limited to hazardous medications because virtually any prescription drug can be hazardous if accidentally ingested. Comments also suggested requiring the veterinarian's telephone number, method of administration, number of refills authorized and the name of the patient on the drug label. The Board adopted all of these suggestions.

*Fiscal Impact and Paperwork Requirements*

The proposed amendment should have only a minimal financial impact on licensees, who will be required to purchase child resistant packaging for some of the drugs they dispense. The proposed amendment should have no fiscal impact on the Board, the private sector, the general public or political subdivisions. In addition, the proposed amendment should not create additional paperwork for licensees, the Board, State government or the private sector.

*Sunset Date*

The Board continuously monitors its regulations. Therefore, no sunset date has been assigned.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on June 10, 2002, the Board submitted a copy of this proposed amendment to the Independent Regulatory Review Commission (IRRC), the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) and the House Professional Licensure Committee (HPLC). In addition to submitting the proposed amendment, the Board has provided IRRC, the SCP/PLC and the HPLC with a copy of a detailed Regulatory Analysis Form prepared by the Board in compliance with Executive Order 1996-1. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)), if IRRC has objections to any portion of the proposed rulemaking, it will notify the Board within 10 days of the close of the SCP/PLC's and HPLC's review period. The notification shall specify the regulatory review criteria that have not been met. The Regulatory Review Act specifies detailed procedures for review of objections by the Board, the General Assembly and the Governor prior to publication of the regulations.

*Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed amendment to Robert Kline, State Board of Veterinary Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649, www.dos.state.pa.us, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

BRIAN V. HARPSTER, V.M.D.,

*Chairperson*

**Fiscal Note:** 16A-5712. No fiscal impact; (8) recommendations adoption.

Annex A  
**TITLE 49. PROFESSIONAL AND  
 VOCATIONAL STANDARDS**  
**PART I. DEPARTMENT OF STATE**  
**Subpart A. PROFESSIONAL AND  
 OCCUPATIONAL AFFAIRS**  
**CHAPTER 31. STATE BOARD OF  
 VETERINARY MEDICINE**  
**PROFESSIONAL CONDUCT**

**§ 31.21. Rules of Professional Conduct for Veterinarians.**

**Preamble**

The Board is empowered under section 5(2) of the act (63 P. S. § 485.5(2)) to adopt rules and regulations of professional conduct appropriate to establish and maintain a high standard of integrity, skill and practice in the profession of veterinary medicine. In accordance with this authority, the Board has determined that the following rules are necessary in the public interest to protect the public against unprofessional conduct on the part of veterinarians. The Board therefore adopts this professional conduct code for veterinarians practicing veterinary medicine in this Commonwealth. Some of the rules of conduct are imperatives, cast in the terms, "shall" or "may not." Veterinarians who fail to adhere to these rules will be subject to professional discipline. Other rules, generally cast in the terms "may" or "should," are intended as aspirational goals and define areas under which the veterinarian has professional discretion. No disciplinary action will be taken when a veterinarian acts within the bounds of discretion. References throughout this professional conduct code to imperative conduct on the part of veterinarians [ shall ] also apply to applicants for licensure and temporary permit holders where these persons render services under qualified supervision.

\* \* \* \* \*

**Principle 8. Drugs.**

**(a)(1) For purposes of Principle 8, the term "drug" means:**

**(i) Substances recognized in the official United States Pharmacopoeia, official National Formulary, or Federal Food and Drug Administration Approved Animal Drug Products or any supplement to them.**

**(ii) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals.**

**(iii) Substances (other than food) intended to affect the structure or any function of the human body or other animal body.**

**(iv) Substances intended for use as a component of any substance specified in subparagraph (i), (ii) or (iii), but not including devices as that term is defined in section 2 of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § 780-102).**

**(2) The term "prescription drug" means any drug required by Federal law, including Federal regulation, to be dispensed only by a prescription.**

**(b) A veterinarian shall only prescribe prescription drugs to animals that are under the veterinarian's care. For purposes of this section, "under the veterinarian's care" means that the veterinarian or one of the veterinarian's licensed associates has examined the animal or has made medically appropriate and timely visits to the premises where the animal is kept.**

**(c) Prescription drugs dispensed by a veterinarian, other than drugs for food animals, shall be dispensed in child resistant packaging or in the manufacturer's original packaging, except when the client specifically requests other packaging.**

**(d) Prescription drugs dispensed by a veterinarian shall be labeled with, at a minimum, the following information:**

**(1) The name, address and telephone number of the prescribing veterinarian and the name and telephone number of the dispenser, if different;**

**(2) The brand or generic name of the drug.**

**(3) The potency and the quantity of the drug.**

**(4) The number of refills allowed, if any.**

**(5) Adequate directions for use, which shall include quantity of dose, frequency of administration or application, duration of administration or application and route or method of administration or application.**

**(6) Any cautionary statements specified by the veterinarian or required by Federal law, including the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. §§ 301—397) and 21 CFR (relating to food and drugs).**

**(7) The name of the patient, if applicable.**

**(8) The date the drug was dispensed.**

**(9) The expiration date of the drug.**

**(e) Veterinarians shall dispense or administer only drugs, including prescription drugs, that are within the expiration date specified by the manufacturer and shall dispense or administer only drugs that will not expire within the prescribed treatment period.**

**(f) Upon request, a veterinarian shall provide a client with a written prescription for an animal that is under the veterinarian's care, except that a veterinarian may refuse to do so without being subject to discipline if the veterinarian has a good faith belief that the prescription may be misused.**

[Pa.B. Doc. No. 02-1098. Filed for public inspection June 21, 2002, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Fertilizer Nutrient Values

The Secretary of Agriculture, under the authority of 3 Pa.C.S. § 6710 (relating to commercial value), establishes the commercial values per pound of nitrogen, phosphoric acid and potash.

The values are established as follows:

Nitrogen	21¢ per pound
Phosphoric acid	23¢ per pound
Potash	14¢ per pound

### Further Information

Further information is available by contacting John W. Breitsman, Program Specialist, Division of Agronomic and Regional Services, Bureau of Plant Industry, Department of Agriculture, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4843.

### Effective Date

These commercial values are effective commencing July 1, 2002, and shall remain effective until further notice.

SAMUEL E. HAYES, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-1099. Filed for public inspection June 21, 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 June 11, 2002.

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-6-02	Northwest Bancorp, Inc., Warren, to acquire 100% of the voting shares of Prestige Bancorp, Inc., Pittsburgh	Warren	Approved

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-6-02	Northwest Savings Bank, Warren, and Prestige Bank, a Federal Savings Bank, Pittsburgh Surviving Institution—Northwest Savings Bank, Warren	Warren	Approved
6-10-02	Royal Bank of Pennsylvania Narberth Montgomery County  Purchase of assets/assumption of liabilities of one branch office of The Bank, Woodbury, NJ, located at: Cross Keys Commons Shopping Center 3501 Route 42 Washington Township Gloucester County, NJ	Narberth	Filed

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-31-02	First Susquehanna Bank & Trust Sunbury Northumberland County	24 North Cedar St. Lititz Lancaster County	Opened

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-5-02	Community Bank and Trust Company Clarks Summit Lackawanna County	92 Brooklyn Street Carbondale Lackawanna County	Opened
6-6-02	Commonwealth Bank Norristown Montgomery County	Giant Supermarket 2910 Springfield Rd. Broomall Delaware County	Approved
6-6-02	Northwest Savings Bank Warren Warren County	1700 Roosevelt Ave. York York County	Opened
6-7-02	PeoplesBank, A Codorus Valley Company York York County	Susquehanna Commerce Center 221 W. Philadelphia St. York York County	Approved
6-7-02	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 9001 Frankstown Rd. Pittsburgh Allegheny County	Approved
6-10-02	Leesport Bank Leesport Berks County	4708 Penn Avenue Sinking Spring Berks County	Filed
6-10-02	Millennium Bank Malvern Chester County	83 Lancaster Avenue Malvern Chester County	Filed
6-10-02	Reliance Savings Bank Altoona Blair County	1824 S. Atherton St. State College Centre County	Filed

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-3-02	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 132-134 S. 34th St. Philadelphia Philadelphia County  <i>From:</i> 36th and Walnut Sts. Philadelphia Philadelphia County	Effective
6-7-02	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> Paoli Shopping Center, Store #3 10 E. Lancaster Ave. Paoli Chester County  <i>From:</i> One W. Lancaster Ave. Paoli Chester County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-24-02	Farmers First Bank Lititz Lancaster County	22 W. Main Street Ephrata Lancaster County	Effective

**SAVINGS INSTITUTIONS****Voluntary Liquidations**

<i>Date</i>	<i>Name of Association</i>	<i>Action</i>
6-7-02	The Oxford Building and Loan Association Oxford Chester County	Articles of Dissolution filed with the Department of State. Corporate existence terminated.

**CREDIT UNIONS**  
**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
6-3-02	Pennsylvania State Employees Credit Union, Harrisburg, and Indiana Co. Pa. School Employees Federal Credit Union, Indiana Surviving Institution—Pennsylvania State Employees Credit Union, Harrisburg	Harrisburg	Filed

FRANCES A. BEDEKOVIC,  
*Acting Secretary*

[Pa.B. Doc. No. 02-1100. Filed for public inspection June 21, 2002, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of July 2002**

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of July, 2002, is 8%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as a principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 5.49 to which was added 2.50 percentage points for a total of 7.99 that by law is rounded off to the nearest quarter at 8%.

FRANCES A. BEDEKOVIC,  
*Acting Secretary*

[Pa.B. Doc. No. 02-1101. Filed for public inspection June 21, 2002, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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#### 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0026972	Exeter Township Berks County 400 Hanover Street Birdsboro, PA 19508-9181	Berks County Exeter Township	Schuylkill River 3-C	Y
PA0085111	Altoona City Authority 20 Greenwood Road Altoona, PA 16602-7114	Blair County Antis Township	Tipton Run 11-A	Y
PA0085120	Altoona City Authority 20 Greenwood Road Altoona, PA 16602-7114	Blair County Juniata Township	Blair Gap Run 11-A	Y
PA0083721 Amendment No. 1	Jacob L. Miller Paradise Mobile Home Park 1124 Lake Road Spring Grove, PA 17362-8813	York County Paradise Township	UNT to Beaver Creek 7-F	Y

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

**PA0238601**, Sewage, **Sutton Mobile Home Park**, 129 Elgie Drive, Butler, PA 16001. This proposed facility is located in Clay Township, **Butler County**.

Description of Proposed Activity: revoke and reissue of another draft Part I NPDES Permit for a new discharge.

The receiving stream, unnamed tributary to Glade Run, is in watershed 20-C and classified for CWF, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Salvation Army Camp Allegheny intake on Slippery Rock Creek located at approximately 33 miles below point of discharge.

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

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N			
(5-1 to 10-31)	3		6
(11-1 to 4-30)	9	18	
Fecal Coliform			
(5-1 to 9-30)		200/100ml as a geometric average	
(10-1 to 4-30)		3,400/100ml as a geometric average	
Dissolved Oxygen		Minimum of 4 mg/l at all times.	
Total Residual Chlorine	0.4		0.9
pH		6.0 to 9.0 standard units at all times	

The EPA Waiver is in effect.

**PA0222259**, Sewage, **Heckathorne United Methodist Church**, 605 Heckathorne Church Road, Seneca, PA 16346-3915. This proposed facility is located in Cranberry Township, **Venango County**.

Description of Proposed Activity: renewal of a Part I Permit for an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and public water supplier) considered during the evaluation is the Emlenton



Water Company on the Allegheny River located at Emlenton, approximately 52 miles below point of discharge. The receiving stream, unnamed tributary to Halls Run, is in watershed 16-G and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 0.000750 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
CBOD <sub>5</sub>	10		20
Total Suspended Solids	20		40
Total Residual Chlorine	XX		
Fecal Coliform			
(5-1 to 9-30)		200/100ml as a geometric average	
(10-1 to 4-30)		2,000/100ml as a geometric average	
pH		6.0 to 9.0 standard units at all times	

XX—Monitor and Report

The EPA Waiver is in effect.

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

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

**PA0028568**, Sewage, **Bangor Borough Authority**, 900 Lower South Main Street, P. O. Box 51, Bangor, PA 18013. This proposed facility is located in Washington Township, **Northampton County**.

Description of Proposed Activity: Renewal of NPDES Permit.

The receiving stream, Martin's Creek, is in the State Water Plan watershed #1F and is classified for: TSF. The nearest downstream public water supply intake for Easton Water Company is located on the Delaware River approximately 12 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 1.6 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.4		4.8
(11-1 to 4-30)	7.2		14.4
Dissolved Oxygen	A minimum of 5.0 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.		
Total Residual Chlorine	0.18		0.42

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

1. Chronic whole effluent toxicity permit limit.

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

**Application No. PA 0020851**, Sewage, **Hyndman Borough Municipal Authority**, P. O. Box 346, Hyndman, PA 15545-0346. This facility is located in Hyndman Borough, **Bedford County**.

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

The receiving stream, Wills Creek, is in Watershed 13-A and classified for CWF, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Hancock, MD is located on the Potomac River, approximately 70 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.150 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Suspended Solids	30	45	60
Total Residual Chlorine	0.5		1.64
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a geometric average 72,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

**Application No. PA 0029955**, Sewage, **Southern Huntingdon County School District (Trough Creek Elementary School)**, R. R. 1, Box 1124, Three Springs, PA 17264-9730. This facility is located in Todd Township, **Huntingdon County**.

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

The receiving stream, an unnamed tributary to Great Trough Creek, is in Watershed 11-D and classified for TSF, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Seven Points Resort is located on Raystown Lake, approximately 16 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.00359 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Total Suspended Solids	10	20
Total Residual Chlorine	1.5	2.5
Dissolved Oxygen	Minimum of 5.0 at all times	
pH	From 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 2,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

**Application No. PA 0085171**, SIC Code 4952, Sewage, **Lyons Borough Municipal Authority**, 316 South Kemp Street, P. O. Box 131, Lyon Station, PA 19536-0131. This application is for an amendment of an NPDES permit for an existing discharge of treated sewage to Saucony Creek in Watershed 3-B, in Maxatawny Township, **Berks County**.

The receiving stream is classified for CWF, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the City of Reading located on Maiden Creek. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.15 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub> (5-1 to 10-30) (11-1 to 4-30)	19 25	28 40	38 50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (5-1 to 9-30) (10-1 to 4-30)	5.0 15		10 30
Total Residual Chlorine	0.50		1.70
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 6,000/100 ml as a geometric average		
Total Lead (Interim)	Monitor and Report		
Total Lead (Final)	0.03		0.06
Total Copper	0.07		0.14

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

The EPA waiver is in effect.

**Application No. PA 0086754**, Industrial Waste 3691, **East Penn Manufacturing Company, Inc.**, Deka Road, Lyon Station, PA 19536. This facility is located in Richmond Township, **Berks County**.

Description of activity: The application is for an amendment of an NPDES permit for an existing discharge of treated industrial waste.

The receiving stream, Saucony Creek, is in Watershed 3-B and classified for CWF, water supply and recreation and fish consumption. The nearest downstream public water supply intake for City of Reading is located on Maiden Creek, approximately 20 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.005 MGD are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report	Monitor and Report	From 6.0 to 9.0 inclusive		
pH			30		
Total Suspended Solids	Monitor and Report	Monitor and Report	30	60	75
Total Copper	Monitor and Report	Monitor and Report	0.07	0.14	0.17
Total Lead	Monitor and Report	Monitor and Report	0.03	0.06	0.07
Total Iron	Monitor and Report	Monitor and Report	Monitor and Report	Monitor and Report	2.10
Total Antimony	Monitor and Report	Monitor and Report	0.06	0.12	0.15
Total Arsenic	Monitor and Report	Monitor and Report	0.22	0.44	0.55
Total Zinc	Monitor and Report	Monitor and Report	0.57	1.14	1.42
NH <sub>3</sub> -N	Monitor and Report	Monitor and Report	5.0	10	12
Total Dissolved Solids	Monitor and Report	Monitor and Report	1,000	2,000	2,500

The proposed effluent limits for Stormwater Outfalls 002—006 are:

Parameter	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Total Copper		Monitor and Report	
Total Lead		Monitor and Report	
Total Iron		Monitor and Report	
Total Antimony		Monitor and Report	
Total Arsenic		Monitor and Report	
Total Zinc		Monitor and Report	
CBOD <sub>5</sub>		Monitor and Report	
Total Dissolved Solids		Monitor and Report	
Total Suspended Solids		Monitor and Report	
Oil and Grease		Monitor and Report	
Total Nitrogen		Monitor and Report	
Sulfate		Monitor and Report	
pH		Monitor and Report	

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

The EPA waiver is in effect.

**Application No. PA 0246603, CAFO, Chris and Deborah Hoffman (Lazy Hog Farm), R. R. 2, Box 1510, McAlisterville, PA 17049.** Chris and Deborah Hoffman have submitted an application for an Individual NPDES permit for existing CAFO known as Lazy Hog Farm in Fayette Township, **Juniata County**.

The CAFO is situated near Lost Creek in Watershed 12-A, which is classified for CWF (possible redesignation to HQ-CWF). The CAFO is designed to maintain an animal population of approximately 735 AEU's consisting of 1,264 sows, 165 sows with litter, 11 boars, 4,400 nursery pigs and 100 growers. The animals will be housed in four standard swine houses. Manure is exported to neighboring farms. The total capacity of the manure storage facilities is 1.946 million gallons. A

release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

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

## WATER QUALITY MANAGEMENT PERMITS

### CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER

#### APPLICATIONS UNDER THE CLEAN STREAMS LAW

#### PART II PERMITS

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

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

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

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

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

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

**WQM Permit No. 1501401 Amendment No. 1**, Sewerage, **Penn Township**, 260 Lewis Road, P. O. Box 39,

West Grove, PA 19390. This proposed facility is located in Penn Township, **Chester County**.

Description of Proposed Action/Activity: Rerate of the wastewater treatment plant and to install hydraulic and organic capacity of 0.350 mgd.

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

**WQM Permit No. 4502401, Hillcrest Retirement Community**, 6000 Running Valley Road, Stroudsburg, PA 18360-8270. This proposed facility is located in Jackson Township, **Monroe County**.

Description of Proposed Action/Activity: This project proposes construction of a sewage treatment plant and replacement of malfunctioning onlot sewage systems. The total sewage flows of the facility will be 13,325 GPD. Upon project completion, the facility will be licensed for 82 guests.

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

**WQM Permit No. 3688432 Amendment 02-1**, Sewerage, **Penn Manor School District**, P. O. Box 1001, Millersville, PA 17551. This proposed facility is located in Martic Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction of a new packaged filtration system.

**WQM Permit No. 2202402**, Sewerage, **Borough of Penbrook**, 150 South 28th Street, Harrisburg, PA 17103. This proposed facility is located in Penbrook and Paxtang Boroughs, **Dauphin County**.

Description of Proposed Action/Activity: Authorization for the replacement of the existing Parkway Interceptor.

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

**WQM Permit No. 1402401**, Sewerage, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801. This proposed facility will be located in Patton Township, **Centre County**.

Description of Proposed Action/Activity: Construction of sanitary sewer mains, service laterals, manholes and a pump station to serve the Deerbrook Phase I Section C portion of the Gray's Woods Development. Wastewater will be conveyed to the Spring Creek Pollution Control Facility.

**WQM Permit No. 5302401**, Sewerage, **Abbott Township**, 1431 Germania Road, Galeton, PA 16922. This proposed facility is to be located in Abbott Township, **Potter County**.

Description of Proposed Action/Activity: Construction of individual septic tanks, small diameter gravity collection sewer system, recirculating open sand filter and UV disinfection to serve the village of Germania. Discharge will be to the Germania Branch of Kettle Creek via diffused effluent line.

**WQM Permit No. 1402403**, Sewerage, **Robert J. Onder**, 101 Meadow Street, Snow Shoe, PA 16874. This proposed facility will be located in Snow Shoe Township, **Centre County**.

Description of Proposed Action/Activity: Construction and operation of a small flow treatment facility to serve the Onder residence.

**WQM Permit No. 4102404**, Sewerage, **Carl Nolan Real Estate**, 12 West Second Street, South Williamsport,

PA 17701. This proposed facility is located in Eldred Township, **Lycoming County**.

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

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

**Application No. 3281205-A8**, Industrial Waste, **EME Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748. Application for the construction and modification of the Homer City Generating Station to serve the bituminous coal stockpile area located in Center Township, **Indiana County**.

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

**WQM Permit No. 3302201**, Industrial Waste, **Flying J, Inc.**, 1104 Country Hill Drive, Ogden, UT 84403. This proposed facility is located in Brookville Borough, **Jefferson County**.

Description of Proposed Action/Activity: This project is for a truck fueling area, auto and RV fueling service area and a 200 seating capacity restaurant.

**WQM Permit No. 2502412**, Sewerage, **Christopher R. Miller**, 12536 East Lake Road, North East, PA 16428. This proposed facility is located in North East Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a multiresidential small flow treatment facility.

**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).

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS100086	Robert E. Plank 552 West King St. Lancaster, PA	Fulton Township Lancaster County	UNT to Conowingo Creek

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6860.*

**NPDES Permit PAS104116**, Stormwater, **Catalyst Energy, Inc.**, 120 Shangri Lane, Pittsburgh, PA 15237-3384 has applied to discharge stormwater associated with a construction activity located in Lafayette Township, **McKean County** to Turnup Run (HQ-CWF).

**NPDES Permit PAS102707**, Stormwater, **Pennsylvania General Energy Corporation**, 208 Liberty Street,

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

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

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

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

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

**NPDES Permit PAS10G528**, Stormwater, **Heritage Building Group, Inc.**, 3326 Old York Road, Suite A100, Furlong, PA 18925 has applied to discharge stormwater associated with a construction activity located in North Coventry Township, **Chester County** to Pigeon Creek (HQ-TSF).

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

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

Warren, PA 16365 has applied to discharge stormwater associated with a construction activity located in Jenks and Kingsley Townships, **Forest County** to Salmon Creek (HQ-CWF).

**NOTICE OF INTENT FOR COVERAGE UNDER CAFO NPDES GENERAL PERMITS**

The following parties have submitted: (1) Notices of Intent for Coverage under the Department's CAFO General NPDES Permit—PAG 12 to develop and operate a

facility that may discharge wastewater into the surface waters of this Commonwealth.

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

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

The new or renewal notice of intent, including other information submitted with the applications, is available on file. The information may be inspected and arrangements made for copying at the office indicated before the application.

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

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#### CAFO Notices of Intent Received

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

**PAG124812**, CAFO, **Charles L. and Michelle L. Dougherty**, 1360 Pine Wood Road, Jersey Shore, PA 17740. This proposed facility is located in Limestone Township, **Lycoming County**.

Description of Size and Scope of Proposed Operation/Activity: The Doughertys propose to add a 4,200 head swine finishing operation to their existing farm. The facility will consist of two swine barns, each 82' x 216' with a 6 foot deep concrete manure storage area under each (1 foot is freeboard). The total manure storage volume is 662,429 gallons. The storage area has capacity to store manure for 7 months. Manure will be exported to neighboring farms, comprising 535 acres; 85 acres of the Dougherty farm will be used for manure spreading. Total AEU's at the site will be 584, all attributed to the swine finishing operation.

The operation is proposed on the watershed of Antes Creek, watershed SWP 10A, is classified for CWF.

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

and The Clean Stream Law constitutes compliance with the State narrative water quality standards.

**PAG124813**, CAFO, **Michael V. and Dorothea A. Lehman**, 539 Pine Wood Road, Jersey Shore, PA 17740. This proposed facility is located in Limestone Township, **Lycoming County**.

Description of Size and Scope of Proposed Operation/Activity: The Lehman's propose to add a 4,200 head swine finishing operation to their existing multianimal farm. The facility will consist of two swine barns, each 82' x 216' with a 6-foot deep concrete manure storage area under each (1 foot is freeboard). The total manure storage volume is 662,429 gallons. The storage area has capacity to store manure for 7 months. Manure will be exported to neighboring farms, comprising 498 acres; 78.5 acres of the Lehman farm will be used for manure spreading. Total AEU's at the site will be 630.05, with 584 attributed to the swine finishing operation.

The operation is proposed on the watershed of Antes Creek, watershed SWP 10A, classified for CWF.

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

### PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

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

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

**Permit No. 5202502**, Public Water Supply.

Applicant	<b>Hemlock Farms Community Association</b>
Township or Borough	Blooming Grove Township
Responsible Official	Mike Sibio, Community Manager Hemlock Farms Community Association 1007 Hemlock Farms Hawley, PA 18428
Type of Facility	PWS
Consulting Engineer	Douglas E. Berg, P. E. Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603
Application Received Date	June 3, 2002
Description of Action	Improvements to existing Well No. 49 and replacement of wellhouse, piping, treatment and controls.

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

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

**Application No. Minor Amendment**, Minor Amendment.

Applicant	<b>United Water Pennsylvania</b>
Township	Town of Bloomsburg <b>Columbia County</b>
Responsible Official	Nancy J. Trushell, P. E. Manager of Engineering United Water Pennsylvania 4211 East Park Circle Harrisburg, PA 17111-0151
Type of Facility	PWS
Application Received Date	June 6, 2002
Description of Action	Paint the Hill Tank in Bloomsburg.

**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.*

**Feasterville Aamco Transmission**, Lower Southampton Township, **Bucks County**. Paul M. Davis, Philip Services Corp., 550 Pinetown Rd., Suite 166, Fort Washington, PA 19034, on behalf of Pete Rancourt, The Bellevue, 200 S. Broad St., Philadelphia, PA 19102, has submitted a Notice of Intent to Remediate soil contaminated with BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remedi-

ate was reported to have been published in the *Bucks County Courier Times* on May 3, 2002.

**U.S. Steel Fairless Works, Fairless Works Energy Center**, Falls Township, **Bucks County**. Kathleen M. Mayher, Corrective Action Manager, U.S. Steel Fairless Works, 600 Grant St., Room 2068, Pittsburgh, PA 15219, on behalf of United States Steel Corp., 600 Grant St., Pittsburgh, PA 15219, has submitted a revised Notice of Intent to Remediate soil contaminated with PCBs, metals, BTEX, PAHs and solvents. 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 May 17, 2002.

**Johnson Matthey Inc.—Precious Metals Division**, West Whiteland Township, **Chester County**. Robert Hecht, Esq., 460 E. Swedesford Rd., Suite 2000, Wayne, PA 19087-1890, on behalf of Johnson Matthey Inc., 1401 King Road, West Chester, PA, has submitted a Notice of Intent to Remediate groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on May 10, 2002.

**Clement Property**, Willistown Township, **Chester County**. Terrence J. McKenna, P. E., Keating Environmental Management, Inc., 479 Thomas Jones Way, Suite 700, Exton, PA 19341, on behalf of George and Patricia Clement, 729 S. Warren Ave., P. O. Box 457, Malvern, PA 19355, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with BTEX, PHCs and MTBE. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on May 20, 2002.

**Sunoco Inc., Old Pennell Road Leak Site DUN#9000-0500**, Aston Township, **Delaware County**. Lisa M. Holderbach, Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Earl R. Sr. and Marie H. Evans, 202 Barren Rd., Media, PA 19014, Glenn Gualtieri, 102 Old Pennell Rd., Aston, PA 19014, Kirk and Hope McGowan, 100 Old Pennell Rd., Aston, PA 19014 and Dean and Anna Fountain, 460 Old Pennell Rd., Aston, PA 19014 has submitted a Notice of Intent to Remediate soil contaminated with BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on May 27, 2002.

**Hull Corporation Site**, Upper Moreland Township, **Montgomery County**. Darryl D. Borrelli, Manko, Gold & Katcher, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Hull Corp., 21 Bonair Dr., Warminster, PA 18974, has submitted a revised Notice of Intent to Remediate soil contaminated with PCBs, BTEX, PAHs and solvents; and groundwater contaminated with solvents and VOCs. The applicant proposes to remediate the site to meet Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Record* on May 23, 2002.

**Independent Holdings, LLC**, City of Philadelphia, **Philadelphia County**. Charlie McGuth, Environmental Maintenance Co., Inc., 1420 E. Mermaid La., Glenside, PA 19038, on behalf of Independent Holdings, LLC, 922

Montgomery Ave., #A1, Bryn Mawr, PA 19010, has submitted a Notice of Intent to Remediate soil contaminated with leaded gasoline UST parameters. 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 *South Philadelphia Review* on May 23, 2002.

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

**Compression Polymers**, City of Scranton, **Lackawanna County**. James V. Strickland, P. G., President, Geological and Environmental Associates, Inc., 430 West Mountain Road, Plymouth, PA 18651, has submitted a Notice of Intent to Remediate (on behalf of Compression Polymers, 801 Corey Avenue, Scranton, PA 18505) concerning the remediation of groundwater found or suspected to have been contaminated with petroleum hydrocarbons. The applicant proposes to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reportedly published in *The Scranton Tribune* on June 3, 2002.

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

**Retail Parcel—Former Auld Lumber**, Hampton Township, **Allegheny County**. Robert J. Valli, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Northwest Savings Bank, 225 Second Avenue, P. O. Box 128, Warren, PA 16365) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on April 12, 2002.

**Westinghouse Electric Company Specialty Metals Plant**, Derry Township, **Westmoreland County**. Marsha L. Bayne (on behalf of Westinghouse Electric Company, R. D. 4, Box 333, Westinghouse Road, Blairsville, PA 15717) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, heavy metals, BTEX and solvents. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Blairsville Dispatch* on March 28, 2002.

**Levin Family Partnership, L.P.**, Borough of Monroeville, **Allegheny County**. Richard D. Dworek, Kirkpatrick & Lockhart LLP, Henry W. Oliver Building, 535 Smithfield Street, Pittsburgh, PA 15222-2312 (on behalf of Levin Family Partnership, L.P., 301 Fitz Henry Road, Smithton, PA 15479) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, BTEX and PAHs. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on March 23, 2002.

**Malitovsky Drum Company (Former)**, City of Pittsburgh, **Allegheny County**. Keith Welks (on behalf of Phoenix Land Recycling Company, 105 North Front Street, Suite 106, Harrisburg, PA 17101) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead and solvents. The applicant proposes to remediate the site to meet the Special Industrial Area Requirements. A summary of the Notice of Intent to



Remediate was reported to have been published in the *Pittsburgh Post Gazette* on March 21, 2002.

**RPMI, LLC**, Borough of McKees Rocks, **Allegheny County**. Andrea M. DePoy, APT Limited, 6910 North Main Street, Granger, IN 46530 (on behalf of RPMI, LLC, P. O. Box 948, Mishawaka, IN 46546) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, BTEX, PAHs and solvents. 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 *Pittsburgh Post Gazette* on March 15, 2002.

**Equitable Gas Property**, City of Pittsburgh, **Allegheny County**. Karen E. Souza, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 and Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219 (on behalf of Signature Homes, 12630 Perry Highway, Wexford, PA 15090) has submitted a Notice of Intent to Remediate soil contaminated with lead, heavy metals and PAHs. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Pittsburgh Post Gazette* on April 18, 2002.

**Carbon Resources, Inc./Gateway Forest Products Site**, Morgan Township, **Greene County**. Steven P. Stout (on behalf of Carbon Resources, Inc., P. O. Box 1512, McMurray, PA 15317) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with heavy metals, PAHs and benzene. The applicant proposes to remediate the site to meet the Site Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Greene County Addition of the Observer Reporter* in May 2002.

**Keystone Opportunity Zone Property**, Big Beaver Borough, **Beaver County**. Karen Souza, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Beaver County CED, 250 Insurance Street, Suite 300, Beaver, PA 15009) has submitted a Notice of Intent to Remediate soil contaminated with heavy metals. The applicant proposes to remediate the site to meet the special industrial area requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Beaver County Times* on March 1, 2002.

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

**Former Pennzoil Quaker State (PQS) Plant 2**, Rouseville, PA, **Venango County**. Peggy L. Carpenter, P. G., Program Manager, 339 Haymaker Rd., Suite 1101, Monroeville, PA 15146 (on behalf of Pennzoil Quaker State Company, P. O. Box 2967, Houston TX 77252-2967) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, heavy metals, BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide Health Standards. A summary of the Notice of Intent to Remediate was reported to the Department and has been published in the *Derrick* on June 5, 2002.

## 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. 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: Mark Wejkszner, Acting New Source Review Chief, (570) 826-2531.*

**54-301-040A: Magdalene** (Ruth Ann Brouse, P. O. Box 215, Ringtown, PA 17967) for construction of a human crematory and associated air cleaning device in Ringtown Borough, **Schuylkill County**.

**48-309-121: Keystone Cement Co.** (P. O. Box A, Bath, PA 18014-0058) for replacement of an air cleaning device on Cement Kiln #2 in East Allen Township, **Northampton County**.

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

**28-03040A: Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201-0809) for installation of a 51" cone crusher to the finishing plant for stone processing operations at its Chambersburg Quarry in Guilford Township, **Franklin County**.

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

**59-310-004I: Hanson Aggregates Pennsylvania, Inc.** (P. O. Box 231, Easton, PA 18044-0231) for construction of a 635 horsepower diesel-fired generator at the Blossburg Quarry in Liberty Township, **Tioga County**.

**49-303-006: Collier Materials, Inc.** (R. R. 2, Box 672, Shamokin, PA 17872) for construction of a batch asphalt plant and associated air cleaning device (a fabric collector) in Ralpho Township, **Northumberland County**. This plant will be subject to Subpart I of the Federal Standards of Performance for New Stationary Sources.

**08-301-016A: Faithful Companions Pet Cemetery, Inc.** (R. R. 2, Box 210, Ulster, PA 18850-9645) for construction of an animal crematory incinerator in Smithfield Township, **Bradford County**.

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

**04-00716A: Duquesne Power, Inc.** (411 Seventh Avenue, Pittsburgh, PA 15219) for construction of their facility in Hopewell Township, **Beaver County**.

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

**37-248D: United States Can Co.** (1902 Old Butler Road, New Castle, PA 16101) for construction of lithographic press line using UV cured coatings in New Castle, **Lawrence County**. This facility is a Title V facility.

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

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

**09-0152: Gelest, Inc.** (612 William Drive, Tullytown, PA 19007) for installation of equipment for manufacture of specialty chemicals in Falls Township, **Bucks County**. This facility is a minor facility. Total emissions from this source are 22.4 tons of VOC including hazardous air pollutants per year. The plan approval will contain recordkeeping and operating restrictions to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

**35-00033: Sun Building Systems, Inc.** (9 Stauffer Industrial Park, Taylor, PA 18517) for operation of a sawing machine with dust collector and a spray booth with its associated air cleaning devices in Taylor Borough, **Lackawanna County**.

**35-00049: Miller Casket Co.** (21 Franklin Street, Jermyn, PA 18433) for operation of four spray booths with its associated air cleaning devices in Jermyn Borough, **Lackawanna County**.

**48-00055: Mary Immaculate Seminary** (300 Cheryville Rd., Northampton, PA 18067) for operation of Boiler No. 1 as primary and two boilers as secondary in Lehigh Township, **Northampton County**. All boilers are fired by #4 fuel oil.

**48-00059: Keystone Food Products** (3767 Hecktown Road, Hecktown, PA 18044) for operation of four frying operations with biofiltration unit in Lower Nazareth Township, **Northampton County**. The facility also operates drying ovens for food products and a heating boiler.

**48-00062: ABE Materials, Inc.** (a Division of Haines and Kibble House, Inc.) (P. O. Box 196, Skippack, PA 19474) for operation of a crushing plant with its associated accessories and control devices in Lower Mount Bethel Township, **Northampton County**.

**45-301-028: HG Smith Wilbert Vault Co.** (2120 North Fifth Street, Stroudsburg, PA 18360) for installation of a new human crematory incinerator in Stroudsburg, **Monroe County**. The unit will have a rated capacity of 150 lbs/hr and fire on natural gas. The minimum operating temperature of 1,800°F shall be maintained with a minimum gas retention time of 1 second. Particulate emissions shall not exceed 0.08 grain/dscf, corrected to 7% O<sub>2</sub>. Visible air contaminants shall not be emitted in a manner that the opacity of the emissions is equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1-hour; or equal to or greater than 30% at any time. The company currently has a Natural Minor Operating Permit 45-00010. The Plan Approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the source operating within all applicable air quality requirements. The Plan Approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the natural minor operating permit through an administrative amendment at a later date.

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

**06-03038A: Bridgeview, Inc.** (1525 Chestnut Hill Road, Morgantown, PA 19543) for construction of a pet crematorium in Robeson Township, **Berks County**. The construction of this source will result in the potential to emit particulate matter in the amount of 1.5 tons per year. The plan approval and operating permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality standards.

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

**25-0197A: Erie Bronze and Aluminum Co.** (6300 West Ridge Road, P. O. Box 8099, Erie, PA 16505) for modification of the electrical induction furnaces for the melting of stainless steel with a fabric collector in the City of Erie, **Erie County**. The modification consists of changing the particulate limit from .001 grain/dscf to .02 grain/dscf in an existing plan approval for an electric induction furnace. The facility currently has a State Only permit issued December 31, 2001. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State only operating permit through an administrative amendment at a later date.

**10-027B: Penreco** (138 Petrolia Street, Karns City, PA 16041) for air permitting associated with the replacement of an above-ground agitator (mixing vessel) in the Borough of Karns City, **Butler County**. The vent from this vessel will be connected to a scrubber system that also serves Penreco's oleum and spent acid tanks at the facility. The facility currently has a Title V permit which was issued May 4, 2000. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

The scrubber system is permitted under an existing Plan Approval No. 10-027A and the facility's existing Title V permit.

Issuance of the plan approval is recommended with the appropriate conditions in the plan approval:

1. This source is subject to 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.

2. Particulate emissions from the exhaust of the scrubber shall not exceed 0.04 grain/dscf.

3. A pressure gauge shall be permanently installed and maintained at a conveniently readable location to indicate the vacuum drawing vapors from all sources. Readings shall be recorded daily and the records kept for a minimum of 2 years.

4. The facility shall monitor and record the pressure that is induced into the scrubber jets. Readings shall be recorded daily and the records kept for a minimum of 2 years.

5. The facility shall comply with 25 Pa. Code § 127.25 as follows:

a. No person shall cause or permit the operation of the sources unless the source and air cleaning devices are operated and maintained in accordance with specifications in the Plan Approval application and Conditions 1—6. A person may not cause or permit the operation of this source in a manner inconsistent with good operating practices.

6. Issuance of an operating permit is contingent upon satisfactory compliance with Conditions 1—5, upon the source being constructed and operated as stated on the application and upon the satisfactory demonstration that the emissions from the source will not be in violation of applicable rules and regulations of the Department.

#### 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.*

**43-00011: Greenville Metals, Inc.—Transfer Plant** (99 Crestview Drive Extension, Transfer, PA 16154) for their facility in Pymatuning Township, **Mercer County**. The facility's major sources of emissions include a large electric arc furnace, an argon oxygen decarburization unit and a number of small electric arc and induction furnaces. The source is major due to emissions of carbon monoxide.

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

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

**46-00098: Edon Corp.** (1160 Easton Road, Horsham, PA 19044) in Horsham Township, **Montgomery County**. The facility's major emission points include 12 spray booths, which have the potential to emit major levels of VOCs before taking limitations.

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

**05-05001: Cannondale Corp.** (172 Friendship Village Road, Bedford, PA 15522-6600) for operation of a bicycle manufacturing facility in Bedford Township, **Bedford County**. Actual emissions for criteria pollutants will be limited below Title V thresholds. The operating permit will contain appropriate conditions designed to keep the facility operating within all other applicable air quality requirements.

#### MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to 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, 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 incorpo-

rated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the previously-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

#### *Coal Applications Received*

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

**49970202R. Susquehanna Coal Company** (P. O. Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 808.0 acres, receiving stream: none. Application received May 31, 2002.

**54920202R. Dizenzo Coal Company** (1389 Bunting Street, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing operation in Branch Township, **Schuylkill County** affecting 18.9 acres, receiving stream: Carp Creek. Application received May 31, 2002.

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

**14980101 and NPDES Permit No. PA0238007. Sky Haven Coal, Inc.**, R. D. 1, Box 180, Penfield, PA 15849. Major revision to an existing bituminous surface mine permit to allow for the beneficial use of biosolids. The permit is located in Snow Shoe and Burnside Townships, **Centre County**. Receiving streams: Sandy Run, classified for the following use: CWF. Application received May 2, 2002.

**17020105. TDK Coal Sales, Inc.**, P. O. Box 259, Brockway, PA 15824-0259. Commencement, operation and restoration of a bituminous surface mine permit in Jordan Township, **Clearfield County** affecting 63.1 acres. Receiving streams: Comfort Run, unnamed tributary to Comfort Run, classified for the following uses: CWF, to North Witmer Run to Clearfield Creek. Application received May 23, 2002.

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

**65-01-07 and NPDES Permit No. 0250155. Coal Loaders, Inc.** (P. O. Box 556, Ligonier, PA 15658). Application for a government financed construction contract located in Unity Township, **Westmoreland County**, affecting 43.1 acres. Receiving streams: unnamed tributary to Sewickley Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. GFCC application received May 29, 2002.

**03920110 and NPDES Permit No. 0200131. Thomas J. Smith, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774). Renewal application for continued reclamation only of a bituminous surface mine located in South Bend Township, **Armstrong County**, affecting 37.7 acres. Receiving streams: Craig Run to Crooked Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received June 5, 2002.

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

**11970103 and NPDES Permit No. PA0234450. T. J. Mining, Inc.**, P. O. Box 370, Carrolltown, PA 15722, permit renewal for reclamation only and for continued restoration of a bituminous surface mine in Cresson Township, **Cambria County**, affecting 35.5 acres. Receiving streams: Burgoon Run classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 6, 2002.

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

**33950107 and NPDES Permit No. PA 0227102. Cookport Coal Co., Inc.** (425 Market Street, Kittanning, PA 16201). Transfer of an existing bituminous surface strip disposal operation in Warsaw Township, **Jefferson County** affecting 39.5 acres. Receiving streams: two unnamed tributaries to Mill Creek, classified for the following uses: Statewide water uses: CWF. No public water supplies are within 10 miles downstream of this proposed operation. Transfer from R & L Coal Corp. Application received May 31, 2002.

**33970106 and NPDES Permit No. PA 0227455. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319). Renewal of an existing bituminous surface strip and auger operation in Henderson and Bell Townships, **Jefferson and Clearfield Counties** affecting 300 acres. Receiving streams: unnamed tributaries of Laurel Run, classified for the following uses: Statewide water uses: CWF. The first downstream potable water supply intake from the point of discharge is Pennsylvania-American Water Company. Application for reclamation only. Application received June 3, 2002.

**1316-24930102-E-5. Fairview Coal Company** (P. O. Box R, Ridgway, PA 15853). Application for a stream encroachment to mine through and reconstruct a portion of unnamed tributary B to Brandy Camp Creek in Horton Township, **Elk County** affecting 236.7 acres. Receiving streams: unnamed tributary of Johnson Run, classified for the following uses: Statewide water uses: CWF. No public water supplies are within 10 miles downstream of this proposed operation. Application received June 4, 2002.

**37870102 and NPDES Permit No. PA 0107948. The Ambrosia Coal and Construction Co.** (R. D. 1, Edinburg, PA 16116). Renewal of an existing bituminous surface strip and clay removal operation in North Beaver Township, **Lawrence County** affecting 46.0 acres. Receiving streams: unnamed tributary to Beaver 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 June 5, 2002.

#### *Noncoal Applications Received*

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

**8275SM2A3C4 and NPDES Permit #PA0593885. Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506-0550), renewal of NPDES Permit in Earl and Ephrata Townships, **Lancaster County**, receiving stream: Conestoga Creek and unnamed run to Conestoga Creek. Classified as a WWF. Application received May 30, 2002.

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

**10010309 and NPDES Permit No. PA 0241938. Anandale Sandstone** (219 Goff Station Road, Boyers, PA 16020). Revision to an existing noncoal surface mining permit operation in Venango Township, **Butler County** affecting 16.0 acres. Receiving streams: UNT to Seaton Creek, classified for the following uses: Statewide water uses: CWF. No public water supplies are within 10 miles downstream of this proposed operation. Revision to remove incidental coal at the previously referenced site. Application received May 29, 2002.

### ABANDONED MINE RECLAMATION

Under Act 181 of 1984, the Department of Environmental Protection (Department) gives notice of unsolicited proposals received from P&N Coal Company, Inc., to reclaim an abandoned surface mine in McCalmont Township, Jefferson County. The Department intends to enter into negotiations with P&N Coal Company, Inc. to contract for site reclamation, if funding is available.

The project, BF 372, CN 84-58, involves reclamation of the area mined by Glenn Coal Company where bonds were forfeited to the Department under SMP No. 33990101.

P&N Coal Company, Inc. proposes to backfill, regrade and revegetate 57 acres. All areas will be regraded to promote surface drainage and provide integration with surrounding unmined areas.

### ABANDONED MINE RECLAMATION

Under Act 181 of 1984, the Department solicits letters of interest from the landowners and/or licensed mine operators for the reclamation of the following abandoned strip mine projects:

<i>Project No.</i>	<i>Municipality</i>	<i>County</i>	<i>Acres</i>
BF 139	Conemaugh Township	Indiana	1.7
BF 338	Unity Township	Westmoreland	4.5
BF 358	Ringgold Township	Jefferson	3.1
BF 367	Boggs Township	Armstrong	7.5
BF 369	Marion Township	Butler	3.0
DMF 003	Mahoning Township	Armstrong	9.0

Letters of interest must be received by Roderick A. Fletcher, P. E., Director, Bureau of Abandoned Mine Reclamation, Department of Environmental Protection, 400 Market Street, P. O. Box 8476, Harrisburg, PA 17105-8476, no later than 4 p.m. on July 22, 2002, to be considered. Telephone inquiries shall be directed to Michael J. Klimkos, Division of Mine Hazards, at (717) 783-7920.

### 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 comments, suggestions or objections within 30 days of the date of this notice as well as 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.*

**E51-200. Delaware River Port Authority**, One Port Center, 2 Riverside Drive, P. O. Box 1949, Camden, NJ 08101, Philadelphia City and **Philadelphia County**, ACOE, Philadelphia District.

To modify and maintain an existing pier in the Delaware River (MF) to facilitate the proposed Cruise Line

Terminal Project. The existing pier is a 900-foot long by 74-foot wide pile supported structure and associated mooring area. The modifications consist of constructing a 30-foot by 20-foot pile supported concrete deck along with a 140-foot pile supported walkway extending from the nose of the pier. A proposed elevated pedestrian walkway that runs the length of the pier will be constructed and the placement of two 6-foot by 8-foot foam filled fenders will be installed along the east side of the existing pier. The purpose of this project is to provide the ability to dock larger vessels. The project site is located 600 feet south of the intersection of Front Street and Philip Avenue (Philadelphia, PA Quadrangle N: 2.0 inches; W: 7.3 inches west).

**EA46-010SE. Cedars Hill LLP**, 900 E. Eighth Avenue, King of Prussia, PA 19406, Worcester Township, **Montgomery County**, ACOE Philadelphia District.

A request for an environmental assessment for impacts associated with the construction, operation and maintenance of a nonjurisdictional dam across an unnamed tributary to the Zacharias Creek (TSF). The proposed dam will provide stormwater management for a residential subdivision. The application also includes a request for General Permit # 7, "Minor Road Crossing," for three crossings of Zacharias Creek and adjacent wetlands. The project will impact 324 linear feet of stream and 0.11 acre of wetlands (PEM/SS). The project is located about 700 feet southeast of the intersection of Skippack Pike and Bustard Road. (Lansdale, PA, Quadrangle N: 16.00 inches; W: 16.00 inches).

**E46-914. Dock Woods Community**, 275 Dock Drive, Lansdale, PA 19446-6215, Towamencin Township, **Montgomery County**, ACOE, Philadelphia District.

To construct and maintain the following water obstructions along and across unnamed tributaries of Skippack Creek (TSF) associated with the proposed Dock Wood Community Residential Housing Development:

(1) To replace the existing Gehman Road culvert crossing with 90 linear feet of 48-inch RCP culvert pipe and appurtenant structures.

(2) An 8-inch DIP sanitary sewer line crossing.

(3) A 20-foot wide riprap-lined trapezoidal stormwater outlet channel.

The project site is located approximately 400 feet south of the Fretz and Tomlinson Roads intersection situated along the west side of Tomlinson Road. (Telford PA Quadrangle N: 2.20 inches; W: 12.50 inches).

**E15-685. White Manor Country Club**, 831 Providence Road, Malvern, PA 19355, Willistown Township, **Chester County**, ACOE Philadelphia District.

To enlarge and modify two man-made irrigation ponds and to place fill associated with the relocation of two tees in the 100-year floodway of the West Tributary to Crum Creek (HQ-CWF). The project site is located approximately 3,000 feet northeast of the intersection of Providence Road and Warren Avenue (Valley Forge, PA Quadrangle N: 0.40 inch; W: 14.80 inches).

**E15-688. Phoenixville Area Economic Development Corp.**, 171 E. Bridge Street, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**, ACOE Philadelphia District.

To rehabilitate and maintain an existing 15.5 foot wide truss Railway Bridge consisting of a 102-foot span across French Creek (TSF-MF) and to convert it into a pedestrian bridge. The project site is located approximately 400

feet east of the Phoenixville Route 113/Gay Street Bridge (Phoenixville, PA Quadrangle N: 1.90 inches; W: 2.50 inches).

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

**E06-564. Scott Sweigart, Forino Co.**, 555 Mountain Home Road, Sinking Spring, PA 19608 in South Heidelberg Township, **Berks County**, ACOE Philadelphia District.

To remove the existing 48-inch diameter steel pipe culvert and to construct and maintain a 6-foot by 10-foot reinforced concrete box culvert within Cacoosing Creek (TSF) at a point approximately 2,400 feet upstream of Wernersville Road (Sinking Spring, PA Quadrangle N: 10.0 inches; W: 8.5 inches) in South Heidelberg Township, Berks County.

**E07-359. Palmer Brown, Rails-To-Trails of Central PA**, P. O. Box 592, Hollidaysburg, PA 16648 in Williamsburg Township and Woodbury Borough, **Blair County**, ACOE Baltimore District.

To: (1) place fill material at the floodway of Frankstown Branch Juniata River (TSF); (2) construct and maintain an 8-foot by 8-foot concrete box culvert at the channel of an unnamed tributary to and at the floodway of the Frankstown Branch of the Juniata River; and (3) construct and maintain a footbridge across Piney Creek (TSF) to be set on abandoned railroad bridge abutments and a pier (Williamsburg, PA Quadrangle N: 15.95 inches; W: 10.55 inches—N: 16.46 inches; W: 11.2 inches—N: 18.1 inches; W: 14.4 inches, respectively) in Williamsburg Township and Woodbury Borough, Blair County.

**E28-303. Samuel Yoder**, 6275 Maxheimer Road, St. Thomas, PA 17252 in St. Thomas Township, **Franklin County**.

To construct and maintain a 16-foot by 56-foot concrete storage tank along an unnamed tributary to Back Creek (WWF) (St. Thomas, PA Quadrangle N: 10.9 inches; W: 2.49 inches) in St. Thomas Township, **Franklin County**.

**E31-182. Mary Gates, Dudley-Carbon-Coalment Joint Municipal Authority**, P. O. Box 276, Dudley, PA 16634 in Dudley and Coalment Boroughs and Carbon Township, **Huntingdon County**.

To replace and maintain a sewage treatment plant in the floodplain of Shoups Run (WWF) at a point approximately 1 mile upstream of Route 913 and to construct 7.3 miles of sewer line which cross Shoups Run (WWF) House Run (WWF), Sugarcomp Run (WWF), Coal Bank Run (WWF) and an unnamed tributary to Shoups Run (WWF) (Saxton, PA Quadrangle N: 17.8 inches; W: 12.7 inches) in Dudley and Coalment Boroughs and Carbon Township, Huntingdon County.

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

**E18-341. Department of Conservation and Natural Resources, Division of Design**, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451. Single cell concrete box culvert, in Chapman Township, **Clinton County**, ACOE Baltimore District (Slate Run, PA Quadrangle N: 6.10 inches; W: 13.85 inches).

To remove the existing single span steel I-beam bridge which has a clear span of 12 feet 6 inches, a curb-to-curb

width of 10 feet 8 inches and an average inlet underclearance of 5 feet 10 inches and to construct and maintain a single cell precast reinforced concrete box culvert with precast end sections, a normal clear span of 16 feet on a skew of 54° and an inlet underclearance of 6 feet across Left Branch Hyner Run on Left Branch Hyner Run Road about 1.8 miles from the intersection of Left Branch Hyner Road with Hyner Run Road. The project will permanently impact 0.02 acre of wetlands while impacting approximately 90 feet of waterway. Left Branch Hyner Run is a TSF stream.

**E41-506. Department of Conservation and Natural Resources, Bureau of Forestry District 12**, 423 East Central Ave., South Williamsport, PA 17702. Water Obstruction and Encroachment Joint Permit Application in Brown Township, **Lycoming County**, ACOE Susquehanna River Basin District (Slate Run, PA Quadrangle N: 22.4 inches; W: 9.0 inches).

To remove an existing 54-inch corrugated metal pipe, construct and maintain a 48-inch by 76-inch reinforced concrete elliptical pipe to include cast-in-place end walls in an unnamed tributary to Manor Fork along Manor Fork Road. This project proposes to temporarily impact 110 feet of the unnamed tributary to Manor Fork, which is designated an EV stream and does propose to impact 0.045 acre of exceptional value jurisdictional wetlands.

**E41-507. Department of Conservation and Natural Resources, Bureau of Forestry District 12**, 423 East Central Ave., South Williamsport, PA 17702. Water Obstruction and Encroachment Joint Permit Application in Brown Township, **Lycoming County**, ACOE Susquehanna River Basin District (Slate Run, PA Quadrangle N: 17.6 inches; W: 1.3 inches).

To construct and maintain a single span stainless steel/concrete suspension bridge having a span of 307 feet and a width of 3.0 feet over Slate Run along Slate Run Road. This project does not propose to impact Slate Run, which is, designated an EV stream and does not propose to impact any jurisdictional wetlands.

**E55-187. Pennsylvania Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. Water Obstruction and Encroachment Permit application in spring Township, **Snyder County**, ACOE Susquehanna River Basin District (Spring Township, PA Quadrangle N: 17.75 inches; W: 14.20 inches).

To remove two existing corrugated metal pipes and construct and maintain a reinforced concrete box culvert measuring 10 feet wide by 5 feet high with a length of 32 feet in Mitchell Run located on SR 0235, Segment 0080 at Offset 0933. This project proposes to have a minimal impact on Mitchell Run, which is not designated under 25 Pa. Code Chapter 93. The project does not propose to impact any jurisdictional wetlands.

**E59-433. Richmond Township**, 563 Valley Road, Mansfield, PA 16933. Culvert replacement in Richmond Township, **Tioga County**, ACOE Baltimore District (Mansfield, PA Quadrangle N: 12.8 inches; W: 14.1 inches).

To remove the existing steal beam bridge and to construct and maintain an 8.4 foot high by 12.8 foot wide by 50 foot long corrugated metal pipe arch culvert in Manns Creek on T-546 approximately 0.6 mile west of the intersection of T-546 with SR 1001. The project will not impact wetlands while impacting approximately 60 feet of waterway. Manns Creek is a CWF stream.

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

**E02-1378. Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106. Findlay Township, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain the following structures as part of the construction of 2.2 miles of new four-lane, divided, limited-access highway known as section 54B of the Southern Beltway (Findlay Connector):

Two parallel bridges having three spans at 191.5 feet, 235.0 feet and 191.5 feet and an underclearance of 92.0 feet over Potato Garden Run (WWF). Station 253 + 00 (Clinton, PA Quadrangle N: 15.3 inches; W: 7.2 inches).

Two 36-inch diameter outfalls in Potato Garden Run (WWF). Stations 252 + 00 and 252 + 10 (Clinton, PA Quadrangle N: 15.3 inches; W: 7.2 inches).

A 360 foot long, 33 inch diameter concrete pipe in an unnamed tributary to Potato Garden Run (WWF) Station 230 + 00 (Clinton, PA Quadrangle N: 16.1 inches; W: 6.3 inches). This pipe qualifies for Department waiver 105.12 (a)(2).

Two parallel bridges having one span of 185.0 feet and an underclearance of 26.0 feet over an unnamed tributary to Potato Garden Run (WWF) Station 215 + 00 (Clinton, PA Quadrangle N: 16.7 inches; W: 5.7 inches).

A temporary stream crossing consisting of five 36-inch diameter corrugated metal pipes in Potato Garden Run (WWF) Station 252 + 30 (Clinton, PA Quadrangle N: 15.3 inches; W: 7.2 inches).

A temporary stream crossing consisting of three 24-inch diameter corrugated metal pipes in an unnamed tributary to Potato Garden Run (WWF) Station 216 + 00 (Clinton, PA Quadrangle N: 16.7 inches; W: 5.7 inches).

Also, to relocate and maintain 1,478 linear feet of an unnamed tributary to Potato Garden Run (WWF) Station 208 + 95 right to Station 219 + 72 left. (Clinton, PA Quadrangle N: 16.7 inches; W: 5.7 inches).

And to permanently place and maintain fill in 2.537 acres of PEM/PSS wetlands and to temporarily place and maintain fill in 0.863 acre of PEM/PSS wetlands. To compensate for the wetland impacts, the applicant is proposing creation of 9.2 acres of replacement wetlands in the Raredon Run Watershed. (Begin: Clinton, PA Quadrangle N: 14.4 inches; W: 7.7 inches; End: Clinton, PA Quadrangle N: 16.6 inches; W: 5.6 inches).

**E02-1380. Sewickley Harbor Inc.**, 200 Dawson Street, Sewickley, PA 15143. Glenfield Borough, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a 1,040 feet long small craft docking facility along the right bank of the Ohio River (WWF) at River Mile 8.5. This permit will also authorize the operation and maintenance of the facilities constructed under permits 19462, 11642A and 11455 originally issued to Crain Brothers at this site for a barge unloading facility. (Ambridge, PA Quadrangle N: 3.0 inches; W: 0.8 inch).

**E02-1383. North Way Christian Community, Inc.**, 12121 Perry Highway, Wexford, PA 15090. Pine Township, **Allegheny County**, ACOE Pittsburgh District.

To place and maintain fill in 0.33 acre of wetlands associated with an unnamed tributary to Wexford Run (CWF) for the purpose of constructing the Copperleaf Corporate Centre. The project is located on the west side



of Perry Highway (SR 0019), approximately 720 feet southwest from the intersection of Perry Highway and Wallace Road Extension (Mars, PA Quadrangle N: 2.0 inches; W: 9.1 inches).

**E26-295. Pennsylvania Department of Transportation, Engineering District 12-0**, P. O. Box 459, Uniontown, PA 15401. Nicholson Township, **Fayette County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a reinforced concrete spread box beam bridge having a normal clear span of 57.0 feet and an underclearance of 22.0 feet over York Run (WWF). Also to construct and maintain two 18-inch diameter pipe outfalls in York Run (WWF) and to construct and maintain a temporary crossing consisting of six 24-inch diameter pipes in York Run (WWF). The project is located on SR 3009, Section D10 approximately 1.3 miles west of US 119 (Smithfield, PA Quadrangle N: 6.6 inches; W: 13.7 inches).

**E32-441. Armstrong Township**, 977 Parkwood Road, Indiana, PA 15701. Armstrong Township, **Indiana County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a twin cell box culvert in Curry Run (CWF). Both parallel cells will be depressed 10 inches and the high flow cell will have a 1.5 foot weir at its inlet. The low flow cell will have a normal span of 18.0 feet and an underclearance of 5.14 feet; the high flow cell will have a normal span of 18.0 feet and an underclearance of 4.5 feet. The project is located near the intersection of SR 0422 and Township Road T-410. Station 1+ 94.67 (Elderton, PA Quadrangle N: 4.9 inches; W: 3.1 inches).

**E32-442. Pennsylvania Department of Transportation, Engineering District 10-0**, P. O. Box 429, Indiana, PA 15701. Armstrong Township, **Indiana County**, ACOE Pittsburgh District.

The following structures and activities are part of Shelocta Project—Phase II, SR 0422 Mainline Reconstruction which is located approximately 4 miles west of Indiana, PA:

To widen and maintain an existing multi-steel stringer bridge having three spans at 50.7 feet, 50.0 feet and 50.7 feet and an underclearance of 11.0 feet over Crooked Creek (WWF). Also to construct and maintain a temporary causeway and temporary cofferdams in Crooked Creek (WWF). Station 109 + 75.30 (Elderton, PA Quadrangle N: 5.4 inches; W: 5.8 inches).

To rehabilitate and maintain an existing reinforced concrete T-beam bridge having a span of 30.0 feet and an underclearance of 9.0 feet over Anthony Run (CWF). Station 120 + 60.41 (Elderton, PA Quadrangle N: 5.3 inches; W: 5.2 inches).

To rehabilitate and maintain an existing reinforced concrete T-beam bridge having a span 32.0 feet and an underclearance of 6.0 feet over Curry Run (CWF). Station 138 + 17.43 (Elderton, PA Quadrangle N: 5.3 inches; W: 4.3 inches).

To remove the existing structure and to construct and maintain a precast concrete box culvert having a normal span of 18.0 feet and an effective underclearance of 5.0 feet in Cheese Run (CWF). The invert of the box culvert will be depressed 1.0 foot and contain baffles. Also, to construct and maintain a temporary crossing consisting of two 5.5 foot diameter pipes in Cheese Run (CWF). Station

170 + 13.5 (Elderton, PA Quadrangle N: 4.8 inches; W: 2.9 inches).

**E63-532. Joseph W. and Kathleen M. Zippay**, 427 Old 71, Charleroi, PA 15022. Fallowfield Township, **Washington County**, ACOE Pittsburgh District.

To repair, operate and maintain the existing wall 36 feet in length in the channel and along the right bank of Maple Creek (WWF) and to operate and maintain the existing bridge having a span of 16.2 feet with an underclearance of 4.3 feet across the channel of Maple Creek for the purpose of providing access to the applicant's property. The project is located at the intersection of Old 71 and SR 481, on the south side of Old 71 (Monongahela, PA Quadrangle N: 0.6 inch; W: 4.4 inches).

**E65-796. Colony Development Company**, 8954 Hill Drive, North Huntingdon, PA 15642. Unity Township, **Westmoreland County**, ACOE Pittsburgh District.

To place and maintain fill in 0.72 acre of wetlands and approximately 750 linear feet of an intermittent watercourse, in the watershed of unnamed tributaries to Ninemile Run (WWF) for the purpose of a commercial site development, including Wal-Mart and Lowe's Improvement Warehouse. The site is located along SR 30 approximately 0.5 mile south of the intersection of Theater Drive (T-898) and SR 30 (Latrobe, PA Quadrangle N: 6.9 inches; W: 1 inch).

**E65-802. Robert N. Banner**, R. D. 1, Box 211D, Shady Lane, Latrobe, PA 15650. Mount Pleasant Township, **Westmoreland County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a 20-foot long, 95-inch by 67-foot CM arch pipe in an unnamed tributary to Welty Run (HQ-CWF) on an existing driveway. The project is located at a point approximately 100 feet south of T-493 (Shady Lane) (Mammoth, PA Quadrangle N: 14.8 inches; W: 6.7 inches).

**E65-803. Jeffrey A. Cox**, 378 Whitten Hollow Road, Upper Burrell, PA 15068. Upper Burrell Township, **Westmoreland County**, ACOE Pittsburgh District.

To enlarge and maintain an existing off stream farm pond to have a surface area of 0.2 acre located off of Whitten Hollow Road. (New Kensington East, PA N: 3.9 inches; W: 6.8 inches).

**E65-805. Kistler Development Company**, 2 Eleven Street, Penn, PA 15675. Penn Township, **Westmoreland County**, ACOE Pittsburgh District.

To construct and maintain a 110-foot long 28-foot by 5.75-foot concrete conspan bridge in an unnamed tributary to Bushy Run (TSF) under the proposed Summerfield Drive. Also to place and maintain fill in a 0.29 acre of wetlands as part of a 97 unit development known as The Village at Stonegate. The project is located on the north side of SR 130 approximately 2,000 feet west of the intersection with SR 993 (Irwin, PA Quadrangle N: 20.0 inches; W: 4.0 inches).

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

**E10-360. Stoneworth Apartments, Inc.**, 124 Eastwood Drive, Butler, PA 16001, Stoneworth Apartments, in Worth Township, **Butler County**, ACOE Pittsburgh District (Slippery Rock, PA Quadrangle N: 6.8 inches; W: 14.8 inches).

Development of a 120-unit apartment complex in Worth Township, Butler County. The project will include the



construction of a sewage treatment plant effluent pipeline, which will cross a wetland. The total length of the crossing is approximately 800 feet and the disturbance channel will be 20 feet wide. Upon pipeline placement the excavated soil from the trench will be replaced. The total acreage of the wetland is larger than 10 acres.

**E10-361, Knockout Development Associates**, 215 Executive Drive, Cranberry Township, PA 16066, Route 228 Commercial Center Project, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 10.9 inches; W: 11.4 inches).

The placement of fill within two wetlands and in approximately 2,350 feet of an unnamed tributary to Brush Creek (WWF) for the development of a commercial center in Cranberry Township, Butler County. The tributary drainage of the unnamed tributary is approximately 102 acres and the total wetland acreage to be impacted is 0.121 acre. Mitigation for the wetland impacts will be accomplished through contribution to the Pennsylvania Wetland Replacement Fund and mitigation of stream impacts will be through securing conservation easements on other streams in the vicinity of the project. The total acreage to be disturbed onsite is 26.8 acres.

**E20-520, Crawford County Commissioners**, Crawford County Courthouse, 1st Floor, 903 Diamond Park, Meadville, PA 16335-3481, Crawford County Bridge #33 Replacement Project, in Summerhill Township, **Crawford County**, ACOE Pittsburgh District (Harmonsburg, PA Quadrangle N: 18.9 inches; W: 14.4 inches).

To remove the existing structure and to construct and maintain a p/s concrete adjacent box beam bridge having a clear span of 63.33 feet and a minimum underclearance of 11.22 feet on a 77° skew across Conneaut Creek (CWF, MF) on Fish Road (Township Road T-693) approximately 0.1 mile west of the intersection of Fish and Canal Roads. Roadway work will include minor vertical realignment and reconstruction of both approach roadways for approximately 305 feet at the west approach and 167 feet at the east approach.

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## ACTIONS

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

#### INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

The Department of Environmental Protection 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.

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

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

**NPDES Permit No. PA0052515**, Industrial Waste, **Ambler Borough Water Department**, 122 East Butler Avenue, Ambler, PA 19002-4476. This proposed facility is located in Whitemarsh Township, **Montgomery County**.

Description of Proposed Action/Activity: Renewal to discharge into Wissahickon Creek.

**NPDES Permit No. PA0051870**, Sewage, **Mark and Justine Flynn**, 1774 Turk Road, Doylestown, PA 18901. This proposed facility is located in Doylestown Township, **Bucks County**.

Description of Proposed Action/Activity: Renewal to discharge into Neshaminy Creek-2F Watershed.

**NPDES Permit No. PA0056120**, Sewage, **Sarah Mims**, 814 Denton Hollow Road, West Chester, PA 19832. This proposed facility is located in Pocopson Township, **Chester County**.

Description of Proposed Action/Activity: Renewal to discharge into Pocopson Creek.

**NPDES Permit No. PA0054780 Amendment No. 1**, Sewage, **Stone Mill Estates, L.P.**, 3103 Philmont Avenue, Huntingdon Valley, PA 18966. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Amendment to remove the monitoring requirements for chlorine.

**WQM Permit No. 1502407**, Sewerage, **London Grove Township Municipal Authority**, 372 Rose Hill Road, Suite 300, West Grove, PA 19390. This proposed facility is located in London Grove Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of sewage pump station and force main to serve Webb Subdivision.

**WQM Permit No. 4602404**, Sewerage, **Lower Salford Township Authority**, 57 Main Street, P. O. Box 243, Mainland, PA 19451-0243. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Proposed Action/Activity: Construction and operation of sewage pump station and force main to serve the proposed Estates at Salford Lea Residential Development.

**WQM Permit No. 0900421**, Sewerage, **Pennridge Wastewater Treatment Authority**, 180 Maple Avenue, P. O. Box 31, Sellersville, PA 18960-0031. This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for expansion and upgrade the wastewater treatment plant.

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

**NPDES Permit No. PA0032328**, Sewage, **Hickory Hills Manufactured Housing Community, LLC**, 121 Hickory Hills Drive, Bath, PA 18014. This proposed facility is located in Moore Township, **Northampton County** and discharge to unnamed tributary to East Branch Monocacy Creek.

Description of Proposed Action/Activity: Renewal of NPDES Permit.

**NPDES Permit No. PA0020206**, Sewage, **Bath Borough Authority**, Race and Mill Streets, P. O. Box 87, Bath, PA 18014. This proposed facility is located in Bath Borough, **Northampton County**.

Description of Proposed Action: Renewal of NPDES Permit.

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

**NPDES Permit No. PA0083470**, Sewage, **Paradise Township Sewer Authority**, 196 Blackhorse Road, Paradise, PA 17562. This proposed facility is located in Paradise Township, **Lancaster County**.

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

**WQM Permit No. 2278407 Amendment No. 02-1**, Sewerage, **Derry Township Municipal Authority**, 670 Clearwater Road, Hershey, PA 17033. This proposed facility is located in Derry Township, **Dauphin County**.

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

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

**NPDES Permit No. PA0112488**, Sewerage, SIC 4952, **Ralpho Township Municipal Authority**, 32A South Market Street, Elysburg, PA 17824-9602. This proposed facility is located in Ralpho Township, **Northumberland County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit for Bear Gap Sewage Treatment Plant.

**NPDES Permit No. PA0028738**, Sewerage, SIC 4952, **Ralpho Township Municipal Authority**, 32A South Market Street, Elysburg, PA 17824-9602. This proposed facility is located in Ralpho Township, **Northumberland County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit for Main Sewage Plant.

**NPDES Permit No. PAS604803**, Industrial Stormwater SIC 5093, **Patrick R. Burns**, 278 Lower Coleville Road, Bellefonte, PA 16823. This proposed facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: Issuance of a new NPDES Permit.

**WQM Permit No. 4102403**, Sewerage SIC 4952, **Jeannette 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.

**WQM Permit No. 5902404**, Sewerage, **Delmar Township Supervisors**, R. D. 5 Box 70A, Wellsboro, PA 16901. This proposed facility is located in Delmar Township, **Tioga County**.

Description of Proposed Action/Activity: Construction of approximately 10,000 LF of 4-inch low-pressure force main, 20,000 LF of 2- and 2 1/2-inch pressure sewer and 80 individual grinder pumps north of Wellsboro along Routes 6 and 287.

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

**NPDES Permit No. PA0204901**, Industrial, **Port Authority of Allegheny County**, 345 Sixth Avenue, 3rd Floor, Pittsburgh, PA 15222 is authorized to discharge from a facility located at the Ross Maintenance Garage, Ross Township, **Allegheny County** to receiving waters named Nelson Run.

**NPDES Permit No. PA0022365**, Sewage, **Perryopolis Area Joint Authority**, P. O. Box 298, Perryopolis, PA 15437 is authorized to discharge from a facility located at the Perryopolis Sewage Treatment Plant, Perryopolis Borough, **Fayette County** to receiving waters named Youghiogheny River.

**NPDES Permit No. PA0043435**, Sewage, **Cecil Wastewater Treatment Company, Inc.**, 10 Bayberry Lane, Cecil, PA 15321-1206 is authorized to discharge from a facility located at Monaco Manor Sewage Treatment Plant, Cecil Township, **Washington County** to receiving waters named Drainage Swale Tributary to an unnamed tributary of Coal Run.

**NPDES Permit No. PA0095974**, Sewage, **Mabel Yemc**, P. O. Box 423, New Stanton, PA 15672 is authorized to discharge from a facility located at the Jane Ann Restaurant STP, Sewickley Township, **Westmoreland County** to receiving waters named unnamed tributary of Sewickley Creek.

**NPDES Permit No. PA0217603**, Sewage, **RAG Cumberland Resources, LP**, P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370 is authorized to discharge from a facility located at Cumberland Mine Bathroom Portal No. 6 STP, Whiteley Township, **Greene County** to receiving waters named unnamed tributary of Patterson Run.

**NPDES Permit No. PA0219169**, Sewage, **Laurel Highlands Municipal Authority**, 164 Jubilee Street, Rockwood, PA 15557 is authorized to discharge from a facility located at New Centerville Borough STP, New Centerville Borough, **Somerset County** to receiving waters named Middle Creek.

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

**WQM Permit No. 1002404**, Sewerage, **Department of Conservation and Natural Resources, Moraine State Park**, 195 Park Road, P. O. Box 387, Prospect, PA 16052-0387. This proposed facility is located in Muddy Creek Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the replacement of existing sand filters with new continuous backwash, upflow filters.

**WQM Permit No. 1002406**, Sewerage, **Cornerstone Family Services**, 2700 Mt. Royal Boulevard, Glenshaw, PA 15116. This proposed facility is located in Franklin Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage treatment facility to serve a residential and commercial community.

**WQM Permit No. 1002402**, Sewerage, **Sutton Mobile Home Park**, 129 Elgie Drive, Butler, PA 16001. This proposed facility is located in Clay Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the construction of an extended aeration sewage treatment plant to replace a malfunctioning onlot sewage system.

**WQM Permit No. 6202401**, Sewerage, **Gilbert W. Epperson**, 1040 Silliman Avenue, Erie, PA 16511. This proposed facility is located in Conewango Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a single residence discharging to Scott Run.

**WQM Permit No. 6201409**, Sewerage, **Martin and Gloria Hancock**, 14 Catherine Lane, Warren, PA 16365. This proposed facility is located in Conewango Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a single residence discharging to unnamed tributary to Jackson Run.

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q236	F & M Land Co. 1486 Hampton Rd. Allentown, PA 18104	Lehigh	Weisenberg Township	Jordan Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAR10F106	Pennsylvania State University Office of Physical Plant University Park, PA 16802	Centre	State College Borough College Township	Thompson Run Big Hollow HQ-CWF

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

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

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

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

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

**List of NPDES and/or Other General Permit Types**

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

*General Permit Type—PAG-2*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lebanon County North Cornwall Township	PAR10P180	P. Henry Yingst Mill Bridge Dev. 411 Chestnut St. Lebanon, PA 17042	Quittapahilla Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908
City of Reading Berks County	PAR10C423	Fred Snyder Group One Prop. Inc. Cross Rds. Corp Cntr. 4641 Pottsville Pk. Suite E Reading, PA 19605	Schuylkill River CWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Spring Township Berks County	PAR10C420	Dave Rick Tulpehocken LTD 2650 Westview Dr. Wyomissing, PA 19610	Unnamed tributary to/and Tulpehocken Creek CWF	Berks County Conservation District P. O. Box 520 1238 Co. Welfare Rd. Leesport, PA 19533-0520 (610) 372-4657
Lemoyne Borough Cumberland County	PAR10H293	Heritage Medical Offices P. O. Box 0888 Camp Hill, PA 17001	Unnamed tributary to Susquehanna WWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Lower Allen Township Cumberland County	PAR10H288	Jeff Grubb JSH Enterprises 501 Rolling Ridge Drive State College, PA 16801	Cedar Run CWF	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
West Donegal Township Lancaster County	PAR10O290	Robert Kettering 3121 Mount Joy Rd. Office A Mount Joy, PA 17552	Conoy Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361

## NOTICES

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Denver Borough Lancaster County	PAR100336-1	Richard E. Haller 307 E. Lexington Rd. Lititz, PA 17543	Little Cocalico Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAR100387-2	High Concrete Structures 125 Denver Rd. Denver, PA 17517	Cocalico Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAR100543	Larry Gensemer Box 149 Reinholds, PA 17569	Little Cocalico Creek TSF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Ephrata Township Lancaster County	PAR100545	Eastland Communities Inc. 1656 W. Main St. Ephrata, PA 17522	UNT Cocalico Creek WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
East Cocalico Township Lancaster County	PAR100555	PMP Investments LLC 12 Industrial Way, Box 300 Denver, PA 17517	Stony Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Manheim Township Lancaster County	PAR100559	Brydn Enterprises LLC 1821 Oregon Pike Suite 4 Lancaster, PA 17603	UNT to Landis Run & Huber Run WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Millersville Borough Lancaster County	PAR100562	Penn Manor School District 2950 Charlestown Rd. Lancaster, PA 17603	Little Conestoga Creek CWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Paradise Township Lancaster County	PAR100564	Roy Eby 41 London Vale Rd. Gordonville, PA 17529	Eshleman Run CWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Centre County Spring Township	PAR10F153	Penn Eagle Industrial Park Phase IIB 200 Innovation Blvd. #201 State College, PA 16803	Logan Branch CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Union County Kelly Township	PAR106844	Arthur Keister Route 15 Flea Market P. O. Box 73 West Milton, PA 17886	Susquehanna River WWF	Union County Conservation District 60 Bull Run Crossing Lewisburg, PA 17837 (570) 523-8782
Butler County Worth Township	PAR10E178	Marc A. Fort 124 Eastwood Drive Butler, PA 16001	Slippery Rock Creek CWF	Butler County Conservation District (724) 284-5270
Butler County Adams Township	PAR10E187	Future Development Group, LP 191 Crowe Ave. Mars, PA 16046	Tributary to Breakneck Creek WWF	Butler County Conservation District (724) 284-5270
Mercer County West Salem Township	PAR104377	St. Paul Homes 339 Jamestown Road Greenville, PA 16125	Shenango River 9	Mercer County Conservation District (724) 662-2242

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Mercer County Fire Township	PAR104379	Mile Transport Inc. P. O. Box 550 Grove City, PA 16127	Wolf Creek CWF	Mercer County Conservation District (724) 662-2242
<i>General Permit Type—PAG-3</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Penn Township Chester County	PAR230078	Consolidated Container Co. 5605 N. MacArthur Blvd. Suite 360 Irving, TX 75038	Big Elk Creek 7K Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Bristol Township Bucks County	PAR800072	Federal Express Corporation 3620 Hacks Cross Rd. Bldg. B, 2nd Floor Memphis, TN 38125	Neshaminy Creek 2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Falls Township Bucks County	PAR140019	Liberty Coating Co. 21 S. Steel Rd. Morrisville, PA 19067	Biles Creek 2F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
West Goshen Township Chester County	PAR800074	Federal Express Corporation 3620 Hacks Cross Rd. Bldg. B, 2nd Floor Memphis, TN 38125	Goose Creek 3G Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Middle Creek Township Snyder County	PAR224811	Wood-Mode Inc. One Second Street Kreamer, PA 17833	Middle Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Danville Borough Montour County	PAR114805	TRW Automotive 601 East Market St. Danville, PA 17821	Sechler Run CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Castanea Township Clinton County	PAR144806	International Paper Co. Lock Haven Mill P. O. Box 268 Lock Haven, PA 17745	Bald Eagle Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Somerset Township Somerset County	PAR806215	Fleetwood Folding Trailers Inc. P. O. Box 111 Somerset, PA 15501	Kimberly Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
City of Erie Erie County	PAR208353	AKW L.P. 1015 East 12th Street Erie, PA 16503	Presque Isle Bay and Outer Erie Harbor—Lake Erie	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

## NOTICES

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*General Permit Type—PAG-4*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Eldred Township Lycoming County	PAG045137	Jeannette L. Fraser 901 Harvey Road Williamsport, PA 17701	UNT to Millers Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Indiana Township Allegheny County	PAG046126	George Williams 100 Williams Lane Pittsburgh, PA 15238	Tributary to Little Pine Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Black Lick Township Indiana County	PAG046127	Edgar Baker P. O. Box 367 Black Lick, PA 15716	UNT to Black Lick Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
East Huntingdon Township Westmoreland County	PAG046143	Robert Blosser R. R. 1 Box 571 Scottdale, PA 15683	Jacob's Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Glade Township Warren County	PAG048460	Randall W. Hoskinson 48 Wright Road Warren, PA 16365	Unnamed tributary of Hatch Run Road	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Conewango Township Warren County	PAG048796	Gilbert W. Epperson 1040 Silliman Avenue Erie, PA 16511	Scott Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Conewango Township Warren County	PAG048771	Martin and Gloria M. Hancock 14 Catherine Lane Warren, PA 16365	Unnamed tributary to Jackson Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-5*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Bucks County Doylestown Borough	PAG050033	Motiva Enterprise, LLC P. O. Box 1243 Waynesboro, VA 22980	Neshaminy	Southeast Region Water Management (610) 832-6130

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Franklin County Quincy Township	PAG053566	Pennsylvania State University 101-P Physical Plant Building University Park, PA 16802	West Branch Antietam Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type—PAG-8 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Peach Bottom Township York County	PAG080004 PAG080007	Mobile Dredging & Pumping Company 3100 Bethel Road Chester, PA 19013-1488	Dorothy Kilgore Farm Peach Bottom Township York County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

## 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 **Pinecrest Lake Trust Water Co.**, P. O. Box 760, Pocono Pines, PA 18350, PWS #2450086, Tobyhanna Township, **Monroe County** on June 3, 2002, for the operation of facilities approved under Construction Permit #4586503.

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

#### **Permit No. 3202501**, Public Water Supply.

Applicant	<b>Lower Indiana County Municipal Authority</b> P. O. Box 444 Black Lick, PA 15716
Borough or Township	Burrell and Center Townships
County	<b>Indiana</b>
Type of Facility	Dean Drive Reservoir and SR 119 Pump Station
Consulting Engineer	Bankson Engineers 267 Blue Run Road Indianola, PA 15051
Permit to Construct Issued	June 7, 2002

**Operations Permit** issued to **Lincoln Township Municipal Authority**, P. O. Box 162, Sipesville, PA 15561, PWSID 4560031, Lincoln Township, **Somerset County** on June 4, 2002, for the operation of facilities approved under Construction Permit # 5601502.

**Operations Permit** issued to **Jackson Township Water Authority**, 2949 William Penn Avenue, Johnstown, PA 15909, PWSID 4110021, Jackson Township, **Cambria County** on June 7, 2002, for the operation of facilities approved under Construction Permit #1100501.

**Operations Permit** issued to **Municipal Authority of the City of New Kensington**, P. O. Box 577, New Kensington, PA 15068, PWSID 5650070, New Kensington, **Westmoreland County** on June 7, 2002, for the operation of facilities approved under Construction Permit #6502501.

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

#### **Permit No. 2702501**, Public Water Supply.

Applicant	<b>Pennsylvania-Suburban Water Company</b> <b>Shenango Valley Division</b> 665 South Dock Street Sharon, PA 16146
Borough or Township	Jenks Township
County	<b>Forest</b>



Type of Facility      New PWS  
 Consulting Engineer    CET Engineering Services  
 1240 North Mountain Road  
 Harrisburg, PA 17112  
 Permit to Construct    June 5, 2002  
 Issued

**Operations Permit** issued to **Borough of Saegertown**, 603 Erie Street, P. O. Box 558, Saegertown, PA 16433, PWS #6200043, Saegertown Borough, **Crawford County** on June 6, 2002, for the operation of facilities approved under Construction Permit #2001501.

**Operations Permit** issued to **Pennsylvania-American Water Company**, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033-0888, PWS #6330010, Punxsutawney Borough, **Jefferson County** on June 11, 2002, for the operation of facilities approved under Construction Permit #3302501.

**Permit No. 6188501-MA2, Minor Amendment.** Public Water Supply.

Applicant              **Barkeyville Municipal Authority**  
 1610 Barkeyville Road  
 Grove City, PA 16127  
 Borough or Township    Barkeyville  
 County                  **Venango**  
 Type of Facility        PWS—Standpipe  
 Consulting Engineer    Hickory Engineering, Inc.  
 3755 East State Street  
 Hermitage, PA 16148  
 Permit to Construct    June 6, 2002  
 Issued

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Borough of Lehighton	P. O. Box 29 Lehighton, PA 18235	Carbon

Plan Description: The Department has reviewed the Borough of Lehighton's (Borough) responses, dated January 7, 2002 (received by the Department on January 10, 2002) and September 9, 1999 (received by the Department on September 13, 1999), with regard to the Department's November 20, 2001, and July 10, 1998, correspondence concerning the January 16, 1997 Corrective Plan and Schedule (CP&S) Special Study (Special Study). The Department agrees with the conclusions/course of action proposed in the Borough's response documents. The Special Study is hereby approved. The Borough should complete implementation of the remaining tasks outlined in Activities 3 and 4 of the CP&S. The Department will continue to monitor the Borough's implementation of the remaining tasks in the CP&S.

## 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 to 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.*

**Feasterville Aamco Transmission**, Lower Southampton Township, **Bucks County**. Paul M. Davis, Philip Services Corp., 550 Pinetown Rd., Suite 166, Fort Washington, PA 19034, on behalf of Pete Rancourt, The Bellevue, 200 S. Broad St., Philadelphia, PA 19102, has submitted a Final Report concerning remediation of site soil contaminated with BTEX, PHCs and PAHs. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Hull Corporation Site**, Upper Moreland Township, **Montgomery County**. Darryl D. Borrelli, Manko Gold & Katcher, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Hull Corp., 21 Bonair Dr., Warminster, PA 18974, has submitted a Remedial Investigation Report concerning remediation of site soil contaminated with PCBs, BTEX, PAHs and solvents; and groundwater contaminated with solvents and VOCs.

**Sunoco, Inc. #0363-0043**, Upper Gwynedd Township, **Montgomery County**. Michael Sarcinello, Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Sunoco, Inc., Ten Penn Center, 1801 Market St., Philadelphia, PA 19103, has submitted a Final Report concerning remediation of site soil and surface water contaminated with BTEX and PHCs. The report was submitted within 90 days of the release of the contaminants and is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Former Industrial Engraving—Knox Facility,** Forks Township, **Northampton County.** Dr. William K. Ahlert, Manager, Mid-Atlantic Services, Lawler, Matusky and Skelly Engineers, LLP, The Sovereign Building, 609 Hamilton Mall, Allentown, PA 18101, submitted a Final Report (on behalf of Valley Housing Development Corporation, 635 Broad Street, Emmaus, PA 18049) concerning the characterization and remediation of site soil and groundwater found or suspected to have been contaminated with solvent compounds. The report was submitted to demonstrate attainment of the site-specific standard.

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

**Former Philipsburg Sunoco (Petrolec),** Borough of Philipsburg, **Centre County.** Environmental Remediation & Recovery, Inc. (ER&R), on behalf of Russell Real Estate, R. D. 1, Box 179, Curwensville, PA 16833, has submitted a Baseline Environmental Report concerning soil contaminated with lead, BTEX and PAHs. The report has been submitted in partial fulfillment of the Special Industrial Area requirements.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

For further information concerning the plans and reports, contact the Environmental Cleanup Program Man-

ager 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.*

**Rhodia, Inc.,** Falls Township, **Bucks County.** Paul Nemanic, Rhodia, Inc., 2300 S. Pennsylvania Ave., Morrisville, PA 19067, on behalf of Rhodia, Inc., Cranbury, NJ 08512-7500, has submitted a Final Report concerning the remediation of site groundwater contaminated with heavy metals. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 22, 2002.

**Hill Farm,** Caln and Valley Townships, **Chester County.** Joseph W. Standen, Jr., P. G., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, on behalf of Realen Homes, 11040 Stoney Hill Rd., Suite 100, Yardley, PA 19067, has submitted Final Report Addendum No. 1 concerning remediation of site soil contaminated with heavy metals and pesticides. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 30, 2002.

**M.R. Properties Associates, L.P.,** Ridley Township, **Delaware County.** Samuel J. Kucia, Environmental Consulting, Inc., 1232 Forty Foot Rd., P. O. Box 1345, Kulpsville, PA 19443-1345, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX and polycyclic aromatic hydrocarbons. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on May 24, 2002.

**Eastman Chemical Company,** City of Philadelphia, **Philadelphia County.** Douglas E. Kier, P. G., URS Corp., 1400 Union Meeting Rd., Suite 202, Blue Bell, PA 19422-1972, on behalf of Eastman Chemical Co., 7600 State Rd., Philadelphia, PA 19136, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons; and groundwater contaminated with BTEX, polycyclic aromatic hydrocarbons and chlorinated solvents. The report demonstrated attainment of Statewide Health, Background and Site-Specific Standards and was approved by the Department on May 30, 2002.

**Sunoco, Inc. (R&M), Philadelphia Refinery—Girard Point Processing Area,** City of Philadelphia, **Philadelphia County.** Sharon H. Roberts, URS Corp., 2325 Maryland Rd., 2nd Fl., Willow Grove, PA 19090, on behalf of Sunoco, Inc. (R&M), 3144 Passyunk Ave., Philadelphia, PA 19145, has submitted a combined Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning remediation of site soil contaminated with PCBs, lead, heavy metals, BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons, solvents, pesticides and MTBE; and site groundwater contaminated with lead, heavy metals, BTEX, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and MTBE. The combined report was approved by the Department on June 4, 2002.

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

**Dyno Nobel Inc. (Former IRECO Inc. Site),** Pittston Township, **Luzerne County.** Glenn Randall, Senior Project Manager, URS Corporation, 1400 Union Meeting Road, Suite 202, Blue Bell, PA 19422, submitted a Remedial Investigation Report (on behalf of Dyno Nobel, 50 S. Main Street, Salt Lake City, UT 84144) concerning the characterization of site soils and groundwater found or suspected to have been contaminated with lead and soils found or suspected to have been contaminated with sulfate, ethylene glycol dinitrate and other metals. The report was submitted in partial fulfillment of a combination of both the Statewide health and site-specific standards and was approved on June 4, 2002.

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

**Zimmer Development Company/ CVS Pharmacy Site,** City of Sunbury, **Northumberland County.** Chambers Environmental Group, Inc., on behalf of Zimmer Development Company, 111 Princess Street, P. O. Box 2i628, Wilmington, NC 28401, has submitted a Final Report concerning remediation of soil and groundwater contaminated with BTEX and PHCs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 7, 2002.

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

**American Refining Group—Indianola Plant,** Indiana Township, **Allegheny County.** Key Environmental Inc., Don Blackert, 1200 Arch Street, Suite 200, Carnegie, PA 15106 and American Refining Group, Inc., 3240 William Pitt Way, Pittsburgh, PA 15238 (on behalf of Kinder Morgan Inc., 2010 William Pitt Way, Pittsburgh, PA 15238) has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with BTEX, PAHs and MTBE. The Remedial Investigation Report was disapproved by the Department on April 26, 2002.

**Paul Taylor, Lower Burrell, Westmoreland County.** Paul Taylor, 57 Spring Drive, Pine, CO 80470 (on behalf of John Farar, 2795 Leechburg, Road, Lower Burrell, PA 15068) has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with BTEX. The Remedial Investigation Report was disapproved by the Department on April 15, 2002.

**Federal Laboratories Site, Area 15A,** Borough of Saltsburg, **Indiana County.** Kelly R. McIntosh, Conestoga-Rovers & Associates, 2055 Niagara Falls Blvd., Niagara Falls, NY 14304 (on behalf of TransTechnology Corp., 150 Allen Road, Liberty Corner, NJ 07938) has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with solvents. The Remedial Investigation Report was approved by the Department on April 18, 2002.

**LTV Southside—FBI Office (Soil Only),** City of Pittsburgh, **Allegheny County.** Martin Knuth, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 (on behalf of Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, PA 15219 and Oxford Development Company, One Oxford Centre, Suite 4500, Pittsburgh, PA 15219) has submitted a Final Report concerning the remediation of site soil contaminated with

PCBs, heavy metals, PHCs and PAHs. The Final report demonstrated attainment of the Site Specific Standard and was approved by the Department on May 2, 2002.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.**

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

*Hazardous Waste Transporter License Renewed*

**Baltimore Tank Lines, Inc.,** P. O. Box 1028, Glen Burnie, MD 21060-1028. License No. **PA-AH 0458.** Effective May 31, 2002.

**Smith Systems Transportation, Inc.,** P. O. Box 2455, Scottsbluff, NE 69363-2455. License No. **PA-AH 0654.** Effective May 30, 2002.

*Hazardous Waste Transporter License Voluntarily Terminated*

**Curbside, Inc.,** 1605 North Spurgeon Street, Santa Ana, CA 92701. License No. **PA-AH 0684.** Effective May 30, 2002.

*Hazardous Waste Transporter License Expired*

**Trinity Industries Transportation, Inc.,** P. O. Box 568887, Dallas, TX 75207. License No. **PA-AH S198.** Effective May 31, 2002.

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Infectious and Chemotherapeutic Waste Transporter License, actions taken under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.**

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

*Infectious and Chemotherapeutic Waste Transporter License Expired*

**ARL, Inc., d/b/a American Road Lines,** 238 Moon Clinton Road, Coraopolis, PA 15108. License No. **PA-HC 0205.** Effective May 31, 2002.

#### RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit No. WMGR061. Thermo Depolymerization Process LLC,** 460 Hempstead Ave., West Hempstead, NY 11552. General Permit Number

WMGR061 authorizes the processing of food processing and agricultural waste prior to beneficial use as fuel. The permit was amended to add the following additional residual waste types to be covered under the general permit: waste tires, mixed plastics, presorted municipal waste and sewage sludge. In addition, the expiration date of the permit was extended until June 5, 2006. The general permit was amended by Central Office on June 5, 2002.

Persons interested in reviewing the general permit may contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

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

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

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Permit No. 100022. Chrin Brothers Sanitary Landfill, Chrin Bros Inc.,** 635 Industrial Dr., Easton, PA 18042. A permit was issued for the approval of the Action Plan for Radiation Monitoring for this municipal waste landfill located in Williams Township, **Northampton County**. The permit was issued by the Regional Office on May 20, 2002.

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

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

**Permit No. 602666. Glace Associates, Inc.,** 3705 Trindle Road, Camp Hill, PA 17011. This permit has been revoked at the request of the permittee for Hewitt Line Farm, South Middleton Township, **Cumberland County**. The permit was revoked by the Southcentral Regional Office on June 4, 2002.

#### AIR QUALITY

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

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

**46-310-057GP: Environmental Recycling Corp., Inc.** (396 Schuylkill River Road, King of Prussia, PA 19406) on June 10, 2002, for a nonmetallic mineral processing plant in Upper Merion Township, **Montgomery County**.

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

**GP5-17-20: EnerVest Operating, LLC** (P. O. Drawer 1878, Clarksburg, WV 26302-1878) on May 2, 2002, for construction and operation of a 500 horsepower natural gas-fired reciprocating internal combustion compressor engine and associated air cleaning device (a catalytic converter) under the General Plan Approval and General Operating Permit for Natural Gas Production Facilities (BAQ-GPA/GP-5) at the Chase site in Boggs Township, **Clearfield County**.

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

**GP3-56-00286: H.B. Mellott Estate, Inc.** (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267) on June 5, 2002, for operation of a Portable Nonmetallic Mineral Processing Plant in Brothersvalley Township, **Somerset County**.

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

**62-017: United Refining Co.** (Bradley and Dobson Street, Warren, PA 16365) on May 31, 2002, for installation of a low sulfur gas storage tank in Warren, **Warren County**.

**42-201: Belden and Blake Corp.—Westline 180 Station** (Township Road 469, Bradford, PA 16701) for operation of a natural gas compressor station in Lafayette Township, **McKean County**.

**62-169: Belden and Blake Corp.—Crocker Station** (State Route 27, Grand Valley, PA 16354) for operation of a natural gas compressor station in Southwest Township, **Warren County**.

**62-168: Belden and Blake Corp.—Trisket Station** (Carrier Hanna Road, Grand Valley, PA 16354) for operation of a natural gas compressor station in Columbus Township, **Warren County**.

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

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

**39-309-056: Lafarge North America** (5160 Main Street, Whitehall, PA 18052) on June 5, 2002, for installation of an air cleaning device on the B5 Bulk Silo Group at the Whitehall Plant in Whitehall Township, **Lehigh County**.

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

**67-05023A: American Color Graphics, Inc.** (215 North Zarfoss Drive, York, PA 17404-5800) on June 5, 2002, for modification of printing operations controlled by thermal oxidation in West Manchester Township, **York County**.

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

**19-00006B: H. J. Heinz Co., L.P.** (6670 Low Street, Bloomsburg, PA 17815) on May 9, 2002, for modification of three natural gas/#6 fuel oil-fired boilers by increasing the allowable annual #6 fuel oil usage and revising the sulfur in fuel requirements in South Centre Township, **Columbia County**.

**08-310-001F: Dalrymple Gravel and Contracting Co., Inc.** (2105 South Broadway, Pine City, NY 14871-9799) on May 14, 2002, for construction of various pieces of sand and gravel processing equipment and associated air cleaning device (a water spray dust suppression system) in Athens Township, **Bradford County**. The sand and gravel processing equipment is subject to Subpart 000 of the Federal Standards of Performance for New Stationary Sources.

**55-00002A: Department of Public Welfare** (P. O. Box 2675, Harrisburg, PA 17105) on May 20, 2002, for installation of an air cleaning device (a core separator) on three coal-fired boilers, as well as for installation of a second air cleaning device (a fabric collector) on an ash silo, at the Selinsgrove Center in Penn Township, **Snyder County**.

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

**32-00311A: IA Construction Corp.** (158 Lindsay Road, Zelienople, PA 16063) on May 30, 2002, for installation of storage tanks at Homer City facility in Center Township, **Indiana County**.

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

**24-131F: SGL Carbon LLC** (900 Theresia Street, St. Marys, PA 15857) on May 31, 2002, for installation of a VOG furnace in St. Marys, **Elk County**.

**24-131E: SGL Carbon LLC** (900 Theresia Street, St. Marys, PA 15857) on May 31, 2002, for installation of a CVD reactor in St. Marys, **Elk County**.

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

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

**09-0110: Riverside Construction Materials, Inc.** (7900 Radcliffe Street, Bristol, PA 19007) on June 7, 2002, for operation of a cement handling in Bristol Township, **Bucks County**.

**23-0021A: Congoleum Corp.** (4401 Ridge Road, Trainer, PA 19061) on June 7, 2002, for operation of a 1,000 kilowatt emergency generator in Trainer Borough, **Delaware County**.

**46-0036: Visteon Systems LLC** (2750 Morris Road, Lansdale, PA 19446) on June 7, 2002, for operation of a Selective Soldering Machine No. 6 in Worcester Township, **Montgomery County**.

**46-0036B: Visteon Systems LLC** (2750 Morris Road, Lansdale, PA 19446) on June 7, 2002, for operation of a selective soldering machine in Worcester Township, **Montgomery County**.

**09-0127: Bracalente Manufacturing Co., Inc.** (20 West Creamery Road, Trumbauersville, PA 18970) on June 7, 2002, for operation of a solvent recovery system in Trumbauersville Borough, **Bucks County**.

**15-0074A: R.A. Ferris and Co., Inc.** (899 Fern Hill Road, West Chester, PA 19380) on June 7, 2002, for operation of a gas fired cremation unit in West Goshen Township, **Chester County**.

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

**36-05008A: Tyson Foods, Inc.** (403 South Custer Avenue, New Holland, PA 17557) on May 14, 2002, for operation of a chicken processing operation at its New Holland facility in Earl Township, **Lancaster County**. This plan approval has been extended.

**67-03104: Industrial Polishing and Grinding, Inc.** (50 North Harrison Street, York, PA 17403) on April 14, 2002, for construction of an open top vapor degreaser (Sonicor) controlled by a refrigerated freeboard chiller in the City of York, **York County**. This facility is subject to 40 CFR Part 63, Subpart T—National Emission Standards for Halogenated Solvent Cleaning. 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.*

**17-399-021: Wickett and Craig of America, Inc.** (120 Cooper Road, Curwensville, PA 16833) on May 28, 2002, to extend authorization to operate a fertilizer manufacturing facility and associated air cleaning devices (a fabric collector, a condenser and a packed bed scrubber) on a temporary basis until September 25, 2002, as well as to authorize the use of the respective fabric collector to control several additional pieces of fertilizer processing equipment in Curwensville Borough, **Clearfield County**.

**53-0009D: National Fuel Gas Supply Corp.** (P. O. Box 2081, Erie, PA 16512) on May 31, 2002, to extend authorization to operate a 4,445 horsepower natural gas-fired reciprocating internal combustion compressor engine (Engine 1A) on a temporary basis until September 28, 2002, as well as to extend the deadline for the performance of nitrogen oxides, carbon monoxide, VOC compound and formaldehyde stack testing on said engine to September 28, 2002, at the Ellisburg Compressor Station in Allegany Township, **Potter County**.

**18-00011C: Croda, Inc.** (P. O. Box 178, Mill Hall, PA 17751-0178) on June 4, 2002, to extend authorization to operate 49 VOC-containing material bulk storage tanks on a temporary basis until October 2, 2002, in Bald Eagle Township, **Clinton County**.

**41-303-009: HRI, Inc.** (P. O. Box 155, State College, PA 16804) on June 5, 2002, to extend authorization to operate a batch asphalt plant and associated air cleaning device (a fabric collector) on temporary basis until October 3, 2002, in the City of Williamsport, **Lycoming County**.

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

**10-230A: IA Construction Corp.—Zelienople Plant** (158 Lindsay Road, Zelienople, PA 16063) on June 8, 2002, for a batch asphalt plant in Zelienople, **Butler County**.

**37-027A: IA Construction Corp.—West Pittsburg Plant** (River Road, West Pittsburg, PA 16160) on June 8, 2002, for a batch asphalt plant in Taylor Township, **Lawrence County**.

**62-035A: IA Construction Corp.—Warren Plant** (240 River Road, Warren, PA 16365) on June 8, 2002, for a batch asphalt plant in Conewango Township, **Warren County**.

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

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

**48-00017: C.F. Martin and Co., Inc.** (510 Sycamore Street, Nazareth, PA 18064) on May 8, 2002, for a Title V Operating Permit to operate ten dry and wet spray booths, boiler and drying ovens for manufacturing of guitars in Nazareth Township, **Northampton County**.

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

**63-00023: Allegheny Ludlum Corp.** (100 River Road, Brackenridge, PA 15014) on May 31, 2002, for their Washington Flatroll Facility in Washington, **Washington County**. The facility's major sources of emissions include anneal and pickle lines which emit major quantities of oxides of nitrogen (NOx).

**63-00027: Jessop Steel Co.** (500 Green Street, Washington, PA 15301) on May 31, 2002, for their Jessop Plant in Washington, **Washington County**. The facility's major sources of emissions include annealing and heat treating furnaces and a batch pickling operation, which emit major quantities of NOx.

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

**24-00127: National Fuel Gas Supply Corp.—Lamont Compressor Station** (Highland Road, Kane, PA 16735) for operation of a natural gas compressor station in Jones Township, **Elk County**.

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

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

**40-00035: Quebecor World Hazleton, Inc.** (a division of Quebecor World USA Inc.) (Humboldt Industrial Park, R. D. 1, Box 409Z, Hazleton, PA 18201) on May 29, 2002, for operation of a facility State Only Operating Permit in Hazleton City, **Luzerne County**.

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

**01-05026: Bituminous Paving Materials of York, Inc.** (100 Greensprings Road, Hanover, PA 17331) on

June 5, 2002, for operation of an asphalt paving facility at its Berwick Plant in Berwick Township, **Adams County**.

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

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

**25-00558: Products Finishing, Inc.** (2002 Greengarden Road, Erie, PA 16501) on June 6, 2002, for operation of a hard chromium electroplating facility in the City of Erie, **Erie County**. This facility is subject to National Emission Standards for Hazardous Air Pollutants for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.

**Nitrogen Oxides (NOx) Allowance Program**

*Proposed State Only Operating Permit that includes Conditions relating to NOx Allowance Requirements in 25 Pa. Code §§ 123.101—123.120*

The Department of Environmental Protection has issued an Operating Permit that includes allocations under the provisions of 25 Pa. Code §§ 123.101—123.120. These regulations establish a NOx budget and a NOx allowance trading program for NOx affected sources for the purpose of achieving the health-based ozone ambient air quality standard.

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.

Copies of the permit and other relevant information are available for review at the following address.

*Bureau of Air Quality: Division of Permits, 400 Market Street, P. O. Box 8468, Harrisburg, PA 17105-8468; Contact: John F. Slade, Chief, Division of Permits, (717) 787-4325.*

**95-029: Naval Surface Warfare Center** (5001 South Broad Street, Philadelphia, PA 19112-1403) in the City of Philadelphia, **Philadelphia County** is revised to exempt affected NOx budget units at the facility from certain monitoring and reporting requirements contained in 25 Pa. Code §§ 145.1—145.90 by restricting the operating hours of the affected units as provided for in 25 Pa. Code § 145.4(b).

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution**

**Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

**43-00040: Wheatland Tube Co.—Sharon Plant** (200 Clark Street, Sharon, PA 16146) on June 4, 2002, to reflect a change in ownership from AK Steel Corp. to Wheatland Tube Co., Division of John Maneely Co. for its Sharon Facility in the City of Sharon, **Mercer County**. The Title V Operating Permit was originally issued on July 27, 1998. This is an administrative amendment.

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.**

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

**09-0033: J.G. Furniture Group, Inc.** (114 South Front Street, Quakertown, PA 18951) revoked on June 7, 2002, for operation of a VOC RACT facility in Quakertown Borough, **Bucks County**.

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

*Coal Permits Actions*

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

**26010102 and NPDES Permit No. PA0203009. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Saltlick Township, **Fayette County**, affecting 131.9 acres. Receiving streams: unnamed tributaries to Little Champion Creek to Little Champion Creek to Champion Creek to Indian Creek to the Youghiogheny River. Application received June 13, 2001. Permit issued May 31, 2002.

**03920105 and NPDES Permit No. PA0200115. T. C. Mining, Inc.** (R. R. 2, Box 301B, Kittanning, PA 16201). Permit renewal issued for reclamation only of a bituminous surface/auger mine located in Valley Township,

**Armstrong County**, affecting 114.4 acres. Receiving streams: unnamed tributaries to South Fork of Pine Creek and South Fork of Pine Creek. Application received May 16, 2002. Reclamation-only renewal issued June 5, 2002.

**63990103 and NPDES Permit No. PA0202614. David Breeden Enterprises, Inc.** (P. O. Box 89, Tarentum, PA 15084-0089). Permit revised to relocate the stream crossing on Phase VII at a bituminous surface mine located in Somerset Township, **Washington County** affecting 287.1 acres. Receiving streams: unnamed tributaries to Center Branch of Pigeon Creek. Application received April 8, 2002. Permit revision issued June 6, 2002.

**26970105 and NPDES Permit No. PA0202011. Purco Coal, Inc.** (22 Van Voorhis Lane, Monongahela, PA 15063). Permit renewal issued for reclamation only of a bituminous surface mine located in North Union Township, **Fayette County**, affecting 53.0 acres. Receiving streams: unnamed tributaries to Redstone Creek to the Monongahela River. Application received May 7, 2002. Reclamation-only renewal issued June 6, 2002.

**03970107 and NPDES Permit No. PA0202070. Seven Sisters Mining Co., Inc.** (P. O. Box 300, 200 US Route 22, Delmont, PA 15626). Permit renewal issued for reclamation only of a bituminous surface mine located in South Bend Township, **Armstrong County**, affecting 20.9 acres. Receiving streams: unnamed tributary to Fagley Run. Application received May 6, 2002. Reclamation-only renewal issued June 6, 2002.

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

**11850109 and NPDES Permit No. PA0597414, M. B. Energy, Inc.**, 175 McKnight Road, Blairsville, PA 15717-7961. Permit renewal for reclamation only for continued restoration of a bituminous surface mine, in Adams Township, **Cambria County**, affecting 206.6 acres. Receiving streams: Paint Creek and Sulphur Creek classified for the following uses: CWF and CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 23, 2002. Permit issued June 6, 2002.

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

**37010102 and NPDES No. PA0241911. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous strip and auger operation in Wayne Township, **Lawrence County** affecting 109.6 acres. Receiving streams: unnamed tributary to Beaver River. Application received June 11, 2001. Permit issued May 29, 2002.

**1475-37010102-E-1. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to conduct mining activities within 100 feet of unnamed tributaries 4A and 4B to the Beaver River in Wayne Township, **Lawrence County**. Receiving streams: unnamed tributary to Beaver River. Application received June 11, 2001. Permit issued May 29, 2002.

**33010105 and NPDES No. PA0242004. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous strip and auger operation in Young and McCalmont Townships, **Jefferson County** affecting 203.5 acres. Receiving streams: Elk Run. Application received October 19, 2001. Permit issued May 29, 2002.



**1475-33010105-E-1. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application for a stream encroachment to construct and maintain a haul road crossing over unnamed tributary No. 1 to Elk Run in Young and McCalmont Townships, **Jefferson County**. Receiving streams: Elk Run. Application received October 19, 2001. Permit issued May 29, 2002.

*Noncoal Permits Actions*

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

**4975SDM5A1C3 and NPDES Permit #PA0612430. Glen-Gery Corporation** (P. O. Box 7001, Wyomissing, PA 19610-6001), renewal of NPDES Permit in Oxford Township, **Adams County**, receiving stream: unnamed tributary to South Branch Conewago Creek. Application received April 22, 2002. Renewal issued June 5, 2002.

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

**04960302 and NPDES No. PA 0201677. Kathryn I. Paumier** (303A Smiths Ferry Road, Midland, PA 15059-2019). Transfer of permit formerly issued to Midland Slag Processors for continued operation and reclamation of a noncoal surface mining site located in Ohioville Borough, **Beaver County**, affecting 31.9 acres. Receiving stream: Upper Dry Run to the Ohio River. Transfer application received May 1, 2000. Transfer permit issued June 4, 2002.

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

**33012806. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Commencement, operation and restoration of a small noncoal sandstone and shale operation in Perry Township, **Jefferson County** affecting 2.4 acres. Receiving streams: unnamed tributary to Big Run and Perrysville Run. Application received November 1, 2001. Permit issued May 31, 2002.

**ACTIONS ON BLASTING ACTIVITY**

**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.*

**36024048. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting in Elizabethtown Borough, **Lancaster County** with an expiration date of May 3, 2003. Permit issued June 5, 2002.

**36024049. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting in West Lampeter Township, **Lancaster County** with an expiration date of May 3, 2003. Permit issued June 5, 2002.

**36024050. Gerlach's Drilling & Blasting** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in Lancaster Township, **Lancaster County** with an expiration date of July 31, 2002. Permit issued June 5, 2002.

**36024051. Marks Contracting, Ltd.** (1718 Grace Avenue, Lebanon, PA 17046), construction blasting in

Lancaster Township and the City of Lancaster, **Lancaster County** with an expiration date of September 15, 2002. Permit issued June 5, 2002.

**06024025. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting in Spring Township, **Berks County** with an expiration date of May 3, 2003. Permit issued June 6, 2002.

**06024026. J. Roy's, Inc.** (Box 125, Bowmansville, PA 17507), construction blasting in Heidelberg Township, **Berks County** with an expiration date of May 3, 2003. Permit issued June 6, 2002.

**21024034. MF Ronca & Sons** (179 Mikron Road, Bethlehem, PA), construction blasting in Hampden Township, **Cumberland County** with an expiration date of July 20, 2002. Permit issued June 6, 2002.

**28024017. Antrim Church** (24 East Kaufman Road, Greencastle, PA 17225) and **Geological Technologies, Inc.** (715 Baltimore Street, Martinsburg, WV 25401), construction blasting in Antrim Township, **Franklin County** with an expiration date of June 25, 2002. Permit issued June 6, 2002.

**35024010. Fabcor, Inc./Mult-Trade, Inc.** (1205 Mid Valley Drive, Mid-Valley Industrial Park, Jessup, PA 18434), construction blasting in Moosic Borough, **Lackawanna County** with an expiration date of December 19, 2002. Permit issued June 6, 2002.

**09024016. PACT Construction, Inc.** (P. O. Box 74, Ringoes, NJ 08551), construction blasting in Lower Makefield Township, **Bucks County** with an expiration date of August 19, 2002. Permit issued June 6, 2002.

**48024008. Chrin, Inc.** (635 Industrial Drive, Easton, PA 18042) and **Austin Powder Company** (P. O. Box 289, Northampton, PA 18067), construction blasting in Palmer Township, **Northampton County** with an expiration date of June 16, 2003. Permit issued June 6, 2002.

**67024014. Brubacher Excavating, Inc.** (825 Reading Road, Bowmansville, PA 17507), construction blasting in Fairview Township, **York County** with an expiration date of June 14, 2003. Permit issued June 7, 2002.

**67024015. Gerlach's Drilling & Blasting, Inc.** (172 Bender Mill Road, Lancaster, PA 17603), construction blasting in East Manchester Township, **York County** with an expiration date of January 30, 2003. Permit issued June 7, 2002.

**46024028. Joao & Bradley Construction Company, Inc.** (4211 Tracy Lane, Bethlehem, PA 18020), construction blasting in Skippack Township, **Montgomery County** with an expiration date of July 20, 2002. Permit issued June 7, 2002.

**46024029. Joao & Bradley Construction Company, Inc.** (4211 Tracy Lanc, Bethlehem, PA 18020), construction blasting in Lower Salford and Franconia Townships, **Montgomery County** with an expiration date of July 20, 2002. Permit issued June 7, 2002.

**21024033. Brubacher Excavating, Inc.** (825 Reading Road, Bowmansville, PA 17507), construction blasting in Silver Spring Township, **Cumberland County** with an expiration date of June 20, 2003. Permit issued June 7, 2002.

**46024030. Brubacher Excavating, Inc.** (825 Reading Road, Bowmansville, PA 17507), construction blasting in Limerick Township, **Montgomery County** with an expiration date of June 19, 2003. Permit issued June 7, 2002.



**28024018. Bernard J. Hasara** (1125 East Mahanoy Avenue, Mahanoy City, PA 17948) and **MF Ronca & Sons** (179 Mikron Road, Bethlehem, PA 18020), construction blasting in the Borough of Chambersburg, **Franklin County** with an expiration date of September 17, 2002. Permit issued June 7, 2002.

**46024031. Schlouch Inc.** (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Lower Salford Township, **Montgomery County** with an expiration date of June 22, 2003. Permit issued June 7, 2002.

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

**14024012. Gary Wilt Construction**, P. O. Box 423, Bellefonte, PA 16823, for construction blasting, located in Spring Township, **Centre County**, with an expected duration of 10 days. Permit issued June 4, 2002.

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

**02024002. Atlas Service, Inc.** (P. O. Box 789, Washington, PA 15301). Permit issued for Cochran Automotive Auto Park, located in Monroeville Borough, **Allegheny County**, with an expected duration of 120 days. Permit issued June 6, 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.

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**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).

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*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.*

**E66-129. Richard M. and Deborah M. Bell**, R.R. 2, Box 101, Mehoopany, PA 18629. Lemon Township, **Wyoming County**, Army Corps of Engineers Baltimore District.

To dredge approximately 27 CY of material from the bed of Lake Carey and to remove and relocate a stone retaining wall 2 feet landward for the purpose of increasing the mooring area around an existing private recreational dock. The project is located along the eastern shore of the lake, approximately 0.7 mile north of SR 1003 (Tunkhannock, PA Quadrangle N: 18.0 inches; W: 7.2 inches).

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

**E21-333. Mountain View Nurseries**, 1101 Park Place, Mechanicsburg, PA 17055 in Monroe Township, **Cumberland County**, ACOE Baltimore District.

To authorize the maintenance of an existing 2-inch diameter pvc agricultural intake pipe in the channel of the Yellow Breeches Creek (HQ-CWF) by removing a vegetated gravel bar and silt deposits from the channel of the Yellow Breeches Creek and constructing about 80 feet of riprap bank revetment for the purpose of maintaining the intake for irrigation of croplands on the Mountain View Nursery Farm located along the west side of the Yellow Breeches Creek about 1.1 miles upstream of the Village of Williams Grove (Mechanicsburg, PA Quadrangle N: 3.85 inches; W: 7.3 inches) in Monroe Township, Cumberland County.

**E36-722. Warwick Township**, 315 Clay Road, Lititz, PA 17543 in Warwick Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a pedestrian footbridge 8-foot by 50-foot across Lititz Run (WWF) at a point approximately 400 feet northeast of the intersection of Clay Road and Rothsville Road (SR 772) along Clay Road (Lititz, PA Quadrangle N: 4.6 inches; W: 4.8 inches) in Warwick Township, Lancaster County.

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

**E17-370. Department of Conservation and Natural Resources, Forestry District #9**, R. R. 1, Box 184, Penfield, PA 15849-0184. Footbridges of Roberts Run and Upper Three Runs, in Goshen and Karthaus Townships, **Clearfield County**, ACOE Baltimore District (Huntley, PA Quadrangle N: 6.9 inches; W: 0.25 inch) and (Pottersdale, PA Quadrangle N: 14.38 inches; W: 16.95 inches).

To construct, operate and maintain a single span wooden footbridge across Roberts and Upper Three Runs to provide public access to the 73-mile Quehanna Hiking Trail. The wooden footbridge across Roberts Run shall be constructed with a minimum clear span of 30-feet, underclearance of 4.5-feet and a width of 4-feet. The wooden footbridge across Upper Three Runs shall be constructed with a minimum clear span of 40-feet, underclearance of 4-feet and width of 4-feet. The wood cribbing footings/abutments shall be constructed on over-bank areas outside the active stream channel. The footbridge across Roberts Run will be located approximately 1.4-miles southeast of the Mines Road and Caledonia Pike intersection. The footbridge across Upper Three Runs will be located 1,000 feet northwest of the confluence of Laurel Swamp Draft and Upper Three Runs. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-335. Department of Conservation and Natural Resources**, R. R. 1, Box 212. 10-foot by 50-foot concrete box culvert in Leidy Township, **Clinton County**, ACOE Baltimore District (Renovo West, PA Quadrangle N: 18 inches; W: 16 inches).

To remove the existing 36-inch diameter concrete culvert and to construct and maintain a 4-foot by 10-foot by 50-foot long concrete box culvert depressed 1 foot in the streambed and to realign and maintain approximately 60-feet of stream channel of Middle Branch Creek on Middle Branch Road, about 3,900 feet south of the intersection of Middle Branch Road with Boyer Road (Renovo West, PA Quadrangle N: 18 inches; W: 16 inches) in Leidy Township, Clinton County. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-339. Pennsylvania Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street,

Clearfield, PA 16830. SR 0477 Section 000 Mill Creek culvert replacement, in Green Township, **Clinton County**, ACOE Susquehanna River Basin District (Loganton, PA Quadrangle N: 7.56 inches; W: 8.13 inches).

To: 1) remove existing structure; and 2) construct and maintain a 14 foot by 8 foot reinforced concrete box culvert in Mill Creek located along SR 0477 Segment 0280 Offset 1255, in Green Township, Clinton County. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E49-259. Pennsylvania Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. Fiddler Run bridge replacement, in Jordan Township, **Northumberland County**, ACOE Susquehanna River Basin District (Pillow, PA Quadrangle N: 10.1 inches; W: 10.8 inches).

To remove an existing structure and construct and maintain a 25-foot long by 6-foot high by 28-foot wide reinforced concrete box culvert in Fiddlers Run. The project is located along SR 3016 approximately 100 feet east of SR 0225 and SR 3016 intersection in Jordan Township, Northumberland County. This permit also authorizes the construction, operation, maintenance and removal of temporary cofferdams. All temporary structures shall be constructed of clean rock that is free of fines. Upon completion of culvert construction, all temporary structures shall be removed with the areas of river channel and floodplain restored to original geometry, contours and elevations. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E02-1357. Reelco Corporation**, 109 Shenot Road, Wexford, PA 15090. Marshall Township, **Allegheny County**, ACOE Pittsburgh District.

To place and maintain fill in the floodway for a distance of approximately 620 feet along the right bank side of a tributary of Brush Creek (WWF) for the purpose of constructing six townhouse buildings for the proposed Northtowne Estates. The project is located on the west side of Shenot Road approximately 700 feet south of its intersection with Route 19 (Perry Highway) (Mars, PA Quadrangle N: 4.2 inches; W: 11.4 inches).

**E02-1359. Michael and Erin Joyce**, 403 Mt. Nebo Road, Pittsburgh, PA 15237. Borough of Emsworth, **Allegheny County**, ACOE Pittsburgh District.

To rehabilitate and maintain a bridge having a span of 14.3 feet and underclearance of 9.7 feet across Lowries Run (TSF) by replacing the bridge deck. The bridge will provide access to a proposed multi self-storage unit development. The bridge is located on the east side of Camp Horne Road approximately 3/4 mile from its intersection with Route 65 (Ohio River Boulevard) (Emsworth, PA Quadrangle N: 2.7 inches; W: 12.6 inches).

**E03-401. Pennsylvania Department of Transportation, Engineering District 10-0**, P. O. Box 429, 2250 Oakland Avenue, Indiana, PA 15701-0429. East Franklin Township, **Armstrong County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a single span bridge having a normal span of 108.5 feet and an underclearance of 18.2 feet across Limestone Run (WWF) on a new alignment location

approximately 600 feet downstream from the existing structure for the purpose of improving transportation safety and roadway standards. The permit also authorizes the placement and maintenance of fill in 0.54 acre of PEM/PFO wetland and the temporary placement and maintenance of fill in 0.009 acre of PEM/PFO wetland. To compensate for wetland impacts, the permittee shall construct 0.54 acre of replacement wetlands. The project is located on SR 4023, Section 150, Station 205 + 75 (Kittanning, PA Quadrangle N: 19.2 inches; W: 1.18 inches).

**E04-280. Ohioville Borough**, 6268 Tuscarawas Road, Industry, PA 15052-1924. Ohioville Borough, **Beaver County**, ACOE Pittsburgh District.

To remove the existing structure, to construct and maintain a conspan bridge having a span of 14' and underclearance of 5.5' and to construct and maintain a 24" outfall structure to the South Branch Brady Run (TSF). The project is located along Brady Run Road approximately 300 feet north of its intersection with Lisbon Road (Midland, PA Quadrangle N: 15.2 inches; W: 8.0 inches).

**E11-294. Pennsylvania Department of Transportation, Engineering District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648. Reade Township, **Cambria County**, ACOE Baltimore District.

To remove the existing structure and to construct and maintain a prestressed concrete spread box beam bridge having a single clear normal span of 89.3 feet and an underclearance of 15.6 feet across Clearfield Creek (WWF) and to place and maintain fill in 0.003 acre of PSS/PEM wetland for the purpose of improving highway safety. The project is located on SR 1023 just south of SR 53 in the Village of Fallentimber. The wetlands have been replaced at State Gamelands 108. (Blandburg, PA Quadrangle N: 10.9 inches; W: 17.2 inches).

**E26-152. Fugozzotto Enterprises, Inc.**, 413 West Church Avenue, Masontown, PA 15461. Masontown, Borough, **Fayette County**, ACOE Pittsburgh District.

To reissue Permit No. E26-152 to authorize the construction and maintenance of a boat docking facility and include the construction and maintenance of a 20.0-foot x 25.0-foot boat launching ramp along the right bank of the Monongahela River (WWF) near Mile Point 79.3 (Masontown, PA Quadrangle N: 18.3 inches; W: 7.5 inches).

**E30-203. Greene County Board of Commissioners**, 93 East High Street, Waynesburg, PA 15370. Jackson Township, **Greene County**, ACOE Pittsburgh District.

To remove the existing county bridge No. 56 and to construct and maintain a 25-foot long CON/SPAN culvert with a natural bottom, having a normal clear span of 48 feet and an underclearance of 8.5 feet across Job Creek (TSF) and 35.5 feet of bank stabilization, located on T-447 at a point approximately 100 feet west of SR 3007 (New Freeport, PA Quadrangle N: 15.73 inches; W: 1.2 inches).

**E63-527. Montour Trail Council**, P. O. Box 11866, Pittsburgh, PA 15228. Peters Township, **Washington County**, ACOE Pittsburgh District.

To construct and maintain two pedestrian bridges across the channel of Brush Run (WWF), one having a span of 83.0 feet with a minimum underclearance of 9.0 feet located approximately 450 feet north from the intersection of Valley Brook Road and SR 19 and one having a span of 157.0 feet with a minimum underclearance of 15.6 feet located approximately 900 feet north from the inter-

section of SR 19 and Valley Brook Road for the purpose of constructing a bike/pedestrian trail (Bridgeville, PA Quadrangle N: 7.7 inches; W: 14.9 inches).

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## SPECIAL NOTICES

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### Public Hearing on Proposed Building in Unity Township, Westmoreland County

The Department of Environmental Protection (Department) will hold a public meeting on July 23, 2002, at 7 p.m. at the Latrobe Elementary School Auditorium, 1501 Ligonier Street, Latrobe, PA. The purpose of the hearing is to receive public comment on a draft NPDES permit for a Wal-Mart being proposed in Unity Township, Westmoreland County near the intersection of Routes 30 and 982. The Department will provide an overview of the NPDES stormwater construction permit which involves erosion and sedimentation controls and issues related to a water obstruction and encroachment permit, which proposes filling 1.75 acres of wetlands and relocation of approximately 1,000 feet of an unnamed tributary to Nine Mile Run.

Persons interested in testifying at the hearing should contact Betsy Mallison at (412) 442-4182 by July 22, 2002. The Department will accept public comments following the hearing until September 22, 2002. Comments should be sent to Tim Dreier, Department of Environmental Remediation, 400 Waterfront Drive, Pittsburgh, PA 15222.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Betsy Mallison at (412) 442-4182 through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 02-1102. Filed for public inspection June 21, 2002, 9:00 a.m.]

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### Air Quality Technical Advisory Committee Continuous Emission Monitoring Technical Workgroup Meetings

The Air Quality Technical Advisory Committee's Continuous Emission Monitoring Technical Workgroup has scheduled the following meetings in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA:

June 17, 2002	6th Floor Conference Room
July 9, 2002	6th Floor Conference Room
July 17, 2002	12th Floor Conference Room

The meetings will begin at 8:30 a.m.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Susan Peterson at (717) 772-3949.

For further information, contact Gregory Parrish at (717) 783-9479.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 02-1103. Filed for public inspection June 21, 2002, 9:00 a.m.]

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### Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center page. The "May 2002 Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2002.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance*

DEP ID: 013-0830-007. Title: Formats for Required Electronic Deliverable GIS Attachments. Description: The Department is implementing web-based applications and reporting tools to be used by applicants for permits and reporting required by permits or other regulatory requirements. As part of this effort, this policy establishes the standards, requirements and acceptable formats for external and internal electronic GIS attachments. This document identifies the standards that should be followed to ensure that GIS-related items submitted to the Department will be in an acceptable format. Effective Date: June 22, 2002. Contact: Rick Bennett at (717) 705-3870 or e-mail: [ribennett@state.pa.us](mailto:ribennett@state.pa.us).

#### *Notice of Intent to Rescind*

The Department will rescind the following documents:

DEP ID: 250-2100-751. Title: Permit Applications with Out-of-State Notarization. Description: As of December 23, 2000, information contained in this guidance was incorporated into the Commonwealth's municipal waste regulations, making the technical guidance document no longer needed.

DEP ID: 254-2154-720. Title: Municipal Sludge Allowed at Agricultural Utilization Sites. Description: The procedure referenced in this document is no longer in use. The permits referenced in this guidance document are now administered by the Bureau of Water Quality Management under entirely new regulations. Since this document contains out-of-date and incorrect information, it will be rescinded from the Bureau's technical guidance inventory.

DEP ID: 254-2154-740. Title: Single Permit for Multiple Agricultural Utilization Sites. Description: The procedures outlined in this document are now implemented by the Bureau of Water Supply and Wastewater Manage-

ment under entirely new regulations. Since the document contains out-of-date and incorrect information, it will be rescinded from the Bureau's technical guidance inventory.

DEP ID: 254-2163-719. Title: Approval of Beneficial Use by Order of the Department. Description: This document describes the procedures to be used to approve the beneficial use of municipal waste in accordance with 25 Pa. Code § 271.232. With the promulgation of the Commonwealth's municipal waste regulations on December 23, 2000, the process referred to in this document was deleted from the Commonwealth's municipal waste regulations and replaced by a general permit process. Since this guidance document provides the public with incorrect and out-of-date information, it will be rescinded.

DEP ID: 254-4000-749. Title: Proper Identification and Disposal of Mixed Loads of Municipal/Residual Waste. Description: As of January 13, 2001, information contained in this guidance was incorporated into the Commonwealth's residual waste regulations, making it no longer needed.

DEP ID: 258-2181-771. Title: Policy and Procedure for Implementing Interim Operating Requirements in the Residual Waste Regulations. Description: This document provides information that explains the procedures the Department shall use to enforce the operating requirements on an interim basis, during the transition period, for unpermitted and permitted facilities including: permitted processing and disposal facilities; unpermitted processing and disposal facilities; and permitted and unpermitted storage impoundments. The processes identified in this document are no longer used by the Department. The facilities applicable to this guidance now must either be re-permitted or closed. Since the guidance document contains out-of-date information, it will be rescinded from the Bureau's technical guidance inventory.

DEP ID: 258-5100-761. Title: Cleanup Standards Under the Residual Waste Regulations. Description: The cleanup standards referenced in this document are now included in the Commonwealth's municipal and residual waste regulations, making it no longer needed by the public.

DEP ID: 258-2100-769 Title: Coproduct Determinations in the Residual Waste Program. Description: The Department has incorporated new requirements, effective in January 2001, into the amendments of the residual waste regulations, 25 Pa. Code § 287.8 This older document is incorrect, unnecessary and will be rescinded.

Effective date for all rescissions: June 22, 2002. Contact: Khatija Satyaswaroop, Bureau of Land Recycling and Waste Management, (717) 787-7381 or e-mail: [ksatasw@state.pa.us](mailto:ksatasw@state.pa.us)

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 02-1104. Filed for public inspection June 21, 2002, 9:00 a.m.]

### Recycling Grant Awards Under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988

The Department of Environmental Protection announces the following grants to municipalities for recycling programs under the Municipal Waste Planning, Recycling and Waste Reduction Act (act) (53 P. S. §§ 4000.101—4000.1904).

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Financially Distressed Municipalities Act (53 P.S. §§ 11701.101—11701.501) are eligible to receive funding for an additional 10% of approved costs. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of the act (53 P.S. §§ 4000.701 and 4000.702) and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Todd Pejack, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

DAVID E. HESS,  
*Secretary*

**Act 101**

**Section 902 Recycling Development and Implementation Grants**

**Applications submitted on or before October 4, 2001**

**May 2, 2002**

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
<b>Southeast Region</b>		
1 Bristol Township Bucks County	Yard Waste Collection	\$ 208,800
2 Lower Makefield Township Bucks County	Yard Waste Composting	\$ 372,478
3 Chester County	Recycling Education	\$ 85,892
4 Upper Uwchlan Township Chester County	Curbside Recycling	\$ 2,557
5 West Whiteland Township Chester County	Curbside Recycling and Recycling Education	\$ 7,923
6 Delaware County	Drop-off Recycling and Recycling Education	\$ 14,108
7 Radnor Township Delaware County	Curbside Recycling	\$ 71,397
8 Lansdale Borough Montgomery County	Recycling Education	\$ 11,349
9 Upper Dublin Township Montgomery County	Curbside Recycling	\$ 120,218
10 Upper Merion Township Montgomery County	Curbside Recycling	\$ 159,319
11 City of Philadelphia Philadelphia County	Curbside Recycling and Recycling Education	\$2,000,000
<b>Northeast Region</b>		
12 Blakely Borough Lackawanna County	Yard Waste Collection	\$ 121,621
13 Clarks Summit Borough Lackawanna County	Curbside Recycling and Yard Waste Collection	\$ 26,063
14 Lackawanna County	Recycling Center Improvements	\$1,087,386
15 Old Forge Borough Lackawanna County	Yard Waste Collection	\$ 117,720
16 City of Scranton Lackawanna County	Curbside Recycling and Yard Waste Collection	\$1,146,895
17 City of Allentown Lehigh County	Paper Recycling Facility	\$ 830,345
18 Lehigh County	Yard Waste Composting and Recycling Education	\$ 38,007
19 Lehigh County	Drop-off Recycling and Recycling Education	\$ 218,095
20 Exeter Borough Luzerne County	Multi-Municipal Recycling Program	\$ 775,150
21 East Stroudsburg Borough Monroe County	Curbside Recycling and Center Improvements	\$ 95,499
22 Monroe County	Drop-off Recycling and Recycling Education	\$ 59,507

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
23 City of Bethlehem Northampton County	Curbside Recycling and Yard Waste Collection	\$ 813,162
24 Lower Nazareth Township Northampton County	Curbside and Public Area Recycling	\$ 8,043
25 Williams Township Northampton County	Curbside and Public Area Recycling	\$ 22,568
26 Pike County	Drop-off Recycling and Recycling Education	\$ 194,680
27 Schuylkill County	Multi-County Drop-off Recycling	\$ 213,254
28 Schuylkill County	Drop-off Recycling	\$ 276,478
29 Wyoming County	Drop-off Recycling and Recycling Education	\$ 164,880
<b>Southcentral Region</b>		
30 Maiden creek Township Berks County	Multi-Municipal Yard Waste Collection	\$ 36,653
31 Antis Township Blair County	Yard Waste Collection and Recycling Education	\$ 52,344
32 Blair County	Curbside Recycling and Yard Waste Composting	\$ 542,250
33 Camp Hill Borough Cumberland County	Yard Waste Collection and Composting	\$ 18,060
34 Cumberland County	Yard Waste Collection and Composting	\$ 359,782
35 East Pennsboro Township Cumberland County	Yard Waste Collection and Recycling Education	\$ 289,720
36 Hampden Township Cumberland County	Curbside Recycling and Recycling Education	\$ 11,500
37 Dauphin County	Recycling Education	\$ 66,270
38 Dauphin County	Drop-off Recycling	\$1,500,000
39 Huntingdon Borough Huntingdon County	Curbside Recycling and Recycling Education	\$ 84,300
40 Huntingdon County	Drop-off Recycling and Recycling Education	\$ 17,140
41 East Lampeter Township Lancaster County	Curbside Recycling and Recycling Education	\$ 9,289
42 Lancaster County	Curbside Recycling and Recycling Education	\$ 61,276
43 Manheim Township Lancaster County	Drop-off Recycling and Recycling Education	\$ 331,848
44 Upper Leacock Township Lancaster County	Curbside Recycling and Recycling Education	\$ 1,298
45 City of Lebanon Lebanon County	Curbside, Drop-off and Yard Waste Recycling	\$ 53,640
46 Lebanon County	Recycling Education	\$ 72,362
47 North Lebanon Township Lebanon County	Curbside, Drop-off and Yard Waste Recycling	\$ 58,618
48 Springettsbury Township York County	Curbside Recycling	\$ 11,092
<b>Northcentral Region</b>		
49 Bradford County	Recycling Center Improvements	\$ 527,620
50 Centre County	Recycling Center Improvements	\$1,128,023
51 State College Borough Centre County	Yard Waste Composting	\$ 443,712
52 Clearfield Borough Clearfield County	Yard Waste Collection	\$ 20,699
53 Clearfield County	Drop-off Recycling and Recycling Education	\$ 56,659
54 Sandy Township Clearfield County	Curbside Recycling	\$ 168,538
55 Clinton County	Recycling Center Improvements	\$ 571,500

<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
56 Columbia County	Recycling Education	\$ 9,089
57 Lycoming County	Recycling Center Improvements	\$1,389,070
58 Coal Township Northumberland County	Recycling Center Improvements	\$ 618,029
59 Kulpmont Borough Northumberland County	Curbside Recycling	\$ 74,762
<b>Southwest Region</b>		
60 Allegheny County	Office Recycling and Recycling Education	\$ 712,375
61 Forest Hills Borough Allegheny County	Yard Waste Collection and Composting	\$ 69,677
62 Town of McCandless Allegheny County	Yard Waste Collection	\$ 278,003
63 City of McKeesport Allegheny County	Curbside Recycling and Yard Waste Collection	\$ 107,195
64 Municipality of Monroeville Allegheny County	Curbside Recycling	\$ 138,210
65 City of Pittsburgh Allegheny County	Curbside and Institutional Recycling	\$ 505,420
66 Robinson Township Allegheny County	Yard Waste Composting	\$ 269,000
67 West Mifflin Borough Allegheny County	Curbside Recycling and Yard Waste Collection	\$ 295,495
68 Armstrong County	Recycling Center Improvements	\$ 308,701
69 Leechburg Borough Armstrong County	Materials Processing Equipment	\$ 22,589
70 Brighton Township Beaver County	Yard Waste Composting	\$ 211,525
71 Fallston Borough Beaver County	Yard Waste Collection	\$ 41,679
72 New Brighton Borough Beaver County	Wood Waste Recycling	\$ 25,488
73 Cambria County	Drop-off Recycling	\$ 51,250
74 City of Johnstown Cambria County	Curbside Recycling and Yard Waste Collection	\$ 55,141
75 Fayette County	Recycling Education	\$ 14,309
76 Indiana County	Recycling Center Improvements	\$ 373,030
77 Carroll Township Washington County	Yard Waste Collection and Composting	\$ 130,612
78 City of Monessen Westmoreland County	Yard Waste Collection	\$ 110,791
<b>Northwest Region</b>		
79 Butler County	Drop-off Recycling	\$ 54,454
80 City of Titusville Crawford County	Yard Waste Collection and Composting	\$ 113,791
81 Elk County	Drop-off Recycling	\$ 131,899
82 City of Erie Erie County	Curbside Recycling	\$ 288,702
83 Erie County	Recycling Education	\$ 72,780
84 Franklin Township Erie County	Curbside Recycling	\$ 8,985
85 Washington Township Erie County	Curbside Recycling	\$ 468,036
86 Jefferson County	Recycling Education	\$ 25,163

	<i>Municipal Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
87	Lawrence County	Drop-off Recycling	\$ 1,381,011
88	New Wilmington Borough Lawrence County	Yard Waste Collection	\$ 86,152
89	Mercer County	Recycling Education	\$ 300,000
	Total		\$24,500,000

[Pa.B. Doc. No. 02-1105. Filed for public inspection June 21, 2002, 9:00 a.m.]

### Recycling Fund Advisory Committee Change of Meeting

The July 11, 2002, meeting of the Recycling Fund Advisory Committee has been rescheduled. The next meeting is now scheduled for August 8, 2002, at 10 a.m. in Room 105 Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting can be directed to Lawrence Holley or Diana Welker at (717) 787-7382, e-mail lholley@state.pa.us or diwelker@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Diana Welker at (717) 787-7382 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 02-1106. Filed for public inspection June 21, 2002, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Request for Bids

The Department of General Services is seeking bids for new motorcycle batteries and miscellaneous automobile filters obtained by the Department of Transportation through a highway expansion project. These items are located at Department of Transportation in Bedford, PA. There are 54 shrink-wrapped skids to be sold (2 skids of filters). Permits for transporting batteries are required and copies of the permits must be submitted with bids. Contact Ed Robinson at (814) 696-7207 for more information and to schedule an appointment to inspect the batteries and automobile filters. The bid opening date is July 12, 2002. Bids should be sent to Department of General Services, State Surplus Property Division, P. O. Box 1365, 2221 Forster St., Harrisburg, PA 17105.

KELLY POWELL LOGAN,  
*Secretary*

[Pa.B. Doc. No. 02-1107. Filed for public inspection June 21, 2002, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Addition of Substances Subject to Registration

The Noncontrolled Substances Reporting and Registration Act (act) (35 P. S. §§ 881—888) provides that any manufacturer, wholesaler, retailer or other person who is engaged in the sale, distribution, transfer or furnishing of any substance covered by the act shall register with the Secretary of Health (Secretary).

The act enumerates various substances which are subject to registration, itemizes what information is required to be reported to the Secretary, itemizes what records are required to be kept by the registrants and provides for penalties for failure to comply with the act.

The act also permit the Secretary, by notice, to add to the list of substances subject to registration. The act requires that notice be sent to every person known to the Secretary to be engaged in the sale, distribution, transfer or furnishing of these substances.

In addition to the notice as required by the act, the Secretary is also publishing this notice so that persons engaged in the sale, distribution, transfer or furnishing of these substances, not known to the Secretary, will also be informed of the registration and record keeping obligations.

Currently, there are 32 substances subject to the provisions of the act. Accordingly, the Secretary hereby adds the following four substances to the list of substances subject to the provisions of the act:

- (33) Red phosphorus
- (34) White phosphorus
- (35) Hypophosphites
- (36) Hypophosphorus acid

The Secretary believes that these substances are being used or could be used in the illegal manufacture of controlled substances or in the illegal sale of controlled substances.

For further information, contact the Department of Health, Bureau of Community Program, Licensure and Certification, Division of Home Health, Drug Device and Cosmetic Program, Drug Registration Section, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-1379, fax (717) 787-3188.

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-1108. Filed for public inspection June 21, 2002, 9:00 a.m.]



### Availability of Title V Funds through Mini-Grants to Support Presentations about Building Inclusive Communities for Individuals with Special Health Care Needs

The Bureau of Family Health (Bureau) is accepting mini-grant applications related to building inclusive communities especially in primary care and child care settings. Mini-grants are designed to support a presentation, conference session, training or workshop about building inclusive communities and enhancing community resources to promote inclusion of children and adults with special health care needs into every day activities and as consumers of nonspecialized services.

The mini-grants provide funding for presentations held on or before June 30, 2003. Applicants may apply for funding to cover multiple presentations, not to exceed \$3,000 per year. Eligible expenses include speaker related costs (for example, fees/honoraria, travel, lodging and subsistence) and event costs (for example, handout material development, audio-visual equipment rental, room rental). Department of Health (Department) approval requires completion of all sections of the application and will be based upon the applicant's demonstrated understanding of building inclusive communities as rated by a Department review panel.

Applications that identify consumers, families and staff of primary health and child care providers as their target audience will receive priority consideration. Other acceptable audiences are community based social service organizations/groups, educational providers or another audience not already actively working with individuals with special health care needs.

Appropriate presentation topics may include: creating accessible healthcare, play or school environments; accessing nonspecialized health, social, community or spiritual services; sensitivity training for primary health and child care workers; involvement of persons with disabilities/special health care needs in community building; housing and ADA compliance; nutritional considerations for persons with disabilities/special health care needs; self-advocacy training for persons with disabilities/special health care needs and their families or another topic which expands knowledge and awareness of the needs of persons with disabilities/special health care needs as it relates to community inclusion.

To request application materials or for additional information related to this initiative, contact Candace Johndrow, Media and Outreach Public Health Program Administrator, Bureau of Family Health, Division of Community Systems Development and Outreach, P. O. Box 90, Health and Welfare Building, Seventh Floor East, Harrisburg, PA 17108, (717) 783-6536, fax: (717) 772-0323, e-mail [cjohndrow@state.pa.us](mailto:cjohndrow@state.pa.us).

Persons with a disability desiring an application in alternative formats should also contact Candace Johndrow at (717) 783-8980, V/TT: (717) 783-6154 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service, (800) 634-5984 (TT).

Application materials are also available on the Department website ([www.health.state.pa.us](http://www.health.state.pa.us)).

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-1109. Filed for public inspection June 21, 2002, 9:00 a.m.]

### Request for Exception; Long-Term Care Nursing Facilities

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

Beacon Ridge, A Choice Community  
1515 Wayne Avenue  
Indiana, PA 15701

The request is on file with the Department of Health (Department). Persons may receive a copy of the request for exception by requesting a copy from Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, e-mail address: PAEXCEPT@HEALTH.STATE.PA.US.

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

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

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,  
*Secretary*

[Pa.B. Doc. No. 02-1110. Filed for public inspection June 21, 2002, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Innovation and Expansion Grant to Provide Coordination and Administration Services for the Telecommunication Device Distribution Program (TDDP)

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Federal Rehabilitation Act of 1973, as amended, and the Pennsylvania Dual Party Relay Service and Telecommunication Device Distribution Program Act (Act 34) announces that competing applications to provide coordination and administration services for the Telecommunication Device Distribution Program (TDDP) will be accepted.

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:

TDDP is intended to provide adaptive telecommunication equipment to persons who are deaf, deaf-blind, hard of hearing or speech impaired. The equipment is provided free of charge to persons who meet the eligibility criteria for disability and income.

The award recipient of this grant will be responsible for administering the TDDP in accordance with Act 34 and guidelines established by the OVR.

The specific objectives of this grant competition are:

- To distribute, accept and process applications for TDDP and determine eligibility of the persons submitting applications.
- Order appropriate equipment for distribution to eligible persons and approve payment of the equipment through a third party.
- Provide training to the recipient on the equipment purchased, as needed.
- Solicit bids and enter contracts with successful bidders on an annual basis for the equipment so as to maintain an approved vendor listing or equipment likely to be purchased.
- Prepare and submit monthly invoices to the OVR.
- Prepare and submit a quarterly and final report of activities to the OVR.
- Prepare and submit a draft annual budget estimate to the OVR.
- Keep abreast of new and current equipment suitable for TDDP.
- Ensure the presence of a web page with a printable application.

#### *Service Information*

This competition will result in one award and funding for a 1-year period beginning October 1, 2002, with an option for the OVR to renew the award for three successive 1-year periods. 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 coordinative and administrative services, as described.

For purposes of this competition, an eligible applicant is an individual, a for-profit or nonprofit organization, incorporated under the laws of the Commonwealth or a government agency or political subdivision experienced in effectively managing and operating an eligibility-based equipment distribution program.

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 August 9, 2002, that 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 for the TDDP, 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 or fax: (717) 705-9345.

#### *Preproposal Conference*

A preproposal conference to deal specifically with technical questions regarding applications will be held for

applicants on Wednesday, July 3, 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 the 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. 02-1111. Filed for public inspection June 21, 2002, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Pyramids of Gold Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Pyramids of Gold.

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

3. *Play Symbols:* Each Pennsylvania Pyramids of Gold instant lottery game ticket will contain one play area featuring a "Pyramid Numbers" area and a "Your Numbers" area. The play symbols and their captions located in the "Pyramid Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "Your Numbers" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a Gold Bar Symbol (GOLD BAR).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$4, \$5, \$10, \$25, \$50, \$100, \$1,000 and \$25,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed for the Game:* Approximately 6,480,000 tickets will be printed for the Pennsylvania Pyramids of Gold instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Pyramid Numbers" play symbols and a prize play symbol of \$25,000 (TWYFIVTHO) appears under the matching

“Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Pyramid Numbers” play symbols and a prize play symbol of \$1,000 (ONE THO) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Gold Bar Symbol (GOLD BAR), and a prize play symbol of \$100 (ONE HUN) appears under the Gold Bar Symbol (GOLD BAR) on a single ticket, shall be entitled to a prize of \$100.

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

(e) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Gold Bar Symbol (GOLD BAR), and a prize play symbol of \$50\$ (FIFTY) appears under the Gold Bar Symbol (GOLD BAR) on a single ticket, shall be entitled to a prize of \$50.

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

(g) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Gold Bar Symbol (GOLD BAR), and a prize play symbol of \$25\$ (TWY FIV) appears under the Gold Bar Symbol (GOLD BAR) on a single ticket, shall be entitled to a prize of \$25.

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

(i) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Gold Bar Symbol (GOLD BAR), and a prize play symbol of \$10<sup>00</sup> (TEN DOL) appears under the Gold Bar Symbol (GOLD BAR) on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Pyramid Numbers” play symbols and a prize play symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Gold Bar Symbol (GOLD BAR), and a prize play symbol of \$5<sup>00</sup> (FIV DOL) appears under the Gold Bar Symbol (GOLD BAR) on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Pyramid Numbers” play symbols and a prize play symbol of \$5<sup>00</sup> (FIV DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Pyramid Numbers” play symbols and a prize play symbol of \$4<sup>00</sup> (FOR DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Gold Bar Symbol (GOLD BAR), and a prize play symbol of \$3<sup>00</sup> (THR DOL) appears under the Gold Bar Symbol (GOLD BAR) on a single ticket, shall be entitled to a prize of \$3.

(o) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Pyramid Numbers” play symbols and a prize play symbol of \$3<sup>00</sup> (THR DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$3.

(p) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Gold Bar Symbol (GOLD BAR), and a prize play symbol of \$2<sup>00</sup> (TWO DOL) appears under the Gold Bar Symbol (GOLD BAR) on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Pyramid Numbers” play symbols and a prize play symbol of \$2<sup>00</sup> (TWO DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Pyramid Numbers” play symbols and a prize play symbol of \$1<sup>00</sup> (ONE DOL) appears under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$1.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

*When Any of Your Numbers Match Either Pyramid Number Win With Prize(s) of:*

<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,480,000 Tickets</i>
\$1 × 2	1:18.75	345,600
\$2	1:30	216,000
\$2 (Gold Bar)	1:12.50	518,400
\$1 × 3	1:50	129,600
\$2 + \$1	1:150	43,200
\$3	1:150	43,200
\$3 (Gold Bar)	1:50	129,600
\$1 × 5	1:300	21,600

*When Any of Your Numbers  
Match Either Pyramid  
Number Win With*

\$2 + \$3	\$5
\$1 × 2 + \$3	\$5
\$5	\$5
\$5 (Gold Bar)	\$5
\$2 × 5	\$10
\$5 × 2	\$10
\$4 × 2 + \$2	\$10
\$10	\$10
\$10 (Gold Bar)	\$10
\$5 × 5	\$25
\$10 × 2 + \$5	\$25
\$5 × 3 + \$10	\$25
\$4 × 5 + \$5	\$25
\$25	\$25
\$25 (Gold Bar)	\$25
\$4 × 5 + \$10 × 3	\$50
\$10 × 5	\$50
\$5 × 10	\$50
\$5 × 4 + \$10 × 3	\$50
\$25 × 2	\$50
\$50	\$50
\$50 (Gold Bar)	\$50
\$10 × 10	\$100
\$50 × 2	\$100
\$100	\$100
\$100 (Gold Bar)	\$100
\$1,000	\$1,000
\$25,000	\$25,000

(Gold Bar) = Win that prize automatically

<i>Approximate</i>	<i>Approximate No. of Winners Per 6,480,000</i>
1:300	21,600
1:300	21,600
1:300	21,600
1:150	43,200
1:750	8,640
1:1,500	4,320
1:1,500	4,320
1:1,500	4,320
1:300	21,600
1:375	17,280
1:375	17,280
1:750	8,640
1:750	8,640
1:750	8,640
1:250	25,920
1:1,200	5,400
1:3,000	2,160
1:3,000	2,160
1:3,000	2,160
1:3,000	2,160
1:8,571	756
1:952.38	6,804
1:17,143	378
1:17,143	378
1:17,143	378
1:17,143	378
1:30,000	216
1:1,080,000	6

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Pyramids of Gold instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Pyramids of Gold, prize money from winning Pennsylvania Pyramids of Gold instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Pyramids of Gold instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Pyramids of Gold or through normal communications methods.

LARRY P. WILLIAMS,  
*Secretary*

[Pa.B. Doc. No. 02-1112. Filed for public inspection June 21, 2002, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Walter J. Zlomsowitch v. DEP and Lehigh Asphalt  
Paving & Construction Company; EHB Doc. No.  
2002-131-C**

Walter J. Zlomsowitch has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Lehigh Asphalt Paving & Construction Company, for a facility in East Penn Township, Carbon County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 02-1113. Filed for public inspection June 21, 2002, 9:00 a.m.]

# FISH AND BOAT COMMISSION

## Consideration of Changes to Special Regulation Designations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on July 26 and 27, 2002, the Commission will consider designating the following stream sections or lakes as waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective January 1, 2003, with the exception noted as follows:

*58 Pa. Code § 65.6. Delayed harvest artificial lures only areas.*

The Commission will consider revising the limits of the delayed harvest artificial lures only (DHALO) area on Fishing Creek, Columbia County. Specifically, the Commission will consider extending the downstream area approximately 100 yards and reducing the upstream area approximately 0.2 mile. If approved, the revised section will be as follows: from 180 yards upstream of the upstream Benton Borough line to the upstream Richard Kriebel property line, a distance of approximately 0.5 mile. This change will go into effect upon publication in the *Pennsylvania Bulletin*.

The Commission also will consider adding the following stream section to the list of DHALO Areas designated under 58 Pa. Code § 65.6:

	<i>Water on</i>	
<i>County</i>	<i>which located</i>	<i>Description</i>
Snyder	Middle Creek	From the bridge on SR 4007 (Pine Swamp Road) and the downstream boundary of the State Game Lands #188, a distance of 1.2 miles.

*58 Pa. Code § 65.9. Big bass special regulations.*

The Commission will consider designating the following lakes as regulated and managed under the big bass special regulations and adding them to the list of waters subject to 58 Pa. Code § 65.9:

<i>County</i>	<i>Water</i>
Allegheny	Upper, Middle and Lower Deer Lakes
Cambria	Duman Lake

*58 Pa. Code § 65.10. Select Trout Stocked Lake Program.*

The Commission will consider removing the following lake from the list of waters regulated and managed under the Select Trout Stocked Lake Program under 58 Pa. Code § 65.10:

<i>County</i>	<i>Water</i>
Schuylkill	Locust Lake

*58 Pa. Code § 65.11. Panfish enhancement special regulations.*

The Commission will consider removing from 58 Pa. Code § 65.11 sunfish and crappie in Beaverdam Run Reservoir, Cambria County.

The Commission is soliciting public input concerning the previous designations. Persons with comments, objections or suggestions concerning the designations are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, by 4 p.m. on July 22, 2002. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically at ra-pfbregs@state.pa.us. A subject heading of the proposal and a return name and address must be included in each transmission. In addition, all electronic comments must be contained in the text of the transmission, not in an attachment. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 02-1114. Filed for public inspection June 21, 2002, 9:00 a.m.]

## Delayed Harvest Fly-Fishing Only Areas

The Fish and Boat Commission (Commission) published at 31 Pa.B. 5106 (September 8, 2001) a notice of proposed rulemaking containing an amendment to 58 Pa. Code § 65.2 (relating to delayed harvest fly-fishing only areas). Specifically, the Commission proposed amending this section to eliminate the Delayed Harvest Fly-Fishing Only Program and consolidate it with the Delayed Harvest Artificial Lures Only Program. At its meeting on April 29, 2002, the Commission voted not to adopt this proposed amendment.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 02-1115. Filed for public inspection June 21, 2002, 9:00 a.m.]

## 2002 Changes to the List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved the changes to the list of Class A Wild Trout Streams published at 32 Pa.B. 1778 (April 6, 2002). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 02-1116. Filed for public inspection June 21, 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 Committee comment period. The Commission 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 has 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 within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-539	State Board of Osteopathic Medicine Sexual Misconduct (32 Pa.B. 1734 (April 6, 2002))	5/6/02	6/7/02

### State Board of Osteopathic Medicine Regulation No. 16A-539 Sexual Misconduct June 7, 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 State Board of Osteopathic Medicine (Board) must respond to these comments when it submits the final-form regulation. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

We note that this regulation is identical to the State Board of Medicine's Regulation #16A-497 relating to sexual misconduct. We continue to have concerns with the same issues and as a result, our comments on the proposed regulations are similar.

#### 1. Section 25.215. Sexual misconduct.—Clarity.

##### General

As proposed, § 25.215 contains both definitions and substantive regulatory provisions. To be consistent with regulatory framework existing in Chapter 25, the Board should create two separate sections. The definitions should remain in § 25.215. The substantive provisions should be placed in a separate section following the definitions.

##### Subsection (a)

This subsection defines "immediate family member." It is unclear if the phrase "other family member" contained

in the definition includes a relationship by blood, marriage or law. In addition, the inclusion of the phrase, "with whom a patient resides" in the definition limits the scope of this regulation. Finally, the definition does not address a patient's relationships with nonfamily members.

##### Subsection (b)

This subsection refers to "Board regulated practitioner." The Board should define "Board regulated practitioner" by adding the term to the definitions section and referencing section 271.2 of the Osteopathic Medical Practice Act (63 P. S. § 271.2).

##### Subsections (b)—(d)

These subsections include the phrase "and subjects the practitioner to disciplinary action." Where can the disciplinary action be found? A cross-reference to the appropriate citation for disciplinary action should be provided in the subsections.

##### Subsection (d)

The Board uses the phrase "mental health disorder" in this subsection. The meaning of this phrase is vague. The regulation should either define or reference the categories of mental health disorders. For instance, the Board could refer to patients who are diagnosed under the Diagnostic and Statistical Manual of Mental Disorders—IV (DSM-IV) or subsequent publications.

#### 2. Behavioral examples.—Clarity.

A commentator noted that the regulations proposed by the State Board of Medicine and the Board were too vague and provided several scenarios in which innocent behavior would be in violation of the regulation. Given this possibility, the Board should consider providing examples of the type of behavior it considers inappropriate.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 02-1117. Filed for public inspection June 21, 2002, 9:00 a.m.]

## Notice of Filing of Final Rulemakings

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

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
#7-368	Environmental Quality Board Safe Drinking Water	6/11/02

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 02-1118. Filed for public inspection June 21, 2002, 9:00 a.m.]

# INSURANCE DEPARTMENT

## Keystone Health Plan Central; Group Business Premium Rate Increase

On June 6, 2002, Keystone Health Plan Central submitted its annual rate filing to the Insurance Department (Department) requesting a rate increase to its base plans of 13.30% in its Lehigh Valley service area, 13.42% in its Harrisburg service area and 18.12% in its Northern Tier service area. This filing will affect 13,370 contracts in its Lehigh Valley service area, 34,517 contracts in its Harrisburg service area and 4,131 contracts in its Northern Tier service area, resulting in an estimated revenue increase of \$33.3 million annually. The proposed effective date of this increase is October 1, 2002.

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

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-1119. Filed for public inspection June 21, 2002, 9:00 a.m.]

### Karen L. Livingood; Prehearing

#### License Denial; Doc. No. AG02-04-033

A prehearing telephone conference initiated by the Insurance Department is scheduled for July 31, 2002, at 1:30 p.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before June 24, 2002. A hearing shall occur on August 21, 2002, at 10 a.m. in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter.

On or before July 17, 2002, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for that party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

Except as established at the prehearing conference, both parties shall appear at the scheduled hearing prepared to offer all relevant testimony or other 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 for photographs into evidence shall bring enough copies for the record and for each opposing party.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 7, 2002, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before August 14, 2002.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-1120. Filed for public inspection June 21, 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, Pittsburgh and Philadelphia, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Harrisburg Administrative Hearings Office, Capital Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Zoran and Nevanka G. Milovanovich; file no. 02-188-03519; Prudential Property & Casualty Inc. Co.; doc. no. P02-05-037; July 17, 2002, 1:30 p.m.

Jason J. Jabara; file no. 02-188-04064; Allstate Insurance Company; doc. no. P02-06-003; July 18, 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.

John L. and Victoria A. Spieler; file no. 02-308-70939; Allstate Insurance Company; doc. no. PI02-05-036; July 26, 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.

Kenneth S. and Caron A. Shapiro; file no; 02-210-02197; Encompass Insurance Company; doc. no. PH02-05-038; August 28, 2002, 9 a.m.

Kieran and Elizabeth Joyce; file no. 02-278-01832; AAA Mid-Atlantic Insurance Company; doc. no. PH02-05-039; August 28, 2002, 10 a.m.

Maureen D. Goth; file no. 02-215-01534; State Auto Insurance Company; doc. no. PH02-05-040; August 28, 2002, 11 a.m.

Parties 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.

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, contact Tracey Pontius, Agency Coordinator at (717)-787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 02-1121. Filed for public inspection June 21, 2002, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Request of Suspension

**P00971177. Rural Incumbent Local Exchange Carriers.** Petition of Rural Incumbent Local Exchange Carriers for a 36-month suspension of interconnection requirements limited to only those requirements set forth in section 251(b)(1) and (c) of the Telecommunications Act of 1996.

On June 7, 2002, the Rural Incumbent Local Exchange Carriers, consisting of Armstrong Telephone Company—North, Armstrong Telephone Company—Pennsylvania, The Bentleyville Telephone Company, Buffalo Valley Telephone Company, Conestoga Telephone and Telegraph Company, Denver and Ephrata Telephone and Telegraph Company, Hickory Telephone Company, Ironton Telephone Company, Lackawaxen Telephone Company, Laurel Highland Telephone Company, Marianna & Scenery Hill Telephone Company, The North-Eastern Pennsylvania Tele-

phone Company, North Penn Telephone Company, North Pittsburgh Telephone Company, Palmerton Telephone Company, Pennsylvania Telephone Company, Pymatuning Independent Telephone Company, South Canaan Telephone Company, Venus Telephone Company and Yukon-Waltz Telephone Company, filed a request for a 36-month suspension, or until July 10, 2005, of their interconnection requirements under the Telecommunications Act of 1996. The Pennsylvania Public Utility Commission (Commission) has determined that publication and comment on this petition is appropriate. Interested parties must submit comments on the Rural Incumbent Local Exchange Carriers' petition within 15 days of publication in the *Pennsylvania Bulletin*. Reply comments must be submitted within 22 days of publication in the *Pennsylvania Bulletin*.

The contact at the Commission is the Office of Chief Counsel, (717) 787-5000.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1122. Filed for public inspection June 21, 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 July 15, 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-00119000. Heritage Hills Associates t/d/b/a Heritage Hills Golf & Conference Center** (2700 Mt. Rose Avenue, York, York County, PA 17402), a limited partnership of the Commonwealth—persons in limousine service, from the facilities of Heritage Hills Golf Resort & Conference Center, located in the City of York, and the Townships of Springettsbury and York, York County, to points in Pennsylvania, and vice versa.

**A-00119003. Steven D. Meisner and Elizabeth I. Meisner** (230 Quarry Road, Leola, Lancaster County, PA 17540)—persons in paratransit service, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return; limited to persons whose personal convictions prevent them from owning or operating motor vehicles.

**A-00119004. Nancy B. Lapp t/d/b/a Nancy Lapp's Van Service** (2926 Church Road, Bird In Hand, Lancaster County, PA 17505)—persons in paratransit service, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return; limited to persons whose personal convictions prevent them from owning or operating motor vehicles.



**Application of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as *common carriers* for transportation of *persons* as described under the application.**

**A-00116248, Folder 1, Am-B. Main Line Taxi, Co.** (7 Elmwood Avenue, Bala Cynwyd, Montgomery County, PA. 19004), a corporation of the Commonwealth—persons upon call or demand, in the Boroughs of Conshohocken and West Conshohocken, Montgomery County; the Township of Radnor, Delaware County and the Township of Tredyffrin, Chester County provided, however, that the transportation in Tredyffrin Township, Chester County be limited to the following: Al E Gators Restaurant, Steak & Ale Restaurant, Chesterbrook Corporate Center, West Lake Business Center, The Woods Center, Crossroads Business Park, Vanguard Corporation and Devon Marriott Courtyard: *So as to permit* the transportation of persons upon call or demand in the Townships of Tredyffrin, Easttown, Willistown, East Whiteland, West Whiteland, Charlestown, East Goshen and the Borough of Malvern, all located in Chester County and the Township of Upper Merion, Montgomery County. *Attorney:* Herbert E. Squires, 1601 Market Street, Suite 2330, Philadelphia, PA 19103.

**Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers* for transportation of *persons* as described under the application.**

**A-00115480, Folder 3. Frederick L. Corey t/d/b/a Corey Transportation** (20865 Alden Street, Ext., Meadville, Crawford County, PA 16335)—persons upon call or demand in the County of Crawford. Application for temporary authority has been filed at A-00115480, F. 3, seeking the right previously cited.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1123. Filed for public inspection June 21, 2002, 9:00 a.m.]

### Telecommunications

**A-310213F7000. Verizon Pennsylvania Inc. and TCG Pittsburgh.** Joint Petition of Verizon Pennsylvania Inc. and TCG Pittsburgh for approval of amendment no. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and TCG Pittsburgh filed on May 23, 2002, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of amendment no. 1 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days

after the date of publication of this notice. Copies of Verizon Pennsylvania Inc. and TCG Pittsburgh Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 02-1124. Filed for public inspection June 21, 2002, 9:00 a.m.]

## STATE BOARD FOR CERTIFICATION OF WATER AND WASTEWATER SYSTEMS OPERATORS

### Certification Program Advisory Committee Meetings Scheduled

The Certification Program Advisory Committee has selected the following dates for meetings in 2002:

June 20, 2002  
July 24, 2002  
October 22, 2002  
December 18, 2002

Questions concerning these meetings should be directed to Lynn Rice, (717) 787-5236.

KATHY W. KEYES,  
*Secretary*

[Pa.B. Doc. No. 02-1125. Filed for public inspection June 21, 2002, 9:00 a.m.]

### Meetings Scheduled

The State Board for Certification of Water and Wastewater Systems Operators (Board), formerly named the State Board for Certification of Sewage Treatment Plant and Waterworks Operators, has made the following changes to its 2002 meeting schedule:

The meeting scheduled for June 26, 2002, has been cancelled and rescheduled for June 21, 2002.

The Board has selected July 26, 2002, for an additional meeting date.

Questions concerning these meetings should be directed to Lynn Rice, (717) 787-5236.

KATHY W. KEYES,  
*Secretary*

[Pa.B. Doc. No. 02-1126. Filed for public inspection June 21, 2002, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.


Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:  
 The payment date specified in the contract.  
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.  
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center  
 PA Department of Community and Economic Development  
 374 Forum Building  
 Harrisburg, PA 17120  
 800-280-3801 or (717) 783-5700

### Reader's Guide



**Legal Services & Consultation**

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
 Location: Harrisburg, Pa.  
 Duration: 12/1/93-12/30/93  
 Contact: Procurement Division  
 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦ (For Commodities: Contact:) Vendor Services Section  
 717-787-2199 or 717-787-4705

#### REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.  
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**  
 Pennsylvania State Treasury  
 Room G13 Finance Building  
 Harrisburg, PA 17120  
 717-787-2990  
 1-800-252-4700

BARBARA HAFER,  
*State Treasurer*

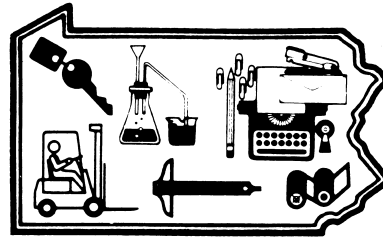
Effective April 15, 2002, the Department of General Services (Department), Bureau of Purchases, will no longer send vendors notices of the availability of invitations for bids or requests for proposals (by fax or other means). Bidding/contracting opportunities will be posted on the Department's website. Vendors who are interested in competing for a particular contracting opportunity with this Commonwealth will be able to download the particular invitation for bids or request for proposals.

The website address for viewing bidding/contracting opportunities and for obtaining copies of invitations for bids and requests for proposals is [www.dgs.state.pa.us](http://www.dgs.state.pa.us). To access the information on this website, vendors must select "Procurement" followed by "Bidding Opportunities."

If a vendor wishing to participate does not have access to a computer, public libraries offer free access to the Internet. Additionally, a vendor can obtain a copy of an individual invitation for bids or request for proposals by calling Vendor Services at (717) 787-2199 or (717) 787-4705, or by visiting us at 414 North Office Building, Harrisburg, PA.

Contact Susan Plecker, Website Manager, at (717) 787-1105 or Ray Cunningham, Vendor Information Section Supervisor, at (717) 787-5862, concerning questions or problems in gaining access to bidding/contracting opportunities information or in locating and downloading invitations for bids or requests for proposals.

KELLY POWELL LOGAN,  
*Secretary*



### Commodities

**950143** Qty 16 ET2000 plus end treatments - 50' Length - 6'0" Tube, No Solid Plate. Qty 2 SRT 350 end treatment. Material should be supplied in accordance with Bulletin 15, Section 1109.

**Department:** Transportation  
**Duration:** 30 days after receipt of purchase order  
**Contact:** Patty Brouse (814) 643-0150 Ext. 3010

**950142** Automatic parts washer - Comparable to Cuda Model H20-3636 or approved equal.

**Department:** Transportation  
**Location:** Penna. Dept. of Transportation, Hwy. Maintenance Building, TR 22 One mile west of Huntingdon, PA 16652  
**Duration:** 30 days after receipt of purchase order  
**Contact:** Lynn Higgins (814) 643-0150

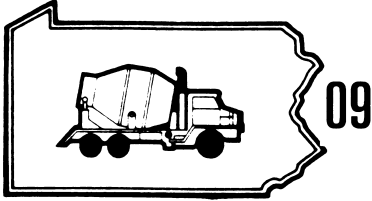
**939559** Concrete Panels.

**Department:** Transportation  
**Location:** Somerset County Maintenance  
**Duration:** Thirty days from receipt of approved purchase document  
**Contact:** Mike Knepper (814) 445/7905

**939560** Parts Washer.

**Department:** Transportation  
**Location:** Penndot Maintenance Office, 1312 North Center Ave., Somerset PA 15501  
**Duration:** Thirty days from receipt of approved purchase document  
**Contact:** Mike Knepper (814) 445/7905

# SERVICES



## Construction & Construction Maintenance

**MI-843 Ganser Library - Roof Replacement** Request of Interest Brief Scope of Work: Removal of approximately 26,800 s.f. of built-up roof and replace with modified bitum roof. Project has one prime: general construction; Prevailing wage, bid bonds, project bonds, and MBE/WBE participation are applicable. Plans and specifications are currently under review. Contractors interested in receiving bid documents should submit their request in writing to Jill Coleman - fax 717-871-5622 or email - jcoleman@millersville.edu.

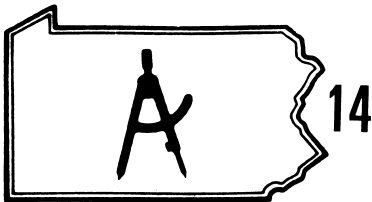
**Department:** State System of Higher Education  
**Location:** Millersville University of PA, Millersville, PA  
**Duration:** 60 calendar days from the date of the Notice to Proceed  
**Contact:** Jill Coleman (717) 872-3730

**080S84** This service bid contract is for the maintenance of S.P.A.R.E. markings throughout Engineering District 8-0. Bid packages can be requested via fax# 717-705-0375, or by telephone, 717-772-1936. All requests must include Contractor's Company Name, Address, Phone #, E.I.N#, Fax Number and Contact Person.

**Department:** Transportation  
**Location:** Engineering District 8-0, All Counties: Adams, Cumberland, Franklin, York, Dauphin, Lancaster, Lebanon and Perry.  
**Duration:** A one year contract with three one year renewals.  
**Contact:** John E. Long (717) 772-1936

**026-208** This contract will provide manpower, equipment, and incidental guiderail material for installation of approximately 27,000 linear feet of strong post guiderail and approximately 2,000 linear feet of weak post guiderail, at various locations within Potter County. All guiderail material will be supplied by the Department of Transportation except for the bolts, nuts, washers, rotating brackets, connection plates, anchor bolts, concrete for the end treatments, and end anchorages. It will be the Contractor's responsibility to pick up the material and deliver it to the worksites. The Department shall be responsible for removal of all existing guiderail and for any grading of shoulder stabilization, prior to the placement of the guiderail by the contractor. A mandatory pre-bid meeting (one day) will be held to include review of guiderail locations, and a site will be determined where the guiderail will be stored. All requests for bid packages must be received by FAX at (814) 274-9764 ATTN: Karen C. Espenshade, Purchasing Agent, or by phone at (814) 274-9181 Ext. 3008. This shall be a one year contract. All bidders must be prequalified to bid on this project. The "PA Prevailing Wage Act" does apply.

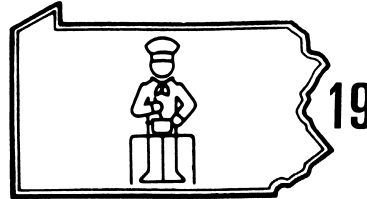
**Department:** Transportation  
**Location:** Various locations within Potter County.  
**Duration:** This is a one year contract.  
**Contact:** Gary L. Gunzburger, Manager (814) 274-9181



## Engineering Services

**PennDOT-ECMS** The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at [www.dot2.state.pa.us](http://www.dot2.state.pa.us).

**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)



## Food

**8970-1400-000** Milk Products, Pennsylvania's Milk Marketing Board's Class 1 product, Grade A, Vitamin A & D enriched, pasteurized/homogenized with scheduled deliveries and requested quantities upon the monthly quote format, approximate quantities of consumption are as follows: 2% Butterfat Milk packaging shall be 5 gallon bulk dispensers - 33.8M gallons and 1/2 pint containers - 10M each, Skim/Nonfat Milk packaging shall be 5 gallon bulk dispensers - 1.2M gallons and 1/2 pint containers - 21M each. For more information, please contact the agency or person listed below.

**Department:** Corrections  
**Location:** State Regional Correctional Facility, 801 Butler Pike, Rte. 258 South, MERCER, PA 16137  
**Duration:** July 1, 2002 to June 30, 2003  
**Contact:** John Pitonyak (724) 662-1837, Ext. 194

**8970-1900-000** Produce, fresh vegetables and fruits, monthly quote/award with weekly deliveries. Specifications and quantities are upon the face of the monthly quote. For more information, please contact the listed agency and person below.

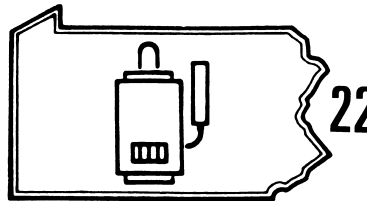
**Department:** Corrections  
**Location:** State Regional Correctional Facility, 801 Butler Pike, Rte. 258 South, MERCER, PA 16137  
**Duration:** July 1, 2002 to June 30, 2003  
**Contact:** John Pitonyak (724) 662-1837, Ext. 194

**8970-1300-000** Cheese products, requested products and anticipated quantities of consumption are as follows: Yellow processed cheese, Grade B or better - 8M#, mozzarella - 5M#, and cheddar - 4M#. Product specifications for each of the aforesaid are contained upon a quarterly (90 day interval) quote with scheduled deliveries and requested quantities. For more information, please contact the listed agency or person below.

**Department:** Corrections  
**Location:** State Regional Correctional Facility, 801 Butler Pike, Rte. 258 South, MERCER, PA 16137  
**Duration:** July 2, 2002 to June 30, 2003  
**Contact:** John Pitonyak (724) 662-1837, Ext. 194

**8970-1000-000** Frozen meat items (Beef, poultry, pork, fish and related items), vegetables, processed foodstuffs, eggs, and margarine prints to be quoted on a quarterly basis (90 day interval) with scheduled deliveries of requested quantities. Approximate quantities of consumption of cited items are as follows: Carcass and processed beef products - 20M#, Carcass and processed chicken products - 31M#, Carcass and processed turkey products - 33M#, Processed fish products - 20M#, Vegetables - 4.5M#, Processed foodstuffs - 6M#, Vegetable Pie - 280 case (CS), Waffles - 280 CS, Eggs - 640 CS, Margarine Prints - 2M CS, and prepared soy/grain products - 10M#. Specifications for the aforesaid items are contained upon the quote format. For more information, please contact the listed agency and person below.

**Department:** Corrections  
**Location:** State Regional Correctional Facility, 801 Butler Pike, Rte. 258 South, MERCER, PA 16137  
**Duration:** July 1, 2002 to June 30, 2003  
**Contact:** John Pitonyak (724) 662-1837, Ext. 194



## HVAC Services

**MI-819 Boyer - HVAC Upgrade** PROJECT TITLE: Boyer HVAC Upgrade. BRIEF Remove and properly dispose of existing units; furnish and install new units on the roof; all work associated for fully functional system. ESTIMATED RANGE: \$61,200 - \$72,000. Prevailing Wage, bid guaranty, project bonds, liquidated damages and MBE/WBE participation levels apply. To request a bid packet, please send your request in writing to Jill Coleman, fax - 717-871-5622 or email - jcoleman@millersville.edu.

**Department:** State System of Higher Education  
**Location:** Millersville University of PA, Millersville, PA  
**Duration:** 100 calendar days from the date of the Notice to Proceed  
**Contact:** Jill M. Coleman (717) 872-3730

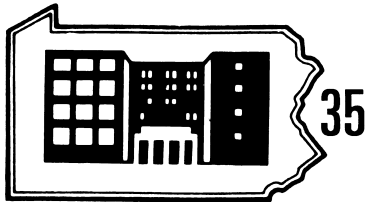
**MI-813 Dilworth Building HVAC Renovation** PROJECT TITLE: Dilworth Building - HVAC Renovation. BRIEF DESCRIPTION: Remove and properly dispose of existing HVAC system. Provide and install new chillers, piping, self contained breathing apparatus with wall cabinet, single refrigerant gas & single area monitoring for continuous monitoring of R-22 refrigerant. Electrical disconnection and removal of power supply, control circuitry, circuit breakers, etc. Provide and install appropriately sized overcurrent devices, new power and control conductors and raceways as required. PROJECT ESTIMATE: \$275,000 - \$300,000. Project has two prime contractors HVAC and Electrical. Prevailing Wages, bid bonds, project bonds, liquidated damages and MBE/WBE participation levels apply. To request a bid packet, please send your request in writing to Jill Coleman, fax - 717-871-5622 or email - jcoleman@millersville.edu.

**Department:** State System of Higher Education  
**Location:** Millersville University, Millersville, PA  
**Duration:** 150 calendar days from the date of the Notice to Proceed  
**Contact:** Jill Coleman (717) 872-3730

**081-01-7000-101** The Pennsylvania Commission on Crime and Delinquency is accepting proposals to identify a curriculum developer to conduct a task analysis/training needs analysis and design/develop new continuing education training curriculum as well as maintain and update the current basic and waiver training courses for deputy sheriffs under Act 1984-2 as amended by Act 1998-10. Project tasks will include conducting an analysis to recommend subjects and assigned hours, production of curricula, production of various presentations, instructional support material, and examinations correlated to the curriculum. Projected release date is June 12, 2002.

**Department:** Commission on Crime and Delinquency  
**Location:** Development will occur at a site provided by the contractor  
**Duration:** Multi-year contract. 2 years followed by a possibility of renewal for 2 additional 2 year periods  
**Contact:** Don Numer (717) 705-3693 X3041

[Pa.B. Doc. No. 02-1127. Filed for public inspection June 21, 2002, 9:00 a.m.]



### Real Estate Services

**93395** LEASE OFFICE/CLINIC SPACE TO THE COMMONWEALTH OF PA. Proposals are invited to provide the Department of Health with 2,913 useable square feet of office/clinic space in Northampton County, PA. with a minimum parking for 10 vehicles. The offered space must be located within a ten (10) mile radius of the intersection of Route 22 & Route 611 (excluding areas within the city limits of Bethlehem). In areas where street or public parking is not available, an additional ten (10) parking spaces are required. Downtown locations will be considered. For more information on SFP #93395 which is due on July 15, 2002 visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call (717) 787-4394.

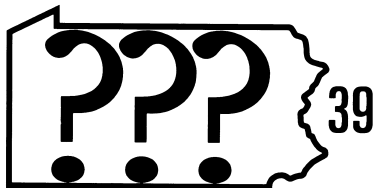
**Department:** Health  
**Location:** 505 North Office Building Harrisburg, PA 17125  
**Contact:** John Hocker (717) 787-4396

**93438** LEASE OFFICE/EVIDENCE/STORAGE SPACE TO THE COMMONWEALTH OF PA. Proposals are invited to provide the Pennsylvania State Police with 19,735 useable square feet of office/evidence/storage space in Allegheny County, PA. with minimum parking for 70 vehicles. The offered space must be located within a two (2) mile radius of Exit 54 of I-79. For more information on SFP #93438 which is due on August 12, 2002 visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call (717) 787-4394.

**Department:** State Police  
**Location:** 505 North Office Building Harrisburg, PA 17125  
**Contact:** John Hocker (717) 787-4396

**93439** LEASE OFFICE SPACE TO THE COMMONWEALTH OF PA. Proposals are invited to provide the PA. Board of Probation and Parole with 5,195 useable square feet of office space in Pittsburgh, Allegheny County, PA. with minimum parking for 19 vehicles. The offered space must be located within the following boundaries: NORTH: Butler Street; SOUTH: Penn Lincoln Parkway; EAST: Braddock Avenue; WEST: 16th Street through to Route 579 to the Penn Lincoln Parkway. Downtown locations will be considered. The offered space must be located within 3 blocks of public transportation. For more information on SFP #93439 which is due on July 22, 2002 visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call (717) 787-4394.

**Department:** Probation and Parole Board  
**Location:** 505 North Office Building Harrisburg, PA 17125  
**Contact:** John Hocker 717-787-4396



### Miscellaneous

**2001-mcare-01** This Request for Proposal (RFP) provides interested Contractors with sufficient information to enable them to prepare and submit proposals to satisfy a need for medical malpractice claims administration services. The RFP is available on the Insurance Department website as of 10 June 2002 after 4:00 p.m. Eastern Time Zone. All information pertaining to this RFP is found at: <http://www.insurance.state.pa.us/medrfp/> A mandatory preproposal conference will be held on June 24, 2002, from 2:00 to 5:00 p.m. at 1125 Training Room in Strawberry Square.

**Department:** Insurance  
**Location:** (STATEWIDE) Commonwealth of Pennsylvania  
**Duration:** The term of the contract is for 2 years with 3 one year options to renew.  
**Contact:** Christine Diep (717) 787-6174

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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KELLY POWELL LOGAN,  
*Secretary*

## Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
2540-02	06/11/02	American Road Machinery	\$201,968.00
2540-02	06/11/02	Henderson Mfg	153,701.00
2540-02	06/11/02	IMS Supplies/Industrial Motor Supply	139,369.00
2540-02	06/11/02	J & J Truck Equipment	232,645.15
2540-02	06/11/02	Lancaster Truck Bodies	263,697.00
2540-02	06/11/02	Tenco U S A	1,591,931.00
2540-02	06/11/02	U S Municipal Supply	224,931.00
2540-02	06/11/02	Valk Mfg	58,881.00
2540-02	06/11/02	Walsh Equipment	88,355.00
7920-07	06/10/02	Calico Industries	38,019.00
9985-21	06/11/02	360 Translators International	30,000.00
9985-21	06/11/02	Arnine Cumsky Weiss CSC	30,000.00
9985-21	06/11/02	Charles M. Snyder CSC	30,000.00
9985-21	06/11/02	David Curtis CT	30,000.00
9985-21	06/11/02	Jael L. Howard CT	30,000.00
9985-21	06/11/02	Language Service Associates	30,000.00

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
9985-21	06/11/02	Linda A. Lee CI	30,000.00
9985-21	06/11/02	Rachel B. Coppelli CI/CT	30,000.00
9985-21	06/11/02	Shirley Bassett CSC	30,000.00
9985-21	06/11/02	Sign Language Professional Services	30,000.00
9985-21	06/11/02	Tara A. Burkey CT	30,000.00
1004222-01	06/10/02	Praxair	24,406.80
1015812-01	06/10/02	Topcall	39,811.00
1022182-01	06/10/02	Five Star International	48,677.00
1203211-01	06/10/02	Mobility Transportation Services	32,279.00
1320221-01	06/10/02	BOC Gases	63,349.92
1329351-01	06/10/02	Ekto Mfg.	50,340.00
1361381-01	06/10/02	Mobile Lifts	34,921.00
1405341-01	06/10/02	Ecops	68,735.68
1424071-01	06/10/02	I Am Your Child	248,551.20
7314700-01	06/10/02	Exl Safe	45,000.00
8141960-01	06/10/02	IA Construction	1,032,236.48
8170330-01	06/10/02	Bridge Technologies	83,160.00
8506220-01	06/10/02	Thoro System Waterproofing	24,864.00
8506220-02	06/10/02	Valley Supply KELLY POWELL LOGAN, Secretary	15,595.00

[Pa.B. Doc. No. 02-1128. Filed for public inspection June 21, 2002, 9:00 a.m.]

