

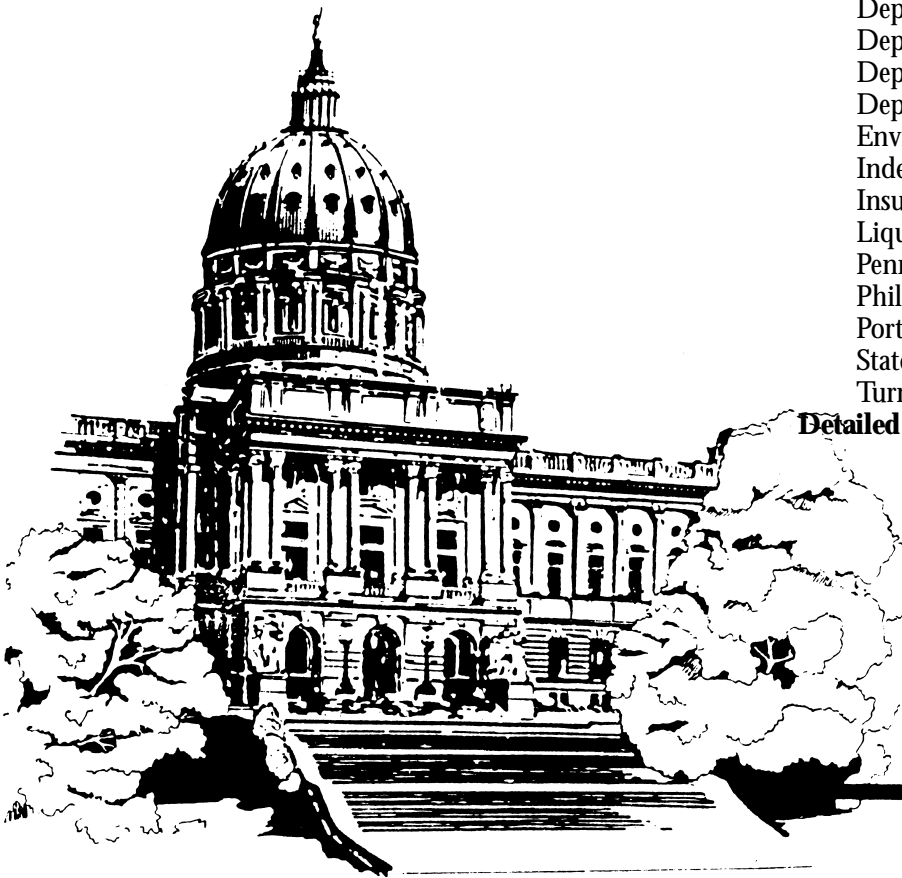
PENNSYLVANIA BULLETIN

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Agencies in this issue:

The Courts
Department of Banking
Department of Conservation and Natural Resources
Department of Education
Department of Environmental Protection
Department of General Services
Department of Health
Department of Labor and Industry
Department of Public Welfare
Department of Revenue
Environmental Hearing Board
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Insurance Department
Liquor Control Board
Pennsylvania Public Utility Commission
Philadelphia Regional Port Authority
Port of Pittsburgh Commission
State Employees' Retirement Board
Turnpike Commission

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No. 336, November 2002

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION [204 PA. CODE CH. 29]

Promulgation of Financial Regulations Pursuant to 42 Pa.C.S. § 3502(a); No. 245; Judicial Administration Doc. No. 1

Order

Per Curiam:

And Now, this 24th day of October, 2002, it is Ordered pursuant to Article V, Section 10(c) of the Constitution of Pennsylvania and Section 3502(a) of the Judicial Code, 42 Pa.C.S. § 3502(a), that the Court Administrator of Pennsylvania is authorized to promulgate financial regulations to implement 42 Pa.C.S. § 3733 as amended by Act 122 of 2002.

To the extent that notice of proposed rule-making may be required by Pa.R.J.A. 103, the immediate promulgation of the regulations is hereby found to be in the interest of efficient administration.

This Order is to be processed in accordance with Pa.R.J.A. 103(b) and is effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter I. BUDGET AND FINANCE

The Pennsylvania Supreme Court, pursuant to Art 5, § 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, has authorized the Court Administrator of Pennsylvania to promulgate regulations relating to the forms and accounting methods to be utilized in connection with the collection of additional fees charged and collected by prothonotaries of the Pennsylvania Supreme, Superior and Commonwealth Courts, prothonotaries, clerks of courts, recorders of deeds, clerks of orphans' courts, registers of wills of all courts of common pleas or by any officials designated to perform the functions thereof, as well as by the minor judiciary, including district justices, Philadelphia Municipal Court, Philadelphia Traffic Court and Pittsburgh Magistrates Court, which fees shall be deposited into the Judicial Computer System Augmentation Account, pursuant to Section 3733 (a.1.) of the Judicial Code, 42 Pa.C.S. § 3733 (a.1.) (as amended), including for such purposes the definition of terms, the specification of the time and manner of making remittances and disbursements and the fixing of bonding requirements, as appropriate. Revenues generated by the statutory fees detailed below will be shared between the Judicial Computer System Augmentation Account and the Access to Justice Account in the manner specified by Act 122 of 2002.

Under authority of the Administrative Order entered by the Supreme Court of Pennsylvania on October 24, 2002

at No. 245 Judicial Administration Docket No. 1, and pursuant to the authority vested in the governing authority under Section 3502(a) of the Judicial Code, 42 Pa.C.S. § 3502(a), the following regulations are adopted to implement Act 122 of 2002, 42 Pa.C.S. § 3773(a.1) (as amended). These regulations supersede the prior regulations promulgated June 29, 1990. These regulations are effective from October 25, 2002.

TITLE 42. JUDICIARY AND JUDICIAL PROCEDURE

PART IV. FINANCIAL MATTERS

CHAPTER 35. Budget and Finance

Subchapter A. General Principles

§ 35.1. Definitions.

(a) *Pennsylvania Supreme, Superior and Commonwealth Courts. Initial Filing.*

1. For purposes of Section 3733(a.1) of the Judicial Code, 42 Pa.C.S. § 3733(a.1), as amended, a statutory fee of ten dollars (\$10.00) shall be imposed on all items enumerated in the fee schedules of the Appellate Courts for which a filing and service fee is collected, excluding the following:

- i. Second and Subsequent Filings for Extension of Time;
- ii. Reargument/Reconsideration;
- iii. Services in Connection with Appeals to or Writs of Certiorari from the United States Supreme Court;
- iv. Miscellaneous Fees;
- v. Subpoenas.

(b) *Court of Common Pleas. Prothonotary. Civil Actions and Legal Proceedings.*

1. For purposes of Section 3733(a.1) of the Judicial Code, 42 Pa.C.S. § 3733(a.1), as amended, a civil action or legal proceeding in a Court of Common Pleas is initiated upon the filing of the first legal paper therein of record with the prothonotary, which legal paper may be:

- i. a praecipe for a writ of summons;
 - ii. a complaint;
 - iii. an agreement for an amicable action;
 - iv. a petition;
 - v. a notice of appeal from a court of limited jurisdiction;
- or,
- vi. a petition or grant of any other legal paper commencing an action or proceeding authorized by Act of Assembly or rule of court.

2. For purposes of these regulations, the initiation of a civil action or legal proceeding shall include, but is not limited to:

- i. actions governed by or authorized under the Pennsylvania Rules of Civil Procedures, such as Civil Action Ejectment, Equity, Ground Rent, Mandamus, Mortgage Foreclosure, Partition of Real Property, Quiet Title, Quo Warranto, Replevin, and the Prevention of Waste;
- ii. actions pertaining to Dependency, Annulments, Divorce, Custody, Partial Custody, Visitation of Minor Children, Support, and Paternity. With respect to Divorce

actions, a separate statutory fee shall be imposed for each count in the complaint in addition to the count requesting divorce;

iii. statutory actions such as Confirmation of Arbitration Awards, Conformation of Confessed Judgment, Declaratory Judgment, Opening or Striking Off a Judgment, Eminent Domain, Habeas Corpus, Proceedings on Liens (other than revival), Name Changes, Partition of Property Held by Husband and Wife as Tenants By the Entireties, Tax Sales of Real Property; or,

iv. other actions not included in subsections (i), (ii) or (iii) such as: Appeals from Board of Elections, Appeals from Board of Viewers, Appeals from Zoning Boards, and Certiorari to District Justices.

(c) *Court of Common Pleas. Orphans' Court Clerk, Register of Wills.*

1. For purposes of Section 3733(a.1) of the Judicial Code, 42 Pa.C.S. § 3733(a.1), as amended, a statutory fee of ten dollars (\$10.00) shall be imposed on all petitions for grant of letters, and first filings in petitions concerning adoptions, incompetents' estates, minors' estates, and inter vivos trusts.

(d) *Court of Common Pleas. Clerk of Court.*

1. For purposes of imposition of the statutory fee upon conviction or guilty plea authorized by Section 3733(a.1) of the Judicial Code, 42 Pa.C.S. § 3733(a.1), as amended, the initiation of a criminal proceeding shall include:

i. cases commenced at the district justice level resulting in the issuance of a numbered docket transcript form (OTN), and subsequently waived or held to court;

ii. the appeal of a summary conviction to the court of common pleas;

iii. cases involving juvenile defendants where a petition alleging delinquency has been filed in the court of common pleas;

iv. cases involving juvenile defendants certified to the court of common pleas, resulting in the issuance of a numbered docket transcript form (OTN); and

v. cases involving the severance of charges into separate cases resulting in the issuance of one or more additional numbered docket transcripts (OTNs).

2. A statutory fee of ten dollars (\$10.00) shall be imposed for each filing of a deed, mortgage or property transfer for which a fee, charge or cost is now authorized. The documents identified as meeting the above conditions include, subject to later amendment, the following:

i. Deeds in any form

ii. Mortgages

iii. Mortgage assignments

iv. Mortgage releases

v. Mortgage satisfaction pieces

vi. Installment sales agreements

vii. Leases for a term of thirty (30) years or longer

viii. Easements

(e) *Minor Judiciary. Civil and Criminal Proceedings.*

1. For purposes of Section 3733(a.1) of the Judicial Code, 42 Pa.C.S. Section 3733(a.1), as amended, the initiation of a legal proceeding, in the following courts of the Minor Judiciary, shall include, but is not limited to, the following:

i. *District Justices. Civil Actions.* A statutory fee of ten dollars (\$10.00) shall be imposed in connection with the filing of a complaint in Trespass and Assumpsit or for the

Recovery of Possession of Real Property (Landlord and Tenant Proceeding) or for any other Civil Action as provided in the Rules of Civil Procedure Governing Actions and Proceedings before District Justices.

ii. *District Justices. Criminal Actions.* A statutory fee of ten dollars (\$10.00) shall be imposed upon a conviction or guilty plea based upon the filing of a criminal complaint, traffic citation or non-traffic citation charging an offense classified as misdemeanor or summary under a state statute or local ordinance as provided in the Pennsylvania Rules of Criminal Procedure.

iii. *Philadelphia Traffic Court. Criminal Actions.* A statutory fee of ten dollars (\$10.00) shall be imposed upon a conviction or guilty plea based upon the filing of a traffic citation charging a violation of Title 75 of the Pennsylvania Consolidated Statutes or any ordinance of the City and County of Philadelphia enacted pursuant to Title 75.

iv. *Pittsburgh Magistrates Court. Civil Actions.* A statutory fee of ten dollars (\$10.00) shall be imposed in connection with the filing of a civil complaint seeking recovery of fines and penalties imposed by an ordinance of the City of Pittsburgh or by any ordinance or regulation relating to housing and health administered and enforced by the county health department where the violation occurs within the City of Pittsburgh.

v. *Pittsburgh Magistrates Court. Criminal Actions.* A statutory fee of ten dollars (\$10.00) shall be imposed upon a conviction or guilty plea based upon the filing of a criminal complaint, traffic citation or non-traffic citation charging an offense classified as misdemeanor or summary under state statute or local ordinance as provided for in the Pennsylvania Rules of Criminal Procedure.

vi. *Philadelphia Municipal Court. Civil Actions.* A statutory fee of ten dollars (\$10.00) shall be imposed in connection with the filing of a complaint for a Civil Action, as defined in the Philadelphia Municipal Court Rules of Civil Procedure.

vii. *Philadelphia Municipal Court. Criminal Actions.* A statutory fee of ten dollars (\$10.00) shall be imposed upon conviction or guilty plea based upon the filing of a criminal complaint, traffic citation or non-traffic citation charging an offense classified as misdemeanor or summary under state statute or local ordinance as provided for in the Pennsylvania Rules of Criminal Procedure.

(f) *Recorders of Deeds.* A statutory fee of ten dollars (\$10.00) shall be imposed for each filing of a deed, mortgage or property transfer for which a fee, charge or cost is now authorized. The documents identified as meeting the above conditions include, subject to later amendment, the following:

i. Deeds in any form

ii. Mortgages

iii. Mortgage assignments

iv. Mortgage releases

v. Mortgage satisfaction pieces

vi. Installment sales agreements

vii. Leases for a term of thirty (30) years or longer

viii. Easements

[Pa.B. Doc. No. 02-1993. Filed for public inspection November 8, 2002, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Termination of Inactive Citations Issued on or before December 31, 1992; Administrative Doc. No. 01 of 2002

Order

And Now, this 23rd day of October, 2002, upon compliance with the Procedure for Terminating Inactive Traffic Court Citations pursuant to Pa.R.J.A. No. 1901, and as provided in Administrative Docket No. 1 of 2001, issued by the Traffic Court on March 13, 2001, the Traffic Court, having attempted to identify the violators in citations issued on or before December 31, 1992, without success, and/or having determined that these citations have not resulted in a plea, adjudication or judgment against the violators, and further that there has been no activity on these citations for a period of five years or more, and the citations are thus both legally and practically unenforceable, and the City of Philadelphia and the Commonwealth of Pennsylvania having been informed of the intent to terminate these cases, and no objections having been received;

Now, Therefore, It Is Hereby Ordered, Adjudged and Decreed that all Traffic Court citations issued prior to December 31, 1992, for which there has been no plea or adjudication, and for which there has been a lack of activity for a period of five (5) years or more, shall be terminated 60 days after the issuance of this Order.

The full list of citations to be terminated shall be available for public inspection at the Philadelphia Traffic Court, 800 Spring Garden Street, Philadelphia, PA 19130, during the Traffic Court's normal business hours. *It Is Further Provided* that on or before the termination date, any interested party may petition the Court and show cause why any citation on the termination list should not be removed from that list.

This Administrative Order is issued in accordance with the May 8, 1996 Order of the Supreme Court of Pennsylvania, Eastern District, No. 168 Judicial Administration, Docket No. 1, Administrative Docket No. 1 of 2001, Pa.R.J.A. No. 1901, and Pa.R.C.P. 239. As required by Pa.R.C.P. 239, the original Order shall be filed with the Prothonotary in a docket maintained for Administrative Orders issued by the Administrative Judge of the Philadelphia Traffic Court, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau, and the Minor Judiciary Committee. Copies of the Order shall also be submitted to *American Lawyer Media, The Legal Intelligencer, Jenkins*

Memorial Law Library and the Law Library for the First Judicial District of Pennsylvania.

By the Court

FORTUNATO N. PERRI, Sr.
Administrative Judge

[Pa.B. Doc. No. 02-1994. Filed for public inspection November 8, 2002, 9:00 a.m.]

PHILADELPHIA COUNTY

Vacating Bench Warrants Issued On or Before January 31, 1995 in Support Actions; Adminis- trative Regulation No. 02-01

Effective thirty days from publication in the *Pennsylvania Bulletin*, whereas:

1. The Domestic Relations Division of Philadelphia Family Court is engaged in an effort to streamline and thus make more efficient its processes relating to bench warrants issued as a result of court proceedings to establish and enforce support orders; AND

2. There are a significant number of outstanding bench warrants on the court's records that were issued on or before January 31, 1995, using the primarily manual procedures that were in place prior to the implementation of computerized systems with automated capability to locate individuals and their assets for purposes of establishing and enforcing support orders; AND

3. The reforms cited in Paragraph 1 are necessary for the efficient administration of justice for the overall support caseload in Philadelphia; AND

4. Vacating all of the bench warrants specified in Paragraph 2 will not prejudice any party to a case in which the post-warrant automation has not yet been effective to accomplish the purposes underlying the bench warrant, because vacating the bench warrant has no substantive effect on the underlying action and all remedies appropriate to the procedural posture of the case will still be available for that case, including issuance of a new bench warrant if the party subject to the vacated bench warrant again fails to appear as ordered for a court proceeding;

It Is Hereby Ordered, Adjudged and Decreed that all bench warrants issued on or before January 31, 1995 in a support case in Philadelphia County are hereby *Vacated*, effective thirty (30) days from publication of this Administrative Regulation in the *Pennsylvania Bulletin*.

By the Court

MYRNA P. FIELD,
Administrative Judge

[Pa.B. Doc. No. 02-1995. Filed for public inspection November 8, 2002, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Prothonotary Fee Schedule

Pursuant to Act 122 of 2002, passed by the General Assembly and signed by the Governor, on October 2, 2002, an additional fee of \$5.00 shall be charged and collected by the Prothonotaries for the initiation of any civil action, effective November 1, 2002.

Pursuant to the order of court signed on August 15, 2002, by the Honorable Joseph H. Kleinfelter, President Judge the Prothonotary Fee Schedule is amended, effective January 1, 2003.

JOSEPH H. KLEINFELTER,
President Judge

Civil Filing Fees	11/01/2002	01/01/2003			
Custody Complaint	\$200.00	\$215.00	Release	\$7.75	\$8.75
Divorce	\$205.00	\$220.00	Revival—Adverse Proceedings	\$28.75	\$31.00
Divorce w/Custody	\$343.75	\$356.00	Revival—Amicable Proceedings	\$19.25	\$21.00
Divorce—1 Additional Count	\$238.75	\$251.00	Revival—Continuance of Lien	\$14.25	\$16.00
Divorce—2 Additional Counts	\$272.50	\$287.00	Rule of Reference	\$23.75	\$26.00
Divorce—3 Additional Counts	\$306.25	\$323.00	Rule of Reference—	\$10.00	\$10.00
Divorce—Additional Counts	\$340.00	\$359.00	Government Filing		
AOPC Custody Fee	\$5.00	\$5.00	Satisfaction	\$7.75	\$8.75
Appointment of Master	\$23.75	26.75	Satisfaction—Commonwealth	\$8.25	\$9.25
Appeal of Arbitration Award—	\$200.00	\$200.00	Liens		
less than \$5,000 Controversy			Suggestion	\$14.25	\$10.00
Appeal of Arbitration Award—	\$300.00	\$300.00	Termination	\$7.75	\$8.75
\$5,000 to \$10,000 in			Writ of Attachment	\$23.75	\$26.00
Controversy			Writ of Certiorari	\$94.50	\$104.50
Appeal of Arbitration Award—	\$400.00	\$400.00	Writ of Execution	\$23.75	\$26.00
\$10,000 to \$20,000 in			Writ of Possession	\$23.75	\$26.00
Controversy			Writ of Scire Facias	\$23.75	\$26.00
Appeal of Arbitration Award—	\$500.00	\$500.00	Writ of Seizure	\$23.75	\$26.00
\$20,000 to \$35,000 in			Writ of Summons	\$95.00	\$105.00
Controversy			1 Additional Count	\$33.75	\$36.00
Subordination	\$7.75	\$8.75	2 Additional Counts	\$67.50	\$72.00
Appeal—Superior/	\$47.50	\$47.50	3 Additional Counts	\$101.25	\$108.00
Commonwealth Court			4 Additional Counts	\$135.00	\$144.00
Appeal—District Justice	\$94.75	\$105.00			
Appeal—License Suspension	\$94.50	\$104.50	Miscellaneous Fees		
Assignment	\$7.75	\$8.75	Certification—1st Page	\$4.75	\$5.00
Building Agreements	\$20.75	\$22.00	Certification—Each Additional	\$1.50	\$1.50
Certified Copy of Lien—	\$15.00	\$15.00	Page		
Government Filing			Certification—DJ / Notary	\$3.00	\$3.25
Commonwealth Lien	\$19.25	\$15.00	Public		
Complaint	\$95.00	\$105.00	Certified Copy of Lien	\$14.25	\$15.00
Complaint—Government Filing	\$25.50	\$25.50	Copies—Microfilm	\$0.75	\$0.75
Complaint with Confession of	\$29.75	\$31.00	Copies—Photocopier	\$0.75	\$0.75
Judgment			Deed Acknowledgement	\$7.75	\$8.75
Custody Fee	\$100.00	\$100.00	Exemplified Record	\$15.75	\$17.50
Custody with AOPC fee	\$105.00	\$105.00	Facsimile—1st Page	\$7.75	\$8.75
Deed Acknowledgments	\$7.75	\$8.75	Facsimile—Each Additional	\$1.50	\$1.50
Discontinuance	\$7.75	\$8.75	Page		
Dissolve Attachment	\$7.75	\$8.75	Letter of Attorney—Filing	\$8.75	\$9.00
Federal Tax Lien	\$19.25	\$15.00	Letter of Attorney—Revocation	\$2.25	\$2.50
Final Decree / Order	\$14.25	\$16.00	Name / Lien Search	\$7.75	\$8.75
Foreign Judgment	\$19.25	\$21.00	Passport	\$30.00	\$30.00
Judgment	\$14.25	\$16.00	Purge—Mailing	\$4.75	\$5.00
Judgment—DJ	\$19.50	\$21.00	Recording	\$7.75	\$8.75
Judgment—Note / Bond	\$19.75	\$21.00	Subpoenas	\$3.00	\$3.25
Judgment—Government Filing	\$15.25	\$15.25	UCC Search—5 years	\$57.50	\$57.50
Judgment—Real Estate Bail	\$19.25	\$21.00	UCC Search—Each Reference	\$5.00	\$5.00
Land Use Appeal	\$94.50	\$104.50	UCC Non-Standard	\$133.50	\$133.50
Letter of Attorney—Filing	\$8.75	\$9.00			
Letter of Attorney—Revocation	\$2.25	\$2.50	Civil Filing Fees		
Mechanics Lien	\$19.25	\$21.00	Custody Complaint		\$ 215.00
Municipal Lien	\$19.25	\$21.00	Divorce		\$ 220.00
Municipal Lien—Government	\$14.00	\$15.00	Divorce w/ Custody		\$ 356.00
Filing			Divorce—1 Additional Count		\$ 251.00
Petition	\$94.50	\$104.50	Divorce—2 Additional Counts		\$ 287.00
Petition—Government Filing	\$25.00	\$25.00	Divorce—3 Additional Counts		\$ 323.00
Petition for PFA—No Fee	\$-	\$-	Divorce—4 Additional Counts		\$ 359.00
Postponement	\$7.75	\$8.75	AOPC Custody Fee		\$ 5.00
Recording	\$7.75	\$8.75	Appointment of Master		\$ 26.75
Resume Prior Name	\$7.75	\$8.75	Appeal of Arbitration Award—		\$ 200.00
Resume Prior Name—	\$33.50	\$35.75	less than \$5,000 Controversy		
Out of County Decree			Appeal of Arbitration Award—		\$ 300.00
			\$5,000 to \$10,000 in Controversy		

Appeal of Arbitration Award— \$10,000 to \$20,000 in Controversy	\$ 400.00
Appeal of Arbitration Award— \$20,000 to \$35,000 in Controversy	\$ 500.00
Appeal— Superior/Commonwealth Court	\$ 47.50
Appeal—District Justice	\$ 105.00
Appeal—License Suspension	\$ 104.50
Assignment	\$ 8.75
Building Agreements	\$ 22.00
Certified Copy of Lien— Government Filing	\$ 15.00
Commonwealth Lien	\$ 15.00
Complaint	\$ 105.00
Complaint—Government Filing	\$ 25.50
Complaint with Confession of Judgment	\$ 31.00
Custody Fee	\$ 100.00
Custody with AOPC fee	\$ 105.00
Deed Acknowledgments	\$ 8.75
Discontinuance	\$ 8.75
Dissolve Attachment	\$ 8.75
Federal Tax Lien	\$ 15.00
Final Decree/Order	\$ 16.00
Foreign Judgment	\$ 21.00
Judgment	\$ 16.00
Judgment—DJ	\$ 21.00
Judgment—Note/Bond	\$ 21.00
Judgment—Government Filing	\$ 15.25
Judgment—Real Estate Bail	\$ 21.00
Land Use Appeal	\$ 104.50
Letter of Attorney—Filing	\$ 9.00
Letter of Attorney—Revocation	\$ 2.50
Mechanics Lien	\$ 21.00
Municipal Lien—Government Filing	\$ 15.00
Petition	\$ 104.50
Petition—Government Filing	\$ 25.00
Petition for PFA—No Fee	\$ -
Postponement	\$ 8.75
Recording	\$ 8.75
Resume Prior Name	\$ 8.75
Resume Prior Name— Out of County Decree	\$ 35.75
Release	\$ 8.75
Revival—Adverse Proceedings	\$ 31.00
Revival—Amicable Proceedings	\$ 21.00
Revival—Continuance of Lien	\$ 16.00
Rule of Reference	\$ 26.00
Rule of Reference— Government Filing	\$ 10.00
Satisfaction	\$ 8.75
Satisfaction—Commonwealth Liens	\$ 9.25
Subordination	\$ 8.75
Suggestion—Government Filing	\$ 10.00
Writ of Attachment	\$ 26.00
Writ of Certiorari	\$ 104.50
Writ of Execution	\$ 26.00
Writ of Possession	\$ 26.00
Writ of Scire Facias	\$ 26.00
Writ of Seizure	\$ 26.00

Writ of Summons	\$ 105.00
1 Additional Count	\$ 36.00
2 Additional Counts	\$ 72.00
3 Additional Counts	\$ 108.00
4 Additional Counts	\$ 144.00

Miscellaneous Fees

Certification—1st Page	\$ 5.00
Certification—Each Additional Page	\$ 1.50
Certification—DJ/Notary Public	\$ 3.25
Certified Copy of Lien	\$ 15.00
Copies—Microfilm	\$ 0.75
Copies—Photocopier	\$ 0.75
Deed Acknowledgement	\$ 8.75
Facsimile—1st Page	\$ 17.50
Facsimile—Each Additional Page	\$ 8.75
Exemplified Record	\$ 1.50
Letter of Attorney—Filing	\$ 9.00
Letter of Attorney—Revocation	\$ 2.50
Name/Lien Search	\$ 8.75
Passport	\$ 30.00
Purge—Mailing	\$ 5.00
Recording	\$ 8.75
Subpoenas	\$ 3.25
UCC Search—5 years	\$ 57.50
UCC Search—Each Reference	\$ 5.00
UCC Non-Standard	\$ 133.50

[Pa.B. Doc. No. 02-1996. Filed for public inspection November 8, 2002, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that William L. Autman, Jr., having been suspended from the practice of law in the State of Delaware for a period of three years, the Supreme Court of Pennsylvania issued an Order dated October 18, 2002 suspending William L. Autman, Jr., from the practice of law in this Commonwealth for a period of three years, effective November 17, 2002. 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. 02-1997. Filed for public inspection November 8, 2002, 9:00 a.m.]

RULES AND REGULATIONS

Title 40—LIQUOR

LIQUOR CONTROL BOARD

[40 PA. CODE CH. 9]

Transporters-for-Hire

The Liquor Control Board (Board) amends §§ 9.26 and 9.28 (relating to issuance and replacement of emblems; and use of vehicles) to read as set forth in Annex A.

The final-omitted rulemaking is necessary to aid entities licensed by the Board as transporters-for-hire. Transporters-for-hire are authorized to engage in the commercial transportation of liquor, malt or brewed beverages or alcohol to or from points located in this Commonwealth. The regulations currently require transporters-for-hire to own or lease their vehicles and employ the drivers of these vehicles. This final-omitted rulemaking permits these licensees to contract with unlicensed haulers for transportation services using the unlicensed transporters' vehicles and drivers. The final-omitted rulemaking enables transporters-for-hire to adjust to fluctuations in business volume without having to commit to large expenditures in vehicles and personnel. Moreover, persons who have contracted with and are performing transportation services for a transporter-for-hire would be considered agents of the licensee thus making the transporter-for-hire's license liable for a violation that may result. Additionally, the final-omitted rulemaking requires that transporters-for-hire notify the Board of vehicles that are no longer in service. The Board has not required this notification by its licensees as a matter of practice for numerous years; therefore, this requirement is being deleted.

Notice of proposed rulemaking is omitted under section 204(1) of the act of July 31, 1968 (P. L. 769, No. 240) (CDL) (45 P. S. § 1204(1)) since the amendments are related to agency practice and procedure and affected licensees have been notified of the amendments.

Fiscal Impact

The final-omitted rulemaking will impose no new costs upon transporters-for-hire, the Board or the public.

Paperwork Requirements

The final-omitted rulemaking will not result in additional paperwork for the State or the regulated community operating under transporter-for-hire licenses issued by the Board.

Statutory Authority

The authority for the final-omitted rulemaking is section 207(i) of the Liquor Code (47 P. S. § 2-207(i)).

Contact Person

Persons requiring an explanation of the final-omitted rulemaking should contact Jerry Danyluk, Room 513, Northwest Office Building, Harrisburg, PA 17124-0001.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on October 3, 2002, the Board submitted copies of the amendments with proposed rulemaking omitted to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Liquor Control and the Senate Committee on Law and Justice. On the same date, the final-omitted

rulemaking was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

In accordance with section 5.1(d) of the Regulatory Review Act, the final-omitted rulemaking was deemed approved on October 23, 2002, by the House Liquor Control Committee and the Senate Law and Justice Committee Under section 5.1(e) of the Regulatory Review Act, IRRC met on October 24, 2002, and approved this final-omitted rulemaking.

Findings

The Board finds that:

(1) Notice of proposed rulemaking is omitted under the authority of section 204(1) of the CDL since the final-omitted rulemaking relates to Board policy, practice and procedure and the affected parties have been notified.

(2) Amendment of the Board's regulations is necessary and appropriate for the administration and enforcement of the authorizing statutes.

Order

The Board, acting under the enabling statute, orders that:

(a) The regulations of the Board, 40 Pa. Code Chapter 9, are amended by amending §§ 9.26 and 9.28 to read as set forth in Annex A.

(b) The Board shall submit this order and Annex A to the Office of Attorney General for approval as to form and legality as required by law.

(c) The Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

JONATHAN H. NEWMAN,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 32 Pa.B. 5582 (November 9, 2002).)

Fiscal Note: 54-58. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 40. LIQUOR

PART I. LIQUOR CONTROL BOARD

CHAPTER 9. TRANSPORTATION, IMPORTATION, DISPOSITION AND STORAGE

Subchapter A. TRANSPORTATION OF LIQUOR, MALT OR BREWED BEVERAGES OR ALCOHOL

VEHICLES

§ 9.26. Issuance and replacement of emblems.

(a) Vehicle identification emblems will be used only for vehicles which are either owned or leased by the licensee or, in the case of a transporter-for-hire, utilized under contract with an unlicensed transporter.

(b) Vehicle identification emblems shall be affixed to the lower right corner of the windshield of each vehicle, as viewed from the inside of the vehicle.

(c) If the vehicle identification emblem becomes marred, defaced, damaged or is removed, application for a new emblem shall be made immediately, accompanied by a fee of \$10 and filed with the Board.

§ 9.28. Use of vehicles.

(a) A licensee engaged in the purchase or sale of liquor, malt or brewed beverages, or alcohol may not use or permit to be used a vehicle bearing his vehicle identification emblem for the transportation of a liquor, malt or brewed beverages, or alcohol other than that used in the operation of his licensed business. Subject to the limitations of their respective licenses, transporter-for-hire licensees may transport liquor, malt or brewed beverages or alcohol in vehicles owned or leased by the transporter-for-hire licensees and operated by drivers employed by the transporter-for-hire licensees or operated by drivers employed by unlicensed transporters who are under contract with the transporter-for-hire licensees.

(b) Persons who have contracted with and are performing transportation services of alcoholic beverages for the transporter-for-hire licensees are considered agents of the transporters-for-hire for purposes of section 471 of the Liquor Code (47 P. S. § 4-471).

(c) A licensee may not sell, lease or permit the use by another of a vehicle for which a vehicle identification emblem has been issued without first defacing the lettering on the vehicle as described in § 9.22 (relating to identification of vehicles), and removing and destroying the vehicle identification emblem affixed thereto.

[Pa.B. Doc. No. 02-1998. Filed for public inspection November 8, 2002, 9:00 a.m.]

Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CH. 1223]

Outpatient Drug and Alcohol Clinic Services

The Department of Public Welfare (Department) by this order adopts amendments to Chapter 1223 (relating to outpatient drug and alcohol clinic services) to read as set forth in Annex A, under section 443.3(1) of the Public Welfare Code (code) (62 P. S. § 443.3(1)).

Notice of proposed rulemaking is omitted in accordance with section 204(1)(iv) of the act of July 31, 1968 (P. L. 769, No. 240) (CDL) (45 P. S. § 1204(1)(iv)) and 1 Pa. Code § 7.4(1)(iv) (relating to omission of notice of proposed rulemaking) because the final-omitted rulemaking relates to Commonwealth benefits. Additionally, notice of proposed rulemaking is omitted for good cause as unnecessary in accordance with section 204(3) of the CDL and 1 Pa. Code § 7.4(3) as this final-omitted rulemaking benefits Medical Assistance (MA) recipients as well as providers by allowing for drug and alcohol treatment services to be more efficiently and expeditiously provided. The final-omitted rulemaking provides for the elimination of the current requirement for an outpatient drug and alcohol clinic's supervisory physician to perform a comprehensive medical examination within 15 days following intake and before the provision of treatment. In many instances, this requirement unnecessarily delayed treatment to individuals requiring drug and alcohol services.

Providers, consumers, advocacy groups and Department of Health (DOH) officials have worked closely with the Department in establishing this regulatory change based on current DOH requirements relating to staff qualifications for drug and alcohol clinics in 28 Pa. Code §§ 704.6—704.8 (relating to qualifications for the position of clinical supervisor; qualifications for the position of counselor; and qualifications for the position of counselor assistant). These staff requirements ensure that individuals who seek drug and alcohol services are initially assessed and determined to require treatment by professionally trained staff, without the need for a comprehensive medical examination by a physician.

Purpose

The purpose of this final-omitted rulemaking is to:

1. Eliminate the need for the outpatient drug and alcohol clinic's supervisory physician to perform a comprehensive medical examination within 15 days following intake and before the provision of treatment.

2. Require a level of care assessment for each patient prior to admission to the clinic and the provision of treatment by a Drug and Alcohol Addictions Professional (DAAP). A DAAP must be trained in the use of the Pennsylvania Client Placement Criteria (PCPC) for adults, American Society of Addiction Medicine (ASAM) Patient Placement Criteria (PPC) for adolescents or an alternative level of care criteria approved by the DOH or other criteria jointly approved by both the DOH and the Department.

3. Require, within 15 days following intake, the clinic's supervisory physician to review and verify each patient's level of care assessment, psychosocial evaluation and initial treatment plan prior to the provision of any treatment beyond the 15th day following intake. If this condition is not met, payment will not be made for outpatient drug and alcohol clinic services.

4. Require a physician to perform a comprehensive medical examination or psychiatric evaluation, when medically necessary, as indicated by the level of care assessment or the clinic's supervisory physician's review.

Background

Current § 1223.52(a)(6) (relating to payment conditions for various services) requires a drug and alcohol clinic's supervisory physician to examine and evaluate a potential patient, determine the patient's diagnosis and develop an initial treatment plan within 15 days following intake and before the provision of treatment. This final-omitted rulemaking was developed at a time when drug and alcohol clinics did not have clinical or ongoing training requirements for staff. Since that time, standards have been promulgated by the DOH in 28 Pa. Code Chapter 704 (relating to staffing requirements for drug and alcohol treatment activities). Based on the DOH requirements, the Department and DOH maintain contractual arrangements with managed care organizations and single county authorities that ensure qualified staff perform a patient's level of care assessment prior to admission to an outpatient drug and alcohol clinic and the provision of treatment.

In addition to the DOH regulatory standards relating to staffing in drug and alcohol clinics, drug and alcohol treatment programs serving DOH and MA eligible patients have been required to use the approved standards of clinical necessity or guidelines; PCPC for adults and ASAM PPC for adolescents. The DOH approved standards of clinical necessity or guidelines were developed to

address the medical need for the placement of the patient in the level, type and duration of treatment necessary and to address the degree of direct medical management. Patient level of care assessment and the application of the DOH approved placement criteria is conducted by a DAAP trained in the use of the PCPC or ASAM PPC.

As a result of the DOH regulatory standards relating to drug and alcohol clinic staffing qualifications, the Department was requested to reexamine the regulations requiring the clinic's supervisory physician to perform the comprehensive medical examination. Based on input from consumers, providers and advocacy groups, the Department determined that § 1223.52(a)(6) created unnecessary barriers to expedient drug and alcohol clinic services. The Department also considered and adopted the Pennsylvania Psychiatric Society's recommendation to provide payment for a comprehensive medical examination or psychiatric evaluation by a physician, when either the level of care assessment or the physician's review indicates the need.

This final-omitted rulemaking does not apply to methadone maintenance clinics because of Federal law requirements in 42 CFR 8.12(f)(2) (relating to Federal opioid treatment standards). Federal regulations require a comprehensive medical examination be performed for each MA recipient before dispensing methadone to the MA recipient.

Need for Final-Omitted Rulemaking

This final-omitted rulemaking is necessary to eliminate the need for the outpatient drug and alcohol clinic's supervisory physician to perform a comprehensive medical examination within 15 days following intake and before the provision of treatment. This final-omitted rulemaking also provides for consistency with the DOH regulations by allowing a DAAP trained in the use of PCPC for adults or ASAM PPC for adolescents or an alternative level of care criteria approved by the DOH or other criteria jointly approved by both the DOH and the Department to perform a level of care assessment for each patient prior to admission to the clinic and the provision of treatment.

Affected Individuals

MA outpatient recipients seeking drug and alcohol services will be affected by the final-omitted rulemaking with the exception of methadone maintenance clients.

Providers of outpatient drug and alcohol services with the exception of methadone maintenance clinics are subject to the final-omitted rulemaking. Affected clinics have sought and are already aware of this final-omitted rulemaking.

Summary of Amendment

Sections 1223.2, 1223.14 and 1223.41 (relating to definitions; noncovered services; and participation requirements) and § 1223.52 are amended or added to reflect current staff qualification standards by the DOH in 28 Pa. Code §§ 704.6—704.8 and in accordance with State Civil Service Commission standards. The final-omitted rulemaking allows for individual level of care assessments and the application of the DOH approved placement criteria to be conducted by a DAAP trained in the use of the PCPC for adults and ASAM PPC for adolescents. An assessment eliminates the need for the outpatient drug and alcohol clinic's supervisory physician to perform a comprehensive medical examination within 15 days following intake and before the provision of treatment. This

allows MA recipients the benefit of access to medically necessary drug and alcohol treatment services in a more expeditious manner.

Fiscal Impact

Public Sector

The Department's Office of Medical Assistance Programs (OMAP) does not anticipate any fiscal impact on the public sector other than minor cash flow costs over 1 year that is estimated to be approximately \$222,000.

Private Sector and General Public

The OMAP does not anticipate any fiscal impact on the private sector or the general public.

Paperwork Requirements

There are no additional reports or new forms needed to comply with the final-omitted rulemaking.

Sunset Date

The OMAP will evaluate the effectiveness of this final-omitted rulemaking on an ongoing basis. Necessary and appropriate changes will be made in response to letters, recommendations and comments from other offices, agencies and individuals and as a result of Departmental findings. No sunset date is required.

Public Comment

Although the final-omitted rulemaking is being adopted without prior notice, interested persons are invited to submit written comments, within 30 days of the date of this publication to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users).

Regulatory Review Act

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on September 12, 2002, the Department submitted copies of this final-omitted rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare. On the same date, the final-omitted rulemaking was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(a) of the Regulatory Review Act, on October 2, 2002, this final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, on October 24, 2002, IRRC met and approved this final-omitted rulemaking.

Findings

The Department finds that:

(1) Notice of proposed rulemaking is omitted because this rulemaking relates to Commonwealth benefits in accordance with section 204(1)(iv) of the CDL and 1 Pa. Code § 7.4(1)(iv).

(2) Notice of proposed rulemaking is unnecessary under section 204(3) of the CDL and 1 Pa. Code § 7.4(3).

(3) The adoption of this final-omitted rulemaking in the manner provided in this order is necessary and appropriate for the administration and enforcement of the code.

Order

The Department, acting under the code, orders:

(a) The regulations of the Department, 55 Pa. Code Chapter 1223, are amended by amending §§ 1223.2, 1223.14, 1223.41 and 1223.52 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(b) The Secretary of the Department shall submit this order and Annex A to the Attorney General and General Counsel for approval as to legality and form as required by law.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

FEATHER O. HOUSTOUN,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 32 Pa.B. 5582 (November 9, 2002).)

Fiscal Note: 14-476. (1) General Fund;

	MA— Outpatient	MA— Capitation
(2) Implementing Year 2001-02 is	-0-	-0-
(3) 1st Succeeding Year 2002-03 is	\$83,000	\$139,000
2nd Succeeding Year 2003-04 is	-0-	-0-
3rd Succeeding Year 2004-05 is	-0-	-0-
4th Succeeding Year 2005-06 is	-0-	-0-
5th Succeeding Year 2006-07 is	-0-	-0-
	MA— Outpatient	MA— Capitation
(4) 2000-01 Program—	\$668,586,000	\$1,487,944,000
1999-00 Program—	\$622,669,000	\$1,384,763,000
1998-99 Program—	\$695,935,000	\$1,026,075,000
(7) Medical Assistance Outpatient and Capitation; (8) recommends adoption. Funding is included in the 2002-03 budget for this regulatory change.		

Annex A

TITLE 55. PUBLIC WELFARE

PART III. MEDICAL ASSISTANCE MANUAL

CHAPTER 1223. OUTPATIENT DRUG AND ALCOHOL CLINIC SERVICES

GENERAL PROVISIONS

§ 1223.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

DAAP—Drug and alcohol addictions professional—One of the following:

(i) An individual who is certified as an addictions counselor by a Statewide certification body and who is a member of a National certification body.

(ii) An individual who is certified by another state government's substance abuse counseling certification board.

(iii) An individual possessing a minimum of a bachelor's degree in social science and 2 years experience in treatment/case management services for persons with substance abuse/addiction disorders.

(iv) An individual meeting the qualifications of one of the following:

(A) Drug and Alcohol Case Management Specialist.

(B) Drug and Alcohol Case Management Specialist Trainee.

(C) Drug and Alcohol Case Management Supervisor.

(D) Drug and Alcohol Counselor.

(E) Drug and Alcohol Counselor Assistant.

DAC—Drug and alcohol counselor—An individual who provides a wide variety of treatment services which may include performing diagnostic assessments for chemical dependency, developing treatment plans, and providing individual and group counseling. This individual shall meet the education and experience requirements in 28 Pa. Code § 704.7 (relating to qualifications for the position of counselor).

DACA—Drug and alcohol counselor assistant—An individual in an entry level position who provides treatment services under the direct supervision of a trained counselor or clinical supervisor. This individual shall meet the education, experience, supervision and training requirements in 28 Pa. Code §§ 704.8 and 704.11 (relating to qualifications for the position of counselor assistant; and staff development program).

DACMSP—Drug and alcohol case management specialist—An individual who meets the minimum experience and training requirements established by the State Civil Service Commission for DACMSP.

DACMST—Drug and alcohol case management specialist trainee—An individual who meets the minimum experience and training requirements established by the Civil Service Commission for DACMST.

DACMSU—Drug and alcohol case management supervisor—An individual who meets the minimum experience and training requirements established by the Civil Service Commission for DACMSU.

* * * * *

Level of care assessment—A face-to-face interview with an individual using the most current edition of the Pennsylvania Client Placement Criteria for adults and the most current edition of the American Society of Addiction Medicine Patient Placement Criteria for adolescents to ascertain the severity of alcohol or other drug use and degree of impairment by identifying the biomedical, emotional/behavioral and environmental effects of that use in order to determine proper placement and treatment for the individual.

* * * * *

Psychosocial evaluation—A composite picture of the individual in relationship to the collected historical information in order to identify possible relationships, conditions and causes leading to the individual's current situation.

* * * * *

COVERED AND NONCOVERED SERVICES**§ 1223.14. Noncovered services.**

Payment will not be made for the following types of services regardless of where or to whom they are provided:

* * * * *

(14) Methadone maintenance clinic services provided before the date of the physician's comprehensive medical examination, diagnosis and treatment plan.

(15) Services provided without a level of care assessment for each patient prior to admission to the clinic.

(16) Services provided within or beyond the 15th calendar day following intake, without the clinic's supervisory physician's review and approval of the patient's level of care assessment, psychosocial evaluation, treatment plan and determination of the patient's diagnosis as specified in § 1223.52(a)(6)(i).

PROVIDER PARTICIPATION**§ 1223.41. Participation requirements.**

In addition to the participation requirements established in Chapter 1101 (relating to general provisions), drug/alcohol outpatient clinics shall meet the following participation requirements:

* * * * *

(11) Ensure that a DAAP performs a level of care assessment for each patient prior to admission to the clinic and the provision of treatment.

PAYMENT FOR OUTPATIENT DRUG/ALCOHOL CLINIC SERVICES**§ 1223.52. Payment conditions for various services.**

(a) *Elibility for payment.* The following conditions shall be met by an outpatient drug and alcohol clinic, as applicable, to be eligible for payment:

* * * * *

(6) With the exception of methadone maintenance clinic services, a DAAP shall perform a level of care assessment for each patient prior to admission to the clinic and the provision of services.

(i) Within 15 days following intake, the clinic's supervisory physician shall review and verify each patient's level of care assessment, psychosocial evaluation and initial treatment plan prior to the provision of any treatment beyond the 15th day following intake. The clinic's supervisory physician shall verify the patient's diagnosis. The clinic's supervisory physician shall sign and date the patient's level of care assessment, psychosocial evaluation, treatment plan and diagnosis in the patient's record. Payment will not be made for services provided within or beyond the 15th day following intake, without the clinic's supervisory physician's review and approval of the level of care assessment, psychosocial evaluation, treatment plan and determination of the patient's diagnosis.

(ii) Sixty days following the date of the initial treatment plan and at the end of every 60-day period during the duration of treatment, the clinic's supervisory physician shall review and update each patient's treatment plan. Each review and update shall be dated, documented and signed in the patient's record by the clinic's supervisory physician.

(iii) The treatment plan and updates shall be based upon the psychosocial evaluation and diagnoses. Treatment shall be provided in accordance with the treatment

plan and updates and under the supervision and direction of the clinic's supervisory physician. Clinic supervisory physician reviews and reevaluations of diagnoses, treatment plans and updates shall be done in the clinic.

(iv) A physician may perform a comprehensive medical examination or psychiatric evaluation, when medically necessary, as indicated by either the level of care assessment or the clinic's supervisory physician's review.

(7) For methadone maintenance clinics, following intake and prior to the provision of any services, the clinic's supervisory physician shall perform a comprehensive medical examination on each patient to determine the patient's diagnoses, initial treatment plan and identify any medical conditions. The clinic's supervisory physician shall document and sign the comprehensive medical examination and treatment plan in the patient's record. The treatment plan shall be developed, maintained and periodically reviewed in accordance with the following criteria:

(i) Sixty days following the date of the initial treatment plan and at the end of every 60-day period during the duration of treatment, the clinic's supervisory physician shall review and update each patient's treatment plan. Each review and update shall be dated, documented and signed in the patient's record by the clinic's supervisory physician.

(ii) The treatment plan and updates shall be based upon the comprehensive medical examination, psychosocial evaluation and diagnoses. Treatment shall be provided in accordance with the treatment plan and updates and under the supervision and direction of the clinic's supervisory physician. Clinic supervisory physician reviews and reevaluations of diagnoses, treatment plans and updates shall be done in the clinic.

[Pa.B. Doc. No. 02-1999. Filed for public inspection November 8, 2002, 9:00 a.m.]

Title 61—REVENUE**DEPARTMENT OF REVENUE****[61 PA. CODE CHS. 816, 870 AND 871]****Cash 5, Super 6 Lotto and Powerball**

The Secretary of Revenue, under the authority contained in section 303 of the State Lottery Law (72 P. S. § 3761-303), amends Chapters 816, 870 and 871.21 (relating to Cash 5; Super 6 Lotto; and Powerball) to read as set forth in Annex A.

Because of time constraints associated with the establishment, operation and administration of lottery games, the Department of Revenue (Department), under section 204 of the act of July 31, 1968 (P. L. 769, No. 240) (CDL) (45 P. S. § 1204) and the regulation thereunder, 1 Pa. Code § 7.4 (relating to omissions of notice of proposed rulemaking), finds that notice of proposed rulemaking is, under the circumstances, impracticable and, therefore, may be omitted.

The Department's justification for utilizing the rulemaking omitted process is based upon the time constraints associated with the establishment, operation and administration of lottery games. The efficient and successful operation of the Lottery requires that the Lottery implement the latest innovations and trends in the lottery industry. The inability to adapt marketing strate-

gies quickly may lead to a reduction in lottery revenues. The necessity of the Lottery to react quickly to market forces has been recognized in the past as an appropriate justification for utilizing the proposed rulemaking omitted process as evidenced by the approval of these types of regulations in the past.

Purpose of Amendments

This final-omitted rulemaking amends the Cash 5 and Super 6 Lotto regulations by deleting language that allowed for the cancellation of a ticket to make the rules relating to ticket cancellation consistent with the rule set forth in the Powerball game. The uniform treatment of ticket sales will provide consistency among the on-line games available to Commonwealth players. In addition, the Super 6 Lotto regulations are amended by establishing a new minimum jackpot of \$500,000. The change in the minimum jackpot amount is done to accommodate the addition of the Powerball game to the lineup of jackpot games available to Commonwealth players.

The amendment to the Powerball section is necessary to allow the Department adequate time to publish a notice of future changes to the Powerball game.

Explanation of Regulatory Requirements

Section 816.106(d) and (e) (relating to Cash 5 bet slip and ticket characteristics and restrictions) is amended by deleting language that allowed for the cancellation of a ticket. Language is added to § 816.106(d) which specifically states that a Cash 5 ticket may not be canceled or voided once printed. Explanatory language that the placing of bets is done at the player's own risk is added to subsection (e). Language relating to the cancellation of a ticket is also deleted from § 816.110(a)(6), (9) and (11) (relating to ticket validation requirements).

Minor editorial changes were made to the definition of "ticket" in §§ 870.3, 870.5 and 870.6(c) (relating to definitions; ticket price; and Super 6 Lotto bet slip and ticket characteristics and restrictions). Section 870.6(d) and (e) is amended by deleting language that allowed for the cancellation of a ticket and by adding language which specifically states that a Super 6 Lotto ticket may not be canceled or voided once printed and explains that the placing of bets is done at the player's own risk.

Section 870.8(g) (relating to determination of prize winners) is amended by revising paragraph (4) to provide that the new minimum jackpot will be at least \$500,000. Other revisions were made to paragraphs (2), (4) and (5) to clarify the cash and annuity payment options. The provisions set forth in subsection (l) relating to the reallocation of moneys from the Wild Card Lotto and Keystone Jackpot games are no longer necessary and are deleted from the regulation.

Section 870.10(a)(6) and (9) (relating to ticket validation requirements) is amended by deleting language that allowed for the cancellation of a ticket.

Section 871.21(a) (relating to future changes to Powerball) is amended by changing the public announcement period to 30 days before the change takes effect. As the Department worked through its first change to the Powerball rules with the Multi-State Lottery Association (MUSL), it became apparent that the 90-day period set forth in the original rulemaking was not feasible due to the fact that the MUSL and its member lotteries must respond to changes in market dynamics quickly. In addition, the MUSL is removed from the public announcement process because as a member of the MUSL Powerball Product Group, the Commonwealth's notice of a change is notice by the MUSL.

Fiscal Impact

The Department has determined that this final-omitted rulemaking will have no significant adverse fiscal impact on the Commonwealth and that the games described by the regulations will produce an undetermined net revenue. The change in the minimum jackpot for Super 6 Lotto is expected to affect sales of tickets for that particular game. However, this reduction is estimated to be offset by sales of Powerball game tickets.

Paperwork

This final-omitted rulemaking will not generate substantial paperwork for the public or the Commonwealth.

Effectiveness/Sunset Date

This final-omitted rulemaking will become effective upon publication in the *Pennsylvania Bulletin*. The regulations are scheduled for review within 5 years of final publication. No sunset date has been assigned.

Contact Person

The contact person for an explanation of this final-omitted rulemaking is Anita M. Doucette, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on September 9, 2002, the Department submitted a copy of the regulations with proposed rulemaking omitted to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Finance and the Senate Committee on Finance. On the same date, the final-omitted rulemaking was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

In accordance with section 5.1(d) of the Regulatory Review Act, the final-omitted rulemaking was deemed approved by the Committees on September 30, 2002. IRRC met on October 24, 2002, and approved the final-omitted rulemaking under section 5.1(e) of the Regulatory Review Act.

Findings

The Department finds that the final-omitted rulemaking is necessary and appropriate for the administration and enforcement of the authorizing statute. Under section 204 of the CDL, the Department also finds that the proposed rulemaking procedures in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202) are impracticable because of the time constraints associated with the establishment, operation and administration of lottery games.

Order

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 61 Pa. Code Chapters 816, 870 and 871, are amended by amending §§ 816.106, 816.110, 870.3, 870.5, 870.6, 870.8, 870.10 and 871.21 to read as set forth in Annex A.

(b) The Secretary shall submit this order and Annex A to the Office of General Counsel and Office of Attorney General for approval as to form and legality as required by law.

(c) The Secretary shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

LARRY P. WILLIAMS,
Secretary

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 32 Pa.B. 5582 (November 9, 2002).)

Fiscal Note: 15-421. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 61. REVENUE

PART V. STATE LOTTERIES

CHAPTER 816. CASH 5

§ 816.106. Cash 5 bet slip and ticket characteristics and restrictions.

(a) The player shall select five numbered squares in a game grid on a bet slip or request number selection by quick pick. Bet slips shall be available at no cost to the purchaser. The minimum entry is \$1. For \$1, play game grid A, for \$2, play game grids A and B, for \$3, play game grids A, B and C, for \$4, play game grids A, B, C and D, for \$5, play game grids A, B, C, D and E. Game grids shall be selected in alphabetical order in accordance with the instructions printed on the bet slip. A bet slip has no pecuniary or prize value and does not constitute evidence of the purchase of a ticket or of numbers selected.

(b) To purchase a Cash 5 ticket, a player shall, in addition to the purchase price, submit the completed bet slip, or request number selection by quick pick, to an on-line retailer to have issued a standard game ticket. The ticket shall contain the five number selections played in each game grid identified by a letter as described in subsection (a), the drawing date, the amount bet and the validation number data. This standard game ticket shall be the only valid proof of the bet placed, and the only valid receipt for claiming a prize. The standard game ticket shall only be valid for the drawing date printed on the ticket.

(c) If bet slips are unavailable, plays may also be given to an authorized retailer in groups of five number selections for each game grid for each \$1 wagered. The selections shall be manually entered into the computer terminal by the retailer.

(d) A Cash 5 ticket may not be canceled or voided once printed by the Lottery terminal, even if the ticket is printed in error.

(e) It is the sole responsibility of the ticket purchaser or holder to verify the accuracy and condition of data printed on the standard game ticket. The placing of bets is done at the player's own risk through the on-line retailer who is acting on behalf of the player in entering the play or plays.

§ 816.110. Ticket validation requirements.

(a) *Valid tickets.* To be a valid Cash 5 ticket and entitled to a prize, the following conditions shall be met:

(1) The ticket validation number shall be present in its entirety and shall correspond, using the computer validation file, to the selected numbers printed on the ticket for the date printed on the ticket.

(2) The ticket shall be intact.

(3) The ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The ticket may not be counterfeit or an exact duplicate of another winning ticket.

(5) The ticket shall have been issued by the Lottery through an on-line retailer in an authorized manner.

(6) The ticket may not have been stolen.

(7) The ticket shall be validated in accordance with § 816.111 (relating to procedures for claiming and payment of prizes).

(8) The player selected or quick pick numbers on the ticket shall be in individual groups of five numbers each associated with a single letter, A, B, C, D or E, and the five numbers and the associated letter shall constitute a single play.

(9) The ticket data shall have been recorded on the central computer system prior to the drawing and the ticket data shall match the computer record in every respect.

(10) The ticket shall be signed and presented to the Lottery or its authorized representative as set forth in § 816.111 and validated at Lottery headquarters.

(11) The player selected or quick pick numbers, the validation number data and the drawing date of the winning ticket shall appear on the official file of winning plays; and a ticket with that exact data may not have been previously paid.

(12) The ticket may not be misregistered, defectively printed or printed or produced in error to an extent that it cannot, in the sole opinion of the Lottery, be processed by the Lottery.

(13) The ticket shall pass other confidential security checks of the Lottery.

(14) By submitting a Cash 5 ticket for validation, the player agrees to abide by this chapter as determined by the Director.

(15) There may not be another breach of this chapter in relation to the ticket which, in the opinion of the Director, justifies disqualification.

(b) *Invalid or defective tickets; disputes.* A ticket not passing the validation checks in subsection (a) will be considered invalid and will not be paid.

(1) In cases of doubt, the determination of the Secretary is final and binding. The Secretary may replace an invalid ticket with a ticket of equivalent sale price from a current Lottery game.

(2) If a defective ticket is purchased or if the Secretary determines to adjust an error, the sole and exclusive remedy will be the replacement of the defective or erroneous ticket with a ticket of equivalent sale price from a current Lottery game.

(3) If a ticket is not paid by the Lottery and a dispute occurs as to whether the ticket is a valid winning ticket, the Lottery may replace the ticket as provided in paragraph (2). This is the sole and exclusive remedy of the holder of the ticket.

CHAPTER 870. SUPER 6 LOTTO

§ 870.3. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Apparent winning ticket—A ticket bearing winning numbers which has not been validated by the Lottery.

Cash option—A method of payment that the player selects at the time of purchase of a Super 6 Lotto ticket to receive a pari-mutuel share of the prize money allocated to the first prize category as a cash payment, if the player is a holder of a winning ticket for that category.

Drawing—The process of selecting winning numbers that determine the number of winners for each prize category of the game.

Game section—The area of the Super 6 Lotto bet slip that contains five sections of 69 squares each numbered 1 through 69. Each section is lettered either A, D, G, J or M, and when used to purchase a ticket, corresponds to the numbers selected and the numbers that are quick picked and printed on the ticket.

On-line retailer or retailer—A person who is properly authorized by the Lottery to sell tickets.

Quick pick—The random selection through a Lottery terminal of six different numbers from 1 through 69 that appear on a ticket and are played by a player in the Super 6 Lotto Game.

Super 6 Lotto bet slip—A card having a game section used by a player to play the game.

Ticket—A Super 6 Lotto ticket, produced by a licensed retailer in an authorized manner, containing a letter prefix followed by six selected numbers from 1 through 69 and followed by two additional sets of six numbers from 1 through 69 each preceded by a letter prefix quick picked as bonus selections, a drawing date, the amount bet, cash option selection, if applicable, and validation number data. Each set of six numbers constitutes a play, of which there may be three or more, in multiples of three up to fifteen on a ticket.

Winning numbers—Six numbers, from 1 through 69, selected at a Super 6 Lotto drawing and which have been subsequently validated by the Lottery, which shall be used to determine the winning Super 6 Lotto plays on tickets.

Winnings pool—The amount allocated from Super 6 Lotto gross sales for a particular Super 6 Lotto Game drawing for the purpose of paying prizes in a particular Super 6 Lotto drawing. Money brought forward is allocated to the first prize category as provided in § 870.8(f) (relating to determination of prize winners).

§ 870.5. Ticket price.

Tickets may be purchased for \$1 per ticket, which ticket shall consist of three individual game plays, one of which, at the owner's option can be the numbers selected by the player; the remaining two number plays are quick pick selections. Additional tickets may, at the discretion of the player, be purchased in increments of three individual game plays per \$1 wagered.

§ 870.6. Super 6 Lotto bet slip and ticket characteristics and restrictions.

(a) The player shall select, or request selection by computer, six numbered squares, in one or more of the game sections on a Super 6 Lotto bet slip. Super 6 Lotto bet slips shall be available at no cost to the player. The minimum entry is \$1. For \$1, play game A; for \$2, play games A and D; for \$3, play games A, D and G; for \$4, play games A, D, G and J; for \$5, play games A, D, G, J and M. Game sections shall be selected in alphabetical order in accordance with the instructions printed on the Super 6 Lotto bet slip. A Super 6 Lotto bet slip has no pecuniary or prize value and does not constitute evidence of the purchase of a ticket or the numbers selected.

(b) To purchase a ticket, players shall, in addition to the purchase price, submit the completed Super 6 Lotto bet slip, or request number selection, either by quick pick or manual terminal entry, to an on-line retailer to have issued a ticket. The ticket shall contain three six number selections, two of which will be quick pick selections, in each game section, (for each \$1 wagered) identified by a letter, the drawing date, amount bet, cash option selection if applicable, and validation number data. This ticket shall be the only valid proof of the bet placed, and the only valid receipt for claiming a prize. The ticket shall only be valid for the drawing date printed on the ticket.

(c) If Super 6 Lotto bet slips are unavailable, number selections may be given to an on-line retailer in groups of six number selections, one for each game section, for each \$1 wagered. The selections shall be manually entered into the computer terminal by the retailer.

(d) A Super 6 Lotto ticket may not be canceled or voided once printed by the Lottery terminal, even if the ticket is printed in error.

(e) It is the sole responsibility of the ticket holder to verify the accuracy and condition of data printed on the ticket. The placing of bets is done at the player's own risk through the on-line retailer who is acting on behalf of the player in entering the play or plays.

§ 870.8. Determination of prize winners.

(a) The pari-mutuel prize to be awarded to an owner of an apparent winning ticket will be determined as follows:

<i>Tickets Containing the Following, In One Single Lettered Game Play</i>	<i>Prize Category</i>	<i>Percent (%) of Winners Pool Allocated to Prize Category</i>
All Six Winning Numbers	1st	76.0%
Five Winning Numbers	2nd	8.0%
Four Winning Numbers	3rd	7.5%
Three Winning Numbers	4th	8.5%

(b) Prize money allocated to the first prize category will be paid on a pari-mutuel basis, divided equally by the number of plays on tickets determined by the Lottery to be entitled to claim a first prize.

(c) Prize money allocated to the second prize category will be paid on a pari-mutuel basis, divided equally by the number of plays on tickets determined by the Lottery to be entitled to claim a second prize.

(d) Prize money allocated to the third prize category will be paid on a pari-mutuel basis, divided equally by the number of plays on tickets determined by the Lottery to be entitled to claim a third prize.

(e) Prize money allocated to the fourth prize category will be paid on a pari-mutuel basis, divided equally by the number of plays on tickets determined by the Lottery to be entitled to claim a fourth prize.

(f) If, in a Super 6 Lotto drawing, there are no plays on tickets which qualify for a particular prize category, the pari-mutuel prize money allocated to the particular prize category will be reallocated and added to the amount allocated for the first prize category money in the next Super 6 Lotto drawing.

(g) Super 6 Lotto prizes will be paid as follows:

(1) Individual ticket prize payments will be paid entirely in cash with the exception of the first prize category.

(2) Prizes payable to the first prize category winners will be paid either by an initial cash payment plus equal annual payments over a specified term of 25 years or a one-time cash payment if the owner selected the cash option at the time of purchase.

(3) If more than one winning first prize play is determined, each, upon meeting the requirements of §§ 870.10 and 870.11 (relating to ticket validation requirements; and procedures for claiming and payment of prizes), is entitled to a prorated payment share of the total first prize category.

(4) For first prize category payments, the total one-time cash payment for the first prize category will be in an amount which is the greater of either the cash available in the winnings pool for the first prize category or the announced cash option amount; or, if the annuity option is selected at the time of purchase, the total of the initial and annual payments over the term for the first prize will be the greater of either the announced annuity jackpot or the annuity that could be purchased with the cash available in the winnings pool for the first prize category. The minimum jackpot will be at least \$500,000. The annuity will be paid in an initial cash payment plus equal annual payments over a specified term of 25 years. If more than one winning play is determined, each is entitled to a prorated share of the total first prize category as provided in paragraph (3).

(5) For first prize category payments, the Secretary may elect to make payment entirely as a one-time cash payment, if public notice is given in accordance with subsection (j). This one-time cash payment shall be the amount equal to the greater of either the cash available in the winnings pool for the first prize category or the announced cash option jackpot.

(h) A winning Super 6 Lotto play is entitled only to the highest prize won by those numbers.

(i) For purpose of calculating a Super 6 Lotto prize, the amount to be paid will be rounded down to the nearest 50¢.

(j) The number of prize categories, the allocation of prize money among the prize categories and the annuity term may be changed at the discretion of the Secretary and the change will be announced by public notice. The changes will only apply prospectively to Super 6 Lotto drawings as of the date specified in the public notice.

(k) Retailer incentive and marketing promotion programs, including the use of unfunded free tickets, may be implemented at the discretion of the Secretary. Funds for the programs, if needed, will be drawn from the Lottery fund.

§ 870.10. Ticket validation requirements.

(a) *Valid tickets.* To be a valid ticket, the following conditions shall be met:

(1) The ticket validation number shall be present in its entirety and shall correspond, using the computer validation file, to the selected numbers printed on the ticket for the date printed on the ticket.

(2) The ticket shall be intact.

(3) The ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The ticket may not be counterfeit or an exact duplicate of a winning ticket.

(5) The ticket shall have been issued by the Lottery through a licensed retailer.

(6) The ticket may not have been stolen.

(7) The ticket shall be validated in accordance with § 870.11 (relating to procedures for claiming and payment of prizes).

(8) The player-selected or computer-selected numbers on the ticket shall be in individual groups of six numbers each associated with a single letter, A, B, C, D, E, F, G, H, I, J, K, L, M, N or O and the six numbers, and the associated letter shall constitute a single game play.

(9) The ticket data shall have been recorded on the Lottery's central computer system prior to the drawing and the ticket data shall match this computer record in every respect.

(10) The player selected or computer selected numbers, cash option selection, if applicable, the validation number data and the drawing date of an apparent winning ticket shall appear on the official file of winning tickets; and a ticket with that exact data may not have been previously paid.

(11) The ticket may not be misregistered, defectively printed, or printed or produced in error to an extent that it cannot be processed by the Lottery.

(12) The ticket shall pass other confidential security checks of the Lottery.

(13) By submitting a ticket for validation, the player agrees to abide by this chapter as determined by the Secretary.

(14) There may not be another breach of this part in relation to the ticket which, in the opinion of the Secretary, justifies disqualification.

(b) *Invalid or defective tickets/disputes.* A ticket not passing the validation checks in subsection (a) will be considered invalid and will not be paid.

(1) In cases of doubt, the determination of the Secretary is final and binding. The Secretary may replace an invalid ticket with a ticket of equivalent sale price from a current Lottery game.

(2) If a defective ticket is purchased or if the Secretary determines to adjust an error, the sole and exclusive remedy will be the replacement of the defective or erroneous ticket with a ticket of equivalent sale price from a current Lottery game.

(3) If a ticket is not paid by the Lottery and a dispute occurs as to whether the ticket is a winning ticket, the Lottery may replace the ticket as provided in paragraph (2). This is the sole and exclusive remedy of the holder of the ticket.

CHAPTER 871. POWERBALL

§ 871.21. Future changes to Powerball.

(a) The MUSL reserves the right to modify the Powerball game in order to address changes in player participation or population of member states. If the MUSL decides to make a change, it will be publicly announced by the Secretary at least 30 days before the change takes effect.

(b) The Secretary will publish notice of the change in the *Pennsylvania Bulletin* and the change will be codified in § 871.22 (relating to changes to Powerball).

[Pa.B. Doc. No. 02-2000. Filed for public inspection November 8, 2002, 9:00 a.m.]

NOTICES

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 October 29, 2002.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
10-28-02	M&T Bank Corporation, Buffalo, NY, to acquire 100% of the outstanding shares of Allfirst Financial, Inc., Baltimore, MD	Buffalo, NY	Filed

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-25-02	Clearfield Interim Bank & Trust Company Clearfield Clearfield County	Clearfield	Filed
10-28-02	York Traditions Bank York York County	235 St. Charles Way York York County	Commenced Operations

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-25-02	Sky Bank, Salineville, OH, and Three Rivers Bank and Trust Company, Jefferson Borough, PA Surviving Institution— Sky Bank, Salineville, OH	Salineville, OH	Effective

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-25-02	Keystone Savings Bank Bethlehem Northampton County	235 Main Street Emmaus Lehigh County	Opened
10-15-02	Northwest Savings Bank Warren Warren County	121 Main Street Ridgway Elk County (Drive-Up Facility)	Opened
10-17-02	Millennium Bank Malvern Chester County	83 Lancaster Avenue Malvern Chester County	Opened
10-23-02	Premier Bank Doylestown Bucks	801 Old York Road Jenkintown Abington Township Montgomery County	Filed
10-23-02	Community Banks Millersburg Dauphin County	309 Woodward Road Westminster Carroll County, MD	Filed

NOTICES

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
9-16-02	Pennview Savings Bank Souderton Montgomery County	<i>To:</i> Route 309 and Stump Road Montgomeryville Montgomery County <i>From:</i> 706 North Wales Road Montgomeryville Montgomery County	Effective
10-15-02	Bank of Hanover and Trust Company Hanover York County	<i>To:</i> 25 Baltimore Blvd. Westminster Carroll County, MD <i>From:</i> 223 E. Main Street Westminster Carroll County, MD	Effective

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-25-02	Allegheny Valley Bank of Pittsburgh Pittsburgh Allegheny County	St. Francis Medical Parking Complex 4401 Penn Avenue Pittsburgh Allegheny County	Approved
10-29-02	AmeriServ Financial Bank Johnstown Cambria County	Oakley Park II Route 30 East Greensburg Westmoreland County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
10-24-02	Atlantic Credit Union, Newtown Square, PA, and UFCW Local 56 Federal Credit Union, Pennsauken, NJ Surviving Institution— Atlantic Credit Union, Newtown Square, PA	Newtown Square	Filed

PAUL H. WENTZEL, Jr.,
Acting Secretary

[Pa.B. Doc. No. 02-2001. Filed for public inspection November 8, 2002, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, November 20, 2002, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items should be directed to Kurt Leitholf at (717) 705-0031.

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

JOHN C. OLIVER,
Secretary

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

DEPARTMENT OF EDUCATION

Application of Valley Forge Christian College for Approval of Amendment of Its Articles of Incorporation

Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6504(a) (relating to fundamental changes), the Department of Education (Department) will consider the application of Valley Forge Christian College for a Certificate of Authority approving the amendment to and the restating of its Articles of Incorporation in their entirety.

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

Petitions to intervene, protest and request for hearing shall be filed with Paula Fleck, Chief, Division of Program Services, (717) 772-3623 or Carol Gisselquist, Higher Education Specialist, (717) 787-4448, 333 Market Street, Harrisburg, PA 17126-0333 by 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Paula Fleck, (717) 772-3623 or Carol Gisselquist, (717) 787-4448 to discuss how the Department may best accommodate their needs.

CHARLES B. ZOGBY,
Secretary

[Pa.B. Doc. No. 02-2003. Filed for public inspection November 8, 2002, 9:00 a.m.]

Individuals with Disabilities Education Act—Part B

Written public comment is invited regarding the Department of Education's (Department) proposed modifications to its policies and procedures under the Individuals with Disabilities Education Act—Part B (IDEA-B). The grant on file with the United States Department of Education describes the State's policies and procedures in effect to ensure the Department meets the Federal requirements to ensure that a free appropriate public education is made available to all children with a disability from 3 to 21 years of age. The policies and procedures on file with the United States Department of Education

are available for viewing at www.pattan.k12.pa.us or by contacting Dennis A. McLaughlin at (717) 783-6877.

The IDEA-B funds, received under 34 CFR 300.110, will be used to render services and programs to children with disabilities who are eligible for services under IDEA-B as well as training and technical assistance given to professional staff who render services to children with disabilities.

Copies of the proposed modifications are available by calling (717) 783-2311 or the TDD at (717) 787-7367. Alternative formats of the documents (for example, Braille, large print, cassette tape) can be made available to members of the public upon request. Persons with a disability who wish to submit comments by telephone should contact Nancy Zeigler at (717) 783-6134.

Written comments will be received until February 3, 2003, and should be directed to Dr. Dennis A. McLaughlin, Department of Education, 333 Market Street, 7th Floor, Harrisburg, PA 17126-0333.

Following receipt of comments, the Department will consider the public comments and make necessary modifications to the policies and procedures before submission of the final proposal to the Secretary of the United States Department of Education by March 3, 2003.

Additionally, opportunity for public testimony will be held by the Department, Bureau of Special Education, for individuals wishing to present oral testimony on the proposed modifications. One written copy of oral testimony at the time of presentation would be appreciated. Presentations should be limited to 15 minutes.

Dates, locations, and times for oral testimony on the modifications are as follows:

January 14, 2003
3 p.m.—7 p.m.
PaTTAN—King of Prussia
200 Anderson Road
King of Prussia, PA

January 15, 2003
3 p.m.—7 p.m.
PaTTAN—Harrisburg
Gateway Corporate Center
6340 Flank Drive
Harrisburg, PA

January 16, 2003
3 p.m.—7 p.m.
PaTTAN—Pittsburgh
3190 William Pitt Way
Pittsburgh, PA

To schedule an opportunity to present testimony, contact Nancy Zeigler by January 10, 2003. Persons with a disability who wish to attend the public testimony scheduled and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Nancy Zeigler at the previous telephone number.

CHARLES B. ZOGBY,
Secretary

[Pa.B. Doc. No. 02-2004. Filed for public inspection November 8, 2002, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

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

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

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

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

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

I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0057207	William B. Smith P. O. Box 105 1429 Salford Street Salford, PA 18957-0105	Montgomery County Upper Salford Town- ship	UNT to Perkiomen Creek	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0085154	Penn Township Hesston—SE R. R. 1, Box 22B Hesston, PA 16647-9324	Huntingdon Penn Township	UNT to Crooked Creek 11-B	Y
PA0085146	Penn Township Hesston—NE R. R. 1, Box 22B Hesston, PA 16647-9324	Huntingdon Penn Township	UNT to Crooked Creek 11-B	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0030678	Northern Bedford County School District 152 NBC Dr. Loysburg, PA 16659-9549	Bedford South Woodbury Township	Yellow Creek 11-D	Y
PA0084514	Shade Gap Area Joint Municipal Authority P. O. Box 185 Shade Gap, PA 17255	Huntingdon Dublin Township	Shade Creek 12-C	Y
PA0085561	Wissahickon Spring Water, Inc. 10447 Drummond Rd. Philadelphia, PA 19154	Lancaster Rapho Township	UNT to Chickies Creek 7-G	Y

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

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

No. PA0058645, Sewage, **Robert K. Cowherd**, 1101 Bondsville Road, Downingtown, PA 19335. This application is for issuance of an NPDES permit to discharge treated sewage from a small flow sewage treatment plant in Caln Township, **Chester County**. This is a new discharge to an unnamed tributary to Beaver Creek.

The receiving stream is classified for TSF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 800 gpd are as follows:

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

The EPA Waiver is not in effect.

No. PA0056715, Sewage, **Marc A. and Elizabeth A. Lattanzi**, 26 Collins Lane, Schwenksville, PA 19473. This application is for renewal of an NPDES permit to discharge treated sewage from Lattanzi SFSTP in Limerick Township, **Montgomery County**. This is an existing discharge to unnamed tributary to Mine Run Creek.

The receiving stream is classified for TSF, aquatic life, water supply and recreation.

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

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

The EPA Waiver is in effect.

No. PA0056766, Industrial Waste, **City of Philadelphia Department of Commerce, Division of Aviation**, Philadelphia International Airport, Terminal E, Philadelphia, PA 19153. This application is for renewal of an NPDES permit to discharge stormwater from Philadelphia International Airport in Tinicum Township, **Delaware and Philadelphia Counties**.

This is an existing discharge to Outfall 001 Mingo Creek; Outfalls 003, 004 and 005 Delaware River; Outfall 007 Darby Creek.

The receiving stream is classified for WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfalls 001 and 005, based on an average storm event are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>
COD	Monitor and Report
CBOD ₅	Monitor and Report
Total Suspended Solids	Monitor and Report

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>
Oil and Grease*	Monitor and Report
pH*	Within limits of 6.0—9.0 Standard Units at all times
Total Kjeldahl Nitrogen	Monitor and Report
Ammonia Nitrogen	Monitor and Report
Phosphorus, Total	Monitor and Report
Potassium	Monitor and Report
Iron, Dissolved	Monitor and Report
Acetic Acid*	Monitor and Report
Acetaldehyde*	Monitor and Report
Urea*	Monitor and Report
Potassium Acetate*	Monitor and Report
Ethylene Glycol*	Monitor and Report
Diethylene Glycol*	Monitor and Report
Propylene Glycol*	Monitor and Report

*These parameters shall be monitored during a qualifying deicing event from December to April.

No. PA0058602, Industrial Waste, **Delaware Valley Concrete Company, Inc.**, 248 East County Line Road, Hatboro, PA 19040. This application is for issuance of an NPDES permit to discharge stormwater from Delaware Valley Concrete, Inc.—Hatboro Batch Plant and former Truck Washout facility in Hatboro Borough, **Montgomery County**.

This is an existing discharge to tributary to Pennypack Creek.

The receiving stream is classified for TSE, aquatic life, water supply and recreation.

The proposed effluent for Outfalls 001 (batch plant site) and 002 (former truck washout site), based on an average storm event are as follows:

<i>Parameter</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Daily Maximum (mg/l)</i>
BOD ₅	Monitor and Report	Monitor and Report	Monitor and Report
Total Suspended Solids	Monitor and Report	Monitor and Report	Monitor and Report
Oil and Grease	Monitor and Report	Monitor and Report	Monitor and Report
Chemical Oxygen Demand	Monitor and Report	Monitor and Report	Monitor and Report
Total Kjeldahl Nitrogen	Monitor and Report	Monitor and Report	Monitor and Report
Nitrate plus Nitrite Nitrogen	Monitor and Report	Monitor and Report	Monitor and Report
Total Phosphorus	Monitor and Report	Monitor and Report	Monitor and Report
Iron (Dissolved)	Monitor and Report	Monitor and Report	Monitor and Report
pH	Within Limits of 6.0—9.0 STD at all times		
pH (Upstream) *	Monitor and Report	Monitor and Report	Monitor and Report
pH (Downstream) *	Monitor and Report	Monitor and Report	Monitor and Report

* These parameters are applicable to Outfall 001 only.

Other Conditions: conditions for future permit modification; change in ownership.

The EPA Waiver is in effect.

The proposed effluent limits for Outfalls 003, 004 and 007, based on average storm event were not monitored.

Other Conditions: conditions for future permit modification.

The EPA Waiver is not in effect.

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

PA0043885, Sewage, **Greater Pottsville Area Sewer Authority**, 401 North Centre Street, P. O. Box 1163, Pottsville, PA 17901-7163. This proposed facility is located in Pottsville City, **Schuylkill County**.

Description of Proposed Activity: This proposed action is for renewal and expansion of the existing discharge.

The receiving stream, Schuylkill River, is in the State Water Plan watershed no. 3-A and is classified for CWF. The nearest downstream public water supply intake for the Pottsville Water Authority is located on the Schuylkill River, 54 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 8.2 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	20.0	30.0	40.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N			
(5-1 to 10-31)	6.0		12.0
(11-1 to 4-30)	18.0		
Color*	150 units		250 units

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Copper	0.06		0.09
Total Lead	0.03		0.05
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	0.32		0.75

*Platinum-Cobalt scal or equivalent

Point sources 1—56 serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department's EPA approved CSO strategy, a special permit requirement is included in Part C of this permit.

This permit is also subject to the following Part C Special Conditions: whole effluent toxicity test, pretreatment operating and reporting requirements and combined sewer overflows.

The EPA waiver is not in effect.

PA0063193, Sewage, **Wayne McClure**, P. O. Box 124, Middleport, PA 17953-0124. This proposed facility is located in Middleport Borough, **Schuylkill County**.

Description of Proposed Activity: Application for the renewal of an existing NPDES permit to discharge treated sewage from a single family residence.

The receiving stream, Schuylkill River, is in the State Water Plan watershed no. 3A and is classified for CWF. The nearest downstream public water supply intake for the Pottstown Borough Water Authority is located on the Schuylkill River, 48 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0004 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	25.0		50.0
Total Suspended Solids	30.0		60.0
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	Monitor Only		

PA0062731, Sewage, **Vickie A. Tomazin**, 293 Swopes Valley Road, Pine Grove, PA 17963-9716. This proposed facility is located in Pine Grove Township, **Schuylkill County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage.

The receiving stream, Swopes Valley Run, is in the State Water Plan watershed no. 7D and is classified for CWF, water supply, aquatic life and recreation. The nearest downstream public water supply intake for the Dauphin Consolidated Water Supply is located on the Susquehanna River, approximately 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0004 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	Monitor and Report		

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

Application No. PAS803501, Industrial Waste SIC 4581, **Susquehanna Area Regional Airport Authority (Harrisburg International Airport)**, 208 Airport Drive, Middletown, PA 17057. This facility is located in Lower Swatara Township, **Dauphin County**.

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

The receiving streams, Susquehanna River and Post Run, are in Watershed 7-C and classified for WWF, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Columbia Borough is located on the Susquehanna River, approximately 18 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfalls 001—012 are:

<i>Parameter</i>	<i>Monitoring requirements Grab Sample (mg/l)</i>
CBOD ₅	Monitor and Report
Chemical Oxygen Demand	Monitor and Report
Total Suspended Solids	Monitor and Report
Dissolved Total	Monitor and Report
Oil and Grease	Monitor and Report
pH (SU)	Monitor and Report
Glycol	Monitor and Report

In addition to the effluent limits, the permit contains the following major special conditions: Part A effluent limits in the form of best management practices; Part C conditions for stormwater outfalls; and list of copermittees.

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. PA0246841, Sewage, **Joseph Himes, Himes Modular Home Park**, R. D. 4, Box 20, Boyertown, PA 15912. This facility is located in North Woodbury Township, **Blair County**.

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

The receiving stream, an unnamed tributary to Plum Creek, is in Watershed 11-A and classified for WWF, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough Water Authority is located on the Juniata River, approximately 130 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.033 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Suspended Solids	10	20
NH ₃ -N		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Total Residual Chlorine	0.5	1.5
Total Phosphorus	2.0	4.0
Dissolved Oxygen	Minimum of 5.0 at all times	
pH	From 6.0 to 9.0 inclusive	
Fecal Coliform	200/100 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.

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

PA0228613, Sewage, SIC 4952, **George Schenawolf**, R. R. 6, Box 260, Danville, PA 17821. This proposed facility is located in Union Township, **Union County**.

Description of Proposed Activity: This is an application for a SFTF to serve four rental units situated along the Susquehanna River.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan watershed 10-C and is classified for WWF. The nearest downstream public water supply intake is the Sunbury Municipal Authority located in Sunbury, approximately 5.3 river miles downstream.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0016 MGD.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly mg/l</i>	<i>Average Weekly mg/l</i>	<i>Maximum Daily mg/l</i>	<i>Instantaneous Maximum mg/l</i>
Flow	Monitor			
Fecal Coliforms	200/100 mL			
CBOD ₅	10			20
Total Suspended Solids	20			40
Free Chlorine Residual		Monitor and Report		
pH		Within the Range of 6.0 to 9.0		

The EPA waiver is in effect.

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

PA5706101, Industrial Waste, SIC 2951, **Derry Construction Company, Inc.**, R. D. 5, Box 34, Latrobe, PA 15650. This application is for renewal of an NPDES permit to discharge untreated stormwater from the Delmont Facility in Salem Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary to Beaver Run, classified as an HQ-CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Westmoreland Water Authority, located at Beaver Run Dam, 10 miles below the discharge point.

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

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

Other Conditions: Monitor and Report requirements for flow, suspended solids, oil and grease and pH at Outfalls 001 and 002 are in effect from permit effective date to 1 year after effective date. The numeric effluent limits will go into effect from 1 year after permit effective date to permit expiration date.

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

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Total Suspended Solids			30		60
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

Outfall 002: existing discharge, design flow of variable mgd.

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

Outfall 002: existing discharge, design flow of variable mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Total Suspended Solids			30		60
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

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

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

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

The Department reserves the right to hold a public hearing if the responsible office considers the public response significant. If a hearing is scheduled, a notice of

the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation of the area. If no hearing is held, the Department's Water Management Program Manager will make a final determination regarding the applications after a complete review. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

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

WQM Permit No. 3902403, Robert and Kimberly Manning, 4926 Main Road West, Emmaus, PA 18049. This proposed facility is located in Upper Milford Township, **Lehigh County**.

Description of Proposed Action/Activity: This project is for the construction of a single residence sewage treatment plant. Discharge will be to an unnamed tributary to Leibert Creek to Little Lehigh.

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

WQM Permit No. 3602408 Amendment No. 1, Sewerage, **East Cocalico Township Authority**, P. O. Box 402, Reamstown, PA 17567-0402. This proposed facility is located in East Cocalico Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction of Gehman School Road Pumping Station.

WQM Permit No. 2294402 Amendment 02-1, Sewerage, **Washington Township Authority**, 185 Manors Road, Elizabethville, PA 17023. This proposed facility is located in Washington Township, **Dauphin County**.

Description of Proposed Action/Activity: Rerate for the Loyaltown Wastewater Treatment Plant.

WQM Permit No. 5071402 Amendment 02-1, Sewerage, **Borough of Marysville**, 200 Overcrest Road, Marysville, PA 17053. This proposed facility is located in Marysville Borough, **Perry County**.

Description of Proposed Action/Activity: Rerate for the Marysville Borough WWTP.

WQM Permit No. 3602205, Industrial Waste, **Eagle Land Management of PA, Inc.**, 1265 Drummers Lane, Suite 102, Three Glenhardie Corporate Center, Wayne, PA 19087. This proposed facility is located in Mount Joy Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization for the construction of a leachate treatment facility.

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

WQM Permit No. 6002401, Sewerage 4952, **George Schenawolf**, R. R. 6, Box 260, Danville, PA 17821. This proposed facility is located in Union Township, **Union County**.

Description of Proposed Action/Activity: This is an application for a SFTF to serve four rental units situated along the Susquehanna River.

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

Application No. 0402201, Industrial Waste, **Beaver Valley Slag Inc.**, 6010 Woodlawn Road, Aliquippa, PA 15001. Application for the construction and operation of a wastewater treatment plant to serve the Blacks Run Slag Mine in Center Township, **Beaver County**.

Application No. 0302403, Sewerage, **Randy Shondelmyer**, Star Route Box 126A, Pond Drive, Spring Church, PA 15686. Application for the construction and operation of a small flow sewage treatment plant to serve the Shondelmyer residence in South Bend Township, **Armstrong County**.

Application No. 1102403, Sewerage, **Frank and Leona Van Scoyoc**, 7480 Prim Rose Drive, Mentor on the Lake, OH 44060. Application for the construction and operation of a small flow sewage treatment plant to serve the Van Scoyoc residence in Dean Township, **Cambria County**.

Application No. 2602405, Sewerage, **Dunlap Inc.**, P. O. Box 2092, Uniontown, PA 15401. Application for the construction and operation of a sewage treatment plant to serve the Arctic Cove Restaurant in North Union Township, **Fayette County**.

Application No. 6302406, Sewerage, **Harry Fischer**, P. O. Box 260, Burgettstown, PA 15021. Application for the construction and operation of a small flow sewage treatment plant to serve the Fischer residence in Cross Creek Township, **Washington County**.

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

WQM Permit No. 6202201, Industrial Waste, **Kane Liquid Fuels, Inc., McMillen Lumber Company**, P. O. Box 420, Kane, PA 16735. This proposed facility is located in Sheffield Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a biologically enhanced groundwater recirculation treatment system.

WQM Permit No. 6202202, Industrial Waste, **Kane Liquid Fuels, Inc., Sheffield Container Corporation**, P. O. Box 420, Kane, PA 16735. This proposed facility is located in Sheffield Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a biologically enhanced groundwater recirculation treatment system.

WQM Permit No. 1002415, Sewerage, **Stoneworth Apartments, Inc.**, 124 Eastwood Drive, Butler, PA 16001. This proposed facility is located in Worth Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the installation and operation of a 24,000 gpd extended aeration treatment plant to serve a student-oriented housing development.

WQM Permit No. 2502427, Sewerage, **Spring Creek Development, Harborcreek Township Sewer Authority**, 5601 Buffalo Road, Harborcreek, PA 16421-1625. This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a pump station and sewer extensions to serve a 65 mobile home development.

WQM Permit No. 2502428, Sewerage, **Freligh's Whispering Pines Mobile Home Park**, 2158 Rice Avenue, Lake City, PA 16423. This proposed facility is located in Girard Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a sewage treatment to serve a mobile home park.

WQM Permit No. 2502429, Sewerage, **Brown—Guenther Treatment Facility Association, Inc.**, 9089 Old Waterford Road, Erie, PA 16509. This proposed facility is located in Greene Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility.

WQM Permit No. 2502430, Sewerage, **Dean Meyer Small Flow Treatment Facility**, 5502 Lungert Road, Erie, PA 16510. This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a small flow treatment facility.

WQM Permit No. 2502424, Sewerage, **The Meadows at Summit**, 2236 West 38th Street, Erie, PA 16506. This proposed facility is located in Summit Township, **Erie County**.

Description of Proposed Action/Activity: This project is for the construction and operation of a treatment facility to serve a development with 145 single family condominiums and 1 office/clubhouse building.

WQM Permit No. 4302418, Sewerage, **LeMoyné E. Moffett**, 50 Tanner Road, Greenville, PA 16125. This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 4302419, Sewerage, **Richard Lee Weber**, 146 East Shenango Street, Sharpsville, PA 16150. This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2502425, Sewerage, **Donna M. Steinle**, 10046 Railroad Street, Lake City, PA 16423. This proposed facility is located in Elk Creek Township, **Erie County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 4302420, Sewerage, **Lester Schmucker c/o Chester Miller**, Kitch Road, Greenville, PA 16125. This proposed facility is located in Otter Creek Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

WQM Permit No. 2002428, Sewerage, **Cathy F. and Robert E. Acker**, 19967 Grange Center Road, Saegertown, PA 16433. This proposed facility is located in Hayfield Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence sewage treatment plant.

NPDES Stormwater Individual Permit

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

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

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

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

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

Persons with a disability who 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 PAS10G549, Stormwater, **Joseph A. Piccone**, 501 Route 113, Chester Springs, PA 19425, has applied to discharge stormwater associated with a construction activity located in West Vincent Township, **Chester County** to Birch Run (EV).

NPDES Permit PAS10G550, Stormwater, **Pennsylvania Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, has applied to discharge stormwater associated with a construction activity located in East Whiteland Township, **Chester County** to Valley Creek (EV).

NPDES Permit PAS10G551, Stormwater, **CMR Development**, 1330 Westminster Drive, Downingtown, PA

19335, has applied to discharge stormwater associated with a construction activity located in West Bradford Township, **Chester County** to West Branch Brandywine Creek (EV).

NPDES Permit PAS10J060, Stormwater, **G & D Builders**, 9611 Wooton Road, Bryn Mawr, PA 19010, has applied to discharge stormwater associated with a con-

struction activity located in Middletown Township, **Chester County** to Chester Creek (TSF/MF).

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

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

<i>NPDES No.</i>	<i>Applicant Name & Address</i>
PAS10S120	Church of God 801 White St. Stroudsburg, PA 18360

<i>County & Municipality</i>	<i>Receiving Water/Use</i>
Monroe County Stroud Township	Flagler Run HQ-CWF Big Meadow Run HQ-CWF

PUBLIC WATER SUPPLY (PWS) PERMIT

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

Persons wishing to comment on the permit application are invited to submit a statement to the office listed 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 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 who 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. 4002505, Public Water Supply.

Applicant	Chase Manor Water Association 139 East Meadow Street Shavertown, PA 18708
Township or Borough	Jackson Township, Luzerne County
Responsible Official	Donald Secor

Type of Facility	PWS
Consulting Engineer	Quad Three Group 37 N. Washington Street Wilkes-Barre, PA
Application Received Date	August 14, 2002
Description of Action	The addition of a second well source with the necessary water treatment.

Permit No. 1302501, Public Water Supply.

Applicant	Duane Schleicher d/b/a Northside Heights Estates
Township or Borough	East Penn Township, Carbon County
Responsible Official	Duane Schleicher 97 Sam Brooke Circle Lehighton, PA 18235 (570) 386-9222
Type of Facility	PWS
Consulting Engineer	Barry Isett & Assoc. Inc. Jeremy Nelson 85 South Route 100 and Kressler Lane P. O. Box 147 Trexlerstown, PA 18087-0147 (610) 398-0904

Application Received Date	September 23, 2002
Description of Action	Construction of 137 modular home lots, wastewater collection system and pumping station, water distribution system with booster pump and stand pipe. Area under consideration will include 67 acres.

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

Permit No. 6702515, Public Water Supply.

Applicant	Brookhaven Mobile Home Park
Municipality	Hellam Township
County	York
Responsible Official	Frank T. Perano, Manager Owner P. O. Box 677 Morgantown, PA 19543 0677

Type of Facility PWS
 Consulting Engineer Alex A. McIntyre, P. E.
 Alex A. McIntyre, Consulting Engineer
 1297 Wheatland Ave.
 Lancaster, PA 17603

Application Received Date September 17, 2002

Description of Action Construction and Operation Permit application for upgrades to the previously permitted community water system. Upgrades to include addition of a pump station, use of caustic soda for pH control and modification of hypochlorite disinfection facilities.

Permit No. 0602510, Public Water Supply.

Applicant **Misty Meadows Apartments**
 Municipality Caernarvon and Robeson Townships
 County **Berks**
 Responsible Official Schuyler Knauer, Owner
 1020 Wheatland Drive
 Coatsville, PA 19320

Type of Facility PWS
 Consulting Engineer Daniel R. Hudson, P. E.
 Evans Mill Environmental, Inc.
 P. O. Box 735
 Uwchland, PA 19480-0735

Application Received Date September 19, 2002

Description of Action Project includes the addition of two new wells and chemical treatment which will consists of pH adjustment and disinfection.

Permit No. 3602517, Public Water Supply.

Applicant **Columbia Water Company**
 Municipality Columbia Borough
 County **Lancaster**
 Responsible Official Donald Nikolaus, President
 220 Locust Street
 Columbia, PA 17512

Type of Facility PWS
 Consulting Engineer David T. Lewis, P. E.
 ARRO Consulting Inc
 270 Granite Run Drive
 Lancaster, PA 17601

Application Received Date October 9, 2002

Description of Action Construction of a new booster pump station at the Lockard's Hollow Tanks to serve a newly defined pressure zone called the Manor/Mountville Pressure Zone. The new station will consists of two pumps, sodium hypochlorite feed system and an emergency generator.

Permit No. 6702516, Public Water Supply.
 Applicant **Stewartstown Borough Authority**
 Municipality Hopewell Township
 County **York**
 Responsible Official Jeffrey Grow, Authority Chairperson
 6 North Main Street
 Stewartstown, PA 17363

Type of Facility PWS
 Consulting Engineer Dennis E. Sarpen, P. E.
 Holley & Assoc.
 18 S. George St.
 York, PA 17402

Application Received Date October 8, 2002

Description of Action Construction Permit application for a proposed chlorine booster station to be installed on the Route 851 main. The station will use sodium hypochlorite to raise chlorine residuals in water purchased from the York Water Company.

Permit No. 3602518, Public Water Supply.

Applicant **Corn Crib Inc.**
 Municipality Sadsbury Township
 County **Lancaster**
 Responsible Official A. Charles Artinian, President
 4203 West Lincoln Highway
 Parkesburg, PA 19365

Type of Facility PWS
 Consulting Engineer George H. Wagner, Jr.
 Rettew Assoc., Inc.
 3020 Columbia Ave.
 Lancaster, PA 17603

Application Received Date October 16, 2002

Description of Action Installation of anion exchange treatment equipment to remove the high level of nitrates found in the drinking water that supplies the facility.

Permit No. 2102506, Public Water Supply.

Applicant **Pennsylvania American Water Company**
 Municipality Hampden Township
 County **Cumberland**
 Responsible Official Michael Salvo, Operations Manager
 852 Wesley Drive
 Mechanicsburg, PA 17055 4475

Type of Facility PWS
 Consulting Engineer William J. Smyers, P. E.
 Gannett Fleming Inc.
 P. O. Box 67100
 Harrisburg, PA 17106-7100

Application Received Date October 11, 2002

Description of Action Construction of a booster pumping station for the Pinhurst Hills Villas development.

Permit No. 3602514, Public Water Supply.

Applicant **Marietta Gravity Water Company**
 Municipality Hellam Township, **York County**
 County **Lancaster**
 Responsible Official Donald H. Nikolaus, President
 Route 441 Box 302
 Marietta, PA 17547
 Type of Facility PWS
 Consulting Engineer Gerald R. McClune, P. E.
 ARRO Consulting Inc.
 270 Granite Run Drive
 Lancaster, PA 17601 6804
 Application Received Date June 7, 2002
 Description of Action Construction of Well No. 4 at 20-gpm to provide water to the system and abandonment of Wells No. 1 and No. 2.

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

Permit No. 4102502, Public Water Supply.

Applicant **Montoursville Borough**
 Borough Montoursville Borough,
Lycoming County
 Responsible Official Frank Tallman
 Montoursville Borough
 617 North Loysock Ave.
 Montoursville, PA 17754-1321
 Type of Facility PWS
 Consulting Engineer RETTEW Associates, Inc.
 3020 Columbia Ave.
 Lancaster, PA 17603
 Application Received Date October 17, 2002
 Description of Action Applicant requesting approval to upgrade Fairview Heights Pressure Booster Station.

Permit No. 1402506, Public Water Supply.

Applicant **Spring Township Water Authority**
 Township Spring Township, **Centre County**
 Responsible Official Richard J. Payne, Chairperson
 Spring Township Water Authority
 1309 Blanchard Street
 Bellefonte, PA 16823-8625
 Type of Facility PWS
 Consulting Engineer Uni-Tec Consulting Engineers,
 Inc.
 2007 Cato Avenue
 State College, PA 16801
 Application Received Date October 15, 2002

Description of Action Applicant requesting approval for Carles Well with treatment, pump station facilities and finished water storage tank.

MINOR AMENDMENT

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

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

Application No. 3390081, Minor Amendment.

Applicant **Whitehall Township Authority**
 Township or Borough Whitehall Township, **Lehigh County**
 Responsible Official Douglas K. Bowen, Manager
 Whitehall Township Authority
 1901 Schadt Avenue
 Whitehall, PA 18052-3728
 (610) 770-8964
 Type of Facility Community Water System
 Consulting Engineer David L. George, P. E.
 L B & W Engineering, Inc.
 961 Macron Boulevard, Suite 401
 Allentown, PA 18109
 (610) 264-8191
 Application Received Date October 4, 2002

Description of Action Install a variable frequency drive on Walnut Gardens Well No. 3 and construct an aboveground structure over the existing vault. Demolish Walnut Gardens Well House No. 1 and install pitless adapters on Well Nos. 1 and 2 and redirect all Walnut Gardens well discharge lines to the 1 MG storage tank at 1901 Schadt Avenue.

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 a 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, 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 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.

Penn Crossing, Coatesville Borough, **Chester County**. Robert H. Marion, P. G., GCI Environmental Services, 1250 E. King St., Lancaster, PA 17602-3236, on behalf of Tammy Cansler, Cansler Investment Group, 26 N. 2nd St., Coatesville, PA 19320, has submitted a Notice of Intent to Remediate soil contaminated with lead. The applicant proposes to remediate the site to meet Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on October 4, 2002.

Former NewAge Industries Facility, Upper Moreland Township, **Montgomery County**. Henry G. Bienkowski, P. G., Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 3, Glenmoore, PA 19343, on behalf of Lawrence Ferracci, Cagiva USA, 2300 Maryland Rd., Willow Grove, PA 19090, has submitted a Notice of Intent to Remediate soil and groundwater contaminated with leaded gasoline. 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 *Public Spirit and Willow Grove Guide* on September 26, 2002.

Crown Cork and Seal Facility, City of Philadelphia, **Philadelphia County**. Peter Beyer, ERM, 855

Springdale Dr., Exton, PA 19341, on behalf of Ravi Chawla, Saint Properties, 12700 Townsend Rd., Philadelphia, PA 19154, has submitted a Notice of Intent to Remediate soil contaminated with chlorinated solvents, MTBE, other organics, Fuel Oil No. 5, PAH and unleaded gasoline; and groundwater contaminated with chlorinated solvents, Fuel Oil No. 5, MTBE, other organics and unleaded gasoline. 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 *Philadelphia Daily News* on October 14, 2002.

General Econopak Facility, City of Philadelphia, **Philadelphia County**. Darryl D. Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Ave., Suite 500, Bala Cynwyd, PA 19004, on behalf of Jeff Markowitz, General Econopak, 1725 N. 6th St., Philadelphia, PA 19122, has submitted an amended Notice of Intent to Remediate soil contaminated with chlorinated solvents, Fuel Oil No. 2, inorganics, lead, other organics and PAH; and groundwater contaminated with chlorinated solvents, inorganics, lead, MTBE and other organics. 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 *Philadelphia Daily News* on October 14, 2002.

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

Defense Distribution Depot, Susquehanna, PA, IRP Site 62, Building 251, Fairview Township, **York County**. Defense Distribution Depot Susquehanna, PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070 submitted a Notice of Intent to Remediate site soils contaminated with hydraulic oil. The applicant proposes to remediate the site to meet the Statewide Health Standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot-News* and the *York Dispatch/York Daily Record* on September 27, 2002.

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

Ogden Manufacturing Co., Franklin Township, **Erie County**. Environmental Strategies Corp., 300 Corporate Center Drive, Suite 200, Moon Township, PA 15108 (on behalf of OTM Div./Ogden Manufacturing Co., 423 W. Plum Street, Edinboro, PA 16412) has submitted a Notice of Intent to Remediate Soil and Groundwater contaminated with CLSOL. The applicant proposes to remediate the site to meet the Statewide Health and Site-Specific Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Erie Times* on October 18, 2002.

National Church Residences, Harborcreek Site, Harborcreek Township, **Erie County**. Urban Engineers of Erie, Inc., 1319 Sassafras Street, Erie, PA 16501-1720 (on behalf of National Church Residences, Harborcreek Site, 2335 North Bank Drive, Columbus, OH 43220) has submitted a Notice of Intent to Remediate soil contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide Health Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Erie Times-News* on October 14, 2002.

Pure Sil, Inc., City of Bradford, **McKean County**. Northeastern Environmental Management (NEM), 917 West Washington Street, Bradford, PA 16701 (on behalf of Raymond W. McMahon, Rep. of Owner, City of Bradford,

Office of Economic and Community Development, 20 Russell Boulevard, Bradford, PA 16701) has submitted a Notice of Intent to Remediate Soil and Groundwater contaminated with CLSOL. The applicant proposes to remediate the site to meet the Special Industrial Area Nonresidential Standards. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bradford Era* on October 11, 2002.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

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

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

Renewal Applications Received

Brookville Hospital, 100 Hospital Road, Brookville, PA 15825. License No. **PA-HC 0137**. Received on October 15, 2002.

Pet Memorial Services Corp., 319 Westtown Road, Suite Q, West Chester, PA 19382. License No. **PA-HC 0195**. Received on October 17, 2002.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGM021. Academy Recycling Inc., 8901 Torresdale Ave., Philadelphia, PA 19154. For the mechanical processing of uncontaminated rock, stone, gravel, brick, block, concrete, from construction and demolition activities prior to beneficial use as roadway subbase and aggregate and for the mechanical processing of soil and yard waste prior to beneficial use as clean fill. The application was deemed administratively complete by the Division of Municipal and Residual Waste on October 17, 2002.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Rachel Carson State Office Bldg., P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. Persons interested in obtaining more information about the general permit application may contact the Division of Municipal and Residual Waste at the previous phone number. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

Requests for Permit Modification 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 Numbers WMGR029 and WMGR040. Safety Kleen Systems, Inc., One Brinckman Way, Elgin, IL 60123. The requested modification to the permits would allow acceptance of fuels mixed with waste oil in accordance with 25 Pa. Code § 298.10(d)(1) and commercial fuel products exempt from regulation as hazardous waste under 40 CFR 261.2 as incorporated by reference under 25 Pa. Code § 261a.1 as modified by 25 Pa. Code § 261a.2. The fuels included in the request are petroleum fuels with a flashpoint equal to or greater than 100°F. The request was received by Central Office on October 24, 2002.

Comments concerning the request should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 101567. Construction Demolition Recycling Inc., 1060 Industrial Boulevard, Southampton, PA 18966, Upper Southampton Township, **Bucks County**. The purpose of this application is to modify the Solid Waste Permit to expand the permit boundary, increase in the daily tonnage and adoption a Radiation Monitoring Action Plan. The application was received by Southeast Regional Office on October 29, 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.

35-303-011D: Dunmore Materials (Division of Haines and Kibblehouse Inc., P. O. Box 196, Skippack, PA 9474) for modification of a batch asphalt plant to utilize waste derived liquid fuel (used oil) as an alternate fuel in Dunmore Borough, **Lackawanna County**.

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

63-00544A: Spartech Polycom (90 West Chestnut Street, Washington, PA 15301) for installation of a dust collector at Donora Plant No. 2 in Donora Borough, **Washington County**.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollu-

tion 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: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

46-0232: Cemco Lift, Inc. (2801 Township Line Road, Hatfield, PA 19440) for installation of a spray booth in Hatfield Township, **Montgomery County**. The facility is a non-Title V facility. The paint to be used in the spray booth shall be a low-VOC paint. Particulate matter (PM) resulting from overspray shall be reduced by 95% by the use of paint arrestors (filters). The spray booth will be used to spray paint elevator parts. VOC emissions will be less than 6 tons per year and PM emissions will be less than 1 ton per year. The Plan Approval and Operating Permit will contain recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

09-0155: Milton Roy Co. (201 Ivyland Road, Ivyland, PA 18974) for installation of two spray paint booths and control equipment at its pumps manufacturing facility in Ivyland Borough, **Bucks County**. The facility is a non-Title V facility for air pollutants. These booths are used for applying coating to various sized pumps and measuring instruments, manufactured at the facility under SIC Codes 3561, 3586 and 3823. The surface coatings are subject to requirements of 25 Pa. Code § 129.52(b)(1) for miscellaneous metal parts, extreme performance coatings. This installation will result in the maximum VOC emissions of 10 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

45-310-026: Hanson Aggregates Pennsylvania Inc. (1900 Sullivan Trail, P. O. Box 231, Easton, PA 18044-0231) for construction of a vertical shaft impact crusher at their Company's Stroudsburg Quarry in Hamilton Township, **Monroe County**. This facility is a non-Title V facility. Particulate emissions from the operation will be reduced through an internal mechanism in the crusher along with the use of a high-pressure water spray dust suppression system and shall be less than 1 ton per year. The crusher is subject to NSPS Subpart OOO of the Federal Standards of Performance for Nonmetallic Mineral Processing Plants, 40 CFR 60.670—60.676. The plan approval will include all appropriate monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

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

36-05126A: McMinn's Asphalt Co., Inc. (Box 4688, Lancaster, PA 17604-4688) for construction of a batch asphalt plant controlled by a fabric filter at Donegal Quarry, Heisey Quarry Road in West Donegal Township, **Lancaster County**. This batch mix hot asphalt plant is a non-Title V facility. This facility's operation will result in approximately 82 TPY of CO, 25 TPY of NOx, 20 TPY of PM, 18 TPY of SOx and two TPY of VOCs. McMinn's Asphalt Co., Inc. will restrict their hours of operation to

1,388 hours per year and maintain an annual production capacity at a maximum of 500,000 tons. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

67-05024D: Lehigh Cement Co. (200 Hokes Mill Road, York, PA 17404) for replacement of a fabric filter which controls emissions from the transfer of pulverized limestone from an unloading area to the No. 4 stone silo. The replacement filter will be subject to the same requirements as the previous unit and will not change emissions from the Title V facility. The plan approval will include monitoring, recordkeeping, work practices and reporting requirements designed to ensure the facility complies with the applicable air quality requirements.

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

08-303-003C: Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034) for modification of a batch mix asphalt concrete plant and associated air cleaning device, a fabric collector, by using reprocessed oil as fuel in the plant's aggregate dryer in Wysox Township, **Bradford County**. The plant is currently authorized to burn natural gas, propane or no. 2 fuel oil under Operating Permit 08-303-003.

The information provided by the applicant indicates that the modification to enable the plant to fire reprocessed oil will have the potential to increase the VOC emissions by approximately 1 ton per year. However, since the applicant has requested to voluntarily restrict the plant's annual asphalt production to 361,032 tons, the sulfur oxides, nitrogen oxides and carbon monoxide emissions are expected to decrease by approximately 57, 10 and 190 tons, respectively, per year from the levels which could otherwise occur.

The Department has determined that the proposed modification to the asphalt plant will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants. The Department consequently intends to issue plan approval authorizing the asphalt plant to burn reprocessed oil.

The following is a summary of the conditions the Department proposes to place in the plan approval to ensure compliance with all applicable air quality regulatory requirements:

1. The plant shall not be used to produce more than 361,032 tons of asphalt during any 12 consecutive month period.
2. The total combined hazardous air pollutants emissions from the plant shall not exceed 1.39 tons per year or 1.15 pounds per hour.
3. The reprocessed fuel oil fired in this plant shall not exceed the limitations specified:

<i>Contaminant</i>	<i>Limitation</i>
Arsenic	5 ppm
Cadmium	2 ppm
Chromium	10 ppm
Lead	100 ppm
Total halogens	1,000 ppm
PCBs	Nondetectable (detection limit no higher than 2 parts per million, volume basis)

Additionally, the flashpoint of the reprocessed oil shall not be less than 140°F.

4. The permittee shall not accept shipment of reprocessed oil for use in the plant for which the arsenic, cadmium, chromium, lead, total halides and PCB contents and/or flash point are unknown or which fail to meet the aforementioned limitations.

5. A sample of each load of reprocessed oil delivered to the plant shall be taken at the time of delivery to the plant using a sampling technique capable of achieving a representative composite sample of the entire load and shall be retained onsite for at least 2 years for random selection and analysis by the Department.

6. The applicant shall submit an annual report to the Department listing the delivery date, quantity delivered, source of origin and delivery invoice number of each load of reprocessed oil delivered to the plant during the previous calendar year, as well as identifying the arsenic, cadmium, chromium, lead, total halides, PCB, sulfur contents and the flash point of each load.

OPERATING PERMITS

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

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

23-00012: Epsilon Products Co., LLC (Post Road and Blueball Avenue, Marcus Hook, PA 19061-0432) for an administrative amendment to Title V Operating Permit 23-00012 in Marcus Hook Borough, **Delaware County**. The permit is being amended to incorporate the following changes: revise the name of Source ID: C02 to Flare System; and revise the maximum production rate limit for the Polypropylene Plant Number 2 (Source ID: 102B) to 240,900 tons of polypropylene per year on a 12-month rolling basis.

The facility's other major emission points include Plant 1 and 2 Storage Silos and Plant 1 Polypropylene Manufacturing sources. The amended Title V Operating Permit will contain the necessary monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements.

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

44-05001: Standard Steel, LLC formerly Standard Steel Division of Freedom Forge (500 North Walnut Street, Burnham, PA 17009) for an administrative amendment to the Title V Operating Permit No. 44-05001 to incorporate the change of company name for the facility in the Borough of Burnham, **Mifflin County**. The facility's major sources of emissions include heating furnaces and boilers, which primarily emit NOx.

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.

46-00174: Montgomery County SPCA (19 East Ridge Pike, Conshohocken, PA 19428-0222) for operation of a non-Title V Facility, State-only, Natural Minor Operating Permit in Whitemarsh Township, **Montgomery County**. The Montgomery County SPCA operates and maintains an animal crematory, from which the main pollutant emitted is particulate matter. Particulate matter emissions from this facility are less than 1 ton per year. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

48-309-113: Keystone Cement Co. (P. O. Box A, Bath, PA 18014) for operation of a packing operation and associated air cleaning device in East Allen Township, **Northampton County**.

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

06-03091: The Rose Corp. (P. O. Box 15208, Reading, PA 19612-5208) for operation of a fabrication job shop controlled by a fabric collector and dry filters in the City of Reading, **Berks County**. The facility is not subject to Title V (State only operating permit). The facility has the potential to emit 5 tons per year of VOC. The permit will include monitoring, recordkeeping, work practices and reporting designed to keep the facility operating within all applicable air quality requirements.

38-03019: Allied Veterinary Cremation LTD (719 Woodlawn Road, Palmyra, PA 17078-9734) for operation of two crematories in south Londonderry Township, **Lebanon County**. The facility has the potential to emit 2 tons per year of NOx and about 1 ton per year of CO, particulate matter, VOC and SOx. The Natural Minor operating permit shall contain additional testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

08-00020: Calvin C. Cole, Inc. (809 North Elmira Street, Sayre, PA 18840) for operation of their hot drum mix asphalt plant facility in Athens Township, **Bradford County**. The facility's main sources include a hot mix asphalt plant and diesel fired electric generator. These sources have the potential to emit VOCs, PM10, NOx, CO and SOx below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

17-00030: Clearfield Machine Co. (3rd and Everett Street, P. O. Box 992A, Clearfield, PA 16830), for operation of their gray and ductile iron foundry in Clearfield Borough, **Clearfield County**. The facility's main sources include two natural gas/no. 2 fuel oil fired melting furnaces, one molding sand reclamation system, mold painting operation, mold pouring, cooling and shakeout operation, cleaning and finishing operation. The facility has potential to emit NOx, SOx, VOCs, PM10 and CO below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00037: H. Warshaw and Sons, Inc. (P. O. Box 40, Milton, PA 17847) for operation of their textile dyeing and finishing facility in Milton Municipality, **Northumberland County**. The facility's main sources include one natural gas/no. 2 fuel oil fired boiler, one natural gas/no. 2 fuel oil fired heat exchanger, one Artos dryer, one Krantz dryer, seven MCS jets, four narrow beams, two wide beams and two jigs. The facility has taken restrictions to limit potential SOx emissions below Title V thresholds. The facility has the potential to emit NOx, PM10, VOCs and CO below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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); and The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and 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 persons, officers or heads of 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 mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the previous, more restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the previously-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

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

Coal Applications Received

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

17000109 and NPDES Permit No. PA0242985. Kenneth K. Rishel & Sons, Inc., 1229 Turnpike Avenue, Clearfield, PA 16830. Revision to an existing bituminous surface mine permit to add augering and for a change in permit acreage from 20.0 to 25.0 acres. The permit is located in Lawrence Township, **Clearfield County**. Receiving streams: Orr's Run and unnamed stream to Orr's Run, classified as CWF. Application received October 15, 2002.

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

03020111 and NPDES Permit No. 0250261. Gary C. Doverspike (R. D. 1, Box 224-B, Mayport, PA 16240). Application for commencement, operation and reclamation of a bituminous surface mine located in Redbank Township, **Armstrong County**, affecting 66 acres. Receiving streams: unnamed tributaries to Sugar Camp Run to Sugar Camp Run to Pine Run, classified for CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received October 15, 2002.

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

11920107 and NPDES Permit No. PA0599522. E. P. Bender Coal Company, Inc., Main and Lehmier Streets, P. O. Box 594, Carrolltown, PA 15722, permit renewal for reclamation only and for continued restoration of a bituminous surface mine and for discharge of treated mine drainage in Reade Township, **Cambria County**, affecting 56.5 acres. Receiving streams: Powell Run classified for CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 21, 2002.

32020107 and NPDES Permit No. PA0249092. K.M.P. Associates, 1094 Lantz Road, Avonmore, PA 15618, commencement, operation and restoration of a bituminous surface and auger mine and for discharge of treated mine drainage in Blacklick Township, **Indiana County**, affecting 59.1 acres. Receiving streams: Aultmans Run to Conemaugh River to Kiskiminetas River classified for TSF. There are no potable water supply intakes within 10 miles downstream. Application received October 18, 2002.

Noncoal Applications Received

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

31020302 and NPDES Permit No. PA0249319. Robindale Energy Services, Inc., 1001 Broad Street, Suite 130, Johnstown, PA 15906, commencement, opera-

tion and restoration of a noncoal surface mine and for discharge of treated mine drainage in Morris Township, **Huntingdon County**, affecting 182.1 acres. Receiving streams: unnamed tributary Frankstown Branch Little Juniata River classified for WWF. There are no potable water supply intakes within 10 miles downstream. Application received October 15, 2002.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality Certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit 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.

E09-846. USS Real Estate, Fairless Works, One Ben Fairless Drive, Morrisville, PA 19067-3614, Falls Township, **Bucks County**, ACOE Philadelphia District. To place fill in 0.084 acre of wetland (PEM) for the purpose of expanding the existing National Can Building and to construct and maintain 320 linear feet of 8-inch DIP

sanitary sewer line across wetlands. The site is located approximately 2,400 feet north of the intersection of Borden Town Road and New Ford Mill Road (Trenton West, NJ-PA, N: 6.3 inches; W: 2.5 inches).

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

E39-412. William Jones, 750 Center Street, Emerald, PA 18080, in Washington Township, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To fill two manmade ponds, having a combined area of 0.14 acre, within the Trout Creek Watershed (CWF). The project is located adjacent to T-852 (Center Street) approximately 1,900 feet southeast of its intersection with SR 4007 (Main Street) (Slatedale, PA Quadrangle N: 20.9 inches; W: 1.0 inch).

E48-331. Bethlehem Township, 4225 Easton Avenue, Bethlehem, PA 18020-1496, in Bethlehem Township, **Northampton County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 440 LF channel change in a tributary to Nancy Run (HQ-CWF) for the purpose of preventing flooding of an exercise path in Bethlehem Township Municipal Park. The project is located approximately 0.5 mile southeast of the intersection of SR 2020 (William Penn Highway) and SR 2011 (Farmersville Road) (Nazareth, PA Quadrangle N: 6.4 inches; W: 7.3 inches).

E54-300. West Penn Township, R. R. 1, Box 100D, New Ringgold, PA 17960, in West Penn Township, **Schuylkill County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a bridge having a span of approximately 25 feet and an underclearance of approximately 4.4 feet across a tributary to Mahoning Creek (CWF). The project is located on Berry Road (T-954) approximately 0.5 mile south of its intersection with SR 3004 (Tamaqua, PA Quadrangle N: 5.3 inches; W: 13.1 inches).

E45-438. Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, in Coolbaugh Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To remove the existing structures and to construct and maintain a road crossing in Cross Keys Run (HQ-CWF), Fritz Run (HQ-CWF) and a tributary to Fritz Run (HQ-CWF) for the purpose of maintaining a restricted access road through State Game Lands No. 127. The projects are generally located southwest of SR 0380 (Tobyhanna, PA Quadrangle N: 14.4 inches; W: 14.4 inches).

E54-302. Thomas J. McAndrew, 619 West Oak Street, Frackville, PA 17931, in West Mahoning Township, **Schuylkill County**, U. S. Army Corps of Engineers, Philadelphia District.

To place fill in a 0.13 acre of PEM wetland for the purpose of constructing a new facility for a business known as T. J. McAndrew Excavating and Hauling. The project is located in the Frackville Industrial Park—Lot 4 at the end of Firemens Road (Shenandoah, PA Quadrangle N: 5.0 inches; W: 10.8 inches).

E40-613. Department of General Services, Bureau of Engineering and Architecture, 18th and Herr Streets, Harrisburg, PA 17125, in Dupont Borough, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To maintain the existing concrete trapezoidal channel and to construct and maintain new sections of rectangular concrete channel and concrete box culvert stream enclosure, within a 3,000-foot reach of Mill Creek (CWF) and a 200-foot reach of Collins Creek (CWF), for the purpose of flood control. Work within the upper 1,880 linear feet of channel will include rehabilitation of joints, removal and replacement of a 187-foot section with a concrete rectangular section and replacement of a damaged 255-foot section. The project will tie into the SR 2035 structure as proposed for replacement under application E40-603 by the Department of Transportation. Continuing downstream from SR 0315 north, work will include construction of 358 feet of rectangular concrete channel to replace the existing gavian-walled channel section, construction of 495 feet of concrete box culvert stream enclosure and abandonment of the existing masonry culvert and resurfacing the invert of the existing SR 0315 south bridge. A rectangular concrete channel will be constructed in Collins Creek, extending 163 feet from the existing SR 0315 north structure to the confluence with Mill Creek. The project (known as Project No. DGS 184-23, Phase II, Unit II) extends from SR 0081 downstream to SR 0315 South (Avoca, PA Quadrangle N: 12.6 inches; W: 17.0 inches).

E45-439. Arrowhead Lake Community Association, Inc., H.C. 88, Box 305, Pocono Lake, PA 18347, in Coolbaugh and Tobyhanna Townships, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To dredge the Eastern Cove and Lewis Creek Cove areas within Arrowhead Lake (HQ-CWF) for the purpose of constructing approximately 6,540 L.F. of navigation channels to improve boat access to the main portions of the lake. The project also includes a channel change and bank stabilization work in and along Lewis Creek at the southern end of Lewis Creek Cove. The project is located at Arrowhead Lake, approximately 0.3 mile north of SR 4003 (Thornhurst, PA Quadrangle N: 3.9 inches; W: 9.3 inches).

E39-415. Robert Susko, 1664 Penns Crossing, Allentown, PA 18104, in City of Allentown, **Lehigh County**, U. S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 27-inch diameter concrete outfall structure with a rip-rap apron in the floodway of Little Lehigh Creek (HQ-CWF) associated with a residential subdivision known as Estates at Fish Hatchery. The project is located adjacent to Fish Hatchery Road (SR 2010) approximately 0.75 mile east of its intersection with SR 0029 (Allentown West, PA Quadrangle N: 11.9 inches; W: 0.6 inch).

E35-363. Master Halco, Inc., 1275 Keyser Avenue, Scranton, PA 18504, in City of Scranton, **Lackawanna County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain the upstream portion of a 327-foot long stream enclosure consisting of 212 feet of a 9 foot 4 inch by 6 foot 3 inch corrugated metal pipe arch and 90 feet of 10-foot by 4-foot concrete box culvert connected by a 25-foot long concrete transition structure in a tributary to Keyser Creek (CWF). The upstream portion consists of the corrugated metal pipe arch. The project is located adjacent to SR 3011 (Keyser Avenue) approximately 0.55 mile south of its intersection with SR 0307 (Morgan Highway) (Scranton, PA Quadrangle N: 11.5 inches; W: 7.8 inches).

E35-364. Pennsylvania Department of Transportation, Engineering District 4-0, P. O. Box 111, Scranton,

PA 18501, in City of Scranton, **Lackawanna County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain the downstream portion of a 327-foot long stream enclosure consisting of 212 feet of a 9 foot 4 inch by 6 foot 3 inch corrugated metal pipe arch and 90 feet of 10 foot by 4 foot concrete box culvert connected by a 25-foot long concrete transition structure in a tributary to Keyser Creek (CWF). The downstream portion consists of the concrete box culvert and transition structure. The project is located on SR 3011 (Keyser Avenue) approximately 0.55 mile south of its intersection with SR 0307 (Morgan Highway) (Scranton, PA Quadrangle N: 11.4 inches; W: 7.4 inches).

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

E05-306. Pennsylvania Department of Transportation, District 9-0, 1620 N. Juniata Street, Hollidaysburg, PA 16648 in Juniata Township, **Bedford County**, ACOE Baltimore District.

To remove the existing bridge and to construct and maintain a prestressed concert bridge having a clear span of 48.5 feet with a minimum underclearance of 4.26 feet across Kegg Run (WWF) on SR 3039 Section 018 Segment 0180 Offset 2141 located about 1.3 miles north of North Buena Vista Village (Schellsburg, PA Quadrangle N: 5.0 inches; W: 10.2 inches) in Juniata Township, Bedford County.

E06-579. Jeffrey Smallman, Pennsylvania Department of Transportation, District 5-0, 1713 Lehigh Street, Allentown, PA 18103 in Hamburg Borough and Windsor Township, **Berks County**, ACOE Philadelphia District.

To: (1) rehabilitate and maintain the bridge over the Schuylkill River (WWF) on SR 0078 Section 17M and to relocate, regrade and maintain an unnamed tributary to Schuylkill River having an overall length of 840 feet; (2) fill in 0.004 acre of wetland; and (3) construct and maintain a 60-inch diameter culvert and several 18-inch diameter culverts by General Permit No. 7, all for the purpose of improving SR 0078. The improvement starts from the bridge and extends to about 3 miles towards the east (Hamburg, PA Quadrangle N: 11.0 inches; W: 15.9 inches; N: 12.9 inches; W: 15.6 inches, N: 14.0 inches; W: 13.5 inches respectively) in Hamburg Borough and Windsor Township, Berks County. Wetland impact is de minimis and mitigation is not required.

E28-308. Thomas Beddard, Lady Moon Farms Inc., 1795 Criders Church Rd., Chambersburg PA 17201 in St. Thomas Township, **Franklin County**, ACOE Baltimore District.

To maintain a 12-foot by 14-foot pump house perched on fill material in the floodway of Dennis Creek (CWF) located approximately 850 feet upstream from its confluence with Back Creek (Chambersburg, PA Quadrangle N: 13.15 inches; W: 16.2 inches) in St. Thomas Township, Franklin County.

E67-728. Dennis McWilliams, 8495 Reynolds Mill Road, Seven Valleys, PA 17360 in North Hopewell and Chanceford Townships, **York County**, ACOE Baltimore District.

To construct and maintain a 12-foot wide by 189-foot long five-pier bridge across the North Branch of Muddy Creek (CWF) located downstream of the confluence of Pine Run (Stewartstown, PA Quadrangle N: 18.1 inches;

W: 8.35 inches) in North Hopewell and Chanceford Townships, York County.

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

E17-375. City of DuBois, P. O. Box 408, DuBois, PA 15801. City of DuBois municipal wastewater collection and treatment facility in Sandy Township, **Clearfield County**, ACOE Pittsburgh District (Falls Creek, PA Quadrangle N: 0.8 inch; W: 3.6 inches).

To place and maintain fill in 0.007 acre of wetlands; modify, operate and maintain an existing wastewater treatment facility located within the 100-year floodplain of the Sandy Lick Creek for the treatment of municipal wastewater; and construct, operate and maintain an outfall structure along Sandy Lick Creek (CWF) for the discharge of municipal sewage. Modifications to the wastewater treatment facility shall consist of constructing a 24-inch diameter overflow sewer line, an overflow pumping station, an outfall structure and a 2 million gallon flow equalization basin for the abatement of sewage bypasses. The project will permanently impact 0.007 acre of wetland and 15 feet of waterway while temporarily impacting 0.026 acre of wetland. The project is located along the western right-of-way of SR 0219 approximately 2,700 feet west of SR 4019 and SR 0219 intersection.

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

E02-1405. Shipley Brothers Development, Inc., 12300 Perry Highway, Suite 211, Wexford, PA 15090. Pine Township, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a wood roadway bridge across a tributary to Breakneck Creek (WWF); to construct and maintain two trail crossings across the same stream; to construct and maintain three boat mooring facilities, a boat house and two boardwalks on and over Lake MacLeod located in a tributary to Breakneck Creek; and to place and maintain fill in 0.29 acre of wetlands for a proposed 75 lot residential development known as MacLeod Pan of Lots. To meet the wetland replacement requirements, the applicant proposes to pay into the wetland replacement fund. The applicant also proposes to culvert approximately 1,110 feet of stream channels; these channels qualify for authorization under the Department's waiver 105.12(a)(2). The project is located on the northwest side of Babcock Boulevard approximately 0.6 mile west of its intersection with Valencia Road (Mars, PA Quadrangle N: 7.7 inches; W: 0.7 inch).

E02-1407. Pennsylvania Department of Engineering, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15107-2853. McCandless Township, **Allegheny County**, ACOE Pittsburgh District.

To operate and maintain an existing 96 inch by 110 inch arch culvert approximately 280 feet long in Little Pine Creek (CWF) and to construct and maintain a 96 inch by 144 inch Conspan Arch Culvert extension for a distance of 48 feet to the upstream end of the existing arch culvert for the purpose of widening McKnight Road. The project is located on the west side of McKnight Road approximately 1 mile north of its intersection with Peebles Road (Emsworth, PA Quadrangle N: 12.1 inches; W: 3.5 inches).

ACTIONS

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

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

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

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

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

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

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

NPDES Permit No. PA0060551, Sewage, **Little Washington Wastewater Company d/b/a Suburban Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is located in Tunkhannock Township, **Wyoming County**.

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

NPDES Permit No. PA0060194, Sewage, **Blue Ridge School District**, R. R. 3, Box 220, New Milford, PA 18834-9503. This proposed facility is located in New Milford Township, **Susquehanna County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit to discharge 0.026 mgd to Beaver Creek.

NPDES Permit No. PA0023469, Sewage, **Honesdale Borough**, 958 Main Street, Honesdale, PA 18431-1926. This proposed facility is located in Texas Township, **Wayne County**.

Description of Proposed Action/Activity: Renewal of permit to discharge treated sewage to Lackawaxen River.

WQM Permit No. 6402402, Sewerage, **Waymart Area Authority**, P. O. Box 3300, Waymart, PA 18472. This proposed facility is located in Waymart Borough and Canaan Township, **Wayne County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewage treatment plant upgrade and sewer extension and outfall structure.

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

NPDES Permit No. PA0083208, **Refreshing Mountain Camp, Inc.**, 455 Camp Road, Stevens, PA 17578. This proposed facility is located in Clay Township, **Lancaster County**.

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

NPDES Permit No. PA0043257, Sewage, **New Freedom Borough Authority**, 49 East Main Street, New Freedom, PA 17349. This proposed facility is located in Railroad Borough, **York County**.

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

NPDES Permit No. PA0080713, Sewage, **Pennsy Supply, Inc.**, One Clearspring Road, Annville, PA 17003. This proposed facility is located in North Londonderry Township, **Lebanon County**.

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

NPDES Permit No. PA0088480 and WQM Permit No. 0102401, Sewage, **Double L Partner's**, 982 Bollinger Road, Littlestown, PA 17340. This proposed facility is located in Mount Pleasant Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT South Branch Codorus Creek in Watershed 7-F and construction of new extended aeration package treatment plant to serve the Centennial Meadows development.

WQM Permit No. 2202401, Sewerage, **West Hanover Township Water and Sewer Authority**, 7901 Jonestown Road, Harrisburg, PA 17112-9728. This proposed facility is located in West Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction/operation of gravity sewers and pump station to serve the Sandy Hollow Road area.

WQM Permit No. 2897402, Sewage, **Sean and Monique White**, 8835 Iron Bridge Road, Chambersburg, PA 17201. This proposed facility is located in Letterkenny Township, **Franklin County**.

Description of Proposed Action/Activity: Transfer of permit.

NPDES Permit No. PA0008265, Industrial Waste, **Appleton Papers, Inc.**, 100 Paper Mill Road, Roaring Springs, PA 16673-1488. This proposed facility is located in Blair Township, **Blair County**.

Description of Proposed Action/Activity: Permit amendment.

WQM Permit No. 0602202, Industrial Waste, **Cambridge-Lee Industries, Inc.**, **Reading Tube Divi-**

tion, P. O. Box 14026, Reading, PA 19612. This proposed facility is located in Ontelaunee Township, **Berks County**.

Description of Proposed Action/Activity: Construction/operation of a 8,100-square foot vegetated wetland treatment system. The constructed wetland will be 45 feet by 180 feet.

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

PA0228508, Sewage, SIC 4952, **Huston Township Authority**, P. O. Box 40, Julian, PA 16844. This proposed facility will be located in Huston Township, **Centre County**.

Description of Proposed Activity: Issuance of an NPDES discharge permit for the sewage treatment facility to serve the Village of Julian. Treatment will consist of an activated sludge system and the discharge will be to Bald Eagle Creek. It was incorrectly reported, in the application received notice published at 32 Pa.B. 4500 (September 14, 2002), that the associated treatment facility would serve the Village of Mazzeppa.

NPDES Permit No. PA0020273, SIC 4952, **Milton Regional Sewer Authority**, P. O. Box 150, Milton, PA 17847. This facility is located in West Chillisquaque Township, **Northumberland County**.

Description of Proposed Action/Activity: Renewal of a NPDES permit for the discharge of 3.42 MGD of treated sewage and food processing wastewater to the West Branch Susquehanna River from a municipal wastewater treatment facility. The public notice of the draft permit published at 32 Pa.B. 3706 (August 3, 2002) incorrectly listed the effluent on BOD₅, adjusted for the cotreatment of food processing wastes, as CBOD₅.

NPDES Permit No. PA0020699, SIC 4952, **Montgomery Water and Sewer Authority**, 35 South Main Street, Montgomery, PA 17752-0125. This facility is located in Montgomery Borough, **Lycoming County**.

Description of Proposed Action/Activity: Renewal of a NPDES permit for municipal wastewater treatment facilities.

NPDES Permit No. PA0027553, Sewerage SIC 4952, **Pine Creek Municipal Authority**, P. O. Box 608, Avis, PA 17721. This existing facility is located in Pine Creek Township, **Clinton County**.

Description of Proposed Action/Activity: Renewal of NPDES Permit for the discharge of 1.3 million gallons per day of treated sewage to the West Branch Susquehanna River.

NPDES Permit No. PA0021687, Sewage, SIC 4952, **Wellsboro Municipal Authority**, 28 Crafton Street, Wellsboro, PA 16901. This existing facility is located in the Wellsboro Borough, **Tioga County**.

Description of Proposed Activity: Renewal of Major NPDES Permit for the Wellsboro Municipal Authority Sewage Treatment Plant. The discharge of treated effluent is to Marsh Creek.

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

NPDES Permit No. PA0217620, Sewage, **Consol Pennsylvania Coal Company**, P. O. Box 355, Eighty Four, PA 15330 is authorized to discharge from a facility located at Crabapple Portal Sewage Treatment Plant, Rich Hill Township, **Greene County** to receiving waters named Crabapple Creek.

NPDES Permit No. PA0219274, Sewage, **Adelphoi, Inc.**, Paschal Center, 352 Main Street, Latrobe, PA 15650 is authorized to discharge from a facility located at Greystone House STP, Jenner Township, **Somerset County** to receiving waters named Coal Run.

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

NPDES Permit No. PA0221872, Industrial Waste, **Universal Stainless and Alloy Products**, 600 Mayer Street, Bridgeville, PA 15017. This proposed facility is located in City of Titusville, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Oil Creek and Run.

NPDES Permit No. PA0209864, Sewage, **Erie Petroleum, Inc., Holiday Mart No. 99**, P. O. Box 6345, Erie, PA 16512-6345. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Deer Creek.

NPDES Permit No. PA0100129, Sewage, **Seneca Hills Bible Conference**, P. O. Box 288, Franklin, PA 16323. This proposed facility is located in Victory Township, **Venango County**.

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

NPDES Permit No. PA0102679, Sewage, **Runamuck Camping Area**, 8896 US Highway 6, Conneaut Lake, PA 16316. This proposed facility is located in Sadsbury Township, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Conneaut Lake.

NPDES Permit No. PA0210803, Sewage, **Star Route Estates Mobile Home Park**, 2182 Beulah Road, Pittsburgh, PA 15235. This proposed facility is located in East Mead Township, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Sugar Creek.

NPDES Permit No. PA0102768, Sewage, **Maplewood Junior Senior High School, Penncrest School District**, 18741 State Highway 198, P. O. Box 808, Saegertown, PA 16433-0808. This proposed facility is located in Randolph Township, **Crawford County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Woodcock Creek.

NPDES Permit No. PA0102644, Sewage, **Williams Mobile Home Park**, 320 Dinnerbell Road, Butler, PA 16002-8899. This proposed facility is located in Penn Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to an unnamed tributary to Thorn Creek.

NPDES Permit No. PA0210358, Sewage, **Robert G. and Patricia C. Gabreski**, 410 Quaker Hill Road, Warren, PA 16365. This proposed facility is located in Glade Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a single residence discharging to unnamed tributary (Quaker Run) to Conewango Creek.

NPDES Permit No. PA0104388, Sewerage, **Susan S. Coleman**, 9305 Lake Carroll Drive, Zebulon, NC 27597. This proposed facility is located in Glade Township, **Warren County**.

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

WQM Permit No. 1002412, Sewerage, **Jester Venture, L. P., Briar Creek Subdivision**, 108 Lakeland Drive, Mars, PA 16046. This proposed facility is located in Cranberry Township, **Butler County**.

Description of Proposed Action/Activity: This project is for the construction of a pump station and gravity sewers to serve a proposed residential development.

WQM Permit No. 4302415, Sewerage, **Dennis J. Downie**, 936 Excelsior Street, Pittsburgh, PA 15210. This proposed facility is located in Worth Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence.

WQM Permit No. 2002418, Sewerage, **Brent D. and Terry A. Jones**, 515 Beach Avenue, Cambridge Springs, PA 16403. This proposed facility is located in Cambridge Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence.

WQM Permit No. 4302414, Sewerage, **Thomas J. Kosick**, 1125 Slippery Rock Road, Grove City, PA 16127. This proposed facility is located in Liberty Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence.

WQM Permit No. 4302413, Sewerage, **Roger A. Kwiatkowski**, 675 Clay Furnace Road, Sharpsville, PA 16150. This proposed facility is located in Clark Borough, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence.

WQM Permit No. 4302412, Sewerage, **Chester M. Miller**, 455 Fredonia Road, Fredonia, PA 16124. This proposed facility is located in Otter Creek Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a single residence.

WQM Permit No. 2002417, Sewerage, **Brian S. Mullen**, 11344 Mill Grove Road, Springboro, PA 16435. This proposed facility is located in Spring Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence.

WQM Permit No. 2002421, Sewerage, **Webster A. and Cynthia A. Jones**, 7973 Perry Highway, Meadville, PA 16335. This proposed facility is located in Union Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence.

WQM Permit No. 2001414, Sewerage Amendment No. 1, **Venango Cemetery Association**, P. O. Box 104, Venango, PA 16440. This proposed facility is located in Venango Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a single residence.

NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G521	Pulte Homes of PA, LP 100 Northbrook Drive, Suite 200 Trevose, PA 19053	Chester	Willistown Township	UNT to Hunters Run HQ-TSF
PAS10G544	Distinctive Contractors, Inc. 886 Vaughan Road Pottstown, PA 19464-0886	Chester	East Coventry Township	UNT to Pigeon Creek HQ-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10N023R-1	Jefferson Township Sewer Authority R. R. 3, Box 394A Lake Ariel, PA 18436	Lackawanna	Jefferson Township	Eddy Creek WWF Little Roaring Brook HQ-CWF Unnamed tributary to West Branch Wallenpaupack HQ-CWF Rock Bottom Creek
PAS10Q191	Jaindl Land Co. 3150 Coffeetown Rd. Orefield, PA 18069	Lehigh	Lower Macungie Township	Swabia Creek HQ-CWF Little Lehigh Creek HQ-CWF
PAS10Q245	Heritage Property Investment Trust, Inc. 185 Great Neck Road P. O. Box 220457 Great Neck, NY 11021	Lehigh	Bethlehem City	Monocacy Creek HQ-CWF
PAS10Q239	Lehigh County 38 N. Fourth St. Allentown, PA	Lehigh	S. Whitehall Township	Little Lehigh Creek HQ-CWF

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

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

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

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG 2

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Clarion County Ashland Township	PAR101533	Lester C. Henry 1555 Route 208 Emlenton, PA 16373	Pine Run CWF	Clarion County Conservation District (814) 226-4070
Lower Fredrick Township Montgomery County	PAR10T863	Perkiomen Valley School District 3 Iron Bridge Drive Collegeville, PA 19426	Swamp Creek TSF, M	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Providence Township Montgomery County	PAR10T858	Luigi A. Santoro 991 North Grange Avenue Collegeville, PA 19426	Skippack Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Salford Township Montgomery County	PAR10T856	Elliott Building Group 235 North Sycamore Street Newtown, PA 18940	Unnamed tributary to Skippack Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Providence Township Montgomery County	PAR10T905	Heritage Building Group, Inc. 3326 Old York Rd. Suite A-100 Furlong, PA 18925	UNT to Perkiomen Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Gwynedd Township Montgomery County	PAR10T897	Upper Gwynedd Township P. O. Box 1, Parkside Place West Point, PA 19486	UNT to Wissahickon Creek TSF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
West Goshen Township Chester County	PAR10G481	John Ciccarone 908 Shiretown Drive West Chester, PA 19382	East Branch Brandywine Creek TSF, MF	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lehigh County Lynn Township	PAR10Q091-R2	Mildred Pergosky 7128 Flint Hill Rd. New Tripoli, PA 18066	Ontelaunee Creek CWF	Lehigh County Conservation District (610) 391-9583
Southampton Township	PAR10M274	Wayne D. Ebersole 1628 Pinola Road Shippensburg, PA 17257	Rowe Run Muddy Run CWF	Franklin County Conservation District Admin. Annex 218 N. 2nd Street Chambersburg, PA 17201 (717) 264-8074
Fannett Township	PAR10M264	Robert Stewart 17935 New Bridge Road Spring Run, PA 17262	West Branch Conococheague Creek CWF	Franklin County Conservation District Admin. Annex 218 N. 2nd Street Chambersburg, PA 17201 (717) 264-8074
York Township York County	PAR10Y639	Ryan McKinley Heritage Hills 2700 Mount Rose Ave. York, PA 17402	Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Telephone No.</i>
Lower Chanceford Township York County	PAR10Y643	J. Ross McGinnis 3 Lot Subdivision J. Ross McGinnis P. O. Box 253 Fawn Grove, PA 17321	UNT to Orson Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Manheim Township Lancaster County	PAR10O391-1	Lancaster Bible College 901 Eden Rd. Lancaster, PA 17601	Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Rd., Rm. 6 Lancaster, PA 17601 (717) 299-5361
Caernarvon Township Berks County	PAR10C403	Thomas Del Rossi Twin Valley Football Inc. 985 N. Manor Rd. Honeybrook PA 19344	Tributary No. 2 to Conestoga River WWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Northumberland County City of Sunbury	PAR104951	Department of Conservation and Natural Resources P. O. Box 8451 Harrisburg, PA 17105-8451	Susquehanna River WWF	Northumberland County Conservation District R. R. 3, Box 238C Sunbury, PA 17801 (570) 286-7114 Ext. 4
Tioga County Blossburg Borough	PAR106644	Williamson Land Co. 7 Riverside Plaza P. O. Box 38 Blossburg, PA 16912	Horton Run/Tioga River CWF	Tioga County Conservation District 20 East Avenue Wellsboro, PA 16901 (570) 724-1801

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Atglen Borough Chester County	PAR130005	Irving Textile Products 808 Valley Ave. Atglen, PA 19310	Octoraro Creek-7K Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
City of Philadelphia Philadelphia County	PAR900020	Philadelphia Water Dept. Aramark Tower 1101 Market St., 4th Flr. Philadelphia, PA 19107	Delaware River-3F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
City of Philadelphia Philadelphia County	PAR900019	Philadelphia Water Dept. Aramark Tower 1101 Market St., 4th Flr. Philadelphia, PA 19107	Delaware River-3F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
City of Philadelphia Philadelphia County	PAR800060	Degussa Corp. 4201 Degussa Rd. Theodore, AL 36582	Delaware River-3F Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water Use</i>	<i>Contact Office & Telephone No.</i>
Union Township Snyder County	PAG044957	Mary Reigel R. D. 3, Box 172-H Selinsgrove, PA 17870	UNT to Penns Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

NOTICES

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water Use</i>	<i>Contact Office & Telephone No.</i>
Amwell Township Washington County	PAG046136	David C. Smydo 69 Robinson Road Scenery Hill, PA 15360	Tributary to Little Ten Mile Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Somerset Township Somerset County	PAG046146	Frederick and Jane Koch 294 Whitetail Road Somerset, PA 15501	UNT to the West Branch of Coxes Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Worth Township Mercer County	PAG048838	Dennis J. Downie 936 Excelsior Street Pittsburgh, PA 15210	Unnamed tributary to Sandy Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Cambridge Township Crawford County	PAG048842	Brent D. and Terry A. Jones 515 Beach Avenue Cambridge Springs, PA 16403	Unnamed tributary to French Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Liberty Township Mercer County	PAG048837	Thomas J. Kosick 1125 Slippery Rock Road Grove City, PA 16127	Unnamed tributary to Swamp Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Clark Borough Mercer County	PAG048836	Roger A. Kwiatkowski 675 Clay Furnace Road Sharpsville, PA 16150	Unnamed tributary to Shenango River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Otter Creek Township Mercer County	PAG048835	Chester M. Miller 455 Fredonia Road Fredonia, PA 16124	Unnamed tributary to Little Shenango	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Spring Township Crawford County	PAG048841	Brian S. Mullen 11344 Mill Grove Road Springboro, PA 16435	Unnamed tributary to Temple Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Union Township Crawford County	PAG048847	Webster A. and Cynthia A. Jones 7973 Perry Highway Meadville, PA 16335	Unnamed tributary to Conneaut Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water Use</i>	<i>Contact Office & Telephone No.</i>
Ridgeway Township Elk County	PAG048496	Wayne E. and Jane H. Bryndel 154 Abbey Road Ridgway, PA 15853	Unnamed tributary to Clarion River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Salem Township Mercer County	PAG048503	David W. and Shirley A. McGranahan 504 Orangeville Road Greenville, PA 16125	Unnamed tributary to Big Bun	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Columbus Township Warren County	PAG048469	Fred E. and Katherine Kemp Jensen R. R. 1, Box 14A Columbus, PA 16405-9713	Unnamed tributary to Coffee Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Lackawannock Township Mercer County	PAG048839	Michael A. Sloan 6899 Dermond Road Hermitage, PA 16148	Unnamed tributary to Magargee Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Venango Township Crawford County	PAG048832	Venango Cemetery Association P. O. Box 104 Venango, PA 16440	Unnamed tributary to French Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Telephone No.</i>
Chester County East Caln Township	PAG080007	Downingtown Area Regional Authority P. O. Box 8 Exton, PA 19341	Downingtown Area Regional Authority 550 South Brandywine Avenue Downingtown, PA 19335	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6130
East Hempfield Township Lancaster County	PAG083509	Kline's Services, Inc. 5 Holland Street Salunga, PA 17538		DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-9

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Contact Office & Telephone No.</i>
West St. Clair Township Bedford County	PAG093509	Lang Septic Service 4995 Cortland Road New Paris, PA 15554	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
Franklin County Greene Township	PAG123563	Jason L. and Lucy G. Hege 3966 Funk Road Chambersburg, PA 17201	Rocky Spring Creek TSF	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 (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 **Pennsylvania Suburban Water Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489, PWS ID 1399502, Kidder Township, **Carbon County**, on October 17, 2002, for the operation of facilities approved under Construction Permit N/A.

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

Permit No. 3101504, Public Water Supply.

Applicant	Mount Union Municipal Authority
Municipality	Mount Union Borough
County	Huntingdon
Type of Facility	Installation of a pump station and the use of Well No. 1 to augment the existing source of supply.
Consulting Engineer	Daniel J. Carbaugh, P. E. Keller Engineers, Inc. 420 Allegheny Street Hollidaysburg, PA 16648
Permit to Construct Issued:	October 11, 2002

Permit No. 2202501 , Public Water Supply.	
Applicant	Williamstown Borough Authority
Municipality	Williamstown Borough
County	Dauphin
Type of Facility	Construction of Well No. 1, installation of a small tank and booster pumps.
Consulting Engineer	Harry E. Bingaman, P. E. Glace Assoc., Inc. 3705 Trindle Rd. Camp Hill, PA 17011
Permit to Construct Issued:	October 10, 2002

Operations Permit issued to **Williamstown Borough Authority**, 7220037, Williamstown Borough, **Dauphin County** on October 10, 2002, for the operation of facilities approved under Construction Permit No. 2202505MA.

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

Permit No. 1499506, Public Water Supply.

Applicant	Torodoco, Inc. Meadows Estate Development P. O. Box 564 State College, PA 16801
Township	Marion Township
County	Centre
Type of Facility	PWS—approval to construct new distribution system with Well No. 1, sodium hypochlorite disinfection and 16,800 gallons of finished water storage.
Consulting Engineer	Sweetland Engineering & Associates 600 Science Park Road State College, PA 16803
Permit to Construct Issued	October 22, 2002

Permit No. 1701505, Public Water Supply.

Applicant	Clearfield Municipal Authority 107 East Market Street Clearfield, PA 16830
Township	Lawrence Township
County	Clearfield
Type of Facility	PWS—approval to construct Moose Creek Well No. 3, disinfection and corrosion control facilities, a 1.5 MG finished water storage tank and miscellaneous transmission mains.
Consulting Engineer	Gwin, Dobson, & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Permit to Construct Issued	October 17, 2002

Permit No. 1401507, Public Water Supply.
 Applicant **College Township Water Authority**
 1481 East College Avenue
 State College, PA 16801
 Township College Township
 County **Centre**
 Type of Facility PWS—approval to construct Rogers Well, gas chlorination, polyphosphate sequestering, clearwell contact tank, high service pumps and associated controls and piping.
 Consulting Engineer Entech Engineering, Inc.
 4 South Fourth Street
 P. O. Box 32
 Reading, PA 19603
 Permit to Construct Issued October 16, 2002

Permit No. Minor Amendment, Public Water Supply.
 Applicant **Eagle Creek Partnership c/o Louis Glantz, Partner**
 1901 East College Avenue
 State College, PA 16801
 Township Union Township
 County **Centre**
 Type of Facility PWS—approval to construct a 30,000-gallon finished water storage tank.
 Consulting Engineer Innovative Consulting Group, Inc.
 2817 Industrial Avenue
 Altoona, PA 16601
 Permit to Construct Issued October 25, 2002

Permit No. Minor Amendment, Public Water Supply.
 Applicant **United Water Pennsylvania**
 4211 East Park Circle
 Harrisburg, PA 17111-0151
 Town Town of Bloomsburg
 County **Columbia**
 Type of Facility PWS—approval to operate the 1.2 MG Hill Tank.
 Permit to Operate Issued October 18, 2002

Permit No. 1400504, Public Water Supply.
 Applicant **Pennsylvania American Water Co.**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033-0888
 Township Rush Township
 County **Centre**

Type of Facility PWS—temporary operating permit for Trout Run Wells No. 1 and No. 2 with orthophosphate, caustic soda, hypochlorite, polyphosphate and hydrofluosilicic acid treatment. Permit is scheduled to expire December 31, 2003.
 Permit to Operate Issued October 29, 2002

WATER ALLOCATIONS

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

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

WA55-1001, Succession to Water Rights, The Department has acknowledged that Pennsylvania Suburban Water Company, City of Shamokin, Northumberland County has given notice that it succeeded to all rights and obligations under Water Allocation Permit WA55-1001 issued to the former Rolling Green Water Company, Monroe Township, Snyder County on October 18, 2002.

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

WA56-1000A, Water Allocations, Lincoln Township Municipal Authority, P. O. Box 162, Sipesville, PA 15561, Lincoln Township, Somerset County. The right to withdraw 187,000 gallons per day, as a daily maximum, from the North and South Branches of Quemahoning Creek, when available.

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

WA67-62C, Water Allocations, York Water Company, 130 East Market Street, Box 15089, York, PA 17405-7089, York County. The Company was granted the right to withdraw up to a maximum of 12.0 million gallons per day (mgd) from the Susquehanna River at Long Level from the Safe Harbor Pool (Lake Clarke) located in Lower Windsor Township, York County and up to a maximum of 42.0 mgd from South Branch Codorus Creek at their existing intake. Consulting Engineer: Jeffrey R Hines, P. E., York Water Company. Permit issued October 11, 2002.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Borough of Penn Lake Park	P. O. Box 14 White Haven, PA 18661	Luzerne

Plan Description: The Plan calls for the construction of a new low-pressure wastewater collection system to serve the Borough of Penn Lake Park. Wastewater will be conveyed to the Suburban Wastewater Company's (aka

Little Washington Wastewater Company) Wastewater Treatment Facility, located in the Borough of White Haven, for ultimate treatment and discharge. The wastewater conveyance system will consist of a pump station and approximately 11,000 feet of 4-inch force main. The selected wastewater disposal alternative is described in the Plan as Alternative No. 1. Implementation of the selected alternative and operation of the proposed facilities will be performed by the Suburban Wastewater Company.

Financing of the wastewater collection and conveyance systems is to be provided by the Pennsylvania Infrastructure Investment Authority.

Implementation of the selected wastewater disposal alternative will require a Water Management Part II Permit for the construction and operation of the proposed sewage facilities. Other departmental permits may be required for construction if encroachment to streams or wetlands will result. The Department's review has also not identified significant environmental impacts resulting from this proposal.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Granville Township	One Helen Street Lewistown, PA 17044	Mifflin

Plan Description: The approved plan provides for a sewer extension to serve 12 existing structures in the Snooks Hill Road area. This project expands the scope of previously approved planning in Granville Township. The Department's review of the sewage facilities update revision has not identified significant environmental impacts resulting from this proposal. Required NPDES permits or WQM permits must be obtained in the name of the municipality or authority as appropriate.

BIOSOLIDS INDIVIDUAL PERMITS

The Department of Environmental Protection has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

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 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.

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

PABIG6101. Pitt Mining West Lebanon Biosolids Site, Young Township, Indiana County. Pitt Mining Inc., 423 Weiss Road, Shelocta, PA 15774 is approved to use their biosolids for beneficial use by land applications.

HAZARDOUS SITES CLEANUP ACT UNDER THE ACT OF OCTOBER 18, 1988

Notice of Proposed Remedial Response

Adams Sanitation Company, Inc. Landfill Site, Tyrone Township, Adams County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.102—6020.1303), is proposing a remedial response at the Adams Sanitation Company, Inc. Landfill Site (Site) in Tyrone Township, Adams County.

The Site is located along Cranberry Road near Aspers in Tyrone Township, Adams County. The site can be found on the United States Geological Survey Biglerville, PA quadrangle map at 39°58'41" north latitude and 77°11'34" west longitude.

The Site is located on a farm property consisting of approximately 108 acres. During different time periods, municipal and residual wastes were land filled in 3 areas. The land-filled areas comprise approximately 24 acres. Two landfill areas are located north of Cranberry Road and south of Cranberry Road. Wooded areas surround the site on all sides and lands beyond the wooded areas are mostly fruit orchards. Land filling activities ceased in 1990.

Site characterization studies by the Department identified local groundwater contamination as a result of land filling operations at the Site. VOCs exist at levels above the Land Recycling and Environmental Remediation Standards Act and 25 Pa. Code Chapter 250 medium-specific concentrations (MSCs). VOCs detected above MSCs include benzene, vinyl chloride, dichloromethane (methylene chloride), 1,1-dichloroethane (1,1-DCA), 1,2-dichloroethylene (1,2-DCE), methyl ethyl ketone (2-butanone), tetrachloroethylene (PCE) and trichloroethylene (TCE). These chemicals include known, probable and possible human carcinogens. Also, benzene, vinyl chloride, PCE and TCE has been detected in leachate seeps above surface water quality human health criteria regulatory standards. Vinyl chloride, PCE and TCE has been detected in untreated water in both the former and current domestic water supplies serving the onsite residents.

The proposed remedial response will provide final closure for the Site and reduce the threats to human health and the environment posed by the site. The Department is required to perform a remedial action when the response exceeds \$2 million in cost or requires longer than 1 year to complete.

The Department's selected response will include a synthetic cap over waste in the land filled areas north of Cranberry Road. This is in accordance with Common-

wealth regulations governing municipal waste landfills. Groundwater modeling has shown that preventing surface water infiltration will be more effective in reducing groundwater contamination levels over a 20-year period than a groundwater pump-and-treat system with a 30-year net worth cost savings of approximately \$2 million dollars. Groundwater modeling indicates that no offsite water supplies will be impacted. Under these circumstances, the Department does not feel that the extra cost of a groundwater treatment system is justified.

In addition to the synthetic cap, an active/combustor gas vent component will be constructed to collect methane gas that currently exceeds allowable levels at locations along the site boundary and VOCs present throughout the land filled areas located north of Cranberry Road. This component will collect and destroy gases instead of just releasing them to the atmosphere.

Since the landfill cap will prevent precipitation, the existing leachate production will dry up and without new contaminants being added to the groundwater, the existing groundwater contamination will decrease. Therefore, collection and aeration treatment of leachate will be performed until leachate production ceases. Contaminated spring discharges will undergo treatment by natural attenuation in the pond situated near the onsite residents' home. The oldest landfill area south of Cranberry Road is presently overgrown with mature trees and does not contribute significant levels of contaminants to the groundwater. Although this area is not part of the remedial construction activities, it will be monitored as part of the on-going ground water sampling program.

The Department is providing this notice under sections 505(b) and 506(b) of the HSCA (35 P. S. §§ 6020.505(b) and 6020.506(b)) and the publication of this notice starts the administrative record period under the HSCA. The Administrative Record which contains information about this Site and which supports the Department's decision to perform this action at the Site is available for public review and comment. The Administrative Record can be examined from 8 a.m. to 4 p.m. at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 by contacting Jeff Silar at (717) 705-4842. The Administrative Record can also be reviewed at the Adams County Public Library, 140 Baltimore Street, Gettysburg, PA during normal operating hours by contacting the Adams County Public Library at (717) 334-5716.

The Administrative Record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before February 7, 2003, by mailing them to Jeff Silar at the previous address.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for December 10, 2002, at 7 p.m. at the Tyrone Township Municipal Building, 5280 Old Harrisburg Road, York Springs, PA. Persons wishing to present formal oral comment at the hearing should register before 4 p.m. on December 4, 2002, by contacting Sandra Roderick at (717) 705-4931.

If no person registers to present oral comments by December 4, 2002, the hearing will not be held, but will be replaced with an informational meeting. Persons interested in finding out if anyone has registered and if the hearing will be held, should also contact Sandra Roderick at the previous number.

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 Sandra Roderick at the previous number or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

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

The Department has received the following final reports:

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

Realen Homes, L. P., Middletown Township, **Bucks County**. Joseph W. Standen, Jr., P.G., Leggette, Brashears & Graham, Inc., 426 Brandywine Parkway, West Chester, PA 19380, on behalf of Realen Homes, L. P., 1040 Stoney Hill Rd., Yardley, PA 19067, has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with BTEX and PHC. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

Former Sunoco Station 0363-1140, Upper Southampton Township, **Bucks County**. Edward Dziedzic, P. G., Groundwater & Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, on behalf of Summit Bank, 301 Carnegie Center, P. O. Box 2066, Princeton, NJ 08543-2066, has submitted a Remedial Investigation/Final Report concerning remediation of site soil contaminated with lead, BTEX, PHC and PAH and groundwater contaminated with lead, BTEX, PHC

and PAH. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

Delchester Oil Property, West Goshen Township, **Chester County**. Michael Cody, Cody Ehlers Group, 140 Sherman St., Fairfield, CT 06430, on behalf of William Weber, Heating Oil Partner, LLP, 613 Ways Lane, Kennett Square, PA 19348, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with diesel fuel, Fuel Oil No. 2, MTBE and unleaded gasoline. The report is intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

PECO Parkesburg MGP, Parkesburg Borough, **Chester County**. Kimm Perlin, P. E., Jacques Whitford Co. Inc., 450 S. Graver Rd., Suite 105, Plymouth Meeting, PA 19462, on behalf of PECO Energy, 2301 Market St., Philadelphia, PA 19101, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with heavy metals, BTEX and PAH. The report is intended to document remediation of the site to meet Site-Specific Standards.

Former NewAge Industries Facility, Upper Moreland Township, **Montgomery County**. Henry G. Bienkowski, P. G., Mulry & Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 3, Glenmoore, PA 19343, on behalf of Lawrence Ferracci, Cagiva USA, 2300 Maryland Rd., Willow Grove, PA 19090, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Klausner Residence, Plymouth Township, **Montgomery County**. William F. Schmidt, P. E., Pennoni Associates, Inc., 3001 Market St., Suite 200, Philadelphia, PA 19104, on behalf of Edith Klausner, 16 Locust Lane, Plymouth Township, PA, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX and PAH. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Route 113 and Bethlehem Pike Site, Hilltown Township, **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of State Farm Mutual Automobile Insurance Co., One State Farm Plaza, Bloomington, IL, has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil contaminated with lead, arsenic and benzo(a)pyrene.

309 Washington Street Site, Conshohocken Borough, **Montgomery County**. Michael Gonshor, P. G., Roux Associates, Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066, on behalf of Washington St. Associates, LP, 700 S. Henderson Rd., King of Prussia, PA 19406, has submitted a Remedial Investigation Report, Risk Assessment Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with lead, heavy metals and PAH.

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

Defense Distribution Depot, Susquehanna, PA, IRP Site 62, Building 251, Fairview Township, **York County**. Defense Distribution Depot Susquehanna, PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070 submitted a Final Report concerning remediation of site

soils contaminated with hydraulic oil. The report is intended to document remediation of the site to the Statewide Health Standard.

Former BOC Gases Site, East Petersburg Borough, **Lancaster County**. ENSR Corporation, 2005 Cabot Boulevard West, Suite 100, Langhorne, PA 19047, on behalf of BOC Gases, 575 Mountain Avenue, Murray Hill, NJ 07974, submitted a Final Report concerning remediation of site soils and groundwater contaminated with Fuel Oil No. 2 and PAHs. The report is intended to document remediation of the site to the Statewide Health Standard.

Lear Corporation, formerly Masland Industries, Granville Township, **Mifflin County**. Montgomery Watson Harza, 335 Phoenixville Pike, Malvern, PA 19355, on behalf of Lear Corporation, 21557 Telegraph Road, P. O. Box 5008, Southfield, MI 48086-5008, submitted a Final Report concerning remediation of site soils and groundwater contaminated with solvents. The report is intended to document remediation of the site to the Statewide Health Standard.

Ruba Horner Residence, Conewago Township, **Adams County**. Alliance Environmental Services, Inc., 1414 North Cameron Street, Suite B, Harrisburg, PA 17103, on behalf of Ruba Horner, 4738 East Flower Circle, Mesa, AZ 85206 and Dan Wisotzkey, 3311 Honey Run Drive, York, PA 17404-9443, has submitted a combined remedial investigation and final report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to a combination of the Statewide Health and Site-Specific Standards. This is a correction to the notice published in the *Pennsylvania Bulletin* on October 26, 2002.

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

Kelly Farm, Maple Road, Fairview Township, **Butler County**. Mitchell D. Brouman, Beazer East Inc., One Oxford Centre, Suite 3000, Pittsburgh, PA 15219 (on behalf of Kelly Farm, Maple Road) has submitted a Cleanup Plan concerning the remediation of soil, groundwater, surface water and sediment contaminated with petronates, sulfonic acids, aldehyde's resorcinol, VOCs, SVOCs and metals. The Cleanup Plan meets site-specific standards. The Cleanup Plan was published in the *Butler Eagle* on July 16, 2002.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the Act. Plans and reports required by provisions of the Act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation

report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following final reports:

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

Duff Residence, Upper Southampton Township, **Bucks County**. Eric Rosina, Storb Environmental, Inc., 410 N. Easton Rd., Willow Grove, PA 19090-2511, on behalf of Edward Duff, 2100 Byberry Rd., Huntingdon Valley, PA 19006, has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with Fuel Oil No. 2. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 25, 2002.

Swedeland Road Substation Property—PECO Energy, Upper Merion Township, **Montgomery County**. Jennifer Sowers, PECO Energy Co., 300 Front St., Bldg. 1, West Conshohocken, PA 19428, on behalf of PECO/Exelon, 2301 Market St., Philadelphia, PA 19101, has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with heavy metals, BTEX, PAH, VOC and SVOC. The combined report was approved by the Department on October 10, 2002.

Rahns Specialty Metals, Inc., Perkiomen Township, **Montgomery County**. Andrew P. Foster, Drinker, Biddle & Reath, LLP, One Logan Sq., 189th and Cherry Sts., Philadelphia, PA 19103 on behalf of Rahns Specialty Metals, Inc., Route 113, Rahns, PA 19426, has submitted a Remedial Investigation/Final Report concerning the remediation of site soil and groundwater contaminated with solvents. The report demonstrated attainment of Statewide Health and Site-Specific Standards and was approved by the Department on October 17, 2002.

Scholler, Inc., City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc.,

215 W. Church Rd., King of Prussia, PA 19406, on behalf of Peter Young, 2330 Collins St., Philadelphia, PA 19134, has submitted a combined Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with No. 2, 4 and 6 fuel oil. The combined report demonstrated attainment of Site-Specific Standards and was approved by the Department on October 28, 2002.

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

Tyco Electronics Corporation, Swatara Township, **Dauphin County**. Science Applications International Corporation, 6310 Allentown Boulevard, Harrisburg, PA 17112, on behalf of TecPort Partners, L. P., 3555 Washington Road, McMurray, PA 15317, submitted a remedial investigation report concerning the remediation of site soils and groundwater contaminated with BTEX and PAHs. The applicant is seeking attainment of a Site-Specific Standard. The remedial investigation report was approved by the Department on October 25, 2002.

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

Kelly Farm, Maple Road, Fairview Township, **Butler County**. Mitchell D. Brouman, Beazer East Inc., One Oxford Centre, Suite 3000, Pittsburgh, PA 15219 (on behalf of Kelly Farm, Maple Road) has submitted a Cleanup Plan concerning the remediation of soil, groundwater, surface water and sediment contaminated with petronates, sulfonic acids, aldehyde's resorcinol, VOCs, SVOCs and Metals. The Cleanup Plan meets Site-Specific Standards. The Cleanup Plan was published in the *Butler Eagle* July 16, 2002.

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

TRW, Inc., Valve Division, Danville Plant, Danville Borough, **Montour County**. GeoServices, Ltd., on behalf of TRW, Inc., 601 East Market Street, Danville, PA 17821, has submitted a Remedial Investigation Report and Risk Assessment Report concerning soil and groundwater contaminated with PCBs, solvents, BTEX, PHCs and PAHs. These reports, submitted in partial fulfillment of the requirements of the Site-Specific Standard, were disapproved by the Department on October 28, 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

Harold Marcus Limited, R. R. 3, Bothwell, ON, Canada, N0P 1C0. License No. **PA-AH 0207**. Effective October 25, 2002.

Gary W. Gray Trucking, Inc., P. O. Box 48, Delaware, NJ 07833. License No. **PA-AH 0474**. Effective October 17, 2002.

Hydrochem Industrial Services, Inc., 900 Georgia Avenue, Deer Park, TX 77536. License No. **PA-AH 0694**. Effective October 18, 2002.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations to transport infectious and chemotherapeutic waste.

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

Infectious and Chemotherapeutic Waste Transporter License Renewed

Pet Memorial Services Corp., 319 Westtown Road, Suite Q, West Chester, PA 19382. License No. **PA-HC 0195**. Effective October 28, 2002.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Draft actions issued under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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

PAD000824805. GE Betz, 4636 Somerton Road, Trevoise, PA 19053, Middletown Township, **Bucks County**. Draft action is proposed for revocation of the hazardous waste storage permit (at the permittee's request) and partial release of the bond based upon satisfactory closure of the hazardous waste storage areas at the GE Betz (formerly Betz Laboratories) facility and the permittee's decision not to renew the permit.

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

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

MUNICIPAL AND RESIDUAL WASTE TRANSPORTER AUTHORIZATION

Issued applications for Municipal and Residual Waste Transporter Interim Authorization received under the Waste Transportation Safety Act (27 Pa.C.S. §§ 6201—6209) and regulations to transport municipal or residual waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Municipal and Residual Waste, P. O. Box 8472, Harrisburg, PA 17105-8472.

BFI Waste Service of PA, LLC, 372 S. Henderson Road, King of Prussia, PA 19406-2453. Authorization No. WH0045. Effective September 27, 2002.

B. & E. Refuse, 567 Dunwoody Road, Williamsport, PA 17701. Authorization No. WH0075. September 27, 2002.

R. L. Clark & Sons Trucking, Inc., R. R. 1 Box 188A, Grampian, PA 16838-9801. Authorization No. WH0142. Effective September 27, 2002.

John McDowell Trucking Inc., 270 Hemlock Road, Grove City, PA 16127. Authorization No. WH0144. Effective September 27, 2002.

L & D Trucking Inc., 946 Rockdale Road, Rockwood, PA 15557-6405. Authorization No. WH0145. Effective September 27, 2002.

St. Francis University, P. O. Box 600, Loretto, PA 15940-0600. Authorization No. WH0146. Effective September 27, 2002.

Larry Sanner Trucking Inc., 946 Rockdale Road, R. R. 2 Box 359, Rockwood, PA 15557-6405. Authorization No. WH0147. Effective September 27, 2002.

S & S Trash Service, P. O. Box 374, 418 Freedom Ave., Burnham, PA 17009-0374. Authorization No. WH0148. Effective September 27, 2002.

Elder's Sanitary Hauling, 951 Harvey Road, Williamsport, PA 17701. Authorization No. WH0149. Effective September 27, 2002.

Ronald D. Miller, 1802 Reedy St., Danville, PA 17821. Authorization No. WH0151. Effective September 27, 2002.

GemChem Inc., P. O. Box 384, Lititz, PA 17543-0384. Authorization No. WH0152. Effective September 27, 2002.

Carbon Service Corp., 52 Fairview Dr., Lehighton, PA 18235. Authorization No. WH0154. Effective September 27, 2002.

John J. Schumacher, R. R. 1 Box 205, P. O. Box 143 Route 268, East Brady, PA 16028. Authorization No. WH0155. Effective September 27, 2002.

Castle Environmental Inc., Suite A, 1750 New Butler Road, New Castle, PA 16101-3119. Authorization No. WH0157. Effective September 27, 2002.

Covance Research Products Inc., 310 Swampbridge Road, P. O. Box 7200, Denver, PA 17517-0200. Authorization No. WH0160. Effective September 27, 2002.

D. B. Disposal Inc., 433 Rehoboth Church Road, Perryopolis, PA 15473-1329. Authorization No. WH0161. Effective September 27, 2002.

C & S Disposal Co., 419 West Main St., P. O. Box 268, Terre Hill, PA 17581-0268. Authorization No. WH0163. Effective September 27, 2002.

Michael C. Tate, 312 Princeton Ave. Ext., Williamsport, PA 17701-9607. Authorization No. WH0164. Effective September 27, 2002.

Ken's Disposal Service, R. R. 1 Box 18, 171 Rock Road, Trout Run, PA 17771-9199. Authorization No. WH0165. Effective September 27, 2002.

JB Hunt Special Commodities Inc., 3605 Grays Ferry Ave., Philadelphia, PA 19146. Authorization No. WH0195. Effective September 27, 2002.

Sensenig Milling Service, R. R. 2 Box 68A, Watsontown, PA 17777. Authorization No. WH0038. Effective October 2, 2002.

Lebanon Farms Disposal Inc., P. O. Box 380, 230 Obie Road, Schaefferstown, PA 17088-0380. Authorization No. WH0105. Effective October 2, 2002.

Eugene T. Parzych Inc., P. O. Box 48, Trumbauersville, PA 18970. Authorization No. WH0141. Effective October 2, 2002.

J & K Trash Removal Inc., 2335 West 2nd St., Chester, PA 19013. Authorization No. WH0143. Effective October 2, 2002.

Richard L. Sensenig Co., 183 South Market St., P. O. Box 715, Ephrata, PA 17522-0715. Authorization No. WH0156. Effective October 2, 2002.

David C. Trainer Trucking, 147 Rock St., Lehighton, PA 18235. Authorization No. WH0166. Effective October 2, 2002.

Richard J. Steigerwalt, 495 South Fireline Road, Palmerton, PA 18071. Authorization No. WH0167. Effective October 2, 2002.

York Waste Disposal Inc., 3730 Sandhurst Drive, P. O. Box 1401, York, PA 17405-1401. Authorization No. WH0186. Effective October 2, 2002.

Barnebey Sutcliffe Corp., 1055 Boot Road, Downingtown, PA 19335. Authorization No. WH0190. Effective October 2, 2002.

Laudadio Excavating and Trucking, R. R. 2 Box 142A, Ligonier, PA 15658. Authorization No. WH0201. Effective October 2, 2002.

B & C Septic Service, 305 Three Mile Run Road, Sellersville, PA 18960. Authorization No. WH0210. Effective October 2, 2002.

Renovo Disposal Service Inc., 900 Ontario Ave., Renovo, PA 17764-1153. Authorization No. WH0214. Effective October 2, 2002.

Modern Disposal Service Inc., 139 Zimmerman Lane, Langhorne, PA 19047. Authorization No. WH0221. Effective October 2, 2002.

A & L Buddy Trucking, Inc., 144 Yoakum Ave., Farmingdale NY 11735. Authorization No. WH0223. Effective October 2, 2002.

Danley's Disposal, P. O. Box 454, Sunbury, PA 17801. Authorization No. WH0226. Effective October 2, 2002.

Reliant Energy Mid Atlantic Power Holdings LLC, River Road, P. O. Box 238, Portland, PA 18351-0238. Authorization No. WH0230. Effective October 2, 2002.

Cheltenham Township Montgomery County, 8230 Old York Road, Elkins Park, PA 19027-1514. Authorization No. WH0231. Effective October 2, 2002.

Pascarella Trucking, 22 Mustang Lane, Monongahela, PA 15063-4121. Authorization No. WH0232. Effective October 2, 2002.

JH Russell Inc., R. R. 2 Box 314F, East Freedom, PA 16637. Authorization No. WH0234. Effective October 2, 2002.

Logan's Liquid Waste Hauling, P. O. Box 137, 971 Georgetown Road, Lisbon, OH 44460. Authorization No. WH0235. Effective October 2, 2002.

Joseph Hopkins & Co. Inc., 404 Hickory Valley Road, Stroudsburg, PA 18360-9556. Authorization No. WH0236. Effective October 2, 2002.

Central City, Borough Somerset County, Suite 201, 314 Central Ave., Central City, PA 15926. Authorization No. WH0237. Effective October 2, 2002.

K. S. Laforge Excavating Inc., P. O. Box 425, 3090 Trapping Brook Road, Wellsville, NY 14895. Authorization No. WH0239. Effective October 2, 2002.

Forry Transport Inc., 675 Hershey Heights Road, Hanover, PA 17331-8117. Authorization No. WH0240. Effective October 2, 2002.

Real Way Container Service Inc., Suite 281, 45 East City Line Ave., Bala Cynwyd, PA 19004. Authorization No. WH0241. Effective October 2, 2002.

Paulson Disposal, P. O. Box 12, 1 Anderson St., Mount Jewett, PA 16740. Authorization No. WH0243. Effective October 2, 2002.

Likar Roofing Co. Inc., 644 Third St., North Versailles, PA 15137-2818. Authorization No. WH0244. Effective October 2, 2002.

Worrell's Trash Removal, 3803 Bethel Road, Boothwyn, PA 19061. Authorization No. WH0245. Effective October 2, 2002.

Fishers Disposal, 40 Fisher Lane, Lewisburg, PA 17837-9563. Authorization No. WH0246. Effective October 2, 2002.

Harrisburg Housing Authority, 351 Chestnut St., Harrisburg, PA 17101-2756. Authorization No. WH0248. Effective October 2, 2002.

Berlin Borough Municipal Authority, P. O. Box 115, 700 North St., Berlin, PA 15530-1125. Authorization No. WH0249. Effective October 2, 2002.

Deworth Trucking, P. O. Box 287, Barnegat, NJ 08005. Authorization No. WH0150. Effective October 1, 2002.

Besecker Excavating & Paving Inc., 2701 Hamilton East, R. R. 2 Box 2206A, Stroudsburg, PA 18360-9547. Authorization No. WH0158. Effective October 1, 2002.

Deworth Disposal LLC, P. O. Box 287, Barnegat, NJ 08005. Authorization No. WH0159. Effective October 1, 2002.

Michael Norman Howell, 1236 W. Willow St., Coal Township, PA 17866-3016. Authorization No. WH0181. Effective October 1, 2002.

Rohanna Iron & Metal Inc., 100 Jennings Ave., Waynesburg, PA 15370-3469. Authorization No. WH0182. Effective October 1, 2002.

Carry All Products, P. O. Box 201, 1015 B Blackstone Road, Connellsville, PA 15425-0201. Authorization No. WH0184. Effective October 1, 2002.

Anjo Service, 1060 Harmony Lane, Deptford, NJ 08096. Authorization No. WH0185. Effective October 1, 2002.

KBS Inc., P. O. Box 7, Route 30 and KBS Road, Thomasville, PA 17364. Authorization No. WH0191. Effective October 1, 2002.

Northern Tier SWA, P. O. Box 10, Burlington, PA 18814-0010. Authorization No. WH0192. Effective October 1, 2002.

Constable Refuse Service, P. O. Box 427, Franklin, PA 16323. Authorization No. WH0194. Effective October 1, 2002.

Powell Sanitation & Construction, 18536 Cussewago Road, Meadville, PA 16335. Authorization No. WH0196. Effective October 1, 2002.

Regional Mgmt. & Consulting Inc., 79 Bridgewater St., Brooklyn, NY 11222-3818. Authorization No. WH0197. Effective October 1, 2002.

B & E Disposal Service, 320 W. River Road, Nichols, NY 13812. Authorization No. WH0198. Effective October 1, 2002.

GWT Sludge Disposal Services, P. O. Box 5081, York, PA 17405-5081. Authorization No. WH0199. Effective October 1, 2002.

Michael Lukasiak Construction, 2 Oak Grove Street, P. O. Box 1223, Oil City, PA 16301. Authorization No. WH0200. Effective October 1, 2002.

Red Lion Municipal Authority, Center Square, P. O. Box 190, Red Lion, PA 17356-0190. Authorization No. WH0202. Effective October 1, 2002.

D. H. Funk & Sons, 3850 Continental Dr., Columbia, PA 17512-9710. Authorization No. WH0203. Effective October 1, 2002.

Johnson Inc., 731 Plane St., Columbia, PA 17512-2232. Authorization No. WH0204. Effective October 1, 2002.

Trenco Inc., 215 Reading Ave., Williamsport, PA 17701. Authorization No. WH0205. Effective October 1, 2002.

Flyway Excavating Inc., 168 W. Airport Road, Lititz, PA 17543-7624. Authorization No. WH0208. Effective October 1, 2002.

R. T. Gougan Construction, 158 Kenton Ave., Pitman, NJ 08071. Authorization No. WH0209. Effective October 1, 2002.

Plymouth Township, Montgomery County, 700 Belvoir Road, Plymouth Meeting, PA 19462. Authorization No. WH0213. Effective October 1, 2002.

Latrobe City, Westmoreland County, 901 Jefferson St., P. O. Box 829, Latrobe, PA 15650-0829. Authorization No. WH0215. Effective October 1, 2002.

Skander Tire Service Inc., 1667 Evans City Road, Evans City, PA 16033-9355. Authorization No. WH0216. Effective October 1, 2002.

Blackwood Trucking, 340 White Pines Road, DuBois, PA 15801. Authorization No. WH0217. Effective October 1, 2002.

Edward S. Myers Jr., P. O. Box 78, 145 Portage St., Cassandra, PA 15925. Authorization No. WH0218. Effective October 1, 2002.

Arthur Pat Aungst Inc., 45 Tremont Rd., Pine Grove, PA 17963-9123. Authorization No. WH0171. Effective September 30, 2002.

Delaware Valley Scrap Co., P. O. Box 1203, Bristol, PA 19007. Authorization No. WH0172. Effective September 30, 2002.

Carbonara Excavating, 122 Maple Rock, Henryville, PA 18332. Authorization No. WH0173. Effective September 30, 2002.

Holland Enterprises, 130 Buck Road, Suite 201, Holland, PA 18966. Authorization No. WH0174. Effective September 30, 2002.

Dover Township, York County, 2480 W. Canal Rd., Dover, PA 17315-3410. Authorization No. WH0176. Effective September 30, 2002.

D. A. Brubaker, 1441 Roherstown Road, Lancaster, PA 17601. Authorization No. WH0177. Effective September 30, 2002.

J & K Truck & Equip., 812 West Philadelphia Ave., Boyertown, PA 19512. Authorization No. WH0179. Effective September 30, 2002.

Clifton W. Haney, 111 Welliver Dr., Bloomsburg, PA 17815-8422. Authorization No. WH0180. Effective September 30, 2002.

Vinch J. & Sons Inc., P. O. Box 5465, Trenton, NJ 08638-0465. Authorization No. WH0026. Effective October 8, 2002.

Gary W. Gray Trucking Inc., P. O. Box 48, Delaware, NJ 07833-0048. Authorization No. WH0055. Effective October 8, 2002.

Heffners Sanitation, P. O. Box 8, R. R. 2 Box 356, Reynoldsville, PA 15851. Authorization No. WH0102. Effective October 8, 2002.

East Penn Sanitation Inc., P. O. Box 150, Philipsburg, NJ 08865. Authorization No. WH0122. Effective October 8, 2002.

R & L Development Co., P. O. Box 529, New Alexandria, PA 15670-0529. Authorization No. WH0153. Effective October 8, 2002.

First Americus Enterprises Inc., R. R. 1 Box 14c, Luthersburg, PA 15848. Authorization No. WH0187. Effective October 8, 2002.

Lake City Manufactured Housing Inc., 10068 Keystone Dr., Lake City, PA 16423-1060. Authorization No. WH0188. Effective October 8, 2002.

Dominic Constantino, 496 Fruit Farm Road, Royersford, PA 19468-3202. Authorization No. WH0211. Effective October 8, 2002.

H & K Group, 2052 Lucon Road, P. O. Box 196, Skippack, PA 19474-0196. Authorization No. WH0224. Effective October 8, 2002.

Keystone Environmental Service Inc., 1100 S. Pottsville Pike, P. O. Box 127, Shoemakersville, PA 19555-0127. Authorization No. WH0227. Effective October 8, 2002.

Chambersburg Waste Paper Co., P. O. Box 975, 2047 Loop Rd., Chambersburg, PA 17201-0975. Authorization No. WH0229. Effective October 8, 2002.

Donald Gesell Inc., 6 Wilson St., Mendham, NJ 07945. Authorization No. WH0233. Effective October 8, 2002.

Waste Mgmt. of Central Jersey, 107 Silvia St., Ewing, NJ 08628. Authorization No. WH0242. Effective October 8, 2002.

Mountz Disposal, 2456 Haycreek Road, Birdsboro, PA 19508-8031. Authorization No. WH0261. Effective October 8, 2002.

Berco Industries, 131 N. 9th St., Reading, PA 19601-3613. Authorization No. WH0263. Effective October 8, 2002.

Richard B. Means, 445 East End Road, Connellsville, PA 15425. Authorization No. WH0266. Effective October 8, 2002.

Gene Marschner Hauling, 22A Cedar House, Douglasville, PA 18518. Authorization No. WH0267. Effective October 8, 2002.

Marvin H. Shoemaker, Jr., 2258 Ritner Highway, Shippensburg, PA 17257-9754. Authorization No. WH0268. Effective October 8, 2002.

Len Symons & Son Sanitation Inc., P. O. Box 106, 419 Chestnut St., Bethlehem, PA 18016-0106. Authorization No. WH0269. Effective October 8, 2002.

Ward Mfg. Inc., 115 Gulick St., P. O. Box 9, Blossburg, PA 16912-0009. Authorization No. WH0272. Effective October 8, 2002.

Reams Disposal, P. O. Box 313, Bowmansville, PA 17507-0313. Authorization No. WH0273. Effective October 8, 2002.

Westmoreland Service, 412 Alexander St., Greensburg, PA 15601-4016. Authorization No. WH0278. Effective October 8, 2002.

Blair E. Wenger, 1968 Ritner Highway, Shippensburg, PA 17257-9760. Authorization No. WH0279. Effective October 9, 2002.

Sunbury Municipal Authority, 462 S. 4th St., Sunbury, PA 17801-3413. Authorization No. WH0281. Effective October 9, 2002.

Allentown City, 112 Union St., Allentown, PA 18102-4912. Authorization No. WH0282. Effective October 9, 2002.

Keso Trucking Service, 87-65 133 St., Richmond Hill, NY 14418-2810. Authorization No. WH0284. Effective October 9, 2002.

Ragans Disposal, R. R. 2 Box 275A, Canton, PA 17724. Authorization No. WH0288. Effective October 9, 2002.

E & T Transport LTD, 250 Plantation Drive, Leighton, PA 18235-8846. Authorization No. WH0285. Effective October 9, 2002.

MMM Waste Removal, R. R. 2 Box 2465, Beach Lake, PA 18405. Authorization No. WH0287. Effective October 9, 2002.

Charles E. Brake Co. Inc., 6450 Lincoln Way West, P. O. Box 275, Saint Thomas, PA 17252-0275. Authorization No. WH0289. Effective October 9, 2002.

Rogele Inc., 1025 S. 21st St., P. O. Box 1757, Harrisburg, PA 17105-1757. Authorization No. WH0286. Effective October 9, 2002.

BFI Waste Service of PA LLC, 1 Briar Lane, West Grove, PA 19390-9455. Authorization No. WH0043. Effective October 9, 2002.

Burrell Sanitation, P. O. Box 497, Black Lick, PA 15716-0497. Authorization No. WH0228. Effective October 9, 2002.

Valley Disposal Service, 20 Garman Road, Danville, PA 17821-9150. Authorization No. WH0247. Effective October 9, 2002.

Geo. Allen & Son Inc., 4375 County Line Road, Colmar, PA 18915. Authorization No. WH0262. Effective October 9, 2002.

Weiner Iron & Metal Corp., 1056 Route 61 Highway S., P. O. Box 359, Pottsville, PA 17901-0359. Authorization No. WH0271. Effective October 9, 2002.

Reliant Energy, 296 Poplar Neck Road, Titus Station, Birdsboro, PA 19508. Authorization No. WH0275. Effective October 9, 2002.

Pecks Refuse Disposal, P. O. Box 172, Black Run Road, McConnellsburg, PA 17233. Authorization No. WH0283. Effective October 9, 2002.

B. E. Newman Inc., 501 Smith St., P. O. Box 376, Milesburg, PA 16853. Authorization No. WH0303. Effective October 9, 2002.

Telco Developers Inc., 5 Maple Ave., Manheim, PA 17545-8911. Authorization No. WH0304. Effective October 9, 2002.

Villanova University, 800 Lancaster Ave., Villanova, PA 19085. Authorization No. WH0305. Effective October 9, 2002.

Spring City Borough, 6 S. Church St., Spring City, PA 19475-1809. Authorization No. WH0306. Effective October 9, 2002.

Earth Tech II LLC, 250 Sackett Point Road, North Haven CT 06473. Authorization No. WH0307. Effective October 9, 2002.

Barnhart Builder Inc., 5201 Harborsgreene Road, Erie, PA 16510-5262. Authorization No. WH0309. Effective October 9, 2002.

Bonitz Trucking Inc., 311 14th St., P. O. Box 382, Windber, PA 15963-0382. Authorization No. WH0310. Effective October 9, 2002.

Applied Water Mgmt. Inc., 2 Clerico Lane, Hillsborough, NJ 08844-1615. Authorization No. WH0311. Effective October 9, 2002.

Geo. Weidle Sani Service, 920 Oak St., Lebanon, PA 17042-5921. Authorization No. WH0312. Effective October 9, 2002.

Centre County SWA, 23 Transfer Road, R. R. 2 Box 501, Bellefonte, PA 16823-9802. Authorization No. WH0313. Effective October 9, 2002.

B & J Disposal Service Inc., 3645 Main St., Conestoga, PA 17616-9611. Authorization No. WH0314. Effective October 9, 2002.

Upper Darby Township, Delaware County, Municipal Bldg., 100 Garrett Road, Upper Darby, PA 19082-3135. Authorization No. WH0315. Effective October 9, 2002.

IESI PA Blue Ridge Landfill Corp., P. O. Box 399, Scotland, PA 17254. Authorization No. WH0316. Effective October 9, 2002.

Harmon Recycling Corp., P. O. Box 2146, Boothwyn, PA 19061. Authorization No. WH0317. Effective October 9, 2002.

Cheryl J. Eakin, P. O. Box 1062, Franklin, PA 16323. Authorization No. WH0318. Effective October 9, 2002.

Waste Reduction & Recycling Inc., 2100 Sans Souci Parkway, Wilkes-Barre, PA 18702-1002. Authorization No. WH0319. Effective October 9, 2002.

Richard S. Burns, 4300 Rising Sun Ave., Philadelphia, PA 19140. Authorization No. WH0320. Effective October 9, 2002.

J & J Spill Service & Supplies Inc., P. O. Box 370, Blue Bell, PA 19422. Authorization No. WH0321. Effective October 9, 2002.

Wilkie Trucking Inc., P. O. Box 126, 48 S. Penna. Ave., Blackwood, NJ 08012. Authorization No. WH0322. Effective October 9, 2002.

Mostik Bros. Disposal, 491 Saylor St., Atlas, PA 17851. Authorization No. WH0326. Effective October 9, 2002.

TNT Sanitation, P. O. Box 266, 319 S. College St., Myerstown, PA 17067-0266. Authorization No. WH0327. Effective October 9, 2002.

Alex O. Dell, 77 Allen St., Pittsburgh, PA 15210-1075. Authorization No. WH0330. Effective October 9, 2002.

Silver Spur Waste Removal Inc., 107 Davidson Road, Woolrich, NJ 08085. Authorization No. WH0219. Effective October 10, 2002.

B & A Transport Inc., 775 Forest St., Lehighton, PA 18235-8832. Authorization No. WH0222. Effective October 10, 2002.

A & R Tire Sales & Recycling Inc., No. 5, 701 Martha Ave., Lancaster, PA 17601. Authorization No. WH0265. Effective October 10, 2002.

T. T. Recycling Corp., 551 F Springfield St., Coopersburg, PA 18036-2204. Authorization No. WH0270. Effective October 10, 2002.

Iron City Express, 1306 Main Street, Glenwillard, PA 15046. Authorization No. WH0323. Effective October 10, 2002.

Alex A. Camesi, 646 Stoops Ferry Road, Coraopolis, PA 15108. Authorization No. WH0839. Effective October 10, 2002.

John W. Predale, 2 Skunktown Lane, Blairstown, NJ 07825-2700. Authorization No. WH0606. Effective October 10, 2002.

Richard H. Salter, Jr., R. R. 7 Box 7333, Saylorburg, PA 18353. Authorization No. WH0607. Effective October 10, 2002.

Adam Kus, P. O. Box 184, 209 Faith Ave., Stockertown, PA 18083. Authorization No. WH0608. Effective October 10, 2002.

Peter Plutko, 4077 Vaugh St., Easton, PA 18045. Authorization No. WH0609. Effective October 10, 2002.

Ryszard Mikulski, 208 Hope St., Stockertown, PA 18083. Authorization No. WH0610. Effective October 10, 2002.

Dale T. Gray, Sr., P. O. Box 38, Delaware, NJ 07833. Authorization No. WH0611. Effective October 10, 2002.

Glen J. Gara, 233 Good Springs Road, Stewartsville, NJ 08886. Authorization No. WH0612. Effective October 10, 2002.

Frank L. Chambers, 5552 Hideaway Hill Road, Kunkletown, PA 18058. Authorization No. WH0613. Effective October 10, 2002.

Walter Buehring, R. R. 5 Box 5337A, Moscow, PA 18444. Authorization No. WH0614. Effective October 10, 2002.

Robert P. Casey, 1110 Kroucher Road, Stroudsburg, PA 18360. Authorization No. WH0615. Effective October 10, 2002.

Delguericos Disposal Service Inc., Suite 100, 2895 Grouse Lane, Riegelsville, PA 18077. Authorization No. WH0068. Effective October 18, 2002.

Bruce E. Brooks LLC, 1610 East Elm St., Scranton, PA 18505. Authorization No. WH0119. Effective October 18, 2002.

Daryl Yonish Disposal Co., P. O. Box 417, Davidsville, PA 15928. Authorization No. WH0189. Effective October 18, 2002.

Shipman Sanitary Service Inc., 667 Washington Road, R. R. 2 Box 92, Prosperity, PA 15329-8533. Authorization No. WH0212. Effective October 18, 2002.

Franklin O. Weaver, 350 Columbia Hill Road, Danville, PA 17821. Authorization No. WH0264. Effective October 18, 2002.

Jorge A. Navas, 6933 Large St., Philadelphia, PA 19149-1705. Authorization No. WH0274. Effective October 18, 2002.

DAP Disposal Products Co. Inc., 1170 Ridge Road, Langhorne, PA 19053-3543. Authorization No. WH0277. Effective October 18, 2002.

Conewago Enterprises Inc., 660 Edgegrove Road, P. O. Box 407, Hanover, PA 17331-0407. Authorization No. WH0290. Effective October 18, 2002.

J. M. Building & Remodeling Inc., 10 Easy St., Latrobe, PA 15650-9124. Authorization No. WH0301. Effective October 18, 2002.

Northern Tier Inc., 40 Aiken Road SR 646, P. O. Box 713, Bradford, PA 16701. Authorization No. WH0325. Effective October 18, 2002.

Dale Borough, Cambria County, 810 Bedford Street, Johnstown, PA 15902-1753. Authorization No. WH0175. Effective October 10, 2002.

Tate's Disposal, 1012 Beechnut Parkway, Williamsport, PA 17701. Authorization No. WH0178. Effective October 10, 2002.

K & S Trucking Inc., 452 Ice Plant Road, Loretto, PA 15940-9676. Authorization No. WH0251. Effective October 10, 2002.

DJ's Temporary Containers Inc., 710 Hickory Valley Road, Stroudsburg, PA 18360. Authorization No. WH0252. Effective October 10, 2002.

R. G. Mull Disposal Service, 524 Piersol Road, Friedens, PA 15541-7123. Authorization No. WH0253. Effective October 10, 2002.

Coggins Waste Mgmt. Inc., 1224 Haven Avenue, Ocean City, NJ 08226. Authorization No. WH0254. Effective October 10, 2002.

City of St. Marys, P. O. Box 1994, St. Marys, PA 15857-1994. Authorization No. WH0255. Effective October 10, 2002.

Smale Sr. t/a The Good Guys, P. O. Box 228, 3026 Jefferson St., Bethlehem, PA 18016. Authorization No. WH0256. Effective October 10, 2002.

Republic Services of New Jersey Inc., 4100 Church Road, Mt. Laurel, NJ 08054-2221. Authorization No. WH0257. Effective October 10, 2002.

Maumee Express Inc., P. O. Box 278, Somerville, NJ 08876-0278. Authorization No. WH0258. Effective October 10, 2002.

Columbia Borough, Lancaster County, P. O. Box 509, 308 Locust Street, Columbia, PA 17512-0509. Authorization No. WH0259. Effective October 10, 2002.

Harold C. Daugherty, 36 Finley Ave., Finleyville, PA 15332. Authorization No. WH0292. Effective October 10, 2002.

Country Sanitation Inc., 403 Huckleberry Ridge, Sligo, PA 16255-2203. Authorization No. WH0293. Effective October 10, 2002.

David Geppert Recycling Inc., 4500 Wayne Ave., Philadelphia, PA 19144-3696. Authorization No. WH0295. Effective October 10, 2002.

Gagliano Bros. Inc., 80 Airport Rd, West Milford, NJ 07480. Authorization No. WH0296. Effective October 10, 2002.

Horst Bros. Builders, 1805 West Main Street, Ephrata, PA 17522-1109. Authorization No. WH0297. Effective October 15, 2002.

John R. Savoy Enterprises Inc., 52 Concord Road, Aston, PA 19014. Authorization No. WH0298. Effective October 10, 2002.

D & D Auto Salvage, 2746 Sun Mine Road, Tarentum, PA 15084. Authorization No. WH0299. Effective October 10, 2002.

Steigerwald Refuse, 111 Westmore Drive, P. O. Box 809, Wexford, PA 15090. Authorization No. WH0300. Effective October 10, 2002.

Ridgway Borough, Elk County, P. O. Box 149, 108 Main Street, Ridgway, PA 15853-1035. Authorization No. WH0341. Effective October 15, 2002.

York Union Rescue Mission, P. O. Box 1968, 367 West Market Street, York, PA 17405-1968. Authorization No. WH0342. Effective October 15, 2002.

James E. Fulkroad, 181 Huntz Road, R. R.1 Box 386, Millersburg, PA 17061-9771. Authorization No. WH0343. Effective October 15, 2002.

South Jersey Sanitation Co. Inc., P. O. Box 1224, 9th and Egg Harbor Road, Hammonton, NJ 08037. Authorization No. WH0344. Effective October 15, 2002.

Strohl's Sanitation, 5041 Hanoverville Road, Bethlehem, PA 18017-9019. Authorization No. WH0345. Effective October 15, 2002.

Emswiler's Hauling, 2480 Brandywine Lane, York, PA 17404-1311. Authorization No. WH0348. Effective October 15, 2002.

Northern Cambria Borough, Cambria County, P. O. Box 1188, 1202 Philadelphia Avenue, Northern Cambria, PA 15714. Authorization No. WH0350. Effective October 15, 2002.

Redstone Co., 1124 Penn Ave., Wyomissing, PA 19610-2034. Authorization No. WH0331. Effective October 17, 2002.

Barrett Sanitation, Inc., P. O. Box 525, Madera, PA 16661. Authorization No. WH0333. Effective October 17, 2002.

Salvation Army, 436 Mulberry St., Trenton, NJ 08638. Authorization No. WH0334. Effective October 17, 2002.

Quality Waste Disposal Svc., Inc., P. O. Box 757, Saylorsburg, PA 18353. Authorization No. WH0338. Effective October 17, 2002.

Bob Reynolds Sanitation, 404 Redington Ave., Troy, PA 16947-1022. Authorization No. WH0340. Effective October 17, 2002.

B & R Container, R. R. 4 Box 4367, Dushore, PA 18614-9424. Authorization No. WH0355. Effective October 17, 2-2002.

Koza Water Hauling, 6106 Rte 66, Kane, PA 16735-3440. Authorization No. WH0356. Effective October 17, 2002.

Alex E. Paris Contracting Co., Inc., P. O. Box 369, Atlasburg, PA 15004. Authorization No. WH0359. Effective October 17, 2002.

G & H Oil Co., Inc., 2553 Penn Ave W., Warren, PA 16365. Authorization No. WH0360. Effective October 17, 2002.

Intex Motor Leasing, P. O. Box 29, West New York, NJ 07093. Authorization No. WH0414. Effective October 18, 2002.

Republic One Corp., P. O. Box 29, West New York, NJ 07093. Authorization No. WH0415. Effective October 18, 2002.

Stone Trac Corp., P. O. Box 29, 5901 Hudson Ave., West New York, NJ 07093. Authorization No. WH0418. Effective October 18, 2002.

N. W. West Corp., P. O. Box 29, West New York, NJ 07093. Authorization No. WH0419. Effective October 18, 2002.

I. N. E. Corp., P. O. Box 29, West New York, NJ 07093. Authorization No. WH0420. Effective October 18, 2002.

Amenna Corp., P. O. Box 29, West New York, NJ 07093. Authorization No. WH0421. Effective October 18, 2002.

Swap Meet Delivery Corp., P. O. Box 29, West New York, NJ 07093. Authorization No. WH0422. Effective October 18, 2002.

Lancaster County SWA, 1299 Harrisburg Pike, P. O. Box 4425, Lancaster, PA 17604-4425. Authorization No. WH0027. Effective September 13, 2002.

Munhall Borough, Allegheny County, 1900 West St., Munhall, PA 15120-2535. Authorization No. WH0002. Effective September 16, 2002.

National Vacuum Corp., 408 47th St., Niagara Falls NY 14304. Authorization No. WH0003. Effective September 16, 2002.

ABC EZ Moving Co. Inc., 530 Spruce Run, Avalon, PA 15202. Authorization No. WH0004. Effective September 16, 2002.

Kenneth W. Swartwood, 586 Hammond Place, Williamsport, PA 17701-5611. Authorization No. WH0005. Effective September 16, 2002.

David L. Brumley, 174 Stoney Hill Rd., Greensboro, PA 15338-8614. Authorization No. WH0006. Effective September 16, 2002.

Russo Demolition & Salvage, 1424 11th Ave., Altoona, PA 16601-3304. Authorization No. WH0007. Effective September 16, 2002.

Penn Mar Castings Inc., 500 Broadway, Hanover, PA 17331-2001. Authorization No. WH0008. Effective September 16, 2002.

Berger Sanitation Inc., P. O. Box 20342, Lehigh Valley, PA 18002-1790. Authorization No. WH0009. Effective September 16, 2002.

James Sheesley Disposal, 162 Cousins Drive, Millersburg, PA 17061-8516. Authorization No. WH0011. Effective September 16, 2002.

Perry's Transport LLC, 1131 Fairyland Road, Lehighton, PA 18235-9064. Authorization No. WH0013. Effective September 16, 2002.

Robert's Transport LLC, 1131 Fairyland Lane, Lehighton, PA 18235-9064. Authorization No. WH0014. Effective September 16, 2002.

Lancaster Malleable Castings Co., 1170 Lititz Pike, Lancaster, PA 17601-4338. Authorization No. WH0015. Effective September 16, 2002.

Witmers Greenhouses Inc., 71 Greenfield Rd., Lancaster, PA 17602-3399. Authorization No. WH0016. Effective September 16, 2002.

Ambler Borough Montgomery County, 122 E. Butler Ave., Ambler, PA 19002-4476. Authorization No. WH0018. Effective September 16, 2002.

I. L. Kone Inc., P. O. Box 560, 21 Cynwyd Road, Bala Cynwyd, PA 19004-0560. Authorization No. WH0019. Effective September 16, 2002.

D. M. Palmisano LLC, P. O. Box 221, Mountainhome, PA 18342-0221. Authorization No. WH0020. Effective September 16, 2002.

Norman R. Rinker, R. R. 3 Box 3413, Stroudsburg, PA 18360-9202. Authorization No. WH0021. Effective September 16, 2002.

Papillon Contracting Inc., 816 N. 9th St., Stroudsburg, PA 18360-1206. Authorization No. WH0022. Effective September 16, 2002.

Ramos & Assoc. Inc., 4136 Mitchell St., Philadelphia, PA 19128. Authorization No. WH0023. Effective September 16, 2002.

Coslar Sanitation, 420 Middle Road, Stroudsburg, PA 18360-9062. Authorization No. WH0024. Effective September 16, 2002.

Springfield Township, Delaware County, 50 Powell Road, Springfield, PA 19064. Authorization No. WH0025. Effective September 16, 2002.

Robert D. Johnson, 701 Sayre Ave., Phillipsburg, NJ 08865-3347. Authorization No. WH0028. Effective September 16, 2002.

McCreary Roofing, 1909 Chestnut St., Erie, PA 16502-2699. Authorization No. WH0029. Effective September 16, 2002.

Warwick Township Municipal Authority, 315 Clay Rd., Lititz, PA 17543-9019. Authorization No. WH0030. Effective September 16, 2002.

Denaples Auto Parts, 400 Mill St., Dunmore, PA 18512. Authorization No. WH0031. Effective September 16, 2002.

TK Transport d/b/a Thomas H. Wambold, R. R. 5 Box 124, Latrobe, PA 15650. Authorization No. WH0032. Effective September 16, 2002.

N & L Transportation Inc., P. O. Box 319, Scranton, PA 18512. Authorization No. WH0033. Effective September 16, 2002.

River Valley Disposal Inc., 29 North 9 St., Columbia, PA 17512-1307. Authorization No. WH0034. Effective September 16, 2002.

George D. Ingel, Jr., 260 Hayes St., Bristol, PA 19007. Authorization No. WH0035. Effective September 16, 2002.

Joseph Rodriguez, 2842 Ogden Ave., Bensalem, PA 19020. Authorization No. WH0036. Effective September 16, 2002.

Gary Lee Polan, 407 W Pine St., Shamokin, PA 17872-5626. Authorization No. WH0037. Effective September 16, 2002.

Envirotrol Inc., 432 Green Street, P. O. Box 61, Sewickley, PA 15143-0061. Authorization No. WH0039. Effective September 16, 2002.

Aaron J. Beiler, 5472 Mountain View Dr., Gap, PA 17527. Authorization No. WH0041. Effective September 16, 2002.

Environmental Options Group Inc., 18 Water St., Reading, PA 19605-1210. Authorization No. WH0046. Effective September 16, 2002.

Kreider & Diller Builder Inc., 1936 Columbia Ave., Lancaster, PA 17603. Authorization No. WH0049. Effective September 16, 2002.

Gentiles Farm Market Co. Inc., P. O. Box 265, Gradyville, PA 19039-0265. Authorization No. WH0050. Effective September 16, 2002.

Thomas A. Russo, 1424 11th Ave., Altoona, PA 16601-3304. Authorization No. WH0078. Effective September 16, 2002.

BFI Waste Sys. Inc., 731 Reliance Rd., Telford, PA 18969-1165. Authorization No. WH0042. Effective September 17, 2002.

BFI Wastes Sys. Inc., 3000 E. Hedley St., Philadelphia, PA 19137-1936. Authorization No. WH0044. Effective September 17, 2002.

Joseph J. Brunner Inc., 211 Brunner Rd., Zelienople, PA 16063-9801. Authorization No. WH0047. Effective September 17, 2002.

County Hauling Corp., Unit 2, 1428 Delberts Drive, Monongahela, PA 15063. Authorization No. WH0048. Effective September 17, 2002.

D & M Leasing Inc., 2 Fish House Rd., South Kearny, NJ 07032. Authorization No. WH0051. Effective September 17, 2002.

KMA Hauling, 2842 Ogden Ave., Bensalem, PA 19020. Authorization No. WH0052. Effective September 17, 2002.

Roberto Naranjo, P. O. Box 42, Upper Darby, PA 19082. Authorization No. WH0053. Effective September 17, 2002.

Juan L. Obando, 706 Marple Dr., West Chester, PA 19380. Authorization No. WH0054. Effective September 17, 2002.

SMP Inc., 402 Rte 519, Phillipsburg, NJ 08865-3141. Authorization No. WH0056. Effective September 17, 2002.

Beth Ann Snyder, 1710 Sterling St., Coal Township, PA 17866-3204. Authorization No. WH0057. Effective September 17, 2002.

David E. Corl, P. O. Box 343, Milesburg, PA 16853-0343. Authorization No. WH0058. Effective September 17, 2002.

Revo Disposal Inc., 254 Revo Rd., Pittsburgh, PA 15236-1141. Authorization No. WH0060. Effective September 17, 2002.

W. D. Zwicky & Son Inc., 10 Zwicky Lane, R. R. 1 Box 285, Robeson, PA 19551-8880. Authorization No. WH0062. Effective September 17, 2002.

Arnold City, Westmoreland County, 1829 5th Ave., Arnold, PA 15068-4498. Authorization No. WH0064. Effective September 17, 2002.

John E. Groninger Inc., P. O. Box 36, Mexico, PA 17056-0188. Authorization No. WH0065. Effective September 17, 2002.

Randy W. Bomberger, 40 Wintersville Rd., Richland, PA 17087-9611. Authorization No. WH0066. Effective September 17, 2002.

Jose L. Conejo, 9040 Revere St., Philadelphia, PA 19152-1415. Authorization No. WH0069. Effective September 17, 2002.

Bantas Bestway Trash Remove All Co., 1500 West 3 St., Chester, PA 19013. Authorization No. WH0070. Effective September 17, 2002.

NY Citywide Auto Trans, 2 Fish House Road, South Kearny, NJ 07032. Authorization No. WH0083. Effective September 17, 2002.

Charles Fulkroad Disposal Inc., 174 Cousins Drive, Millersburg, PA 17061-8516. Authorization No. WH0001. Effective September 18, 2002.

Charles F. Fulkroad, 174 Cousins Drive, Millersburg, PA 17061-8516. Authorization No. WH0170. Effective September 18, 2002.

Casella Waste Mgmt. of PA, 200 Tioga St., P. O. Box 35, Wellsboro, PA 16901. Authorization No. WH0040. Effective September 18, 2002.

Wolfe Roofing & Sheet Metal Inc., P. O. Box 14734, 3907 Pottsville Pike, Reading, PA 19612. Authorization No. WH0059. Effective September 18, 2002.

Zartman Const. Inc., R. R. 1 Box 349Z, Northumberland, PA 17857-9748. Authorization No. WH0067. Effective September 18, 2002.

Hershey Creamery Co., 301 S Cameron St., P. O. Box 1821, Harrisburg, PA 17105-8471. Authorization No. WH0071. Effective September 18, 2002.

Blakely Borough, Lackawanna County, 1439 Main St., Peckville, PA 18452-0146. Authorization No. WH0073. Effective September 18, 2002.

Keystone Sanitary Landfill Inc., Dunham Dr., P. O. Box 249, Dunmore, PA 18512-0249. Authorization No. WH0074. Effective September 18, 2002.

Chrin Hauling Inc., 635 Industrial Dr., Easton, PA 18042. Authorization No. WH0076. Effective September 18, 2002.

R & J Truck & Auto Body Inc., P. O. Box 9454, 8063 Southern Blvd., Youngstown, OH 44512. Authorization No. WH0077. Effective September 18, 2002.

Springfield Township, 1510 Paper Mill Rd., Wyndmoor, PA 19038-7032. Authorization No. WH0079. Effective September 18, 2002.

Arc Waste LLC, 3011 W. 2nd St., Chester, PA 19013. Authorization No. WH0080. Effective September 18, 2002.

Codi Transport LTD, 33 B Tec St., Hicksville NY 11801-3618. Authorization No. WH0081. Effective September 18, 2002.

Daves Roll Off Service, 447 Brossman Rd., Ephrata, PA 17522-9502. Authorization No. WH0082. Effective September 18, 2002.

Lees Disposal Inc., 452 Ice Plant Road, Loretto, PA 15940-9676. Authorization No. WH0012. Effective September 19, 2002.

William F. Rowles, 1232 Isabella St., Williamsport, PA 17701-4543. Authorization No. WH0061. Effective September 19, 2002.

C. E. Williams Sons Inc., 1141 Highland Ave. Rd., Gettysburg, PA 17304. Authorization No. WH0063. Effective September 19, 2002.

Lee Trucking Inc., 2798 Munster Rd., Ebensburg, PA 15931. Authorization No. WH0072. Effective September 19, 2002.

Midway Borough, Washington County, P. O. Box 574, 304 Nobelstown Rd., Midway, PA 15060. Authorization No. WH0118. Effective September 19, 2002.

Lewisburg Borough, 55 South Fifth St., Lewisburg, PA 17837-1419. Authorization No. WH0120. Effective September 19, 2002.

Agliano Bros. Trucking Inc., P. O. Box 15, Sasamansville, PA 19472-0015. Authorization No. WH0324. Effective October 21, 2002.

Melvin L. Resnick, 27 Old Hickory Dr., Richboro, PA 18954. Authorization No. WH0328. Effective October 21, 2002.

R. Hogue & Sons Trucking, 394 Dalton Run Road, Johnstown, PA 15905-8710. Authorization No. WH0373. Effective October 21, 2002.

Edmonds Trucking Inc., 8418 Noblestown Road, Mcdonald, PA 15057. Authorization No. WH0374. Effective October 21, 2002.

G & C Industries Inc., 2955 Felton Road, East Norriton, PA 19401. Authorization No. WH0375. Effective October 21, 2002.

Weirton City, 100 Tell St., Weirton, WV 26062. Authorization No. WH0376. Effective October 21, 2002.

Haul It All, P. O. Box 872, Farmingdale, NJ 07727-0872. Authorization No. WH0383. Effective October 22, 2002.

Parks Garbage Service Inc., P. O. Box 218, Mount Union, PA 17066-0218. Authorization No. WH0384. Effective October 22, 2002.

Leroy W. Peters Disposal, Rear 384 East Walnut St., Lock Haven, PA 17745-3548. Authorization No. WH0386. Effective October 22, 2002.

Danella Transportation Inc., 2955 Felton Road, East Norriton, PA 19401. Authorization No. WH0388. Effective October 22, 2002.

Franciotti Trucking Inc., 706 Marple Dr., West Chester, PA 19382. Authorization No. WH0390. Effective October 22, 2002.

C. J. Langenfelder & Son Inc., P. O. Box 120, Clairton, PA 15025. Authorization No. WH0392. Effective October 22, 2002.

Charles W. Lafrenie, 5912 Leprechaun Dr., Bethel Park, PA 15102-2336. Authorization No. WH0393. Effective October 22, 2002.

Williams Sanitation Service Inc., R. R. 1 Box 108E, Reynoldsville, PA 15851. Authorization No. WH0396. Effective October 22, 2002.

William Richard Walters, 164 Valley View Lane, Lilly, PA 15938-5401. Authorization No. WH0398. Effective October 22, 2002.

Warren E. Whitman & Sons Inc., 2325 S. Lincoln Ave., Lebanon, PA 17042. Authorization No. WH0400. Effective October 22, 2002.

Chilson Bros. Roofing Contractor Inc., P. O. Box 29, Nelson, PA 16940-0029. Authorization No. WH0401. Effective October 22, 2002.

Earl E. Wertman, Jr., 316 Fritz Station Road, R. R. 2, Montgomery, PA 17752-9061. Authorization No. WH0402. Effective October 22, 2002.

Bethlehem City, Northampton County, 10 E. Church St., Bethlehem, PA 18018-6028. Authorization No. WH0403. Effective October 22, 2002.

Ronald and Judy M. Defrain, 40 Frosty Valley Road, Bloomsburg, PA 17815. Authorization No. WH0404. Effective October 22, 2002.

Lynch Trucking, R. R. 1 Box 1462, Great Bend, PA 18821. Authorization No. WH0405. Effective October 22, 2002.

Robles Trucking, 2510 66th St., Philadelphia, PA 19142. Authorization No. WH0406. Effective October 22, 2002.

Jose R. Beraldo, 7946 Doreas St., Philadelphia, PA 19111. Authorization No. WH0407. Effective October 22, 2002.

Luis M. Roman, 2231 S. Hobson St., Philadelphia, PA 19142. Authorization No. WH0408. Effective October 22, 2002.

Todd Dallas Griffith, 1202 Ironville Pike, Columbia, PA 17512. Authorization No. WH0409. Effective October 22, 2002.

Rogelio G. Otarola, 6177 Glenmore Ave., Philadelphia, PA 19142. Authorization No. WH0410. Effective October 22, 2002.

Patrick R. Bye, 57 Sunset D, Nottingham, PA 19362. Authorization No. WH0411. Effective October 22, 2002.

DSI Trucking, 2309 Perry Ave., Edgewood, MD 21040. Authorization No. WH0412. Effective October 22, 2002.

Carlos Gomez, 3834 Eunice Ave., Wilmington, DE 19808. Authorization No. WH0413. Effective October 22, 2002.

Adrian E. Araque, 1313 Robbins Ave., Philadelphia, PA 19111. Authorization No. WH0206. Effective October 25, 2002.

Kutztown Borough, Berks County, 45 Railroad St., Kutztown, PA 19530-1112. Authorization No. WH0461. Effective October 25, 2002.

Lombardo & Lipe Electrical Contractor Inc., 6 Progress St., East Stroudsburg, PA 19304-9006. Authorization No. WH0462. Effective October 25, 2002.

Elwyn Inc., 111 Elwyn Road, Elwyn, PA 19063. Authorization No. WH0463. Effective October 25, 2002.

20th Century Refuse Removal Co., 1818 E. Atlantic St., Philadelphia, PA 19134-2095. Authorization No. WH0464. Effective October 25, 2002.

Ezequiel Quesada, 2509 Bonnaffor St., Philadelphia, PA 19142. Authorization No. WH0465. Effective October 25, 2002.

Sharon Hill Borough, Delaware County, 250 Sharon Ave., Sharon Hill, PA 19079. Authorization No. WH0466. Effective October 25, 2002.

Ideal Consulting & Investment Corp., 857 Wynonah Drive, Auburn, PA 17922-9212. Authorization No. WH0387. Effective October 25, 2002.

Yuriy Tishchenko, 405 Shanelly Drive, Port Matilda, PA 16870-7938. Authorization No. WH0467. Effective October 25, 2002.

Canal Sanitation Inc., 99 Chapel St., Newark, NJ 07105-4101. Authorization No. WH0469. Effective October 25, 2002.

Michael A. Sinclair Inc., 705 Connell Drive, Bear, DE 19701-2241. Authorization No. WH0470. Effective October 25, 2002.

Paul Risk Associates Inc., 11 West State St., Quarryville, PA 17566-1199. Authorization No. WH0471. Effective October 25, 2002.

Sunline Coach Co., 245 S. Muddy Creek Road, Denver, PA 17517. Authorization No. WH0472. Effective October 25, 2002.

Taft Disposal, P. O. Box 387, Lawrenceville, PA 16929-0381. Authorization No. WH0474. Effective October 25, 2002.

Upper Moreland Township, 117 Park Ave., Willow Grove, PA 19090-3215. Authorization No. WH0475. Effective October 25, 2002.

Charles L. Fick, Sr., 3012 Limekiln Road, Birdsboro, PA 19508. Authorization No. WH0476. Effective October 25, 2002.

TAT Trucking, 70 View Point Lane, Levittown, PA 19054. Authorization No. WH0477. Effective October 25, 2002.

Love Disposal Inc., 30 Disposal Lane, Lock Haven, PA 17745-9230. Authorization No. WH0478. Effective October 25, 2002.

Millheim's Disposal Service, 2218 Pine Run Road, Hughesville, PA 17737. Authorization No. WH0480. Effective October 25, 2002.

Querry Sanitation, R. R. 1 Box 1203, Mount Union, PA 17066-9718. Authorization No. WH0481. Effective October 25, 2002.

Franzosa Trucking Co., 1037 Peace St., Hazleton, PA 18202. Authorization No. WH0482. Effective October 25, 2002.

Allegro Sanitation Corp., 278 Secaucus Road, Secaucus, NJ 07094. Authorization No. WH0483. Effective October 25, 2002.

R. G. Brown Refuse Removal, R. R. 2 Box 2052, Laceyville, PA 19623-9303. Authorization No. WH0485. Effective October 25, 2002.

Russell A. Morello & Sons Inc., 18 Maple St., Conshohocken, PA 19428. Authorization No. WH0486. Effective October 25, 2002.

Irvins Garbage Removal, 1230 Anne St., Williamsport, PA 17701. Authorization No. WH0487. Effective October 25, 2002.

McCullough Rubbish Removal Inc., 115 Harmony Road, Levittown, PA 19056-1436. Authorization No. WH0489. Effective October 25, 2002.

Heidler Roofing Service Inc., 1377 Spahn Ave., York, PA 17403-5710. Authorization No. WH0490. Effective October 25, 2002.

McGovern Sanitation, 1144 West Baltimore Pike, Kennett Square, PA 19348. Authorization No. WH0491. Effective October 25, 2002.

Ronny Ruiz, 1335 Robbins St., Philadelphia, PA 19111. Authorization No. WH0492. Effective October 25, 2002.

Prospect Park Borough, P. O. Box 301, 720 Maryland Ave., Prospect Park, PA 19076-1318. Authorization No. WH0493. Effective October 25, 2002.

EBL Transport, 504 1/2 West Washington St., Allentown, PA 18102. Authorization No. WH0494. Effective October 25, 2002.

Kleban Disposal Service, 1013 Alter St., Hazleton, PA 18201-1314. Authorization No. WH0495. Effective October 25, 2002.

Hellertown Borough, Northampton County, P. O. Box A, 685 Main St., Hellertown, PA 18055-0222. Authorization No. WH0496. Effective October 25, 2002.

Accurate Trash Removal Inc., 508 E. Baltimore Ave., Lansdowne, PA 19050. Authorization No. WH0497. Effective October 25, 2002.

CSR Transport Inc., 537 Duchess Court, Toms River, NJ 08753. Authorization No. WH0498. Effective October 25, 2002.

Williams Oil Co., York Ave., P. O. Box 207, Towanda, PA 18848. Authorization No. WH0500. Effective October 25, 2002.

Jeffrey L. Ukish, R. R. 1 Box 122b, Avonmore, PA 15618-9622. Authorization No. WH0351. Effective October 24, 2002.

Brooks Petroleum Contracting, R. R. 7, Box 141, Wellsboro, PA 16901-9753. Authorization No. WH0354. Effective October 24, 2002.

George Leck & Sons, Inc., P. O. Box 8507, 210 Durham Road, Newtown, PA 18940. Authorization No. WH0358. Effective October 24, 2002.

Tobyhanna Corp., Inc., P. O. Box 29, West New York, NJ. 07093. Authorization No. WH0423. Effective October 21, 2002.

Joseph Painting Co., 6110 Alderton Street, Rego Park, NY 11374. Authorization No. WH0424. Effective October 21, 2002.

John Miller & Sons Inc., 147 Oreland Mill Road, Oreland, PA 19075-1530. Authorization No. WH0425. Effective October 21, 2002.

John Miller, Inc., 147 Oreland Mill Road, Oreland, PA 19075-1530. Authorization No. WH0426. Effective October 21, 2002.

Service Disposal of Delaware, Inc., 924 South Heald Street, Wilmington, DE 19801. Authorization No. WH0427. Effective October 21, 2002.

BFI, 11710 Greencastle Pike, Hagerstown, MD 21740. Authorization No. WH0429. Effective October 21, 2002.

SAC Trucking, Inc., Apt. 4, 315 Ferry Street, Newark, NJ 07105. Authorization No. WH0430. Effective October 24, 2002.

J & D Trucking, Inc., 3526 NW Boulevard, Vineland, NJ 08360. Authorization No. WH0431. Effective October 21, 2002.

Silas Development, R. R. 3, Box 76a, 140 Weaver Road, Punxsutawney, PA 15767-9355. Authorization No. WH0432. Effective October 24, 2002.

Nester Sanitation, Inc., 142 Marian Street, Hamburg, PA 19526-9021. Authorization No. WH0433. Effective October 24, 2002.

AMC United, Inc., 48 Lehigh Avenue, Paterson, NJ 07503. Authorization No. WH0450. Effective October 24, 2002.

Milro Assoc., Inc., 4 Hanse Avenue, Freeport, NY 11520-4601. Authorization No. WH0451. Effective October 24, 2002.

Dragan Djuretic, 276 Broad Avenue, Leonia, NJ 07605. Authorization No. WH0452. Effective October 24, 2002.

Snokes Excavating & Paving, Inc., P. O. Box 247, 33 East Main Street, Walnut Bottom, PA 17266-0247. Authorization No. WH0454. Effective October 24, 2002.

Port A Bowl Restroom Co., P. O. Box 571, 5519 Old Easton Road, Plumsteadville, PA 18949-0571. Authorization No. WH0455. Effective October 24, 2002.

Delvecchio Transport & Materials Handling, Inc., 102 Monahan Avenue, P. O. Box 480, Dunmore, PA 18512-0480. Authorization No. WH0456. Effective October 24, 2002.

PDC, Inc., 109-113 Jacobus Avenue, South Kerny, NJ 07032-4302. Authorization No. WH0457. Effective October 24, 2002.

Searles Sanitation, R. R. 1 Box 167, Dallas, PA 19612-9708. Authorization No. WH0458. Effective October 24, 2002.

F. E. Trucking Co., Apt. 14j, 1010 East 178th Street, Bronx, NY 10460. Authorization No. WH0459. Effective October 24, 2002.

N. C. Sanitation, P. O. Box 501, New Manchester, WV 26056. Authorization No. WH0460. Effective October 24, 2002.

MFT Transportation, Box 259, Goose Hill Road, Jefferson, ME 04348. Authorization No. WH0084. Effective September 24, 2002.

Watkins Leasing Co., Box 259, Goose Hill Road, Jefferson, ME 04348. Authorization No. WH0085. Effective September 24, 2002.

Eastern Waste Inc., 235 Gibbs Ave., Trenton, NJ 08611. Authorization No. WH0092. Effective September 24, 2002.

Horizon Disposal Services Inc., 235 Gibbs Ave., Trenton, NJ 08611. Authorization No. WH0093. Effective September 24, 2002.

Schnures Disposal Service, 14 North 10th St., Mifflinburg, PA 17844-1020. Authorization No. WH0094. Effective September 24, 2002.

Gerald V. Luff, P. O. Box 135, Wycombe, PA 18980. Authorization No. WH0095. Effective September 24, 2002.

Mark D. Kopaczynski, 3816 Evergreen Drive, Monroeville, PA 15146. Authorization No. WH0096. Effective September 24, 2002.

SLP Roofing Inc., P. O. Box 36, 149 North Walnut St., Dallastown, PA 17313. Authorization No. WH0097. Effective September 24, 2002.

Russell S. Brunner, 300 Camp Horne Road, Pittsburgh, PA 15202. Authorization No. WH0098. Effective September 24, 2002.

Gerald R. Schwartz, P. O. Box 1, Laurys Station, PA 18059-0001. Authorization No. WH0099. Effective September 24, 2002.

Stan's Sanitation Service, 1577 Livingston St., Bethlehem, PA 18018-6216. Authorization No. WH0100. Effective September 24, 2002.

Bob's Disposal Service, 2330 Mill Lane, Williamsport, PA 17701. Authorization No. WH0101. Effective September 24, 2002.

Doyle E. Grenoble III, R. R. 1 Box 266A, Jersey Shore, PA 17740-9610. Authorization No. WH0103. Effective September 24, 2002.

US Environmental Universal Service, 365 River Drive, Garfield, NJ 07026-3353. Authorization No. WH0104. Effective September 24, 2002.

Jorge R. Li, 1st Floor, 7406 Elmwood Ave., Philadelphia, PA 19153. Authorization Nos. WH0106 and WH0107. Effective September 24, 2002.

Gabriel Barrios Diaz and Roger Cordoba, 7 South Whitehall Road, Jeffersonville, PA 19403. Authorization No. WH0108. Effective September 24, 2002.

Washington Township, Franklin County, 13013 Welty Rd., Waynesboro, PA 17268-9511. Authorization No. WH0109. Effective September 24, 2002.

Jesse Baro Inc., 4 Quarry Rd., Douglassville, PA 19518-1909. Authorization No. WH0129. Effective September 24, 2002.

Horizon Waste Service Inc., P. O. Box 572, 700 Brook Road, Conshohocken, PA 19428-1162. Authorization No. WH0130. Effective September 24, 2002.

Radnor Township, Delaware County, 301 Iven Ave., Wayne, PA 19087-5204. Authorization No. WH0131. Effective September 24, 2002.

Onyx Waste Services, Inc., P. O. Box 5564, 1710 Hucffville Road, Deptford, NJ 08096. Authorization No. WH0132. Effective September 24, 2002.

Lansdowne Borough, 12 East Baltimore Ave., Lansdowne, PA 19050. Authorization No. WH0133. Effective September 24, 2002.

Weaver Precast Inc., P. O. Box 759, 824 E. Main St., Ephrata, PA 17522-0759. Authorization No. WH0134. Effective September 24, 2002.

J. J. Peters Disposal Service Inc., 212 James St., Flemington, PA 17745-3770. Authorization No. WH0136. Effective September 24, 2002.

Richard A. Olliver, 1429 Indian Hill Road, Leechburg, PA 15656-9594. Authorization No. WH0137. Effective September 24, 2002.

Emporium Borough, Cameron County, 421 N Broad St., Emporium, PA 15834. Authorization No. WH0138. Effective September 24, 2002.

Ray Heffentrager Inc., 1440 Sleepy Hollow Rd., Quakertown, PA 18951-2034. Authorization No. WH0139. Effective September 24, 2002.

Edinger Construction Co., R. R. 2 Box 2129C, Butler Park, Stroudsburg, PA 18360. Authorization No. WH0140. Effective September 24, 2002.

John E. Schnure, 14 North 10th St., Mifflinburg, PA 17844. Authorization No. WH0294. Effective September 24, 2002.

Edward Armstrong & Sons Inc., 205 Greenfield Rd., Lancaster, PA 17601-5816. Authorization No. WH0088. Effective September 19, 2002.

Morrow Refuse Inc., 4985 Bakerstown Culmerville Rd., Tarentum, PA 15084. Authorization No. WH0089. Effective September 19, 2002.

Marine Salvage Ltd. Inc., P. O. Box 58030, 408 Hoffman Rd., Pittsburgh, PA 15209. Authorization No. WH0086. Effective September 19, 2002.

Lonza Inc., 3500 Trenton Ave., Williamsport, PA 17701. Authorization No. WH0087. Effective September 24, 2002.

Fisher Disposal Service, 9 Terrace Dr., Bloomsburg, PA 17815-9634. Authorization No. WH0090. Effective September 19, 2002.

Classic Sanitation Inc., 375 Routes 1 and 9, Jersey City, NJ 07306. Authorization No. WH0091. Effective September 19, 2002.

Marilungo Disp. Serv., 306 High St., P. O. Box 39, Lemont Furnace, PA 15456-0039. Authorization No. WH0111. Effective September 19, 2002.

Penn Turf Inc., R. R. 4 Box 624, Hollidaysburg, PA 16648. Authorization No. WH0112. Effective September 24, 2002.

Tesone Transp. Inc., P. O. Box 89, 151 W 4th Ave., Tarentum, PA 15084-0089. Authorization No. WH0113. Effective September 19, 2002.

James J. Romanowski, 72 Church St., Pittston, PA 18640-1909. Authorization No. WH0114. Effective September 19, 2002.

Richard J. Hartman, Jr., 313a Barnegat Ave., Surf City, NJ 08008. Authorization No. WH0115. September 19, 2002.

Disposal Management Svc. Inc., P. O. Box 311, 237 South 3rd St., Shamokin, PA 17872-6640. Authorization No. WH0116. Effective September 19, 2002.

Dreisbach Disposal, P. O. Box 158, Montandon, PA 17850. Authorization No. WH0123. Effective September 23, 2002.

Harlan Lee Humbert, Jr., P. O. Box 184, Fazenbaker Road, Leckrone, PA 15454-0184. Authorization No. WH0124. Effective September 23, 2002.

Accurate Recycling Corp., 508 E. Baltimore Ave., Lansdowne, PA 19050. Authorization No. WH0126. Effective September 23, 2002.

Swisher Disposal, 6715 Keefers Lane, Bloomsburg, PA 17815. Authorization No. WH0127. Effective September 23, 2002.

George J. Grove & Son Inc., 1219 Manheim Pike, Lancaster, PA 17601-3121. Authorization No. WH0128. Effective September 23, 2002.

McCutcheon Enterprises Inc., 250 Park Rd., Apollo, PA 15613. Authorization No. WH0125. Effective September 23, 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: Edward Brown, Facilities Permitting Chief, (610) 832-6242.

09-302-083GP: Fres-co SYS USA, Inc. (3005 State Road, Telford, PA 18969) on October 23, 2002, for a boiler in West Rockhill Township, **Bucks County**.

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

48-321-006GP: Kings Cleaners and Shirt Launderers Inc. (225 Ferry Street, Easton, PA 18042) for con-

struction and operation of a petroleum dry cleaning operation in Easton, **Northampton 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 Wejkszner, Acting New Source Review Chief, (570) 826-2531.

40-399-050: Genova (502 Forest Road, Humboldt Industrial Park, Hazleton, PA 18202) on October 28, 2002, for modification of a PVC trimming/cutting operation and associated air cleaning device in Hazle Township, **Luzerne County**.

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

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

46-0015A: Occidental Chemical Corp. (375 Armand Hammer Boulevard, Pottstown, PA 19464) on October 25, 2002, for operation of Process Line No. 6 in Lower Pottsgrove Township, **Montgomery County**.

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

54-310-022A: Schuylkill Contracting Co. Inc. (913 Valley Road, R. R. 2, Box 2312, Pottsville, PA 17901) on October 16, 2002, for the construction of a stone crushing plant and associated air cleaning device in Foster Township, **Schuylkill County**.

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

22-03037: Consolidated Scrap Resources, Inc. (P. O. Box 1761, Harrisburg, PA 17105) on October 27, 2002, for installation of a metal scrap shredder controlled by a cyclone in the City of Harrisburg, **Dauphin County**. This plan approval was extended.

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

49-313-032J: Merck and Co., Inc. (P. O. Box 600, Danville, PA 17821) on October 18, 2002, to authorize the use of air cleaning devices (two fume incinerators) to control the air contaminant emissions from an additional minor source, a bulk methanol tank, in Riverside Borough, **Northumberland County**.

18-00006B: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222) on October 21, 2002, for operation of four natural gas-fired reciprocating internal combustion compressor engines (Engines 4, 6, 9 and 10) on a temporary basis until February 18, 2003, as well as for installation of air cleaning devices (screw-in prechamber systems) on two additional natural gas-fired

reciprocating internal combustion compressor engines (Engines 5 and 11) until February 18, 2003, at the Leidy Compressor Station in Leidy Township, **Clinton County**. The plan approval was extended.

41-0008A: Koppers Industries, Inc. (P. O. Box 189, Montgomery, PA 17752) on October 25, 2002, for operation of a wood-fired boiler fuel feeding system and associated air cleaning device (a fabric collector) on a temporary basis until February 22, 2003, in Clinton Township, **Lycoming County**. The plan approval was extended.

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

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

46-00031: SmithKline Beecham d/b/a GlaxoSmith-Kline (1250 South Collegeville Road, Collegeville, PA 19426) for an administrative amendment to Title V Operating Permit 46-00031 in Upper Providence Township, **Montgomery County**. The previously issued permit has been amended to address the following concerns expressed in an appeal: (1) schedule of submission for the "reporting of deviations" and the Compliance Certification; (2) boilers—monitoring and recordkeeping frequency and the reporting frequency from quarterly to semiannually to comply with the revised 40 CFR 60.48c; and (3) revise monitoring and recordkeeping technique for the coolant/holding reservoir tank. The changes do not result in an increase of emissions.

46-00035: SmithKline Beecham d/b/a GlaxoSmith-Kline (709 Swedeland Road, King of Prussia, PA 19406) for an administrative amendment to Title V Operating Permit 46-00035 in Upper Merion Township, **Montgomery County**. The previously issued permit is being amended to incorporate following concerns in an appeal: (1) name change; (2) removal of Sources Nos. 035, 036, 040 and 041, Boilers Nos. 7, 8, 12 and 13, Source C01, various type condensers and Source 105, Pilot Laboratory; (3) establish a schedule of submission for the "reporting of deviations" and the Compliance certifications; (4) monitoring and recordkeeping frequency of the boilers and emergency generators; and (5) incorporate the amendments of Operating Permits 46-313-114 and 46-399-093. The permit was also modified for: (1) RFD No. 46-A01-1919—the modification of an acid gas scrubber for the Source 200; and (2) RFD No. 46-A01-1917—the modification of the general exhaust system in building 29. The changes do not result in an increase of emissions.

09-00076: Cartex Corp. (200 Rock Run Road, Fairless Hills, PA 19030) for an administrative amendment to Title V Operating Permit 09-00076 in Falls Township, **Bucks County**. The previously issued permit is being amended to incorporate the following conditions from Plan Approval 09-399-040A for Source 101, Urethane Foam Manufacturing: (1) emissions of particulate matter shall be controlled by an existing filtration system that has at least an 80% removal efficiency; (2) particulate matter shall be limited to 0.6 lb/hr and 2 tons in a 12 month rolling period; and (3) the company shall submit a report every calendar year for the next 5 years detailing the progress of the lower VOC content mold release agent research program. The changes do not result in an increase of emissions.

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

49-00006: Viking Energy of Northumberland (R. D. 2, P. O. Box 482D, Cannery Road, Northumberland, PA 17857) on October 24, 2002, for operation of their steam/electric cogeneration facility in Point Township, **Northumberland County**. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. This is a renewal of the operating permit.

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

03-00023: Allegheny Energy Supply Co., LLC—Armstrong Station (4350 Northern Pike, Monroeville, PA 15907) for operation of two coal-fired boilers in Washington Township, **Armstrong County**. This is a renewal of the Title IV (Acid Rain) operating permit.

03-00027: Reliant Energy Northeast Management Co.—Keystone Station (1001 Broad Street, Johnstown, PA 15907) for operation of two coal fired boilers in Plumcreek Township, **Armstrong County**. This is a renewal of the Title IV (Acid Rain) operating permit.

04-00235: Pennsylvania Power—Bruce Mansfield Station (76 South Main Street, Akron, OH 44308) for operation of three coal-fired boilers in Shippingport Borough, **Beaver County**. This is a renewal of the Title IV (Acid Rain) operating permit.

30-00099: Allegheny Energy Supply Co.—Hatfield's Ferry Station (4350 Northern Pike, Monroeville, PA 15907) for operation of three coal-fired boilers in Monongahela Township, **Greene County**. This is a renewal of the Title IV (Acid Rain) operating permit.

32-00040: Reliant Energy Mid-Atlantic Power Holdings—Seward Station (1001 Broad Street, Johnstown, PA 15907) for operation of three coal-fired boilers in East Wheatfield Township, **Indiana County**. This is a renewal of the Title IV (Acid Rain) operating permit.

32-00055: EME Homer City Generation, LP—Homer City Station (1750 Power Plant Road, Homer City, PA 15748) for operation of three coal-fired boilers in Center Township, **Indiana County**. This is a renewal of the Title IV (Acid Rain) operating permit.

32-00059: Reliant Energy Northeast Management Co.—Conemaugh Station (1001 Broad Street, Johnstown, PA 15907) for operation of two coal-fired boilers in West Wheatfield Township, **Indiana County**. This is a renewal of the Title IV (Acid Rain) operating permit.

63-00014: Orion Power MidWest, LP—Elrama Station (2000 Cliff Mine Road, Suite 200, Pittsburgh, PA 15275) for operation of four coal-fired boilers in Union Township, **Washington County**. This is a renewal of the Title IV (Acid Rain) operating permit.

63-00016: Allegheny Energy Supply Co.—Mitchell Station (4350 Northern Pike, Monroeville, PA 15907), for operation of four coal-fired boilers in Union Township, **Washington County**. This is a renewal of the Title IV (Acid Rain) operating permit.

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.

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

15-00108: Refractory Minerals Co., Inc. (150 South Jennersville Road, West Grove, PA 19390) on October 24, 2002, for operation of a State Only Operating Permit in Penn Township, **Chester County**.

46-00067: MM SKB Energy LLC (709 Swedeland Road, Building 32, Swedeland, PA 19406) on October 24, 2002, for operation of a Synthetic Minor Operating Permit in Upper Merion Township, **Montgomery County**.

23-00068: Cremation Specialists (43 East Baltimore Avenue, Media, PA 19063) on October 25, 2002, for operation of a Natural Minor Operating Permit in Media Borough, **Delaware County**.

15-00048: Worthington Armstrong Venture (45 Morehall Road, Malvern, PA 19355) on October 25, 2002, for operation of a Synthetic Minor Operating Permit in East Whiteland Township, **Chester County**.

23-00047: Degussa Corp. (1200 West Front Street, Chester, PA 19013) on October 28, 2002, for operation of a Synthetic Minor Operating Permit in the City of Chester, **Delaware County**.

46-00186: Tri-Valley Crematory (667 Harleysville Pike, Franconia, PA 18924) on October 28, 2002, for operation of a Synthetic Minor Operating Permit in Franconia Township, **Montgomery County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.

59-00018: Hanson Aggregates PA Inc. (P. O. Box 231 Easton, PA 18044) on October 25, 2002, for operation of their Blossburg stone crushing and processing facility in Liberty Township, **Tioga County**. This State-only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

21-03054: Hollinger Funeral Home and Crematory, Inc. (501 North Baltimore Avenue, Mt. Holly Springs, PA 17065) on October 22, 2002, for operation of a human crematory in the Mount Holly Springs Borough, **Cumberland County**.

38-05004: Kountry Kraft Kitchens, Inc. (P. O. Box 570, Newmanstown, PA 17073) on October 21, 2002, for operation of a wood kitchen cabinet manufacturing facility in Millcreek Township, **Lebanon County**.

44-05012: Donsco, Inc. (P. O. Box 2001, Wrightsville, PA 17368) on October 23, 2002, for operation of a gray/ductile iron foundry in Union Township, **Mifflin County**.

67-05093: Codorus Stone and Supply Co., Inc. (135 Mundis Race Road, York, PA 17402) on October 21, 2002, for operation of its asphalt plant in Manchester Township, **York County**.

21-05035: Hempt Brothers, Inc. (205 Creek Road, Camp Hill, PA 17011) on October 7, 2002, for operation of its Locust Point Asphalt Plant in Silver Spring Township, **Cumberland County**.

21-05036: Hempt Brothers, Inc. (205 Creek Road, Camp Hill, PA 17011) on October 7, 2002, for operation of its Camp Hill Asphalt Plant in Lower Allen Township, **Cumberland County**.

22-05033: Hempt Brothers, Inc. (205 Creek Road, Camp Hill, PA 17011) on October 7, 2002, for operation of its Steelton Asphalt Plant in Steelton Borough, **Dauphin County**.

36-05123: Wyeth Laboratories, Inc. (P. O. Box 30, Marietta, PA 17547) on October 7, 2002, for operation of a pharmaceutical manufacturing facility in East Donegal Township, **Lancaster County**.

67-03048: L & W Demolition Co., Inc. (2224 Paxton Street, Harrisburg, PA 17111) on October 4, 2002, for operation of a demolition waste recycling facility in Franklin Township, **York County**.

67-03079: Hercon Laboratories Corp. (P. O. Box 467, Emigsville, PA 17318-0467) on October 7, 2002, for operation of a pharmaceutical and related cosmetic product facility in Manchester Township, **York 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); and The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

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

54900101C11. Blackwood, Inc. (P. O. Box 639, Wind Gap, PA 18091), correction to an existing anthracite mine operation, in Tremont, Branch and Reilly Townships, **Schuylkill County**, affecting 1,847.6 acres. Receiving streams: Panther Creek and Swatara Creek. Application received August 20, 2002. Permit issued October 22, 2002.

49971301R. FKZ Coal, Inc. (P. O. Box 62, Locust Gap, PA 17840-0062), renewal of an underground mine operation in Mt. Carmel Township, **Northumberland County** affecting 3.5 acres, receiving stream—none. Application received May 15, 2002. Renewal issued October 24, 2002.

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

65880106 and NPDES Permit No. PA0591220. Millwood Development, Inc. (200 West Second Street, Derry, PA 15627). Transfer of permit formerly issued to M. B. Energy, Inc., for continued operation and reclamation of a bituminous surface mining site located in Loyalhanna and Salem Townships, **Westmoreland**

County, affecting 487.7 acres. Receiving streams: unnamed tributaries to Getty Run to Loyalhanna Creek to Kiski River. Application received April 29, 2002. Transfer permit issued October 20, 2002.

26010101 and NPDES Permit No. PA0202894. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit issuance for commencement, operation and reclamation of a bituminous surface mine located in Saltlick and Bullsken Townships, **Fayette County**, affecting 92.5 acres. Receiving streams: unnamed tributaries to Newmyer Run to Poplar Run to Indian Creek; unnamed tributaries to Little Champion Creek to Champion Creek; and unnamed tributaries to Mounts Creek and to Youghiogheny River. Application received January 19, 2001. Permit issuance: October 24, 2002.

03970106 and NPDES Permit No. PA0202029. GLR Mining, Inc. (P. O. Box 105, Clymer, PA 15728). Permit renewal for reclamation only to an existing bituminous surface mine located in Valley Township, **Armstrong County**, affecting 30 acres. Receiving stream: unnamed tributary to Cowanshannock Creek. Renewal application received September 11, 2002. Renewal permit issued October 25, 2002.

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

11950103 and NPDES Permit No. PA023152. RJC Kohl, Inc., P. O. Box 299, Nicktown, PA 15762, permit revision to change land use from forestland to pastureland or land occasionally cut for hay in Susquehanna Township, **Cambria County**, affecting 76.6 acres. Receiving streams: unnamed tributaries to Fox Run classified for CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 13, 2002. Permit issued October 22, 2002.

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

61020101 and NPDES No. PA0242063. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface strip in Irwin Township, **Venango County** affecting 25.5 acres. Receiving streams: unnamed tributary to Scrubgrass Creek. Application received January 24, 2002. Permit issued October 21, 2002.

16020901 and NPDES No. PA0242055. Lester C. Henry (1555 Route 208, Emlenton, PA 16373). Commencement, operation and restoration of a bituminous surface strip in Ashland Township, **Clarion County** affecting 10.5 acres. Receiving streams: unnamed tributary to Pine Run. Application received January 18, 2002. Permit issued October 21, 2002.

33970113 and NPDES No. PA0227633. Falls Creek Energy Co., Inc. (R. R. 6, Box 231, Kittanning, PA 16201). Renewal of an existing bituminous strip operation in Young Township, **Jefferson County** affecting 43.0 acres. This renewal is issued for reclamation only. Receiving stream: Elk Run. Application received September 6, 2002. Permit issued October 23, 2002.

Noncoal Permits Actions

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

8274SM6A2C5 and NPDES Permit PA0595349. Binkley & Ober, Inc. (P. O. Box 7, East Petersburg, PA 17520), renewal of NPDES Permit in East Hempfield Township, **Lancaster County**, receiving stream: un-

named tributary to Little Conewago Creek. Application received September 16, 2002. Renewal issued October 25, 2002.

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

03980401 and NPDES Permit No. 0202690. Allegheny Mineral Corp. (P. O. Box 1022, Kittanning, PA 16201). Permit for commencement, operation and reclamation of a noncoal surface mine located in Manor Township, **Armstrong County**, affecting 100.3 acres. Receiving streams: Garretts Run and unnamed tributary F to Rupp Run. Application received February 11, 2000. Permitted issued October 25, 2002.

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

20022802. Robert C. See (15122 N. Goodwill Road, Titusville, PA 16354). Commencement, operation and restoration of a small noncoal topsoil, sand and gravel operation in Oil Creek Township, **Crawford County** affecting 5.0 acres. Receiving streams: None. Application received May 1, 2002. Permit issued October 23, 2002.

25010302. Rodger E. Niemeyer, Sr. (8939 Jones Road, Wattsburg, PA 16442). Commencement, operation and restoration of a sand, gravel and clay operation in Concord Township, **Erie County** affecting 121.0 acres. Receiving streams: None. Application received June 7, 2001. Permit issued October 23, 2002.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

48024028. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Lower Nazareth Township, **Northampton County** with an expiration date of October 26, 2003. Permit issued October 23, 2002.

48024029. Schlouch Inc. (Excelsior Industrial Park, P. O. Box 69, Blandon, PA 19510), construction blasting in Hanover Township, **Northampton County** with an expiration date of October 26, 2003. Permit issued October 23, 2002.

21024051. John W. Gleim, Jr., Inc. (625 Hamilton Street, Carlisle, PA 17013), construction blasting in Grantham Township, **Cumberland County** with an expiration date of January 31, 2003. Permit issued October 23, 2002.

45024074. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in Jackson Township, **Monroe County** with an expiration date of September 15, 2003. Permit issued October 23, 2002.

64024010. Holbert Explosives, Inc. (237 Masthlope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting in Honesdale Borough, **Wayne County** with

an expiration date of November 15, 2002. Permit issued October 23, 2002.

22024014. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting in Swatara Township, **Dauphin County** with an expiration date of October 31, 2003. Permit issued October 23, 2002.

360240116. ABEL Construction Company, Inc. (3925 Columbia Avenue, Mountville, PA 17554), construction blasting in Manheim Township, **Lancaster County** with an expiration date of October 31, 2003. Permit issued October 25, 2002.

40024023. J.V.B., Inc. (East South Street, Freeland, PA 18224) and **BlueStone, Inc.** (170 Cherry Blossom Drive, Churchville, PA 18966-1091), construction blasting in Freeland Borough, **Luzerne County** with an expiration date of December 31, 2002. Permit issued October 25, 2002.

45024075. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting in Stroud Township, **Monroe County** with an expiration date of September 23, 2003. Permit issued October 25, 2002.

28024029. Charles E. Brake Company, Inc. (6450 Lincoln Way West, St. Thomas, PA 17252), construction blasting in Guilford Township, **Franklin County** with an expiration date of August 31, 2003. Permit issued October 25, 2002.

09024032. American Rock Mechanics (7531 Chestnut Street, Zionsville, PA 18092), construction blasting in Richland Township, **Bucks County** with an expiration date of November 3, 2003. Permit issued October 25, 2002.

46024060. Labrador Construction (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Douglas Township, **Montgomery County** with an expiration date of December 31, 2003. Permit issued October 25, 2002.

40024022. Scott Kresge Enterprises (P. O. Box 2762, Wilkes-Barre, PA 18703) and **Hayduk Enterprises** (P. O. Box 554, Dalton, PA 18414), construction blasting in Nuangola Township, **Luzerne County** with an expiration date of December 31, 2002. Permit issued October 25, 2002.

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

14024024. Fine Line Homes, Inc., 1426 Benner Pike, State College, PA 16801, for construction blasting, located in Ferguson Township, **Centre County**, with an expected duration of 65 days. Permit issued October 23, 2002.

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

of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law (35 P.S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

Permits Issued and Actions on 401 Certifications

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E51-202. S. T. Services, Inc., 17304 Preston Road, Dallas, TX 75252, City and **County of Philadelphia**, ACOE Philadelphia District.

To operate and maintain the existing petroleum products and associated waterfront facilities situated along the Schuylkill River (WWF-MF) and its floodway. This facility was formerly the Gypsum Development Corporation and various other entities thereafter, originally authorized by Building Permit No. 432 issued on August 9, 1972, by the Philadelphia Department of Licenses and Inspections.

Facilities include: a cellular bulkhead; various piping racks; mooring bollards; concrete loading platforms; riprap embankment protection; various piping systems; a berthing area; and other associated facilities. Emergency repairs were previously authorized by Department Emergency Permit No. EP5102305 issued on March 22, 2002.

The site is located at the terminus of 67th Street along the west bank of the Schuylkill River (Philadelphia USGS Quadrangle N: 6.4 inches, W: 12.8 inches).

E09-833. JDA Development Co. LLC, 29 South Main Street, West Hartford, CT 06107, Middletown and Bristol Townships, **Bucks County**, ACOE Philadelphia District.

To place and maintain fill and appurtenant structures in 0.82 acre of wetland (PFO) within the Mill Creek (WWF) watershed associated with the construction of a Giant Food Store consisting of 64,000-square feet of commercial space. The permittee proposes to compensate wetland losses by constructing both onsite and offsite replacement wetland areas, totaling 1.64 acres. This permit is being issued concurrently with E09-834 located immediately downstream in Bristol Township. The site is located along the northern side of New Falls Road (SR 2049) between Durham Road (SR 2006) and New Rodgers Road (SR 0413) (Langhorne, PA USGS Quadrangle N: 1.6 inches).

E15-694. Chester County Parks and Recreation Department, 601 Westtown Road, Suite 160, West Chester, PA 19380-0990, West Caln Township, **Chester County**, ACOE Philadelphia District.

To install and maintain 200 linear feet of streambank stabilization consisting of bio-logs and plantings along Birch Run (HQ-TSF-MF) at Hibernia County Park (Wagontown, PA Quadrangle N: 4.7 inches; W: 13.0 inches).

E09-834. Bristol Township, 2501 Bath Road, Bristol, PA 19007, Middletown Township, **Bucks County**, ACOE Philadelphia District.

To modify 688 linear feet of unnamed intermittent tributary of Mill Creek (WWF) and to modify and maintain an existing stream enclosure by placing approximately 1,115 linear feet of PEP stream enclosure consisting of segments with 36-inch, 42-inch and 48-inch diameters. The proposed enclosure will be adjacent to and approximately follow along the course of the existing 980-foot long stream enclosure. The work is proposed for the purpose of improving the conveyance of stormwater flows. This permit is being issued concurrently with E09-833 located immediately upstream in Middletown Township. The stream channel and enclosure modifica-

tions are located along a reach of the tributary starting along the southern side of New Falls Road (SR 2049), approximately 400 feet east of Durham Road (SR 2006) continuing downstream approximately 2,000 feet under New Rodgers Road (SR 0413) to an enwall located immediately east of the junction of Prunewood Drive and Plumbridge Road (Langhorne, PA USGS Quadrangle N: 0.9 inch; W: 0.7 inch).

E46-807. Rouse Chamberlain Homes, 500 Exton Commons, Exton, PA 19341, Upper Pottsgrove Township, **Chester County**, ACOE Philadelphia District.

To perform the following activities associated with the construction and maintenance of the proposed Chestnut Grove Subdivision, located 1,000 feet southwest of the intersection of SR 0100 and Pine Road (Boyertown, PA Quadrangle N: 6.5 inches; W: 3.3 inches).

Work consists of:

1. To reroute 300 feet of an unnamed intermittent tributary to Manataway Creek (CWF) through a stormwater conduit.

2. To excavate 130 feet of an unnamed intermittent tributary to Manataway Creek (CWF) and impacting .03 acre of wetland for the construction of Stormwater Management Basin.

3. To enclose 290 linear feet, install 20 linear feet of riprap scour protection and fill 100 feet of channel of an unnamed intermittent tributary to Manataway Creek (CWF) and impacting .04 acre of associated wetland for the construction of the Heather Place and Skylark Drive and utility line crossing.

4. To eliminate 580 linear feet of drainage channel along the east side of the proposed Hummingbird Lane.

This permit also includes an Environmental Assessment approval for the construction of two on-stream nonjurisdictional dams impacting 140 linear feet of unnamed intermittent tributaries to Manataway Creek (CWF). The permittee has met the wetland replacement requirement by participating in the Commonwealth wetland replacement project for the 0.07 acre if wetland impact.

E23-420. Redwood Holding, LLC, 1930 E. Marlton Pike, Suite R-3, Cherry Hill, NJ 08003, Collingdale Borough, **Delaware County**, ACOE Philadelphia District.

To relocate and maintain 540 feet of the Hermesprota Creek (WWF) for the purpose of the construction of a shopping center consisting of four buildings, parking areas, storm sewer system and underground stormwater detention basins. The relocation will consist of 245 linear feet of earthen trapezoidal channel with 3:1 side slopes and continue into 195 linear feet of concrete rectangular channel with concrete walls on either side ranging from 7 feet to 12 feet in height. The channel will then be conveyed through a 59-foot long, 20-foot by 8-foot concrete arch culvert, which will ultimately tie into the existing 8-foot by 6-foot MacDade Boulevard arch culvert crossing with a junction box. The proposed channel relocation is located 200 feet northeast of the intersection of Oak Lane and MacDade Boulevard (Lansdowne, PA Quadrangle; N: 6.0 inches; and W: 5.0 inches).

E23-425. Pennsylvania Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, Upper Chichester Township, **Delaware County**, ACOE Philadelphia District.

To remove an existing single span reinforced concrete frame bridge and to construct and maintain, in its place, a single cell precast reinforced concrete box culvert across Spring Run (WWF) associated with the roadway improvements for Bethel Road. The proposed culvert will have a clear span of 20.0 feet and an underclearance of 4.5 feet. This work also includes placement and maintenance of associated riprap protection at the inlet and outlet of the culvert and a temporary stream crossing. The site is located approximately 200 feet west of the intersection of Bethel Road (SR 3017, Sec. 31M) and Larkin Road (Marcus Hook, PA-NJ USGS Quadrangle N: 16.6 inches; W: 12.0 inches).

E15-695. Chester County Parks and Recreation Department, 601 Westtown Road, Suite 160, West Chester, PA 19380-0990, Warwick Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a 12-foot by 20-foot wood deck and an attached 5-foot by 144-foot boardwalk over existing riprap partially within the floodway of French Creek (HQ-TSF) at Warwick County Park (Pottstown, PA Quadrangle N: 8.25 inches; W: 13.35 inches).

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

E39-381. Jaindl Land Company, 3150 Coffeetown Road, Orefield, PA 18069, Lower Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the development of a proposed 700-lot residential subdivision known as The Hills at Lock Ridge:

(1) A road crossing of a tributary to Swabia Creek (Tributary A) consisting of 120 linear feet of a 8.0-foot by 4.5-foot concrete box culvert stream enclosure, with its invert depressed 6 inches, for the construction of Scenic View Drive.

(2) A road crossing of a tributary to Swabia Creek (Tributary B), consisting of a 6.0-foot by 3.5-foot concrete box culvert, with its invert depressed 6 inches, for the construction of Stack Road.

(3) A road crossing of a tributary to Swabia Creek (Tributary B), consisting of a 6.0-foot by 3.5-foot concrete box culvert, with its invert depressed 6 inches, for the construction of Scenic View Drive.

(4) Utility line crossings (including sanitary sewers, storm sewers, water lines and utility banks) of the channels and/or floodways of Swabia Creek and tributaries to Swabia Creek (Tributaries A and B).

(5) Stormwater outfalls in the floodway of Swabia Creek and along proposed box culverts in Tributaries A and B.

(6) Placement of fill in the floodway of Tributary A.

(7) Relocation of approximately 1,720 linear feet of a tributary to Swabia Creek (Tributary B) for widening of Orchard Road.

(8) Recreational facilities (including soccer and playground equipment and 6-foot wide bituminous path) in the floodway of Swabia Creek.

The project is located on a 272-acre tract of land on the south side of the Norfolk Southern Railroad, adjacent to T-480, T-482, T-484 and Lock Ridge Park and Furnace Museum (Allentown West, PA Quadrangle N: 2.0 inches; W: 11.0 inches).

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

E06-573. National Properties Incorporated, The Commons at Great Valley, 31 General Warren Blvd., Malvern, PA 19335 in Exeter Township, **Berks County**, ACOE Philadelphia District.

To construct and maintain a series of retaining walls within 0.1 acre of wetlands tributary to Antietam Creek (CWF) at a point within the Eastwick at Exeter Apartment Community (Birdsboro, PA Quadrangle N: 8.5 inches; W: 14.25 inches) in Exeter Township, Berks County. The permittee is required to provide 0.2 acre of replacement wetlands as part of this project.

E22-437. West Hanover Township Water and Sewer Authority, 7901 Jonestown Road, Harrisburg, PA 17112 in West Hanover Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a 450 gallon per minute sanitary sewage pump station in the floodway of an unnamed tributary to Beaver Creek (WWF) (aka Little Beaver Creek) along with constructing sanitary sewer force mains associated with the pump station in the floodway/floodplain of Beaver Creek and its unnamed tributary which will include seven stream crossings and three wetland crossings by sanitary sewer lines located along the east side of Picketown Road about 0.8 mile south of its intersection with SR 0039 (Harrisburg East, PA Quadrangle N: 16.45 inches; W: 1.2 inches) in West Hanover Township, Dauphin County. There is 0.0006 acre of permanent wetland impact which is considered de minimis and wetland mitigation is not required.

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

E14-429. Pennsylvania Department of Transportation, 1924-30 Daisy Street, Clearfield, PA 16830. Fillmore Road Fill Slope, in Benner Township, **Center County**, ACOE Baltimore District (State College, PA Quadrangle N: 0.0 inch; W: 13.4 inches).

To place and maintain 145 cubic yards of fill in the right floodplain of Buffalo Run for: (1) 175 linear feet of earthen benching in the right floodplain of Buffalo Run; and (2) 450 linear feet of R-3 rock gabion basket bank protection on the right bank of Buffalo Run, to accommodate widening on either side of the SR 0550 and SR 3008 intersection. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E18-347. THE KAR LOT, 131 Hogan Boulevard, Mill Hall, PA 17751-1904. Building Addition, in Bald Eagle

Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle N: 21.5 inches; W: 14.0 inches).

To construct and maintain a 26-foot by 36-foot addition that includes eight concrete masonry module flood vents, an 8-foot by 9-foot overhead door and a 36-inch wide exit door, to an existing building for storage in the right floodway of Bald Eagle. This permit was issued under section 105.13(e) "Small Projects."

E41-510. Pennsylvania Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 2032 Segment 0080 unnamed tributary bridge replacement, in Mill Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Huntersville, PA Quadrangle N: 11.7 inches; W: 7.8 inches).

To remove an existing structure and construct and maintain a reinforced concrete box culvert having a span of 17.0 feet, with a minimum underclearance of 5.0 feet on a skew of 70° in an unnamed tributary to Mill Creek located along SR 2032 Segment 0080 Offset 1641 and to construct, maintain and remove a temporary channel as well as construct a sand bag, concrete barrier all of which are located in Mill Creek Township, Lycoming County. The constructed box culvert will impact 0.002 acre of wetlands while impacting 85-feet of waterway.

E41-513. Borough of South Williamsport, 329-331 West Southern Ave., South Williamsport, PA 17702. Small Projects Water Obstruction and Encroachment Joint Permit Application, in South Williamsport Borough, **Lycoming County**, ACOE Susquehanna River Basin District (Montoursville South, PA Quadrangle N: 20.75 inches; W: 15.85 inches).

To construct and maintain a 13-foot by 25-foot block masonry building, which is located in the floodplain of the West Branch of Susquehanna River, all of which is located 1/2 mile east of the intersection of SR 0015 North and East Second Street along Charles Street, in South Williamsport Borough, Lycoming County. This permit was issued under section 105.13(e) "Small Projects."

E59-432. Pennsylvania Department of Transportation, 715 Jordan Ave., Montoursville, PA 17754. SR 6015, Section 20A, in Tioga Township, **Tioga County**, ACOE Baltimore District (Jackson Summit, PA Quadrangle N: 8.3 inches; W: .8 inch).

To construct, operate and maintain a four lane limited access divided highway between the Township Route T-667 and State Route 287. The following encroachments are authorized under this permit:

Jurisdictional Impacts

Waters and Wetlands

<i>Water</i>	<i>Station Offset</i>	<i>Latitude Longitude</i>	<i>Direct Impacts Lineal ft. or sq. ft.</i>	<i>Description of work</i>
Wetland F12-32	SB1474+20 to 1478+55 CL to 270' L	41°54'50.5" 77°07'23.3"	16,792.38 sq. ft.	Cut slope for additional lanes
Bentley Creek	SB1483+00 to 1483+70 200' R	41°55'03.40" 77°07'14.95"	64.3010 L.ft.	Stream bank stabilization
Bentley Creek	SB1484+10 to 1484+80 210' R	41°55'01.17" 77°07'17.79"	69.3120 L.ft.	Stream bank stabilization
Bentley Creek	SB1487+90 to 1488+70 180' L	41°54'55.95" 77°07'15.73"	74.5313 L.ft.	Stream bank stabilization

<i>Water</i>	<i>Station Offset</i>	<i>Latitude Longitude</i>	<i>Direct Impacts Lineal ft. or sq. ft.</i>	<i>Description of work</i>
Bentley Creek	SB1491+15 to 1491+50 85' L	41°54'55.11" 77°07'16.58"	33.5667 L.ft.	Stream bank stabilization
Ephemeral Stream to Bentley Creek culvert	SB1494+90 70' L	41°55'06.70" 77°07'13.69"	388.88 sq. ft.	Outlet pipe rock apron erosion control
Wetland F12-43	SB1497+05 to 1497+25 180' to 220' R	41°55'07.48" 77°07'08.26"	531.432 sq. ft.	Cut slope, slope stabilization
Wetland F12-44	SB1497+40 to 1497+85 185' to 240' R	41°55'07.94" 77°07'07.93"	1454.904 sq. ft.	Cut slope, slope stabilization
Wetland F12-45	SB1498+05 to 1500+60 150' to 300' R	41°55'09.21" 77°07'06.94"	16766.244 sq. ft.	Cut slope, slope stabilization
Wetland F12-46	SB1506+50 to 1506+90 205' to 220' R	41°55'16.51" 77°07'3.89"	317.988 sq. ft.	Cut slope, slope stabilization
Wetland DMG035	SB1539+40 to 1540+45 25' to 145' L	41°55'49.00" 77°06'57.30"	2043.640 sq. ft.	Upgrade to bridge structure
Wetland DMG036	SB1540+20 to 1540 +70 60' to 90' L	41°55'49.52" 77°06'55.92"	553.212 sq. ft.	Upgrade to bridge structure
Wetland PJD050	SB ramp E 26+40 to 26+70 28 35' to 42' L and 28+20 to 28+50 45' to 50' L	41°55'542.68" 77°06'43.97"	5305.608 sq. ft.	Addition of SB onramp from SR 0287
Wetland PJD053	SB ramp E 28+50 50' L	41°55'54.30" 77°06'40.20"	696.96 sq. ft.	Addition of SB onramp from SR 0287

The total impacts to Commonwealth waters are 242 linear feet of stream bank stabilization, a 27 inch corrugated metal pipe replacement with a 27 inch reinforced concrete pipe and a length of 100 linear feet and a 37 foot extension onto the existing 72 inch culvert pipe with 20 linear feet of R-8 rock protection. These structures are located on two unnamed tributaries to Bentley Creek. This permit also authorizes impacts to nine wetlands, .76 acre palustrine and .04 acre palustrine forested totaling .8 acre.

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

E02-012 A. Victor A. and Susan Sutey, 1 River Road, Vic's Boat Park, McKees Rocks, PA 15136-2859. McKees Rocks Borough, **Allegheny County**, ACOE Pittsburgh District.

To reissue and amend Permit E02-012 to operate and maintain the existing boat docking facility and two mobile homes along with their associated fill, to place and maintain additional fill for a total distance of 226 feet and to construct and maintain a 6 foot high by 131 foot long precast concrete wall along the left bank of the Ohio River back channel near River Mile 2.7 (Pittsburgh West, PA Quadrangle N: 16.7 inches; W: 7.3 inches).

E32-445. Pennsylvania Department of Transportation, Engineering District 10-0, P. O. Box 429, Indiana, PA 15701. Rayne Township, **Indiana County**, ACOE Pittsburgh District.

To remove the existing structures and to construct and maintain the following structures and activities as part of a horizontal alignment improvements and widening of 1.67 miles of SR 0119, Section 495. The project is located approximately 5 miles north of Indiana in Rayne Township, Indiana County.

Relocate and maintain 119.0 meters of an unnamed tributary to Crooked Creek (CWF). Station 3+320 to 3+440 (Clymer, PA Quadrangle N: 15.2 inches; W: 14.0 inches).

Construct and maintain a 2,100-mm by 1,500-mm precast concrete box culvert in an unnamed tributary to Crooked Creek (CWF). The invert of the culvert will have baffles and will be depressed 300 mm. Station 3+450.92 (Clymer, PA Quadrangle N: 15.3 inches; W: 14.0 inches).

Construct and maintain a 2,100-mm by 1,450-mm pipe arch driveway culvert in an unnamed tributary to Crooked Creek (CWF). Station 3+349.15 (Clymer, PA Quadrangle N: 15.1 inches; W: 14.0 inches).

Construct and maintain a 900-mm diameter pipe culvert and outfall in an unnamed tributary to Crooked Creek (CWF). Station 2 + 647.98 (Clymer, PA Quadrangle N: 14.4 inches; W: 14.0 inches). This pipe qualifies for Department waiver 105.12(a)(2).

Construct and maintain a 450-mm diameter stormwater outfall in an unnamed tributary to Crooked Creek (CWF). Station 3 + 609.40 (Clymer, PA Quadrangle N: 15.5 inches; W: 14.0 inches).

Construct and maintain a 525-mm diameter stormwater outfall in an unnamed tributary to Crooked Creek (CWF). Station 3 + 529.93 (Clymer, PA Quadrangle N: 15.4 inches; W: 14.0 inches).

Construct and maintain a 450-mm diameter stormwater outfall in an unnamed tributary to Crooked Creek (CWF). Station 3 + 391.00 (Clymer, PA Quadrangle N: 15.2 inches; W: 14.0 inches).

Construct and maintain a 450-mm diameter stormwater outfall in an unnamed tributary to Crooked Creek (CWF). Station 3 + 312.76 (Clymer, PA Quadrangle N: 15.1 inches; W: 14.0 inches).

Construct and maintain a 675-mm diameter stormwater outfall in an unnamed tributary to Crooked Creek (CWF). Station 3 + 175.35 (Clymer, PA Quadrangle N: 14.7 inches; W: 14.0 inches).

Construct and maintain a 525-mm diameter stormwater outfall in an unnamed tributary to Crooked

Creek (CWF). Station 2 + 997.61 (Clymer, PA Quadrangle N: 14.5 inches; W: 14.1 inches.)

Construct and maintain a 750-mm diameter stormwater outfall in McKee Run (CWF). Station 1 + 486.66 (Clymer, PA Quadrangle N: 12.4 inches; W: 14.0 inches).

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

E10-357, Pennsylvania Department of Transportation, District 10-0, 2550 Oakland Avenue, Indiana, PA 15701. SR 0008, Section 283 (Main Street) across Connoquenessing Creek, in City of Butler, **Butler County**, ACOE Pittsburgh District (Butler, PA Quadrangle N: 18.8 inches; W: 3.0 inches).

To remove the existing structure and to construct and maintain eight span steel girder bridges having total structure lengths of 1,120 feet and 1,190 feet providing a normal span of approximately 78 feet on a 25 degree skew across Connoquenessing Creek on SR 0008, Section 283 (Main Street) between South Butler and Butler.

E20-521, Pennsylvania Department of Transportation, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. SR 0099, Segment 0040, Offset 0000 across Little Conneauttee Creek, in Cambridge Township, **Crawford County**, ACOE Pittsburgh District (Cambridge Springs, PA Quadrangle N: 12.8 inches; W: 8.7 inches).

To remove the existing structure and to construct and maintain a prestressed concrete spread box beam bridge having a clear, normal span of 96 feet and an underclearance of 16 feet across Little Conneauttee Creek on SR 0099, Segment 0040, Offset 0000 approximately 1 mile north of Cambridge Springs.

E24-224, Johnsonburg Municipal Authority, 520A Market Street, Johnsonburg, PA 15845. Silver Creek Water Filtration Plant, in Ridgway Township, **Elk County**, ACOE Pittsburgh District (Wilcox, PA Quadrangle N: 3.1 inches; W: 13.1 inches).

To construct and maintain a 25-foot diameter backwash holding tank, an 18-foot long by 14-foot wide pump station and associated fill within the 100-year flood plain and within the assumed 50-foot floodway of Silver Creek north of SR 4003 east of the existing Silver Creek Water Filtration Plant.

E25-654, Pennsylvania Department of Transportation, District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. West 38th Street (SR 4016) and Glenwood Park Avenue (SR 505) Realignment, in City of Erie, **Erie County**, ACOE Pittsburgh District.

To conduct the following activities in Mill Creek associated with the realignment of West 38th Street (SR 4016) and Glenwood Park Avenue (SR 505) north of the Erie Zoo in the City of Erie, Erie County:

1. To remove the existing Glenwood Park Avenue structure and to install and maintain a 157-foot long concrete box culvert enclosure providing two 14-foot wide by 9-foot high waterway openings.

2. To construct and maintain a 192-foot long concrete box enclosure providing two 18-foot wide by 7-foot high waterway openings located approximately 260 feet downstream of the existing West 38th Street bridge.

3. To realign approximately 350 feet of the channel of Mill Creek extending upstream from Glenwood Park Avenue.

4. To construct and maintain a 60-inch diameter stormwater outfall pipe along the right bank of the relocated channel of Mill Creek between West 38th Street and Glenwood Park Avenue.

DAM SAFETY

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

D41-118. Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. To modify, operate and maintain SGL #252 Road A Dam across a tributary to Black Run (WWF), directly impacting 0.16 acre of wetlands (PEM) and providing 0.16 acre of wetland mitigation, for the purpose of establishing diverse conditions for wildlife and wetlands (Montoursville South, PA Quadrangle N: 5.2 inches; W: 10.1 inches) in Brady Township **Lycoming County**.

D41-119. Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. To modify, operate and maintain SGL #252 Road B across a tributary to Black Run (WWF), for the purpose of establishing diverse conditions for wildlife and wetlands (Montoursville South, PA Quadrangle N: 5.6 inches; W: 10.0 inches) in Brady Township, **Lycoming County**.

SPECIAL NOTICES

BUREAU OF DEEP MINE SAFETY

Request for Variance

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

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

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

Section 224(b) of the act and the Governor's Administrative Order dated August 30, 2002, provides drilling procedures for any working place in a mine that approaches within 50 feet of abandoned workings certified by an engineer or within 200 feet of any abandoned workings which cannot be inspected or within 200 feet of any other abandoned workings that have been identified by "hard or credible evidence" or within 500 feet of abandoned mine workings that have not been located by "hard or credible" evidence. Exploratory boreholes shall be drilled at least 20 feet in advance of the face of the working place. Boreholes shall be drilled sufficiently close to each other to insure that the advancing face will not accidentally hole through into the workings. Boreholes shall also be drilled not more than 8 feet apart in the rib

of the working place to a distance of at least 20 feet at an angle of 45 degrees. Rib holes shall be drilled in one or both ribs of the working place as may be necessary for adequate protection of persons working in the place.

Summary of the Request: DLR Mining, Inc., Ridge Mine requested a variance from section 224(b) of the act to drill in advance of mining when the operator approaches to within 200 feet of an abandoned mine or within 500 feet of an abandoned mine.

[Pa.B. Doc. No. 02-2005. Filed for public inspection November 8, 2002, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website (www.dep.state.pa.us) at the Public Participation Center page. The "July 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 any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Draft Technical Guidance

DEP ID: 383-0830-001. Title: Quality Management Plan for the Bureau of Water Supply and Wastewater Management. Description: This document will provide staff in central and field offices with an overview of data quality management and will aid in establishing an accurate and defensible basis for staff decisions. Comment Period Ends: December 9, 2002. Anticipated Effective Date: December 28, 2002. Contact: Pauline Risser-Clemens at (717) 772-472 or e-mail prissercle@state.pa.us.

Draft Technical Guidance—Substantive Revision

DEP ID: 383-0810-106. Title: Summary of Key Requirements for Surface Water Filtration. Description: This document is written in response to recent Federal ruling, which promulgated new requirements for surface water systems. Revisions are made to reflect new requirements for filtration design standards, turbidity performance standards, filter plant operations, monitoring and reporting. Comment Period Ends: December 9, 2002. Antici-

pated Effective Date: December 28, 2002. Contact: Ed Rawski at (717) 772-5599 or e-mail erawski@state.pa.us.

Notice of Intent to Add Technical Guidance

DEP ID: 362-0830-001. Title: Locational Data Policy for Wastewater Management Program. Description: This document is written to standardize the minimum acceptable level of accuracy for locational data policy for water pollution control facilities. Effective Date: November 9, 2002. Contact: John Murtha at (717) 787-8184 or e-mail jmurtha@state.pa.us.

Final Technical Guidance

DEP ID: 383-3120-106. Title: Guidance for Filter Plant Performance Evaluations. Description: This document contains the guidance and procedures developed to direct and support staff implementation of the requirements for the surface water treatment rule under the drinking water management programs. The purpose of the document is to establish a rationale and reasonable basis for staff decisions in the field, which will promote quality, timely and consistent service to the public and regulated community. Effective Date: November 9, 2002. Contact: Ed Rawski at (717) 772-5599 or e-mail erawski@state.pa.us.

DEP ID: 383-2129-001. Title: Enhanced Coagulation Calculator Spreadsheet. Description: This spreadsheet will apply to filter plants using water or groundwater under the direct influence of surface water that practice conventional filtration treatment or softening as defined under the Pennsylvania Safe Drinking Water Act. Effective Date: November 9, 2002. Contact: Trudy Troutman at (717) 783-3795 or e-mail trutrutma@state.pa.us.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 02-2006. Filed for public inspection November 8, 2002, 9:00 a.m.]

Radiation Protection Advisory Committee Meeting

The Radiation Protection Advisory Committee to the Department of Environmental Protection (Department) will hold a meeting on November 20, 2002, at 9 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, Harrisburg, PA. The purpose of the meeting is to continue discussion of the October 24, 2002, agenda items.

Questions concerning this meeting can be directed to Ray Urciuolo at (717) 787-3720 or e-mail lurciuolo@state.pa.us. An agenda for this meeting will be available on the Public Participation Center of the Department's website at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Ray Urciuolo directly at (717) 787-3720 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can accommodate their needs.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 02-2007. Filed for public inspection November 8, 2002, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of The Children's Hospital of Philadelphia for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that The Children's Hospital of Philadelphia has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.3.E10 and Table 7.5 (relating to ceiling construction in the newborn intensive care units; and pediatric and adolescent unit).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, e-mail ra-paexcept@state.pa.us.

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

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

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

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-2008. Filed for public inspection November 8, 2002, 9:00 a.m.]

Application of Saint Vincent Health Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Saint Vincent Health Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 7.10.E2 and 7.10.G12 (relating to MRI control room; and MRI consultation area).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, e-mail ra-paexcept@state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

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

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-2009. Filed for public inspection November 8, 2002, 9:00 a.m.]

Request for Exception; Long-Term Care Nursing Facility

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

Eastwood Nursing and Rehabilitation Center
2125 Fairview Avenue
Easton, PA 18042

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, e-mail paexcept@health.state.pa.us.

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

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 require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotape, Braille) should contact the Division of Nursing Care Facilities at the address or phone numbers listed previously, for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-2010. Filed for public inspection November 8, 2002, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Innovation and Expansion Grant to Provide Job Creation Assistance on Behalf of Persons with Significant or Most Significant Disabilities in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

The Department of Labor and Industry, Office of Vocational Rehabilitation (OVR), under the Rehabilitation Act

of 1973, as amended in 1992, announces that competing applications to establish, expand or improve community rehabilitation programs serving persons with significant, or most significant disabilities 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 areas of emphasis:

- To increase employment and career opportunities for persons with significant or most significant disabilities in mainstream industry jobs in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties.
- To stimulate development, retention and growth of commerce and industry in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties.

Service Information

This competition will result in one award and funding for a 3 year period, beginning February 1, 2003.

Eligible applicants are recognized as Economic Development Groups (EDG), community-based organizations or governmental organizations. Applicants may be either for-profit or not-for-profit entities. Applicants must be experienced in successfully collaborating with business and industry located in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties. Collaboration must have been in regard to development of employment, employment opportunities, placement of hard-to-place populations, workforce development or comparable areas of endeavor. For purposes of this application, EDG is defined as any group, corporation or consortium which exists for the purpose of providing economic development funding, including capital equipment purchases, in the region for which the EDG has been designed. An applicant must have operated in these capacities for a minimum of 3 years.

An applicant must demonstrate an understanding of the economy, market characteristics and market potential in the service area that encompasses Bucks, Chester, Delaware, Montgomery and Philadelphia Counties. Consideration will be given to applicants who can demonstrate successful history and experience working with minority and similar underserved populations.

Job Creation Assistance on Behalf of Persons with Significant Disabilities targets activities that will result in increased competitive employment of OVR-eligible persons with significant or most significant disabilities. Activities allowable under this grant competition include disbursement of moneys through the OVR grantee to qualified local businesses for purchase of equipment.

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

- Individuals placed in employment through this program must be eligible OVR customers.
- Job creation services must be implemented with the close coordination of the Philadelphia and Rosemont OVR District Offices functioning in a leadership capacity.
- The District Administrators in the Philadelphia and Rosemont OVR District Offices, or their designees, must personally be involved in all decisions regarding provision of equipment to applicant businesses in their respective counties.

Application Information

Applications received by 5 p.m., Friday, December 13, 2002, which are complete and conform to established specifications, will be accepted for review. Applications submitted after this date and time will be ineligible for consideration.

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

The effective dates for the contract will be February 1, 2003, through January 31, 2004. Final awards made through this competition are subject to the approval of the Executive Director, of the OVR.

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

Preproposal Conference

A preproposal conference to deal specifically with technical questions regarding applications will be held for applicants on Friday, November 15, 2002, at 10 a.m. at the Philadelphia OVR District Office, 444 North 3rd Street, 5th Floor, Philadelphia, PA. Copies of the application package will also be available at this conference. Persons planning to attend the conference who have special needs that should be considered to participate fully in the conference should contact Jacqueline B. Lucas at (717) 787-7016 no later than 1 week in advance of the conference date.

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 02-2011. Filed for public inspection November 8, 2002, 9:00 a.m.]

DEPARTMENT OF REVENUE

[Correction]

Pennsylvania Powerball Instant Millionaire TV Game Show Instant Lottery Game

Two errors occurred in the document announcing public notice of the rules for the Pennsylvania Powerball Instant Millionaire TV Game Show Instant Lottery Game which appeared at 32 Pa.B. 4781, 4782, 4784 and 4785 (September 28, 2002). The first error relates to the transposing of the prize play symbol and the word "of" in paragraph 8(a)(1)—(13). The second error relates to the omission of a digit in the approximate odds column for a description of a \$15,000 prize and the omission of a digit in the approximate number of winners per 6,240,000 tickets column for a \$12 prize in the odds chart in section 9. The correct version of this document is as follows, with ellipses referring to the existing text:

* * * * *

8. *Determination of Prize Winners:*

(a) Determination of prize winners for "Game 1" are:

(1) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play

symbol of \$15,000 (FTN THO) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$15,000.

(2) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$120 (ONEHUNTWY) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$120.

(3) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$60\$ (SIXTY) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$60.

(4) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$36\$ (TRY SIX) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$36.

(5) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$30\$ (THIRTY) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$30.

(6) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$24\$ (TWY FOR) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$24.

(7) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$15\$ (FIFTN) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$15.

(8) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the

surrounding play area for "Game 1" and a prize play symbol of \$12\$ (TWELV) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$12.

(9) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$9⁰⁰ (NIN DOL) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$9.

(10) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$6⁰⁰ (SIX DOL) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$6.

(11) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$4⁰⁰ (FOR DOL) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$4.

(12) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$3⁰⁰ (THR DOL) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$3.

(13) Holders of tickets where the "Your Number" play symbol matches any of the other play symbols in the surrounding play area for "Game 1" and a prize play symbol of \$2⁰⁰ (TWO DOL) appears under the matching play symbol, on a single ticket, shall be entitled to a prize of \$2.

* * * * *

9. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>TV Entry Bonus</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 6,240,000 Tickets</i>
	\$12		* * *	* * *	1:1,000	6,240
		\$15,000	* * *	* * *	1:3,120,000	2
			* * *	* * *		

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 02-1699. Filed for public inspection September 27, 2002, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

City of Lock Haven v. DEP; EHB Doc. No. 2002-264-K

The City of Lock Haven has appealed the issuance by the Department of Environmental Protection of an NPDES permit to the City of Lock Haven for a facility in the City of Lock Haven, Clinton 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 § 1021.81 (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. 02-2012. Filed for public inspection November 8, 2002, 9:00 a.m.]

Karen DeWitte v. DEP and Pennsylvania Suburban Water Company, Permittee; EHB Doc. No. 2002-261-MG

Karen DeWitte has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Pennsylvania Suburban Water Company for a facility in Wallace Township, Chester 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 interested parties 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 § 1021.81 (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. 02-2013. Filed for public inspection November 8, 2002, 9:00 a.m.]

Tish Eschbacher v. DEP and Pennsylvania Suburban Water Company, Permittee; EHB Doc. No. 2002-260-MG

Tish Eschbacher has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Pennsylvania Suburban Water Company for a facility in Wallace Township, Chester 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 interested parties 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 § 1021.81 (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. 02-2014. Filed for public inspection November 8, 2002, 9:00 a.m.]

Anita C. Hamilton v. DEP and Pennsylvania Suburban Water Company, Permittee; EHB Doc. No. 2002-256-MG

Anita C. Hamilton has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Pennsylvania Suburban Water Company for a facility in Wallace Township, Chester 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 interested parties 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 § 1021.81 (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. 02-2015. Filed for public inspection November 8, 2002, 9:00 a.m.]

Shenango Incorporated v. DEP; EHB Doc. No. 2002-259-L

Shenango Incorporated has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Shenango Incorporated for a facility in Neville Township, Allegheny 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 § 1021.81 (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. 02-2016. Filed for public inspection November 8, 2002, 9:00 a.m.]

Joan Tlush v. DEP and Pennsylvania Suburban Water Company, Permittee; EHB Doc. No. 2002-263-MG

Joan Tlush appealed the issuance by the Department of Environmental Protection of an NPDES permit to Pennsylvania Suburban Water Company for a facility in Wallace Township, Chester 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 interested parties 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 § 1021.81 (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. 02-2017. Filed for public inspection November 8, 2002, 9:00 a.m.]

Shirley Landis Van Scoyk v. DEP and Pennsylvania Suburban Water Company, Permittee; EHB Doc. No. 2002-262-MG

Shirley Landis Van Scoyk has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Pennsylvania Suburban Water Company for a facility in Wallace Township, Chester 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 interested parties 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 § 1021.81 (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. 02-2018. Filed for public inspection November 8, 2002, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, October 24, 2002, and took the following actions:

Actions Taken—Regulations Approved:

State Board of Barber Examiners #16A-424: Standards for Disinfection and Sanitation (amends 49 Pa. Code Chapter 3)

State Board of Social Workers, Marriage and Family Therapists and Professional Counselors #16A-695: Fees (amends 49 Pa. Code Chapters 47—49)

State Board of Psychology #16A-6310: Computerized Examinations (49 Pa. Code Chapter 41)

Insurance Department #11-184: Policies and Forms; General Filing Requirements and General Contents of Forms (amends 31 Pa. Code Chapter 89 and adds provisions to 31 Pa. Code Chapter 89a)

Pennsylvania Public Utility Commission #57-225: Street Railway Transportation (amends 52 Pa. Code Chapter 35)

Environmental Hearing Board #106-7: Practice and Procedure (amends 25 Pa. Code Chapter 1021)

Department of Labor and Industry #12-61: Special Rules of Administrative Practice and Procedure Before

the Workers' Compensation Appeal Board and the Workers' Compensation Judges (amends 34 Pa. Code Chapters 111 and 131)

Department of Public Welfare #14-476: Outpatient Drug and Alcohol Clinic Services (amends 55 Pa. Code Chapter 1223)

Insurance Department #11-212: Medicare Supplement Insurance Minimum Standards (amends 31 Pa. Code Chapter 89)

Department of Conservation and Natural Resources #7B-3: State Parks; General Provisions (amends 17 Pa. Code Chapter 11)

Department of Revenue #15-421: Cash 5, Super 6 Lotto and Powerball (amends 61 Pa. Code Chapters 816, 870 and 871)

Pennsylvania Liquor Control Board #54-58: Chapter 9. Transportation, Importation, Disposition and Storage (amends 40 Pa. Code Chapter 9)

Department of Labor and Industry #12-56: Reasonable Assurance (amends 34 Pa. Code by adding § 65.161)

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

State Board of Barber Examiners—Standards for Disinfection and Sanitation; Regulation No. 16A-424

On May 14, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Barber Examiners (Board). This rulemaking amends 49 Pa. Code Chapter 3. The proposed regulation was published in the May 26, 2001, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 3, 2002.

This rulemaking updates and implements standards for disinfection and sanitation that reflect current knowledge and practices for preventing the spread of pathogens in barber shops and barber schools. The rulemaking also revises other provisions related to equipment, barber curriculum, licensure examination and unlicensed personnel.

We have determined this regulation is consistent with the statutory authority of the State Board of Barber Examiners (63 P. S. § 566.4(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

State Board of Social Workers, Marriage and Family Therapists and Professional Counselors—Fees; Regulation No. 16A-695

On August 9, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board). This rulemaking amends 49 Pa. Code Chapters 47, 48 and 49. The proposed regulation was published in the August 25, 2001, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 3, 2002.

The Board is: adding licensure fees for Clinical Social Workers, Marriage and Family Therapists, and Professional Counselors; increasing fees to cover the Board's costs associated with licensure applications for social workers and applications for approval as a provider of a continuing education course or program; and applying the general provisions in Chapter 47 (relating to Social Workers) to Chapter 48 (relating to Marriage and Family Therapists) and to Chapter 49 (relating to Professional Counselors).

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 1906(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

State Board of Psychology—Computerized Examinations; Regulation No. 16A-6310

On November 14, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Psychology (Board). This rulemaking amends 49 Pa. Code Chapter 41. The proposed regulation was published in the December 1, 2001, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 3, 2002.

The Board is amending its regulations because the national portion of the licensure examination is now administered by computer and is available more frequently. Under the statute (63 P. S. § 1206(c)), if a person fails an examination, they cannot take a second examination until after "the expiration of six months and within two years." The final regulation reflects the statutory restrictions to retake examinations and adds clarification to the various fees charged to retake the examination.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 1203.2(1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Insurance Department—Policies and Forms; General Filing Requirements and General Contents of Forms; Regulation No. 11-184

On August 23, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Insurance Department (Department). This rulemaking amends 31 Pa. Code Chapter 89 and adds provisions to 31 Pa. Code Chapter 89a. The proposed regulation was published in the September 2, 2000, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 27, 2002.

The Department is establishing requirements for the content and filing of life insurance and annuities, accident and health insurance and property and casualty insurance form filings. Provisions are also added to allow for electronic filing of annuities and property and casualty insurance forms.

We have determined this regulation is consistent with the statutory authority of the Department (71 P. S. § 186) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

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

On January 24, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapter 35. The proposed regulation was published in the February 9, 2002, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on October 3, 2002.

This final-form regulation from the PUC deletes existing regulations that deal with street railway transportation. These regulations govern private companies providing street railway service. Currently, there are only two entities, the Southeastern Pennsylvania Transportation Authority (SEPTA) and the Port Authority of Allegheny County (PAAC), that provide such services. As both SEPTA and PAAC are public entities, they do not fall under the jurisdiction of the PUC.

We have determined this regulation is consistent with the statutory authority of the Commission (66 Pa. C.S. § 501) and the intention of the General Assembly. Having

considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Environmental Hearing Board—Practice and Procedure; Regulation No. 106-7

On April 10, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Hearing Board (Board). This rulemaking amends 25 Pa. Code 1021. The proposed regulation was published in the April 20, 2002, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 26, 2002.

This regulation modifies provisions of the Board's rules of practice and procedure. These modifications include: amending the definition of "pleading"; a provision for signing documents filed with the Board; adding a provision for complaints filed against the Department; including timelines for discovery and termination of proceedings; and making miscellaneous corrections.

We have determined this regulation is consistent with the statutory authority of the Environmental Hearing Board (35 P. S. § 7515(c)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by Phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Department of Labor and Industry—Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board and the Workers' Compensation Judges; Regulation No. 12-61

On March 7, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapters 111 and 131. The proposed regulation was published in the March 23, 2002, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 24, 2002.

This regulation clarifies and provides detailed guidance for practice and procedure before workers' compensation judges and the Workers' Compensation Appeals Board. The regulation addresses changes made in practice and law since the last time these rules were updated in 1991.

We have determined this regulation is consistent with the statutory authority of the Department (77 §§ P. S. 710, 991(a) and (c) and 1514 and 71 § P. S. 565) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Department of Public Welfare—Outpatient Drug and Alcohol Clinic Services; Regulation No. 14-476

On September 12, 2002, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Public Welfare (Department). This rulemaking amends 55 Pa. Code Chapter 1223. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation eliminates the requirement that an outpatient drug and alcohol clinic's supervisory physician to perform a comprehensive medical exam on a patient within fifteen days following intake and before the provision of treatment. This revision provides Medical Assistance recipients access to drug and alcohol treatment prior to a comprehensive medical examination. Approved standards of clinical necessity for Medical Assistance patients will now be enforced. This regulation is a result of changes made to regulations promulgated by the Department of Health.

We have determined this regulation is consistent with the statutory authority of the Department (62 P. S. § 443.3(1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Insurance Department—Medicare Supplement Insurance Minimum Standards; Regulation No. 11-212

On September 13, 2002, the Independent Regulatory Review Commission (Commission) received this regulation from the Insurance Department (Department). This rulemaking amends 31 Pa. Code Chapter 89. On October 2, 2002, the Commission received a request from the Department to toll consideration of this final-omitted regulation to correct three drafting errors and clarify a reference to a Federal agency. On October 10, 2002, the Department submitted its revisions to the final-omitted regulation to the Commission. Notice of proposed rule-

making was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

The Department is amending its regulations to comply with Federal requirements in the Medicare, Medicaid and SCHIP Benefits Improvement and Protection Act of 2000. The amendments conform to the National Association of Insurance Commissioners revised model regulation. Federal law mandates these amendments.

We have determined this regulation is consistent with the statutory authority of the Department (71 P. S. § 186) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Department of Conservation and Natural Resources—State Parks; General Provisions; Regulation No. 7B-3

On March 13, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Conservation and Natural Resources (Department). This rulemaking amends 17 Pa. Code Chapter 11. The proposed regulation was published in the March 23, 2002, *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on September 20, 2002.

The regulation is a comprehensive update, reorganization and streamlining of existing provisions for State parks. In 2001, the Department reports that 36 to 38 million visitors entered the State parks. The fiscal impact of this regulation on the Commonwealth, local governments and State park visitors will be minimal.

We have determined this regulation is consistent with the statutory authority of the Department (71 P. S. § 1340.313) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Department of Revenue—Cash 5, Super 6 Lotto and Powerball; Regulation No. 15-421

On September 9, 2002, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Revenue (Department). This rulemaking amends 61 Pa. Code Chapters 816, 870 and

871. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation prohibits cancellation or voiding of Cash 5 and Super 6 Lotto tickets once printed by the lottery terminal; lowers the minimum jackpot from \$3 million to \$500,000 for the Super 6 Lotto game; and shortens public notice from 90 days to 30 days for changes to the Powerball game.

We have determined this regulation is consistent with the statutory authority of the Department of Revenue (72 P. S. § 3761-303(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Pennsylvania Liquor Control Board—Chapter 9. Transportation, Importation, Disposition and Storage; Regulation No. 54-58

On October 3, 2002, the Independent Regulatory Review Commission (Commission) received this regulation from the Pennsylvania Liquor Control Board (Board). This rulemaking amends 40 Pa. Code Chapter 9. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation amends existing regulations to allow Board-licensed transporters-for-hire to enter into agreements with non-licensed contractors. The regulation also eliminates a provision that requires notification to the Board when a vehicle used for the transportation of alcohol is taken out of service or sold.

We have determined this regulation is consistent with the statutory authority of the Board (47 P. S. § 2-207(i)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
October 24, 2002

Commissioners Voting: John R. McGinley, Jr., Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Arthur Coccodrilli; Robert J. Harbison, III; John F. Mizner

Department of Labor and Industry—Reasonable Assurance; Regulation No. 12-56

On March 8, 2001, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code by adding

Section 65.161. The proposed regulation was published in the March 24, 2001, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 27, 2002.

This regulation establishes criteria for determining the eligibility of employees of educational institutions for unemployment compensation benefits. This revision will bring the Department's unemployment compensation eligibility criteria into conformity with the United States Department of Labor requirements under section 3304(a)(6)(A) of the Federal Unemployment Tax Act (26 U.S.C. § 3304(a)(6)(A)).

We have determined this regulation is consistent with the statutory authority of the Department (43 P. S. § 761(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-2019. Filed for public inspection November 8, 2002, 9:00 a.m.]

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's comments are based upon the criteria contained in section 5.1(h) and (i) of the 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>
#12-60	Department of Labor and Industry Uniform Construction Code; Administration and Enforcement; Elevators and Other Lifting Devices	9/23/02	10/25/02

(32 Pa.B. 4127 (August 24, 2002))

**Department of Labor and Industry
Regulation No. 12-60**

**Uniform Construction Code; Administrative and Enforcement; Elevators and Other Lifting Devices
October 25, 2002**

We submit for consideration the following objections and recommendations regarding this regulation. Each

objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Department of Labor and Industry (Department) 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.

General Issues

1. Comments from the House Labor Relations Committee.—Legislative intent; Statutory Authority; Fiscal impact; Reasonableness; Implementation procedure; Clarity.

During our review of this regulation, we identified issues that raised questions related to the criteria of the Regulatory Review Act. Many of these issues were also raised in the comments submitted to the Department by the House Labor Relations Committee (House Committee) on October 15, 2002. Several of the House Committee members were actively involved in the passage of the Pennsylvania Construction Code Act, Act 45 of 1999 (Act). Comments and concerns raised by the House Committee are included in the Commission's comments.

2. Compliance procedures for health care facilities under § 403.22.—Statutory authority; Reasonableness; Economic impact; Clarity.

Section 403.22(a)(1) and (2) require health care facilities to comply with the Health Care Facilities Act and Department of Health regulations in 28 Pa. Code Part IV. Section 403.22(c) requires compliance with the same act and regulations. We request the Department explain its jurisdiction to require compliance with and enforce Department of Health regulations and the Health Care Facilities Act.

If the Department requires health care facilities to demonstrate compliance with Department of Health requirements as part of compliance with the proposed regulation, the procedures for coordinating the requirements of the Uniform Construction Code (UCC) and the Department of Health must be spelled out in the regulation. For example, the Hospital & Healthsystem Association of Pennsylvania (HAP) commented that the regulation is unclear regarding the process for health care facilities to obtain plan review/approval, inspections and issuance of occupancy certificates. HAP is concerned that health care facilities will have to coordinate between the Department, the Department of Health and the local municipality or third-party administrator, resulting in duplicative paperwork, confusion, potential construction delays and added costs.

Especially confusing is the provision in § 403.22(f) which requires the building code official to "provide written notice of Department of Health license and approval requirements for construction and occupancy under the Health Care Facilities Act and regulations at the time of plan approval." Does the "notice" requirement mean that the building official has to provide a copy of the Health Care Facilities Act and regulations to the permit applicant or is the official required to simply notify the applicant that the Health Care Facilities Act and regulations apply?

The final-form regulation should clearly set forth the administrative and procedural requirements that health care facilities must meet for new construction and alterations to existing construction.

3. Manufactured and industrialized housing.—Statutory authority.

Section 403.25 of the proposed regulation addresses manufactured and industrialized housing. Under this section, the UCC applies to site preparation, foundation construction, connection to utilities and certain alterations and repairs. The Modular Building Systems Association (MBSA) and the Pennsylvania Manufactured Housing Association (PMHA) assert that the Act does not give the Department the authority to promulgate regulations which regulate manufactured or industrialized housing. They cite section 901(a) of the Act (35 P. S. § 7210.901(a)) which states:

(a) Manufactured housing. This act shall not apply to manufactured housing which bears a label, as required by and referred to in the act of November 17, 1982 (P. L. 676, No. 192), known as the Manufactured Housing Construction and Safety Standards Authorization Act, which certifies that it conforms to Federal construction and safety standards adopted under the Housing and Community Development Act of 1974 (Public Law 93-383, 88 Stat. 633), nor shall it apply to industrialized housing, as defined in the act of May 11, 1972 (P. L. 286, No. 70), known as the Industrialized Housing Act.

MBSA argues that the proposed regulation conflicts with the Industrialized Housing Act and regulations administered by the Department of Community and Economic Development (DCED) which comprehensively regulate both the manufacture and onsite completion of the home. PMHA also argues that the Industrialized Housing Act and the Manufactured Housing Act govern the installation of these homes. Senator Gibson E. Armstrong, Chairperson of the Senate Labor and Industry Committee, submitted a letter questioning the Department's authority to include manufactured and industrialized housing in this regulation. We also question the Department's statutory authority for including industrialized and manufactured housing in § 403.25.

4. Lack of action by municipalities on adopting the UCC.—Legislative intent; Clarity.

Section 104(a) of the Act (35 P. S. § 7210.104(a)) states "this act shall apply to construction, alteration, repair and occupancy of all buildings in this Commonwealth." However, § 403.101 of the proposed regulation does not indicate what happens when municipalities do not take positive action to either adopt and enforce the UCC or reject adopting and enforcing the UCC. What is the deadline for action? When and how does the Statewide UCC become the effective code in a municipality if its governing body takes no action? Provisions for these situations should be included in the final-form regulation.

5. Building code official and construction code official.—Clarity.

Commentators have noted that the terms "building code official" and "construction code official" and similar titles are often used interchangeably throughout the regulation. This proposed regulation is adding a definition of "building code official" to § 401.1. The term "construction code official" is defined in the existing language in section 401.1 and in the Act. There are similarities as well as differences between the two definitions. This results in confusion over the respective duties and powers of these officials. The Department should differentiate between these two officials and explain the differences in their duties.

Chapter 401. Uniform Construction Code Training and Certification of Code Administrators

6. Section 401.1. Definitions.—Consistency with other regulations; Reasonableness; Clarity.

General—Building, Permit and Structure

In § 403.21(a) the regulation lists the codes that “the Department adopts and incorporates by reference as the Uniform Construction Code.” In this list, subsection (a)(1) includes “the provisions of Chapters 2—29 and 31—35 of the ‘International Building Code [IBC].’” Commentators note that in § 401.1, the proposed regulation includes definitions for terms that are also defined in Chapter 2 of the IBC. Although the definitions of these terms in the proposed regulation are very similar to the IBC definitions, there are differences. The Department should explain the need to define terms in the regulation when it is already incorporating the IBC definitions of these terms.

Building code official

This official is also described in the list of certified officials in the existing regulations at § 401.7(18). It would be helpful to reference the existing description in the certification regulations in this definition.

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Given that this term is used only once in the regulation at § 403.21(e)(2), the definition should be in that section. Since the “EZ” is not used in § 403.21(e)(2), is it necessary?

Commercial construction

There are two concerns. First, the definition of this term is “a building, structure or facility that is not a residential building.” The regulation and Chapter 2 of the IBC include definitions for a “building” and “structure” but not for a “facility.” The inclusion of the word “facility” is unnecessary, and it should be deleted.

Occupancy or Occupied

These terms are used in different parts of the regulation. Some commentators have questioned whether their meaning is consistent. If these terms have a consistent meaning throughout the regulation, definitions of the terms should be included in this section.

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Given that this term is used only once in the regulation at § 403.21(e)(1), the definition should be in that section.

Residential building

The use of the phrase “the dwellings’ accessory structures” is unclear. What are “accessory structures”?

7. Section 401.2. Department fees.—Fiscal impact; Reasonableness; Implementation procedure; Clarity.

Overall

Commentators have expressed concern about the impact of the fee formulas relating to construction and renovation or modification. They indicate that the fee schedules would add excessive and unnecessary costs that would deter growth in new buildings and the expansion and renovation of existing structures. The Department should justify the fees and the processes for calculating the fees. The methods and data used to determine that the fees meet and do not exceed costs should be made available to the public and included with submission of the final-form regulation.

Subsection (b)

Subsection (b)(4) lists a fee of \$200 for an “interim accessibility plan review and inspection.” However, this term is not used elsewhere in the regulation. What is an “interim accessibility plan review and inspection”?

Subsection (g)

For a “variance request,” subsection (g)(1) and (2) lists \$100 for both the Industrial Board and Accessibility Advisory Board. Does this fee apply to each request or each appearance before the respective board?

Chapter 403. Administration

Generally

8. Section 403.1. Scope.—Reasonableness; Clarity.

Subsection (a)

This subsection refers to “all existing structures that are not legally occupied.” Clarity would be improved by defining the term “legally occupied.”

Subsection (b)

Subsection (b)(3) exempts certain structures from the UCC, including “carports, detached private garages, greenhouses, sheds having a building area less than 500 square feet that are accessory to detached one-family dwellings, buildings or structures of an accessory character, and miscellaneous structures not classified in the Uniform Construction Code.” These exemptions are unclear and open to interpretation.

The final-form regulation should define “private garages” and “accessory character” and should define or provide examples of “miscellaneous structures.” Additionally, why does the regulation contain specific square footage limitations for sheds, but not for the other structures which are exempt from the UCC?

Subsection (c)

Subsection (c)(1) addresses construction under permits which were issued prior to the effective date of this regulation. Construction under these permits may be completed, provided that construction began within 2 years of permit issuance or within a time period specified in a municipal ordinance. Subsection (c)(2) authorizes construction to be completed if it was begun without a permit prior to the effective date of this regulation and a permit was not required at the time. However, subsection (c)(2) contains no time limit for completion of construction. The Department should consider imposing a time limit for completion of construction in the final-form regulation.

9. Section 403.21. Uniform Construction Code.—Reasonableness; Economic impact; Adverse effect on competition; Clarity.

Subsection (a)

Commentators object to the adoption by reference of the International Codes Council (ICC) Electrical Code in subsection (a)(2). They advocate adoption of the National Electrical Code (NEC) NFPA (National Fire Protection Association) 70. Is there a difference between these codes? If so, why did the Department select the ICC Electrical Code?

Subsection (c)

This subsection states, “Appendices to a code or standard listed in subsection (a) are not adopted in the Uniform Construction Code except for the provisions adopted in subsection (a)(10).” The Accessibility Advisory

Board comments that this provision means Appendix E of the IBC entitled "Supplementary Accessibility Requirements" would not be adopted. As a result, certain accessibility standards would no longer be required. The Department should adopt Appendix E in the final-form regulation, or explain how accessibility requirements will remain at their current level without the adoption of Appendix E.

Subsection (d)

This subsection prescribes specifications for stairway construction for certain residential use groups which are to be followed until December 31, 2003. What specifications must be followed after December 31, 2003?

Subsection (e)

This subsection lists methods for demonstrating compliance with the UCC energy conservation requirements. One of the methods for residential construction is the Pennsylvania Housing Research/Resource Center (PHRC) Alternative. It is our understanding that the PHRC Alternative will provide residential builders with a simpler calculation to demonstrate compliance with energy conservation requirements than the window to wall area calculation required by the International Residential Code (IRC). Commentators, however, have questioned the validity of the PHRC Alternative, asserting that the standards in the PHRC Alternative are not as stringent as the IRC standards and will result in a less energy efficient home. Commentators further note that other states have successfully implemented the IRC standards.

Additionally, the Pennsylvania Petroleum Marketers and Convenience Store Association (PPMCSA) comments that the fuel efficiency standards for furnaces in the PHRC Alternative appear to favor one home heating fuel source. Specifically, PPMCSA states that since oil furnaces generally could not achieve the 90 Annual Fuel Use Efficiency rating required for high efficiency tradeoffs in the PHRC Alternative, consumers desiring oil heat would be required to meet the IRC requirements. The result would be that builders would incur higher costs to install oil heating units, making them an undesirable heating source for new construction. Senator Armstrong, by letter dated October 10, 2002, indicated agreement with the concerns expressed by PPMCSA.

We request that the Department explain the need for the PHRC Alternative and the impact it will have on the availability of choices of home heating sources for new construction. We also request the Department explain how the energy conservation requirements of the IRC will be met using the PHRC Alternative.

10. Section 403.23. Child day-care facilities.—Fiscal impact; Conflict with existing regulations; Reasonableness; Clarity.

Use group classifications

This section establishes the use group classifications for child day-care facilities. Several of the use group classifications are inconsistent with the requirements in the IBC. Specifically, subsection (c) requires a family child day-care home that provides care to six children, which includes a child under 2 1/2 years of age, to comply with Group I-4 of the IBC. However, in the IBC, Group I-4 applies to care of more than five children who are under 2 1/2 years of age, not one child under 2 1/2 years of age. Subsection (g) also requires compliance with Group I-4 when one child in care is under 2 1/2 years of age. Finally, subsection (i)(1) and (2) requires compliance with Group I-4 when care is provided to five or more children and one

child is under 2 1/2 years of age. However, as previously noted, the IBC Group I-4 applies when there are more than five children who are under 2 1/2 years of age. The final-form regulation should be revised to be consistent with the IBC.

Additionally, commentators note that the use group classifications in the regulation are inconsistent with the existing Department of Public Welfare (DPW) requirements for family and group child care centers. Therefore, adopting the IBC requirements will impose more stringent construction and fire safety standards which will be cost prohibitive for child care centers. How will the requirements in this regulation be reconciled with the existing DPW requirements? Has the Department addressed conflicting regulatory requirements with the DPW?

11. Section 403.24. Historic buildings, structures and sites.—Clarity.

This section lists the conditions under which a building code official may exclude a building or part of a building from the UCC. In the first sentence of paragraph (3), the phrase "excluded from the Uniform Construction Code" is unnecessary and should be deleted.

12. Section 403.25. Manufactured and industrialized housing.—Clarity.

Subsection (a)(3)(iii) and (iv) includes "occupancy" as a trigger for when the UCC applies. The final-form regulation should clarify whether the term "occupancy" refers to the ownership of the home or the IBC occupancy classification.

13. Section 403.42. Permit application.—Reasonableness; Need; Clarity.

Format

This section sets forth the permit application requirements for commercial construction. Section 403.62 sets forth the comparable requirements for residential construction. However, these two sections are formatted differently. For clarity, the formats should be similar.

Subsection (b)

This subsection and § 403.62(b) require a permit applicant to use a form provided by the DCED. Local jurisdictions questioned the need for the DCED form, noting that they have either already established permit application forms or developed computerized permit applications with existing software.

We agree with commentators that a standardized permit application form is unnecessary. The Department should consider amending §§ 403.42(b) and 403.62(b) to list the information to be included on the permit application form and make the DCED form optional. We note the Department used this approach for certificates of occupancy in §§ 403.46 and 403.64.

This subsection also requires the applicant to "complete additional information requested by the municipality." What types of "additional information" may be required?

Subsection (f)

This subsection requires the applicant to attach "construction documents" to the permit application. The final-form regulation should clarify whether "construction documents" includes the specifications document.

Subsection (j)

This subsection requires shop drawings to "be approved before the start of the system installation." The regula-

tion, however, does not specify who must approve the shop drawings. Is the approval done by the code official or by the licensed professional, or both?

Subsection (n)

Subsection (n) requires the permit application to identify the "name and address of the individual who will observe the construction." A commentator notes that this information is usually not known until sometime between bidding and construction. Is this information generally available at the time of permit application? If not, this requirement should be revised.

14. Section 403.43. Grant, denial and effect of permits.—Reasonableness; Clarity.

Subsection (c) requires the code official to mark on the construction documents any required changes necessary to comply with the UCC. Commentators have raised concerns that this requirement would place the building code official in the position of violating the licensing and registration laws for architects and engineers. The final-form regulation should clarify that it is not the Department's intent to have code officials engage in the practice of architecture or engineering without a license.

15. Section 403.44. Construction materials and changes.—Reasonableness; Clarity.

Subsection (a) states that materials, equipment and devices evaluated by National Evaluation Services, Incorporated that meet the UCC are considered an "approved" design, equipment or device. Commentators have noted that there are other organizations which evaluate materials and equipment, such as the American Society for Testing and Materials or Underwriters Laboratories. Why is National Evaluation Services the only organization referenced in the regulation? We object to the selection of a single source evaluation agency if other qualified agencies are available.

16. Section 403.45. Inspections.—Clarity.

Subsection (c)

This subsection states that the "code official may inspect the construction and equipment during normal business hours." The word "only" should be inserted after "equipment."

Subsection (e)

Subsection (e)(1) lists "general building" as an area to be listed in the final inspection report as complying with the UCC. Clarity would be improved by specifying what is encompassed by "general building."

17. Section 403.46. Certificate of occupancy.—Clarity.

Subsection (b) requires the building code official to issue a certificate of occupancy after receiving the final inspection report which indicates that the completed construction work complies with the UCC. The final-form regulation should include the time frame within which the code official must issue the certificate of occupancy after receiving the final inspection report.

18. Section 403.47. Public utility connections.—Reasonableness; Clarity.

Subsection (a)

This subsection requires the building code official to authorize public utility connections. Numerous building code officials have commented that they do not generally authorize utility connections. Who may authorize a utility connection?

Subsection (b)

Under this subsection, the building code official must notify the owner or occupant in writing if a utility disconnection was authorized without prior notification. The final-form regulation should include the time frame within which the notification must be made.

19. Section 403.61. Residential buildings.—Consistency within the regulation; Clarity.

This section governs the construction, alteration and repair of residential buildings but is not analogous to its counterpart, § 403.41, which sets forth requirements for commercial construction. Section 403.61 highlights the applicable sections that apply to municipalities electing to enforce the UCC. Section 403.41 does not include a similar statement. Additionally, § 403.61 applies to third-party agencies, while Section 403.41 does not. The Department should explain these differences.

20. Section 403.62. Permit application and approval.—Clarity.

Subsection (b) discusses the content of permit applications. We have two concerns. First, as stated in Issue No. 13 relating to § 403.42, the Department should amend the regulation to provide municipalities with the option of using the "form provided by the Department of Community and Economic Development" or their own forms which include the minimum content requirements established by regulation.

Second, what are examples of "additional information" municipalities may request from applicants? Could this information include construction documents? The Department should clarify the final-form regulation to include examples of "additional information."

21. Section 403.63. Inspections.—Reasonableness; Clarity.

General

Section 403.63 sets out requirements and procedures for inspections. Section 403.64 provides requirements and procedures for certificates of occupancy. The final-form regulation should include the time frame within which the code official must issue the certificate of occupancy after receiving the final inspection report.

Subsections (a) and (g)

The term "building permit" is used in subsections (a) and (g). For clarity, the Department should use the defined term "permit" in subsections (a) and (g).

Subsections (d) and (f)

Subsection (d) requires a construction code official to make a number of inspections and file reports relating to UCC compliance in the following areas: foundation, plumbing, mechanical and electrical systems, frame and masonry and wallboard. Subsection (f) requires a final inspection report, covering the following areas: general building information, electrical, plumbing, mechanical, energy conservation and fuel gas. We have two concerns.

First, why are these lists different? Why will the construction code official be required to inspect different areas during and then after construction? The Department should explain.

Second, the term "general building information" in subsection (f)(1) is unclear. The Department should provide examples of "general building information" in this section.

Subsection (e)

This subsection allows construction code officials to conduct "other inspections." For clarity, the Department should include examples of what could be considered "other inspections."

22. Section 403.65. Public utility connections.—Reasonableness.*Subsection (b)*

This section addresses the building code official's ability to connect and disconnect utility service. We have two concerns.

First, if a municipality opts out of enforcing the UCC, will a third-party building code official have the power to have a utility service disconnected?

Second, are the building code officials required to provide notice to parties before utility service is disconnected? The Department should include a time frame for the notice in subsection (b).

23. Section 403.85. Retention and sharing of commercial construction records.—Public safety; Reasonableness; Need; Clarity.*Subsections (a), (c) and (d)*

This section provides the recordkeeping requirements for building code officials. We have two concerns.

First, subsection (a), relating to record retention, requires a building code official to "retain these records as long as the related building, structure or equipment remains in existence." If a building is substantially renovated, will those records from the new construction replace the records for the old structure?

Second, relating to public access to records, subsection (c) requires a municipality that discontinues enforcing the UCC to "keep records of previous Uniform Construction Code enforcement." Further, the municipality "shall make these records available to the Department." Subsection (d) provides that the Department make its records available to a municipality that elects to enforce the UCC. Will the public have access to these records? If so, how will access be granted?

Subsection (b)

Subsection (b) requires a building code official to "reproduce records kept in an electronic format to a hard-copy format upon request." Who may request records? Are there restrictions on public access to building plans where there may be a security risk involved?

24. Section 403.86. Right of entry to inspect.—Clarity.

Subsection (a) permits a construction code official to enter a building, structure or premises "at reasonable times." This phrase is unclear. The Department should replace this phrase with "during normal business hours."

25. Section 403.101. Municipalities electing to enforce the Uniform Construction Code.—Clarity.*Subsection (i)*

The cross-reference to § 401.3 (relating to municipal and third party agency fees) should be corrected to read § 401.2a.

Subsection (j)

Municipalities that elect to enact an ordinance that equals or surpasses the UCC must notify the Department

of their election, and submit materials for the Department's review. How will the Department's determination be communicated to the municipality?

Subsection (l)

Subsection (l) states, "A municipality may require an applicant to provide additional information on an addendum to an application." The term "additional information" is unclear. The Department should provide examples of "additional information" in the final-form regulation.

26. Section 403.102. Municipalities electing not to enforce the Uniform Construction Code.—Consistency with statute.

Subsection (f) requires a permit applicant in a municipality that is not enforcing the UCC to obtain the Department's services for plan review and inspection. However, section 501(e)(2) of the Act (35 P. S. § 7210.501(e)(2)) allows a permit applicant to obtain the services of the Department or an appropriate third-party agency. Why doesn't the regulation include this option?

27. Section 403.103. Department review.—Reasonableness; Clarity.*Subsection (a)*

This subsection requires that the Department investigate written and signed complaints concerning the enforcement and administration of the UCC. At the end of the investigation, "The Department will make a report to the governing body of the municipality or third-party agency that was the subject of the review and provide recommendations to address any deficiencies found by the Department." This section should include corrective measures the Department can pursue for non-compliance with the UCC.

Subsection (b)

Subsection (b) states, "The Department will review each municipal enforcement program at least once every 5 years." What would cause the Department to review a municipal enforcement program more than once in a 5-year period?

28. Section 403.121. Board of Appeals.—Clarity.

Subsection (c) contains the qualifications for an individual to serve on a municipality's Board of Appeals. These credentials are: "A member of the board of appeals shall be qualified by training and experience to pass on matters pertaining to building construction."

These qualifications are vague. The Department should include more detail for minimum qualifications, such as membership in specific trade associations, inspection experience or current employment in the construction business.

29. Section 403.122. Appeals, variances and extensions of time.—Reasonableness; Clarity.*Subsection (a)*

This subsection allows an owner or owner's agent to file an appeal with a building code official on a form provided by the municipality. The Department should explain why the appeal would be filed with the building code official rather than with the Board of Appeals.

Subsection (b)

This subsection states, "The postmark date or the date of personal service will establish the filing date." Will an individual be able to file by using an alternative delivery

service, like United Parcel Service or Federal Express? If so, the Department should specifically include other delivery services in this section. If not, the Department should clarify the term "postmark" by replacing it with "United States Postal Service Postmark." This issue also appears in § 403.142(d)(2), relating to Accessibility Advisory Board.

Subsection (i)

This subsection provides the range of actions the Board of Appeals may take. The phrase "other appropriate relief" in subsection (i)(4) is unclear. The Department should include examples of "other appropriate relief" in the final-form regulation.

Subsection (j)

Subsection (j) requires the Board of Appeals to provide a written notice of its decision to the owner and the building code official. Will the municipality also receive written notice of the Board's decision?

30. Section 403.142. Accessibility Advisory Board.—Reasonableness; Clarity.

Subsection (d)(5) states, "The Accessibility Advisory Board will schedule a hearing and will notify the owner and the building code official of the date, time and place of the hearing." We have two concerns.

First, how much notice will the Accessibility Advisory Board provide to the parties between notification and the hearing? The final-form regulation should state a minimum time frame between notification and hearing.

Second, how will the parties be notified of the hearing? The regulation should specify the means of notice.

Chapter 405. Elevators and Other Lifting Devices

31. Section 405.1. Scope.—Reasonableness; Clarity.

Subsection (b)

Subsection (b)(3) states that the UCC does not apply to "elevators and lifting devices solely used by the occupants of a dwelling unit." Commentators questioned the definition of a dwelling unit. This term appears to have several definitions in the IBC. The final-form regulation should explain the intent of this term and this exception.

Subsection (c)

Under subsection (c)(3), elevators and lifting devices that were issued certificates of operation before the effective date of this proposed regulation may remain in use under the previous regulations. One commentator questioned at what level of repair or renovation this exemption would be negated, and the Department would require compliance with the new regulations. The final-form regulation should address the effect of repairs or renovations.

32. Section 405.8. Periodic inspection and testing.—Public safety; Reasonableness.

Subsection (a)(3) sets forth a periodic inspection interval of 5 years for certain items including oil hydraulic elevators. One commentator recommends that oil hydraulic elevators should be inspected on a more frequent basis because most of these units were installed before 1973. The commentator also references the American Society of Mechanical Engineers recommendation that these elevators be inspected on an annual basis. The Department should review this requirement and consider whether these elevators should be inspected more frequently than every 5 years.

33. Section 405.11. Accident report.—Reasonableness; Implementation procedure; Clarity.

Subsection (a)

This subsection includes a requirement that an owner of an elevator or lifting device must submit an accident report to the Department if the device is involved in an accident resulting in a "fatal injury or hospitalization to a person." One commentator raised the concern that ski lift owners may not know when a skier injured by a lift is hospitalized. The commentator suggests that the provision be amended to provide direction regarding situations when an owner is not immediately aware that the injured party is hospitalized. This issue should be addressed in the final-form regulation.

Subsection (b)

This subsection requires the owner or authorized representative to submit the accident report on a Department-prescribed form that must be received by the Department within 24 hours of the accident. There are several questions. How will owners or their staff obtain copies of the Department-prescribed form? Will a copy be available on the Department website? What type of media may an owner or their authorized representative use to deliver the form to the Department? May they use email or fax to send the form?

34. Section 405.12. Lumber elevators.—Reasonableness; Clarity.

Subsection (w) reads: "As part of the initial inspection, the elevator shall be loaded to rated lifting capacity and operated throughout its entire travel." The intent of the words "initial inspection" is unclear. Do they limit testing an elevator at its rated lifting capacity to just the first inspection? The purpose of the word "initial" should be explained or this subsection should be amended in the final-form regulation.

35. Section 405.35. Landing doors.—Reasonableness; Clarity.

Subsection (b) states "shaftway landing doors shall be equipped with an approved interlock." What or who determines when an interlock is "approved"?

36. Editorial Changes.—Clarity.

Section 401.1.

In the definition of "building code official," it appears that the word "code" is missing and should be placed between the words "building" and "enforcement" in the first sentence of the definition.

Section 403.25(a)(3)(ii)

The phrase "to the delivery" appears to be a typographical error and should be deleted.

Section 403.42(c)(vii)

This provision refers to "temporary motion picture, television, and theater sets stage sets and scenery." The phrase "theater sets stage sets" is confusing and should be reworded.

Section 403.63(h)

There is a typographical error in this section. The second subsection (f) should be relettered as subsection (h).

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-2020. Filed for public inspection November 8, 2002, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

Final-Form

Reg. No.	Agency/Title	Received
16A-416	State Architects Licensure Board Examination Fees	10/24/02
14-452	Department of Public Welfare Early Intervention Services	10/24/02
16A-7011	State Board of Certified Real Estate Appraisers Fees for Board Services	10/24/02
7B-4	Department of Conservation and Natural Resources State Forest Picnic Area	10/25/02
11-210	Insurance Department Workers' Compensation Security Fund	10/25/02

Final-Omit

Reg. No.	Agency/Title	Received
11-216	Insurance Department Fees and Collection Procedures	10/25/02

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-2021. Filed for public inspection November 8, 2002, 9:00 a.m.]

INSURANCE DEPARTMENT

Stephen D. Bissell; Prehearing

License Denial; Doc. No. AG02-10-016

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

A prehearing telephone conference initiated by this office is scheduled for January 7, 2003, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before November 8, 2002. A hearing shall occur on January 22, 2003, at 10 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA. 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. Pending hearing, parties shall exchange proposed exhibits and the names of witnesses, provide an offer of proof with respect to each witness and informally attempt to resolve undisputed facts by stipulation.

On or before December 24, 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) a statement of additional contended facts; (3) names and addresses 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 or 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 January 3, 2003, 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 January 14, 2003.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-2022. Filed for public inspection November 8, 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 and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Harrisburg Administrative Hearings Office, Capital Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Kurt E. Klappowski; file no. 02-188-06237; Leader Insurance Company; doc. no. P02-10-007; November 19, 2002, at 10 a.m.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Edward I. and Linda T. Swichar; file no. 02-265-04699; Liberty Mutual Fire Insurance Company; doc. no. PH02-10-009; December 6, 2002, at 1 p.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 the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-2023. Filed for public inspection November 8, 2002, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Harrisburg Administrative Hearings Office, Capital Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Timothy and Joseph Weir; file no. 02-181-07815; Ohio Casualty Insurance Company; doc. no. P02-10-018; November 19, 2002, at 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.

Appeal of Alberta Epps; file no. 02-267-04043; Pa. General Ins. Co. (One Beacon Insurance Group); doc. no. PH02-10-010; December 6, 2002, at 11 a.m.

Appeal of Vicki A. Hagel; file no. 02-280-05405; Harleysville Mutual Insurance Company; doc. no. PH02-10-017; December 6, 2002, at 2 p.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-2024. Filed for public inspection November 8, 2002, 9:00 a.m.]

Lloyd Shelton; Hearing

License Denial; Doc. No. AG02-09-005

A hearing is scheduled for November 25, 2002, at 9 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

On or before November 13, 2002, a joint stipulation of facts must be filed with the Administrative Hearings Office. On or before November 15, 2002, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a statement of contented facts; (2) names and addresses of witnesses along with the specialties of experts to be called; (3) a list of documents to be used at the hearing; (4) special evidentiary or other legal issues; and (5) 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.

Both parties shall appear at the scheduled hearing prepared to offer all relevant testimony or other evidence. Each party must bring documents, witnesses and any other items 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.

Any counsel who has not yet entered an appearance on behalf of a party must file an entry of appearance with the Administrative Hearings Office on or before November 13, 2002.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-2025. Filed for public inspection November 8, 2002, 9:00 a.m.]

Standards for Safeguarding Customer Information; Advanced Notice of Proposed Rulemaking

The Insurance Department (Department) is seeking input on a preproposed rulemaking from the various trade groups and individuals that comprise the insurance industry.

This preproposed rulemaking is needed to implement the remaining privacy requirements for nonpublic financial and health information set forth in Title V of the Gramm-Leach-Bliley Act (GLBA) (15 U.S.C.A. §§ 6801—6827) following the Department's implementation of Chapter 146a (relating to privacy of consumer financial information) published at 31 Pa.B. 4426 (August 11, 2001) and 31 Pa. Code Chapter 146b (relating to privacy of consumer health information) published at 32 Pa.B. 5268 (October 26, 2002).

Title V of the GLBA requires various state and Federal regulators of the financial services industries to promulgate regulations for their respective regulated communities. For example, state insurance authorities are required by Title V of the GLBA to establish appropriate consumer privacy standards for various entities in the insurance industry. The failure of a state to adopt privacy regulations could result in the state's inability to override the Federal insurance consumer protection regulations that were issued by the Federal banking agencies in final form on December 4, 2000, under section 305 of the GLBA (15 U.S.C.A. § 6805). See 65 FR 233, 75821 (to be codified at 12 CFR Parts 14, 208, 343 and 536). These regulations became effective on April 1, 2001, and they pertain generally to the sale of insurance by financial institutions and specifically to matters such as referral fees, separation of banking and insurance sales areas and disclosures regarding the nature of insurance products that are sold by banks.

The purpose of this rulemaking is to implement the remaining requirements of Title V of the GLBA relating to the internal safeguarding of customer information maintained by a licensee. Accordingly, this proposal is based upon the NAIC Standards for Safeguarding Customer Information Model Regulation.

The Department will review the comments for the drafting of the proposed rulemaking, which will be published in the *Pennsylvania Bulletin* after the legislative committees are formed in 2003.

Copies of this advanced proposal may be obtained from the Department is asking that comments on this ad-

vanced proposed rulemaking be sent in writing to Peter J. Salvatore, Regulatory Coordinator, Insurance Department, 1326 Strawberry Square, Harrisburg, PA 17120. The Department is asking that all comments be sent to Pete Salvatore within 30 days following the publication of this notice in the *Pennsylvania Bulletin*. Questions and comments may also be e-mailed (preferred method) to psalvatore@state.pa.us or faxed to (717) 772-1969.

M. DIANE KOKEN,
Secretary

[Pa.B. Doc. No. 02-2026. Filed for public inspection November 8, 2002, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The Liquor Control Board seeks the following new site:

Bucks County, Wine & Spirits Shoppe #0934, Washington Crossing, PA.

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space located in a 1 mile radius around the intersection of Routes 32 and 532, Upper Makefield Township.

Proposals due: November 29, 2002, at 12 p.m.

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

Montgomery County, Wine & Spirits Shoppe #4626, Park Ridge Shopping Center, 6 North Park Avenue, Norristown, PA 19403-1317.

Lease Expiration Date: September 30, 2003

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space located in a 1 mile radius around the intersection of Ridge and Park Avenues, West Norriton Township.

Proposals due: November 29, 2002, at 12 p.m.

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

JONATHAN H. NEWMAN,
Chairperson

[Pa.B. Doc. No. 02-2027. Filed for public inspection November 8, 2002, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Railroad With Hearing

M-00021611. CSX Transportation, Inc. Bridges/SR 0291 CSX Transportation, Inc. crossings where Penrose

Avenue (SR 0291) crosses below the grade of the two bridges of CSX Transportation, Inc. in the City of Philadelphia (DOT 530 141 W and DOT 140 678 G).

An initial hearing on this matter will be held on Tuesday, December 3, 2002, at 10 a.m. in an available hearing room, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-2028. Filed for public inspection November 8, 2002, 9:00 a.m.]

Representative Default Orders

The Law Bureau Prosecutory Staff of the Pennsylvania Public Utility Commission (Commission) filed formal complaints against 83 named telecommunications resellers for failure to file their 2000 annual reports.

The Commission attempted service of the complaints upon all 83 resellers. Service was perfected on 34 of the utilities. To date, more than 20 days after service, no answer has been received from any of these 34 utilities.

According to United States Postal Service return receipts, service of the complaints was not perfected on 49 of the resellers, due to the complaints being unclaimed, unclaimed because forwarding address expired or refused. Again, more than 20 days after attempted service, no answers have been received.

Therefore, the Commission has ordered the Secretary's Bureau to publish notice of these default orders which revoke the resellers' certificates of public convenience after a 20-day comment period, absent adverse comment. Thirty days after publication in the *Pennsylvania Bulletin*, absent adverse comment and without further Commission action, the certificates shall be revoked and the utilities' names stricken from all active utility lists maintained by the Commission.

Following are four representative orders, reflecting language indicating service perfected, unclaimed, unclaimed because forwarding address expired or refused, with a list of utility names and docket numbers corresponding to each order.

Representative order and list of utility names and docket nos. for utilities upon which service was perfected:

Global Crossing Telemngt, Inc.	C-20027736
U.S. Network Services, Inc.	C-20027743
Access One Inc.	C-20027755
Free Network, LLC	C-20027760
Intelcom, Inc.	C-20027764
St. Long Distance, Inc.	C-20027769
Small Business Billing Inc.	C-20027771
Essential.Com, Inc.	C-20027775
Asia Access Telecom, Inc.	C-20027778
Telergy Network Services, Inc.	C-20027780
Uki Communications, Inc.	C-20027788
Sasnet, Inc.	C-20027789
Capsule Communications, Inc.	C-20027791
S.V.V. Sales, Inc.	C-20027792
Xtracom, Inc.	C-20027795
Paramount Intl. Telecomm., Inc.	C-20027803
Totalaxess.Com, Inc.	C-20027805

Global Crossing Telemngt, Inc.	C-20027736
Telergy Midatlantic, LLC	C-20027811
Worldxchange Corp.	C-20027814
Sigma Networks Telecommunications	C-20027815
Hanaro Corp.	C-20027816
Paging Partners Corp.	C-20027819
Enterprise Marketing Services, Inc.	C-20027824
LDM Systems, Inc.	C-20027835
Hello Card, Inc.	C-20027842
Florida Network, USA	C-20027844
American Telesource Intl., Inc.	C-20027847
International Telcom, Ltd.	C-20027849
Qwest Interprise America, Inc.	C-20027850
Atlantic Telecom Corp.	C-20027853
International Exchange Networks Ltd	C-20027859
Easy Cellular, Inc.	C-20027865
SBR, Inc.	C-20027866

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Public Meeting held
October 24, 2002

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

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. 01 Communications of Penna., LLC
(2001.0352); Doc. No. C-20027783; A-310885*

Default Order

By the Commission:

On May 23, 2002, the Law Bureau Prosecutory Staff filed a Formal Complaint proceeding against 01 Communications of Penna., LLC (the Respondent), an IXC reseller certificated at A-310885. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2000 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2000 Annual Report.

The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2000 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served June 12, 2002. To date, more than 20 days later, no answer has been filed to the Complaint and the 2000 Annual Report has not been filed; *Therefore,*

It Is Ordered That:

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

2. The Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. That 01 Communications of Penna., LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative IXC service provider within 30 days of the date of the notice. Notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2.

4. That absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and

without further action by the Commission, the certificate of public convenience held by 01 Communications of Penna., LLC at Docket No. A-310885 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Representative order and list of utility names and Docket Nos. for utilities upon which service was unclaimed:

C-20027840	L.D.C. Consultants
C-20027774	Jato Operating Two Corp.
C-20027810	Inlec Comm. of Pa., LLC
C-20027744	HJN Telecom, Inc.
C-20027761	Fon Digital Network Inc.
C-20027753	First Regional Telecom LLC
C-20027813	Ecom USALimited
C-20027848	Intercontinental Comm. Group.
C-20027770	Corporate Billing Management Inc.
C-20027868	Combined Billing Corp.
C-20027799	Cash Back Rebates L.D. Com., Inc.
C-20027773	Callmanage Inc.
C-20027756	Broadpoint Communications Inc.
C-20027807	Purepacket Communications of the Northeast
C-20027830	Telcom United North, Inc.
C-20027826	Wats Plus, Inc.
C-20027776	Nustar Telephone Co., Inc.
C-20027781	Local Business Billing, Inc.
C-20027854	USA Global Link, Inc.
C-20027867	United Services Telephone, LLC
C-20027831	Shared Comm. Services of Devon Sq.
C-20027832	Shared Comm. of Walnut Hill Plaza
C-20027766	Qtel Inc.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Public Meeting held
October 24, 2002

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

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. EZ Talk Communications (2001.0352); Doc. No. C-20027739; A-310691

Default Order

By the Commission:

On, May 23, 2002 the Law Bureau Prosecutory Staff filed a Formal Complaint proceeding against EZ Talk Communications (the Respondent), an IXC reseller certificated at A-310691. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2000 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2000 Annual Report.

The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2000 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2000 Annual Report has not been filed; *Therefore,*

It Is Ordered That:

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

2. The Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. EZ Talk Communications immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative IXC service provider within 30 days of the date of the notice. Notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by EZ Talk Communications at Docket No. A-310691 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Representative order and list of utility names and Docket Nos. for utilities upon which service was unclaimed because forwarding address expired:

C-20027837	CRG International, Inc.
C-20027758	Corecomm Pennsylvania, Inc.
C-20027772	Columbia Telecommunications Inc.
C-20027828	Call Communications, Inc.
C-20027751	AX Telecommunications, Inc.
C-20027822	American Network Exchange, Inc.
C-20027752	Telquest Communications, Inc.
C-20027833	Shared Comm. Services of JFK Blvd.
C-20027750	Internet Telephone Co.
C020027748	Faxnet Corporation
C-20027754	Global Internet Communications Inc.
C-20027763	Harvardnet, Inc.
C-20027802	Idealdial Corp.
C-20027829	Hogan Company
C-20027818	Philadelphia Local Telegraph Co.
C-20027861	Worldtouch Communications, Inc.
C-20027798	NUI Telcom, Inc.
C-20027746	Latin American Enterprises, Inc.
C-20027796	Northwest Communications, Inc.
C-20027817	Enkico, Inc.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Public Meeting held
October 24, 2002

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

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Single Billing Services Inc. (2001.0352); Doc. No. C-20027742; A-310713

Default Order

By the Commission:

On, May 23, 2002 the Law Bureau Prosecutory Staff filed a Formal Complaint proceeding against Single Bill-

ing Services Inc. (the Respondent), an IXC reseller certificated at A-310713. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2000 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2000 Annual Report.

The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2000 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was unclaimed because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2000 Annual Report has not been filed; *Therefore*,

It Is Ordered That:

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

2. The Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Single Billing Services Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative IXC service provider within 30 days of the date of the notice. Notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Single Billing Services Inc. at Docket No. A-310713 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

Representative order and list of utility names and Docket Nos. for utilities upon which service was refused:

C-20027841 LDD, Inc.
C-20027863 Tele-Global Communications, Inc.
C-20027777 Miracle Communications, Inc.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Public Meeting held
October 24, 2002

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

*Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff; v. Southnet Telecomm Services, Inc.
(2001.0352); Doc. No. C-20027749; A-310745*

Default Order

By the Commission:

On, May 23, 2002 the Law Bureau Prosecutory Staff filed a Formal Complaint proceeding against Southnet

Telecomm Services, Inc. (the Respondent), an IXC reseller certificated at A-310745. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2000 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2000 Annual Report.

The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2000 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was refused. To date, more than 20 days later, no answer has been filed to the Complaint and the 2000 Annual Report has not been filed; *Therefore*,

It Is Ordered That:

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

2. The Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. That Southnet Telecomm Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative IXC service provider within 30 days of the date of the notice. Notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Southnet Telecomm Services, Inc. at Docket No. A-310745 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-2029. Filed for public inspection November 8, 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 December 2, 2002, as set forth at 52 Pa. Code § 3.381 (relating to the applications for transportation of property, household goods in use and persons). Each protest should 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-00119033. Nu Exodus, Inc. t/d/b/a J & W Airport Transportation (1425 Iroquois Drive, Pittsburgh, Allegheny County, PA 15205), a corporation of the Commonwealth of Pennsylvania—persons in limousine service between points in Allegheny County. *Attorney:* Robin L. Rarie, Suite 100, 8150 Perry Highway, Pittsburgh, PA 15237.

A-00110740, Folder 2. Guy Bertini t/d/b/a American Tiffany Limousine Service (472 Dennison Drive, West Mifflin, Allegheny County, PA 15122-3213)—persons in limousine service between points in Allegheny County.

A-00119296. Charles J. McConville (312 Doubletree Drive, Venetia, Washington County, PA 15367)—persons in limousine service, between points in the Counties of Allegheny, Beaver, Butler, Fayette, Washington and Westmoreland, and from points in said counties, to points in Pennsylvania, and return.

A-00119040. Marie A. Costanza t/d/b/a Costanza's Chauffeur Service (342 Toura Drive, Pittsburgh, Allegheny County, PA 15236)—persons in limousine service between points in the Counties of Allegheny, Beaver and Westmoreland, and from points in said counties, to points in Pennsylvania, and return.

A-00119047. Augustus Reed, Jr. t/d/b/a Augustus Reed Jr. Limousine Service (1621 Old Beulah Road, Churchill, Allegheny County, PA 15235)—persons in limousine service between points in Allegheny County.

A-00119034. David G. Marx, Sr. t/d/b/a Marx Limousine Service (1516 Orchlee Street, Pittsburgh, Allegheny County, PA 15212)—persons in limousine service between points in Allegheny County.

A-00119038. Gary J. Marbella t/d/b/a Empire Limousine & Sedan Service (104 Malcolm Avenue, Pittsburgh, Allegheny County, PA 15212)—persons in limousine service between points in Allegheny County, and from points in said county, to points in Pennsylvania, and return.

A-00119042. Ed Carter t/d/b/a Carter Limousine Service (380 Horizon Drive, Airside Business Park, Moon Township, Allegheny County, PA 15108)—persons in limousine service between points in Allegheny County. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15210-3427.

A-00119073. S. M. Finney Funeral Home Inc. (432 North 6th St., Clairton, Allegheny County, PA 15025), a Pennsylvania corporation—persons in limousine service, between points in the Counties of Allegheny, Beaver, Butler, Fayette, Washington and Westmoreland, and from points in said counties, to points in Pennsylvania, and return.

A-00118279, Folder 2. John Chapman t/d/b/a Chapman's Limousine Service (3303 Iowa St., Pittsburgh, Allegheny County, PA 15219)—persons in limousine service, between points in Allegheny County. *Attorney:* John A. Pillar, 680 Washington Rd., Suite B101, Pittsburgh, PA 15228.

A-00114384, Folder 3. Herbert L. Joseph, II t/d/b/a Jeanne Noire Enterprises of Pennsylvania (432 Parkwood Road, Pittsburgh, Allegheny County, PA 15210)—persons in limousine service, between points in the County of Allegheny, and from points in said county, to points in Pennsylvania, and vice versa.

A-00119026. Wayne A. Price t/d/b/a Wayne's Limo Service (32 Adrian Street, McKees Rocks, Allegheny County, PA 15136)—persons in limousine service, between points in the County of Allegheny.

A-00119298. Carol A. Deberardinis t/d/b/a White Star Line (3831 Kelly Hollow Road, Monongahela, Allegheny County, PA 15063)—persons in limousine service, between points in the Counties of Washington, Allegheny and Westmoreland, and from points in said counties, to points in Pennsylvania, and return.

Applications 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 each application.

A-00112577, Folder 5, Am-B. Airport Limousine Service, Inc. t/d/b/a Airport Limousine Service & Embassy Coach (4001 Clairton Road, West Mifflin, Allegheny County, PA 15122), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Pennsylvania: *So as to Permit* persons in limousine service, between points in Allegheny County. *Attorney:* Ray F. Middleman, 117 VIP Drive, Suite 310, Wexford, PA 15090.

A-00114432, Folder 1, Am-A. Red Carpet Limousine Connection, Inc. (239 Main Street, Mt. Pleasant, Westmoreland County, PA 15666), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Pennsylvania: *So as to Permit* persons in limousine service, between points in Allegheny County.

A-00117168, Folder 1, Am-A. Magic Express, Inc. t/d/b/a C & R Limousine Service (466 Castle Shannon Boulevard, Pittsburgh, Allegheny County, PA 15234), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Pennsylvania: *So as to Permit* persons in limousine service, between points in Allegheny County. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15219-3427.

A-00114415, Folder 1, Am-A. Allegheny Coach, Inc. (11 Mayview Road, Laurence, Allegheny County, PA 15053), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Pennsylvania: *So as to Permit* persons in limousine service, between points in Allegheny County.

A-00117471, Folder 1, Am-A. Imperial Coach Limousine, Inc. (325 Frazier Drive, Pittsburgh, Allegheny County, PA 15235), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Pennsylvania: *So as to Permit* persons in limousine service, between points in Allegheny County.

A-00107578, Folder 2, Am-A. Daniel T. Zidek (P. O. Box 148, 118 Washington Avenue, Vandergrift, Westmoreland County, PA 15690)—persons in limousine service between points in Pennsylvania: *So as to Permit* the transportation of persons in limousine service, between points in Allegheny County. *Attorney:* Anthony J. Carino, 1034 Fifth Avenue, Suite 400, Pittsburgh, PA 15219.

A-00114449, Folder 1, Am-A. Javy Enterprises, Inc. t/d/b/a Adonis Limousines (1300 Merchant St, Ambridge, Beaver County, PA 15003), a Pennsylvania corporation—persons in limousine service between points in Pennsylvania: *So as to Permit* the transportation of persons in limousine service, between points in Allegheny County.

A-00117747, Folder 1, Am-A. Allegheny Metro Limousine Service, Inc. (P. O. Box 9091, Pittsburgh, Allegheny County, PA 15224), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Pennsylvania: *So as to Permit* persons in limousine service, between points in Allegheny County.

Applications 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 each application.

A-00115856, Folder 2. Taylor Transportation Service, Inc. t/d/b/a Pittsburgh All Day Tours (7990 Remington Drive, Pittsburgh, Allegheny County, PA 15237), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Allegheny County.

A-00112274, Folder 2. Shelmar Corporation t/d/b/a Shelmar Limousine Service (921 Nurnberger Drive, Pittsburgh, Allegheny County, PA 15236), a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Allegheny County, and from points in Allegheny County, to points in Pennsylvania, and return.

A-00116130, Folder 5. Pittsburgh Transportation Company (5931 Ellsworth Avenue, Pittsburgh, Allegheny County, PA 15206), a Pennsylvania corporation—additional right—persons in limousine service, between points in the County of Allegheny. *Attorney:* Ray F. Middleman, 117 VIP Drive, Suite 210, Wexford, PA 15090.

A-00118075, Folder 2. Lea C. Morgan t/d/b/a Amor'e Limousines (87 Arlene Dr., North Versailles, Allegheny County, PA 15137)—additional right—persons in limousine service, between points in Allegheny County.

Order

Public Meeting held
April 24, 2002

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

Pennsylvania Public Utility Commission v. Santoro Enterprises, Inc., t/d/b/a Thomas Gerrity Movers & Storage, 105 North Keyser Ave., Old Forge, PA 18518; A-00113019C0102

ORDER

By the Commission:

On November 9, 2001, the Bureau of Transportation and Safety instituted a complaint against Santoro Enterprises, Inc., t/d/b/a Thomas Gerrity Movers & Storage, respondent, alleging that it: (1) failed to furnish the shipper with an "Information for Shippers" statement prior to the preparation of an order for service, (2) failed to use and complete the form for estimates of charges titled "Estimated Cost of Services", (3) rendered service within the Commonwealth of Pennsylvania to and from a different territory than that authorized by its certificate of public convenience, (4) failed to promptly provide a reasonable explanation in relationship to the facts or applicable law for denial of a claim or for the offer or a compromise settlement and (5) failed to file a quarterly report of underestimates with this Commission.

Respondent was duly notified that, if an answer was not filed within twenty (20) days of receipt of the complaint, the penalty would be imposed.

The complaint and notice were served on respondent on or about January 17, 2002, by first class mail; and, more than thirty (30) days later, no response has been received from respondent; *Therefore,*

It is Ordered That:

1. The allegations in the complaint are admitted.
2. The complaint is sustained.
3. Respondent, within twenty (20) days from the date of service of this order, pay a fine of one thousand one hundred dollars (\$1,100.00) by certified check or money order payable to the Pennsylvania Public Utility Commission, at P. O. Box 3265, Harrisburg, PA 17105-3265, as provided in the Public Utility Code, 66 Pa. C.S. §§ 3301 and 3315.
4. Respondent cease and desist from further violations of the Public Utility Code, 66 Pa.C.S. §§ 101, et seq., and the Regulations of this Commission, 52 Pa. Code §§ 1.1 et seq.

By the Commission,

James J. McNulty
Secretary

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Phoenix-Silverado, Inc.; Doc. No. A-00111131C0201, A-00111131

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Phoenix-Silverado, Inc., respondent, maintains its principal place of business at 5 Montgomery Avenue, Erdenheim, PA 19038.
2. That respondent was issued a certificate of public convenience by this Commission on May 5, 1994 at Application Docket No. A-00111131.
3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 1999, 2000 and 2001.
4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code § 3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke the Certificate of Public Convenience issued to Phoenix-Silverado, Inc. at A-00111131.

Respectfully submitted,

Michael E. Hoffman, Director
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Michael E. Hoffman

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-2030. Filed for public inspection November 8, 2002, 9:00 a.m.]

Telecommunications

A-310923F7000, A-311103F7000, A-310470F7000, A-310378F7000 and A-310547F7000. Verizon Pennsylvania Inc. and Adelphia Business Solutions Operations, Inc.; Adelphia Business Solutions Investments, LLC; Adelphia Business Solutions of Pennsylvania, Inc.; Peco Adelphia Telecommunications; and Susquehanna Adelphia Telecommunications. Joint petition of Verizon Pennsylvania Inc. and Adelphia Business Solutions Operations, Inc.; Adelphia Business Solutions Investments, LLC; Adelphia Business Solutions of Pennsylvania, Inc.; Peco Adelphia Telecommunications; and Susquehanna Adelphia Telecommunications for approval of Amendment No. 1 of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Adelphia Business Solutions Operations, Inc.; Adelphia Business Solutions Investments, LLC; Adelphia Business Solutions of Pennsylvania, Inc.; Peco Adelphia Telecommunications; and Susquehanna Adelphia Telecommunications filed on October 14, 2002, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of Amendment No. 1 of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of Verizon Pennsylvania Inc.; Adelphia Business Solutions Operations, Inc.; Adelphia Business Solutions Investments, LLC; Adelphia Business Solutions of Pennsylvania, Inc.; Peco Adelphia Telecommunications and Susquehanna Adelphia Telecommunications 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. 02-2031. Filed for public inspection November 8, 2002, 9:00 a.m.]

Telecommunications

A-310802F7000. Verizon Pennsylvania Inc. and Stargate Local Services, LLC. Joint petition of Verizon Pennsylvania Inc. and Stargate Local Services, LLC for approval of Amendment No. 1 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Stargate Local Services, LLC, by its counsel, filed on October 24, 2002, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of Amendment No. 1 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Stargate Local Services, LLC 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. 02-2032. Filed for public inspection November 8, 2002, 9:00 a.m.]

Tentative Order

Public Meeting held
October 24, 2002

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick, statement concurring and dissenting in part follows; Kim Pizzingrilli

Application of NECC Telecom, Inc. to offer, render, furnish, or supply interexchange telecommunication services as a reseller to business and residential customers in the Commonwealth of Pennsylvania; Doc. No. A-311209

Tentative Order

By the Commission:

NECC Telecom, Inc. (Applicant) filed the previously-captioned application on August 22, 2002, seeking a certificate of public convenience pursuant to Chapter 11 of the Public Utility Code, 66 Pa.C.S. §§ 1101, et seq., evidencing Commission approval to resell interexchange (IXC) telecommunication services to business and residential customers throughout Pennsylvania.

The Applicant complied with our regulations at 52 Pa. Code § 5.14, relating to applications requiring notice. No protests were filed, and no hearings were held. Furthermore, no motions or petitions have been filed in response to the application.

The Applicant is an Indiana corporation with its principal place of business at 1209 Windmill Lane, Jeffersonville, IN 47130. The Applicant provided proof of compliance with 15 Pa.C.S. § 4124, relating to foreign corporations.

The Applicant proposes to operate as an Interexchange Toll Reseller, interLATA and/or intraLATA (for example, providing MTS, 1+, 800, WATS, Travel and Debit Card service), and has filed a proposed tariff that contains rates in compliance with our regulations at 52 Pa. Code § 63.114, relating to maximum rates for resellers of IXC telecommunication services.

Based upon our review of the subject application and the proposed tariff, pursuant to our authority at 66 Pa.C.S. § 3009(b)(4), we tentatively conclude that the Applicant has met the requirements for certification as a reseller of IXC telecommunication services, and that the proposed services do not raise concerns at this time regarding safety, adequacy, reliability or privacy. For these reasons, we tentatively conclude that approval of the application is in the public interest. We note, however, certain deficiencies in the proposed initial tariff and shall direct the Applicant to revise the proposed tariff as provided in Appendix A to this Order; *Therefore,*

It Is Ordered That:

1. The application of NECC Telecom, Inc. for approval to resell interexchange toll telecommunication services to business and residential customers throughout Pennsylvania is hereby tentatively approved as in the public interest.

2. A copy of this Tentative Order be published in the *Pennsylvania Bulletin* giving the public 10 days from the date of publication to file written comment or request oral hearing.

3. Absent the filing of adverse public comment or request for oral hearing within 10 days from the date of publication pursuant to Ordering Paragraph No. 2, this Tentative Order shall become final without further order of the Commission.

4. NECC Telecom, Inc. shall file with the Secretary's Bureau, within 60 days after the date of this Order becoming final, an initial tariff reflecting the same rates, rules and regulations as contained in its proposed tariff, but revised as provided in Appendix A of this Order; however, upon written request for good cause shown, the Secretary may grant an additional 60-day period in which to submit an initial tariff. A copy of the initial tariff should be served on each entity receiving a copy of the original application. The initial tariff may become effective on 1 day's notice from the date upon which it is filed, and must reflect on its face that it is an "Interexchange Reseller Toll Tariff."

5. Upon approval of an initial tariff, a certificate of public convenience be issued authorizing NECC Telecom, Inc. to furnish interexchange telecommunication services within the Commonwealth as a nonfacilities-based provider.

6. In the event NECC Telecom, Inc. has not, on or before 60 days (or 120 days if the Applicant has received approval for an extension) from the date this Order becomes final, complied with the requirements set forth herein, the instant application will be deemed dismissed, without any further proceeding, and the authority granted herein revoked without further Commission order.

JAMES J. MCNULTY,
Secretary

Appendix A

NECC Telecom, Inc.; A-311209 (Interexchange Toll Services)

Deficiencies noted for Tariff No. 1:

1) An issue and effective date must be inserted in the initial tariff. Where the initial tariff filed in compliance to this Order is mailed to the Commission, the issue date shall be the date of mailing and the effective date should be no less than five (5) days after the mailing date. Where the initial tariff is hand-delivered, the issue date shall be the date of filing and the effective date may be the next business day.

2) Insert the following: Discontinuance of Service. 52 Pa. Code § 64.53. A Customer who wishes to have service discontinued shall give at least five (5) days oral or written notice to the Company, specifying the date on which it is desired that service be discontinued.

3) Original Sheet 19: 2.13 Returned Check Charge. The dollar amount of the returned check charge must be specified in the tariff.

[Pa.B. Doc. No. 02-2033. Filed for public inspection November 8, 2002, 9:00 a.m.]

Tentative Order

Public Meeting held
October 24, 2002

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick, statement concurring and dissenting in part follows; Kim Pizzingrilli

Application of Nicholas Moving & Storage, Inc., a corporation of the Commonwealth of Pennsylvania, for the transfer of all of the operating rights of O. H. Nicholas Transfer & Storage, Co., authorized under the certificate issued at A-00090110, F.2, subject to the same limitations and conditions; Doc. No. A-00118885

William A. Gray for the applicant

Tentative Order

By the Commission:

This matter comes before the Commission on an application filed March 15, 2002. Public notice of the application was given in the *Pennsylvania Bulletin* of May 18, 2002. No protests were filed. The unopposed application is certified to the Commission for its decision without oral hearing.

Discussion and Findings

The applicant is seeking the grant of authority to transport household goods in use service and property, excluding household goods in use service, through a transfer of that authority from O. H. Nicholas Transfer & Storage, Co., which is currently certified to provide that service.

The reason for the transfer of the operating authority is because of a corporate reorganization. The intrastate operating authority is being sold for \$1.00.

Nicholas Toubakaris, vice president and joint owner of Nicholas Moving & Storage, Inc. (Nicholas or applicant) has extensive experience in the moving and transportation industry. He is the president of the transferor. Mr. Toubakaris is familiar with all aspects of providing service as a household goods in use carrier.

The transferee will operate three straight trucks and two tractor-trailer combinations, which it will initially lease from the transferor and which will eventually be transferred to the transferee.

The transferee is a newly formed Pennsylvania corporation and has not yet commenced operations. It therefore does not have an income statement available. The owners of the transferor (2) will capitalize the transferee by contributing \$10,000.00 each to the transferee. If additional cash contributions are required, they will be made.

The authority to be transferred has been operated by the transferor; therefore, it is presumed that there is a continuing need, which may be overcome only by evidence to the contrary. In re: Byerly, 440 Pa. 521 (1970); *Hostetter v. Pa. P.U.C.*, 160 Super. Ct. 94 (1947) Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

After complete review of the record, we find:

1. The applicant has the experience and fitness to provide the proposed service.

2. Approval of the unopposed application for transfer of the authority is necessary for the continued accommodation and convenience of the public; *Therefore*,

It Is Ordered: That the application be and is hereby tentatively approved granting the following rights:

1. To transport as a common carrier, household goods in use, between points in the county of Butler;

2. To transport as a common carrier, household goods in use, from points in the county of Butler, to other points in Pennsylvania, and vice versa; and

3. To transport as a common carrier, property, excluding household goods in use, between points in Pennsylvania.

Subject to the following general conditions:

1. That the authority granted herein to the extent that it duplicates authority now held or subsequently granted to the applicant shall not be construed as conferring more than one operating right.

2. That the approval hereby given is not to be understood as committing the Commission, in any proceeding that may be brought before it for any purpose to fix a valuation on the property and/or rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by the applicant, or to approve or prescribe rates sufficient to yield a return thereon.

3. That the certificate holder shall not transfer, sell or in anyway convey any of its outstanding capital stock to any individual, partnership, corporation or any other entity, without the prior filing of an application and approval thereof by the Commission under Section (a) (3) of Title 66 Pa.C.S.

It Is Further Ordered: That the applicant shall not provide any service granted in this order until the following is submitted to the Commission:

1. Form E evidence of Bodily Injury and Property Damage Liability Insurance.

2. Form H evidence of Cargo Liability Insurance.

3. A tariff establishing just and reasonable rates.

4. Payment of the Transferor's assessment in the amount of \$1,366.00

It Is Further Ordered: That a copy of this Tentative order be published in the *Pennsylvania Bulletin* giving the public 10 days from the date of publication to file written comments or request oral hearing.

It Is Further Ordered: That absent the filing of adverse public comment or request for oral hearing within 10 days from the date of publication, the Tentative Order shall become final without further Commission action.

It Is Further Ordered: That upon the Tentative Order becoming final and upon compliance with the requirements herein before set forth, a certificate shall issue evidencing the Commission's approval of the right to operate as above determined.

It Is Further Ordered: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the applicant, shall not be construed as conferring more than one operating right.

It Is Further Ordered: That in the event said applicant has not, on or before 60 days from the date that the Tentative Order becomes final, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

It Is Further Ordered: That applicant must demonstrate safety fitness by completing a Safety Fitness Review. Applicant will be contacted by the Commission's Bureau of Transportation and Safety, which will schedule a review to be completed within 180 days of the date the certificate is issued. Failure to submit to a Safety Fitness Review or to attain a satisfactory evaluation will result in cancellation of the certificate.

It Is Further Ordered: That upon compliance with the requirements of this order, the authority granted to O. H. Nicholas Transfer & Storage Co., under the certificate issued at A-00090110, F.2 shall be canceled and the record be marked closed.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-2034. Filed for public inspection November 8, 2002, 9:00 a.m.]

Tentative Order

Public Meeting held
October 24, 2002

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick, statement concurring and dissenting in part follows; Kim Pizzingrilli

Application of Pennsylvania-American Water Company for approval of the right to begin to offer, render, furnish or supply water service to the public in a portion of Earl Township, Berks County, PA; Doc. No. A-212285F0106

Tentative Order

By the Commission:

By this Application filed on August 5, 2002, Pennsylvania-American Water Company (Applicant), 800 West Hersheypark Drive, Hershey, PA 17033, seeks a Certificate of Public Convenience pursuant to section 1102(a)(1)(i) of the Public Utility Code, 66 Pa.C.S. § 1102(a)(1)(i), evidencing Commission approval of the right to begin to offer, render, furnish or supply water service to the public in a portion of Earl Township, Berks County, as shown on a map filed with the Application.

The Applicant submitted proofs of service and publication; the Application was served on the appropriate township and county officials and their planning commissions. The Commission received no protests within the protest period. No hearing was held and no motions or petitions have been filed in this proceeding.

The Applicant is a regulated public utility company, duly organized and existing under the laws of the Commonwealth of Pennsylvania and is engaged in the business of supplying and distributing water and treating wastewater. Water service is furnished to the public in a service territory encompassing portions of 35 counties in this Commonwealth. The Applicant provided water service to approximately 606,172 customers as of May 31, 2002. A description of the Applicant's certificated water service territory was provided in the Application.

The nature and character of the service to be provided, through this Application, is to furnish public water service. The location of the proposed service territory is in a portion of Earl Township, Berks County. The tract of land is located along the common corporate boundary line between Earl and Amity Townships on the south side of Boyertown Pike. The southern boundary borders Applicant's existing service area in Amity Township. The Applicant is certificated to serve in Amity Township under Docket No. A-212285F0074 and has an extensive distribution system adjacent to the proposed service territory.

The proposed service territory will include five residential customers in a subdivision known as the Woods Edge Development. On July 11, 2001, the Earl Township Board of Supervisors agreed to extend to the Citizens Utilities Water Company (Citizens), the predecessor to Applicant, the authority to provide water service to the proposed service area. Earl Township Board of Supervisors, Applicant and the developer agreed to delay the project until Applicant's acquisition of Citizens was finalized. Closing on Applicant's acquisition of Citizens occurred on January 15, 2002, at Docket No. A-212285 F0074. Amity Township Sewer Authority will provide wastewater service within the proposed service territory.

To service the proposed territory, the Applicant will install a main extension that includes approximately 750 feet of 8 inch main and related appurtenances. No additional capital will be required by Applicant for the purpose of financing the matters involved with this Application. All main extensions will be completed under Applicant's tariff rules regarding main extensions. A Water Facilities Line Extension Agreement regarding the installation of said main extension was executed on June 4, 2001.

The Applicant will apply the rules, regulations and schedule of rates contained in Rate Zone 1 of its Tariff, in the service territory. A typical residential customer, using 60,000 gallons of water per year, would experience a bill of \$36.89 per month or \$442.68 annually.

The Department of Environmental Protection was contacted regarding this Application and has reported there are no pending actions or outstanding complaints with the Applicant. The Applicant is current with all regulatory assessments and reports.

No other corporation, partnership or individual is now furnishing water service to the public in the area involved in this Application.

Upon full consideration of all matters of record, we find that approval of this Application is necessary and proper for the service, accommodation, and convenience of the public. For these reasons, we tentatively conclude that approval of the Application is in the public interest; *Therefore,*

It Is Ordered That:

1. The Application of Pennsylvania-American Water Company, at Docket No. A-212285F0106, is hereby tentatively approved as in the public interest.

2. A copy of this Tentative Order be published in the *Pennsylvania Bulletin* giving the public 10 days from the date of publication to file written comments or request oral hearing.

3. Absent the filing of adverse public comment or request for oral hearing within 10 days from the date of publication pursuant to Ordering Paragraph No. 2, this Tentative Order shall become final without further Order of the Commission.

4. Upon this Tentative Order becoming final, pursuant to the provision of Ordering Paragraph No. 3, the Secretary shall, pursuant to section 1102(a)(1)(i), issue to Pennsylvania-American Water Company a Certificate of Public Convenience authorizing Pennsylvania-American Water Company to begin to offer, render, furnish or supply water service to the public in a portion of Earl Township, Berks County, as shown on a map filed with the Application.

5. Nothing herein shall be construed to exempt the Pennsylvania-American Water Company from obtaining all necessary permits and approvals from other state, Federal and local government agencies having jurisdiction.

6. Failure to comply with the above conditions may result in the imposition of fines and/or other appropriate action.

7. A copy of this Tentative Order be served, by the Commission Secretary's Bureau, on the Office of Trial Staff.

8. All records with respect to Pennsylvania-American Water Company, docketed at A-212285F0106, be marked closed by the Commission Secretary's Bureau, following completion of Ordering Paragraph No. 4.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-2035. Filed for public inspection November 8, 2002, 9:00 a.m.]

Tentative Order

Public Meeting held
October 24, 2002

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick, statement concurring and dissenting in part follows; Kim Pizzingrilli

Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in portions of Jackson, Lancaster, Connoquenessing and Forward Townships, Butler County, PA; Doc. No. A-212285F0103

Tentative Order

By the Commission:

By application filed on June 24, 2002, Pennsylvania-American Water Company (Applicant), 800 West Hersheypark Drive, Hershey, PA 17033, seeks a certificate of public convenience pursuant to section 1102(a)(1)(i) of the Public Utility Code, 66 Pa.C.S. § 1102(a)(1)(i), evidencing Commission approval of the right to begin to offer, render, furnish or supply water service to the public in portions of Lancaster and Forward Townships, and in additional portions of Jackson and Connoquenessing Townships, all within Butler County, as described by written descriptions, and shown on a map filed with the Application.

The Applicant submitted proof of services and publication. The Commission received no protests within the protest period. No hearing was held and no motions or petitions have been filed in this proceeding. The Application was served upon the appropriate municipal, township and county officials, and their planning commissions.

The Applicant is a regulated public utility company, duly organized and existing under the laws of the Commonwealth of Pennsylvania and is engaged in the business of supplying and distributing water. It currently furnishes public water service to some 601,600 customers in 35 Pennsylvania counties.

The nature and character of the service to be provided by the Applicant is the furnishing of public water service in portions of Lancaster and Forward Townships, and in additional portions of Jackson and Connoquenessing Townships, all within Butler County. The Applicant is presently certificated and is providing water service in portions of Connoquenessing Township at A-00100959 and A-212285F0043, and in Jackson Township at A-212285F0075. A pending Application for additional service territory in Jackson Township, at A-212285F0098, is presently before an Administrative Law Judge as it was formally protested by Harmony Borough.

Written descriptions of the areas to be served, in addition to a map showing the boundaries of these areas are attached to the application as exhibits. The total size of the applied for service territory is approximately 1,645 acres and the areas are contiguous. The only area that is adjacent to the Applicant's existing certificated territory is the western boundary of Area 1 in Jackson Township.

A schedule showing the size and the present land use for each proposed service area, by township, is as follows:

Jackson Township Area 1	152 acres	Residential High Density
Jackson Township Area 2	405 acres	Manufacturing
Lancaster Township	766 acres	Rural Residential
Connoquenessing Township	294 acres	Not Zoned
Forward Township	28 acres	Residential

The need to make service available is evident by the fact that 83 homeowners have applied to the Applicant for water service. Some of these homeowners are experiencing insufficiency of water, in addition to contamination of their private wells. The Applicant has projected that within 1 year following the completion of the required water facilities, it will be providing water service to one commercial customer and to approximately 114 residential customers. The Applicant also indicated it does not know, nor has it made any projections as to the number of customers it will be serving in 5 years in the applied for areas.

On July 17, 2002, the Applicant received approval from PENNVEST for a low-interest construction loan in the amount of \$5,995,000 to interconnect the Applicants Ellwood City and Butler distribution systems thus alleviating supply deficiencies in the Butler system. This project consists of the extension of 68,500 feet of water mains, two booster pump stations, a water tank relocation, chlorination facilities, services, meters and fire hydrants. The interconnection project will be routed through the proposed service territory and will include the construction of facilities to be installed in the applied for areas. The facilities to be installed in the proposed service territory will include a booster pump station, the relocated storage tank, water main extensions, services, meters, fire hydrants, valves and related appurtenances. The Applicant projects these facilities will be in place to begin service in the proposed service territory between the third and fourth quarters of 2003.

The Applicant contends it is financially and technically capable of providing water service in the proposed service territory and does not expect to receive any grants and/or contributions to help pay for the cost of the water facilities to be installed.

The Applicant will apply its rules, regulations and schedule of rates applicable to Rate Zone 1 of its Tariff in the proposed service territory. Based on an estimated usage of 4,500 gallons of water per month, a typical residential customer will be paying a monthly bill of about \$34.25 per month or \$411 annually, based on service through a 5/8-inch meter. The Applicant contends that the furnishing of service in the proposed service territory will have no adverse effect upon the service furnished or the rates charged to existing customers.

To the best of knowledge of the Applicant, no corporation, partnership, or individual is now furnishing or has corporate or franchise right to furnish service similar to that to be rendered by the Applicant in the proposed service territory, and no competitive condition will be created.

The Applicant has demonstrated need for the service and the requisite financial and technical fitness. For these reasons, we tentatively conclude that approval of the Application is in the public interest; *Therefore,*

It Is Ordered That:

1. The Application of the Pennsylvania-American Water Company, at Docket No. A-212285F0103 is hereby tentatively approved as in the public interest.

2. A copy of this Tentative Order be published in the *Pennsylvania Bulletin* giving the public 10 days from the date of publication to file written comments or request oral hearing.

3. Absent the filing of adverse public comments or request for oral hearing within 10 days from the date of publication pursuant to Ordering Paragraph No. 2, this Tentative Order shall become final without further order of the Commission.

4. Upon this Tentative Order becoming final, pursuant to the provisions of Ordering Paragraph No. 3, the Commission's Secretary shall issue to the Pennsylvania-American Water Company, a certificate of public convenience pursuant to section 1102(a)(1)(i) of the Public Utility Code, 66 Pa.C.S. § 1102(a)(1)(i), authorizing the Pennsylvania-American Water Company to begin to offer, render, furnish or supply water service to the public in portions of Jackson, Lancaster, Connoquenessing and Forward Townships, Butler County, as described by written descriptions, and as shown on a map filed with the Application.

5. Nothing herein shall be construed to exempt the Pennsylvania-American Water Company from obtaining all necessary permits and approvals from other state, Federal and local government agencies having jurisdiction.

6. Failure to comply with the above conditions may result in the imposition of fines and/or other appropriate action.

7. The Commission's Secretary's Bureau shall serve a copy of this Tentative Order on the Office of Trial Staff.

8. All records with respect to the Pennsylvania-American Water Company docketed at A-212285F0103 be marked closed by the Commission's Secretary Bureau after the certificate of public convenience is issued.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-2036. Filed for public inspection November 8, 2002, 9:00 a.m.]

Tentative Order

Public Meeting held
October 24, 2002

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick, statement concurring and dissenting in part follows; Kim Pizzingrilli

Application of Pennsylvania-American Water Company for approval of the right to offer, render, furnish or supply water service to the public in a portion of Lower Heidelberg Township, Berks County, Pennsylvania; Doc. No. A-212285F0107

Tentative Order

By the Commission:

By this Application filed on August 5, 2002, Pennsylvania-American Water Company (Applicant), 800 West Hersheypark Drive, Hershey, PA 17033, seeks a Certificate of Public Convenience pursuant to section 1102(a)(1)(i) of the Public Utility Code, 66 Pa.C.S. § 1102(a)(1)(i), evidencing Commission approval of the right to begin to offer, render, furnish or supply water service to the public in a portion of Lower Heidelberg Township, Berks County, as shown on a map filed with the Application.

The Applicant submitted proofs of service and publication; the Application was served on the appropriate township and county officials and their planning commissions. The Commission received no protests within the protest period. No hearing was held and no motions or petitions have been filed in this proceeding.

The Applicant is a regulated public utility company, duly organized and existing under the laws of the Commonwealth of Pennsylvania and is engaged in the business of supplying and distributing water and treating wastewater. Water service is furnished to the public in a service territory encompassing portions of 35 counties in this Commonwealth. The Applicant provided water service to approximately 606,172 customers as of May 31, 2002. A description of the Applicant's certificated water service territory was provided in the Application.

The nature and character of the service to be provided through this Application is to furnish public water service. The location of the proposed service territory is in an additional portion of Lower Heidelberg Township, Berks County. The 85-acre tract of land is located on the north side of Faust Road near Green Valley Road with boundaries bordering on the Stout property, the parcel formerly known as the Oldt Tract and the development of Knollwood. The southern boundary adjoins Applicant's existing service area in Lower Heidelberg Township. The Applicant is certificated to serve in portions of Lower Heidelberg Township under Docket No. A-212285F0074 and has an extensive distribution system adjacent to the proposed service territory.

The proposed service territory will include 31 residential customers in a subdivision known as Green Valley Heights. On April 17, 2001, the Lower Heidelberg Township Board of Supervisors agreed to extend to the Citizens Utilities Water Company (Citizens), the predecessor to Applicant, the authority to provide water service to the proposed service area. Lower Heidelberg Township Board of Supervisors, Applicant and the developer agreed to delay the project until Applicant's acquisition of Citizens was finalized. Closing on Applicant's acquisition of Citizens occurred on January 15, 2002, at Docket No.

A-212285 F0074. Sinking Spring Sewer Authority will provide wastewater service within the proposed service territory.

To service the proposed territory, the Applicant will install a main extension that includes approximately 2,000 feet of 8 inch main and 750 feet of 12 inch main and related appurtenances. No additional capital will be required by Applicant for the purpose of financing the matters involved in the Application. All main extensions will be completed under Applicant's tariff rules regarding main extensions. Applicant entered into a Water Facilities Line Extension Agreement with the developer on July 7, 2002, for the installation of said main extension.

The Applicant will apply the rules, regulations and schedule of rates contained in Rate Zone 1 of its Tariff, in the service territory. A typical residential customer, using 60,000 gallons of water per year, would experience a bill of \$36.89 per month or \$442.68 annually.

The Department of Environmental Protection was contacted regarding this Application and has reported there are no pending actions or outstanding complaints with the Applicant. The Applicant is current with all regulatory assessments and reports.

No other corporation, partnership or individual is now furnishing water service to the public in the area involved in this Application.

Upon full consideration of all matters of record, we find that approval of this Application is necessary and proper for the service, accommodation, and convenience of the public. For these reasons, we tentatively conclude that approval of the Application is in the public interest; *Therefore,*

It Is Ordered That:

1. The Application of Pennsylvania-American Water Company, at Docket No. A-212285F0107, is hereby tentatively approved as in the public interest.

2. A copy of this Tentative Order be published in the *Pennsylvania Bulletin* giving the public 10 days from the date of publication to file written comments or request oral hearing.

3. Absent the filing of adverse public comment or request for oral hearing within 10 days from the date of publication pursuant to Ordering Paragraph No. 2, this Tentative Order shall become final without further Order of the Commission.

4. Upon this Tentative Order becoming final, pursuant to the provision of Ordering Paragraph No. 3, the Secretary shall, pursuant to section 1102(a)(1)(i), issue to Pennsylvania-American Water Company a Certificate of Public Convenience authorizing Pennsylvania-American Water Company to begin to offer, render, furnish or supply water service to the public in an additional portion of Lower Heidelberg Township, Berks County, as shown on a map filed with the Application.

5. Nothing herein shall be construed to exempt the Pennsylvania-American Water Company from obtaining all necessary permits and approvals from other state, Federal and local government agencies having jurisdiction.

6. Failure to comply with the above conditions may result in the imposition of fines and/or other appropriate action.

7. A copy of this Tentative Order be served, by the Commission Secretary's Bureau, on the Office of Trial Staff.

8. All records with respect to Pennsylvania-American Water Company, docketed at A-212285F0107, be marked closed by the Commission Secretary's Bureau, following completion of Ordering Paragraph No. 4.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-2037. Filed for public inspection November 8, 2002, 9:00 a.m.]

Tentative Order

Public Meeting held
October 24, 2002

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick, Statement concurring and dissenting in part following; Kim Pizzingrilli

Application of Safecare Ambulance Services, Inc., t/d/b/a Network Ambulance Services, a corporation of the state of New Jersey, for the transfer of all of the operating rights of Genesis Eldercare Transportation Services, Inc., authorized under the certificate issue at A-00104962, F.2, subject to the same limitations and conditions; Doc. No. A-00119122; F.2

Tentative Order

By the Commission:

This matter comes before the Commission on an application filed April 25, 2002. Public notice of the application was given in the *Pennsylvania Bulletin* of August 10, 2002. No protests were filed. The unopposed application is certified to the Commission for its decision without oral hearing.

Discussion and Findings

The applicant is seeking the grant of authority to transport persons in paratransit service, through a transfer of that authority from Genesis Eldercare Transportation Services, Inc., which is currently certified to provide that service.

The transferor has stated it no longer desires to provide the service and is selling the intrastate operating authority for \$20,000.

Dean A. Bollendorf, president and joint owner of Safecare Ambulance Services, Inc., t/d/b/a Network Ambulance Services (Safecare or applicant) has over 20 years experience in the paratransit business. He was the president of Genesis Eldercare Transportation Services, Inc. (Transferor). Mr. Bollendorf is familiar with all aspects of providing paratransit service.

The drivers will be either certified as Emergency Medical Technicians or have received paramedic training and licensing. All vehicles will undergo an inspection every 3,000 miles. Lift vans, passenger vans and medical sedans will be used to provide the proposed service.

Applicant has provided a financial statement dated March 7, 2002, reporting current assets of \$575,050, long-term assets of \$2,226,000, current liabilities of \$609,531, and long-term liabilities of \$2,191,469, leaving equity of \$50.

The authority to be transferred has been operated by the transferor; therefore, it is presumed that there is a continuing need, which may be overcome only by evidence to the contrary. *In re: Byerly*, 440 Pa. 521 (1970); *Hostet-*

ter v. Pa. P.U.C., 160 Super. Ct. 94 (1947) Since the record is void of any evidence, this presumption of continuing public need applies in this transfer proceeding.

After complete review of the record, we find:

1. The applicant has the experience and fitness to provide the proposed service.
2. Approval of the unopposed application for transfer of the authority is necessary for the continued accommodation and convenience of the public; *Therefore*,

It Is Ordered: That the application, be and is hereby tentatively approved granting the following rights:

1. To transport as a common carrier, persons in paratransit service, from their home or place of business in the Counties of Philadelphia and Delaware, to medical facilities in said counties and return; subject to the following restriction: provided that no right, power or privilege is granted to provide service to or from the facilities of the Saint Joseph's Hospital at 16th Street and Girard Avenue, Philadelphia, PA; and

2. To transport as a common carrier, persons in paratransit service, between points in the City and County of Philadelphia, and from points in said city and county, to points in that part of Pennsylvania in and east of the Counties of Adams, Cumberland, Perry, Juniata, Mifflin, Union, Lycoming and Tioga, and vice versa; subject to the following condition: That no right, power or privilege is granted to applicant to provide service either to or from the Philadelphia International Airport, in the city and County of Philadelphia, and the Township of Tinicum, Delaware County;

Subject to the following general conditions:

1. That the authority granted herein to the extent that it duplicates authority now held or subsequently granted to the applicant shall not be construed as conferring more than one operating right.
2. That the approval hereby given is not to be understood as committing the Commission, in any proceeding that may be brought before it for any purpose to fix a valuation on the property and/or rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by the applicant, or to approve or prescribe rates sufficient to yield a return thereon.
3. That the certificate holder shall not transfer, sell or in anyway convey any of its outstanding capital stock to any individual, partnership, corporation or any other entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(a)(3) of Title 66 Pa.C.S.

It Is Further Ordered: That the applicant shall not provide any service granted in this order until the following is submitted to the Commission:

1. Form E evidence of Bodily Injury and Property Damage Liability Insurance.
2. A tariff establishing just and reasonable rates.

It Is Further Ordered: That a copy of this Tentative Order be published in the *Pennsylvania Bulletin* giving the public 10 days from the date of publication to file written comments or request oral hearing.

It Is Further Ordered: That absent the filing of adverse public comment or request for oral hearing within 10 days from the date of publication, the Tentative Order shall become final without further Commission action.

It Is Further Ordered: That upon the Tentative Order becoming final and upon compliance with the requirements herein before set forth, a certificate shall issue evidencing the Commission's approval of the right to operate as determined.

It Is Further Ordered: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the applicant, shall not be construed as conferring more than one operating right.

It Is Further Ordered: That in the event said applicant has not, on or before 60 days from the date that the Tentative Order becomes final, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

It Is Further Ordered: That upon compliance with the requirements of this order, the authority granted to Genesis Eldercare Transportation, Inc., under the certificate issued at A-00104964, F.2 shall be canceled and the record be marked closed.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-2038. Filed for public inspection November 8, 2002, 9:00 a.m.]

Tentative Order

Public Meeting held
October 24, 2002

Commissioners Present: Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick, statement concurring and dissenting in part follows; Kim Pizzigrilli

Application of 3U Telecom, Inc. to offer, render, furnish, or supply interexchange telecommunication services as a reseller to business and residential customers in the Commonwealth of Pennsylvania; Doc. No. A-311207

Tentative Order

By the Commission:

3U Telecom, Inc. (Applicant) filed the previously-captioned application on August 1, 2002, seeking a certificate of public convenience pursuant to Chapter 11 of the Public Utility Code, 66 Pa.C.S. §§ 1101, et seq., evidencing Commission approval to resell interexchange (IXC) telecommunication services to business and residential customers throughout Pennsylvania.

The Applicant complied with our regulations at 52 Pa. Code § 5.14, relating to applications requiring notice. No protests were filed, and no hearings were held. Furthermore, no motions or petitions have been filed in response to the application.

The Applicant is a Nevada corporation with its principal place of business at 1802 N. Carson Street, Suite 212-2683, Carson City, NV 89701. The Applicant provided proof of compliance with 15 Pa.C.S. § 4124, relating to foreign corporations.

The Applicant proposes to operate as an Interexchange Toll Reseller, interLATA and/or intraLATA (for example, providing MTS, 1+, 800, WATS, Travel and Debit Card service), and has filed a proposed tariff that contains rates in compliance with our regulations at 52 Pa. Code § 63.114, relating to maximum rates for resellers of IXC telecommunication services.

Based upon our review of the subject application and the proposed tariff, pursuant to our authority at 66 Pa.C.S. § 3009(b)(4), we tentatively conclude that the Applicant has met the requirements for certification as a reseller of IXC telecommunication services, and that the proposed services do not raise concerns at this time regarding safety, adequacy, reliability or privacy. For these reasons, we tentatively conclude that approval of the application is in the public interest. We note, however, certain deficiencies in the proposed initial tariff and shall direct the Applicant to revise the proposed tariff as provided in Appendix A to this Order; *Therefore,*

It Is Ordered That:

1. The application of 3U Telecom, Inc. for approval to resell interexchange toll telecommunication services to business and residential customers throughout Pennsylvania is hereby tentatively approved as in the public interest.

2. A copy of this Tentative Order be published in the *Pennsylvania Bulletin* giving the public 10 days from date of publication to file written comment or request oral hearing.

3. Absent the filing of adverse public comment or request for oral hearing within 10 days from the date of publication pursuant to Ordering Paragraph No. 2, this Tentative Order shall become final without further order of the Commission.

4. 3U Telecom, Inc. shall file with the Secretary's Bureau, within 60 days after this Order becomes final, an initial tariff reflecting the same rates, rules and regulations as contained in its proposed tariff, but revised as provided in Appendix A of this Order; however, upon written request for good cause shown, the Secretary may grant an additional 60-day period in which to submit an initial tariff. A copy of the initial tariff should be served on each entity receiving a copy of the original application. The initial tariff may become effective on 1 day's notice from the date upon which it is filed, and must reflect on its face that it is an "Interexchange Reseller Toll Tariff."

5. Upon approval of an initial tariff, a certificate of public convenience be issued authorizing 3U Telecom, Inc. to furnish interexchange telecommunication services within the Commonwealth as a nonfacilities-based provider.

6. In the event 3U Telecom, Inc. has not, on or before 60 days (or 120 days if the Applicant has received approval for an extension) from the date this Order becomes final, complied with the requirements set forth herein, the instant application will be deemed dismissed, without any further proceeding, and the authority granted herein revoked without further Commission order.

JAMES J. MCNULTY,
Secretary

Appendix A

*3U Telecom, Inc.; A-311207 (Interexchange Toll Services);
Deficiencies noted for Tariff No. 1:*

1) An issue and effective date must be inserted in the initial tariff. Where the initial tariff filed in compliance to this Order is mailed to the Commission, the issue date shall be the date of mailing and the effective date should be no less than five (5) days after the mailing date. Where the initial tariff is hand-delivered, the issue date shall be the date of filing and the effective date may be the next business day.

2) Original Sheet 4; Only three symbols are used in Pennsylvania Telecom Tariffs.

(I) To signify increased rate

(D) To signify decreased rate

(C) To signify all other changes

3) Original Sheet 19 & 28: A late fee charge on an overdue bill may not exceed 1.25% per month and may not include previously assessed late charges.

4) Original Sheet 22: Add to beginning of the Commission address: Bureau of Consumer Services

[Pa.B. Doc. No. 02-2039. Filed for public inspection November 8, 2002, 9:00 a.m.]

Tentative Order Statement

Application of Nicholas Moving & Storage, Inc., Slippery Rock, Butler County, for the transfer of all of the authority of O.H. Nicholas Transfer & Storage Co., authorized under the certificate issued at A-00090110, F. 2, et al.	Public Meeting October 24, 2002 OCT-2002-TSM-0164* A-00118885 OCT-2002-TSM-0168* A-00119122, F. 2 OCT-2002-FUS-0862* A-212285F0103 OCT-2002-FUS-0878* A-212285F0107 OCT-2002-FUS-0879* A-212285F0106 OCT-2002-FUS-1406* A-311207 OCT-2002-FUS-1407* A-311209
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Statement of Commissioner Terrance J. Fitzpatrick

Concurring in Part and Dissenting in Part

The above-referenced matters all involve unprotested applications for certificates of public convenience pursuant to § 1103 of the Public Utility Code, 66 Pa. C.S. § 1103. I agree with the actions of the majority on these matters to the extent that they grant the Applications, but I do not agree with these actions to the extent that:

1) the decisions are made via Tentative Orders, rather than Final Orders;

2) the Tentative Orders will be published in the *Pennsylvania Bulletin*; and

3) the public is given an additional ten-day period to file written comments or to request an "oral hearing."

I respectfully dissent, in part, since I believe the Commission is not legally compelled to initiate generic changes to its procedures during the period that the *Chester Water Authority*¹ case remains before the appellate courts of Pennsylvania. Prior to an ultimate resolution of this case in the appellate courts, it is unnecessary and impractical to change these procedures. Alternatively, even assuming the Commission has a legal duty to make sweeping changes to its procedures based on the *Chester*

¹ *Chester Water Authority v. PA Public Utility Commission*, 2967 C.D. 2001. Opinion and Order filed September 18, 2002.

Water Authority decision, the changes being implemented here do not follow that decision. This reasoning is explained more fully in my Statement of October 10, 2002, at OCT-2002-TSM-0146* 2nd REV, et al.

TERRANCE J. FITZPATRICK,
Commissioner

[Pa.B. Doc. No. 02-2040. Filed for public inspection November 8, 2002, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0289.1, Furnish and Install Four Overhead Doors, Building #7, Packer Avenue Marine

Terminal (PAMT), until 2 p.m. on Tuesday, November 26, 2002. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available November 12, 2002. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations.

A mandatory prebid job site meeting will be held November 19, 2002, at 10 a.m. at PAMT, South Gatehouse, Columbus Blvd. and Packer Ave., Philadelphia, PA 19148. South Gatehouse is 1/2 mile south of the Walt Whitman Bridge on the Delaware Ave. service road.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 02-2041. Filed for public inspection November 8, 2002, 9:00 a.m.]

PORT OF PITTSBURGH COMMISSION

Independent Auditors' Report

Board of Directors
Port of Pittsburgh Commission
Pittsburgh, Pennsylvania

We have audited, in accordance with auditing standards generally accepted in the United States, the governmental fund balance sheet/statement of net assets of Port of Pittsburgh Commission (Commission), a component unit of the Commonwealth of Pennsylvania, as of June 30, 2002, and the related statement of governmental fund revenues, expenditures and changes in fund balance/statement of activities for the year ended (not presented herein); and, in our report dated September 10, 2002, we expressed an unqualified opinion on those financial statements.

As described below, the accompanying summary financial information of the Commission as of and for the year ended June 30, 2002 is not a presentation in conformity with generally accepted accounting principles. In our opinion, however, the accompanying summary financial information is fairly stated, in all material respects, in relation to the financial statements from which it has been derived.

Terry & Stephenson, P.C.
429 Forbes Avenue, Suite 1600
Pittsburgh, PA 15219

September 10, 2002
Pittsburgh, Pennsylvania

Port of Pittsburgh Commission Governmental Fund Balance Sheet/Statement of Net Assets Balance Sheet June 30, 2002

	<i>Special Revenue Fund</i>	<i>Adjustments</i>	<i>Statement of Net Assets</i>
Assets:			
Cash and investments	\$1,666,372	\$ —	\$1,666,372
Capital assets, net of accumulated depreciation	—	1,860,050	1,860,050
Other assets	218,688	—	218,688
Total Assets	<u>\$1,885,060</u>	<u>\$1,860,050</u>	<u>\$3,745,110</u>
Liabilities and Fund Balance/Net Assets			
Liabilities	2,155,987	38,352	2,194,339
Fund balance (accumulated deficit)— reserved for economic development	(270,927)	270,927	—
Net Assets:			
Restricted for economic development		1,690,721	2,690,721
Invested in capital assets, net of related debt		(139,950)	(139,950)
Total Liabilities and Fund Balance/Net Assets	<u>\$1,885,060</u>	<u>\$1,550,771</u>	<u>\$1,550,771</u>

**Port of Pittsburgh Commission
Statement of Governmental Fund Revenues, Expenditures,
and Changes in Fund Balances/Statement of Activities
for the Year Ended June 30, 2002**

	<i>Special Revenue Fund</i>	<i>Adjustments</i>	<i>Statement of Net Assets</i>
Expenditures/Expenses:			
Operating	830,162	38,352	868,514
Capital	27,365	(27,365)	—
Other	37,773	83,312	121,085
	<hr/>	<hr/>	<hr/>
Total Expenditures/Expenses	895,300	94,299	989,599
Revenues and Other Financing Sources:			
Revenues	254,045	—	254,045
Other financing sources	600,000	—	600,000
	<hr/>	<hr/>	<hr/>
Total Revenues and Other Financing Sources	854,045	—	854,045
Excess of Expenditures/Expenses over Revenues and Other Financing Sources	(41,255)	(94,299)	(135,554)
Fund balance/net assets, beginning of year	(229,672)	1,915,997	1,686,325
	<hr/>	<hr/>	<hr/>
Fund balance/Net Assets, End of Year	\$ (270,927)	\$ 1,821,698	\$ 1,550,771

The summary financial information shown above differs from generally accepted accounting principles. Differences include amounts grouped; captions summarized; footnote disclosures are omitted.

JAMES R. MCCARVILLE,
Executive Director

[Pa.B. Doc. No. 02-2042. Filed for public inspection November 8, 2002, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

December 11, 2002	Ellen Berk Killen (Purchase of Previous County Service)	1 p.m.
December 12, 2002	Timothy LeGrande (Applying for Disability Retirement after Termination from State Service)	1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Admin-

istrative Practice and Procedure) unless specific exemption is granted.

JOHN BROSIUS,
Secretary

[Pa.B. Doc. No. 02-2043. Filed for public inspection November 8, 2002, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering Firm Geotechnical-Engineering Services Systemwide; Reference No. 3-154

The Turnpike Commission (Commission) will retain an engineering firm for an open-end contract for various geotechnical-engineering services on various projects over the entire Turnpike system. This contract will be for a period of 2 years or \$500,000, whichever occurs first.

The firm may be required to perform, but will not be limited to, the following geotechnical engineering services: review geotechnical work performed by private engineering firms; perform geotechnical design for Commission designed projects; prepare scopes of work; investigate slope movements and other geologic hazards for future programming; install and/or monitor geotechnical instruments; provide geotechnical consultation during and after construction; provide drilling inspection in accordance with the Department of Transportation (Department) Design Manual Part 4/Publication 293 qualifications and criteria; provide emergency response to geologic hazards;

review and comment on Commission procedures and documents; investigate stability of retaining systems; develop specifications; prepare cost estimates; prepare, using DARWin software, and review pavement designs; respond to requests from construction and maintenance for various types of investigations; perform stability analyses of slopes and retaining structures; prepare erosion and sedimentation plans; perform scour analyses and develop remedial solutions; perform settlement analyses and develop remedial solutions; review contour grading plans; review value engineering proposals; prepare prints and information required for a value engineering review; prepare geotechnical engineering reports; attend field views and prepare minutes; prepare submissions for field view meetings; perform field reconnaissance; plot topography and cross sections; and attend coordination and status meetings with Commission personnel and prepare meeting minutes.

In most cases, the Commission will provide drilling and sampling services through separate open-end drilling contracts. However, the firm may be required to let separate contracts for drilling and will be required to have soil, rock and water testing capabilities including resilient modulus testing. The soil and rock testing must be performed at an AASHTO Materials Reference Laboratory (AMRL) accredited laboratory and the water testing must be performed at a Department of Environmental Protection certified laboratory. Some tests may be required to be performed under a Health and Safety Plan (HASP).

Environmental related work may include, but not be limited to the following: perform geotechnical investigations under a HASP; develop HASPs for projects; develop remediation for acid mine drainage problems; review preliminary area reconnaissance, initial site assessments, preliminary site investigations, detailed site investigations, and waste management plans.

The format and content of documents, plans and specifications will be consistent with applicable State and Federal regulations and guidelines.

The geotechnical, geological and engineering services previously identified are the general work activities that can be expected under this open-end contract. A more specific and project-related scope of work will be outlined for each individual work order developed under this open-end contract.

The following factors will be considered by the Commission during the evaluation of the firms submitting letters of interest for these projects:

- a. Specialized experience and technical competence of prime consultant and subconsultants. The team must clearly demonstrate an ability to analyze available data to make decisions and develop documents to complete the project in a timely and cost effective manner.
- b. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project and the client.
- c. The specific experience and number of individuals who constitute the firm.
- d. Workload of the prime consultant and subconsultants for all Department and Commission projects.
- e. Other factors, if any, specific to the project.

Address these items and necessary further details in a brief yet comprehensive manner in the letter of interest.

Questions and inquiries concerning this project should be directed to Kenneth M. Heirendt, P. G., Turnpike Commission, Western Regional Office, (724) 755-5187 or by e-mail at kheirend@paturndpike.com. Direct contractual questions to George M. Hatalowich at (717) 986-8737 or by e-mail at ghatalow@paturndpike.com.

General Requirements and Information

Firms interested in providing the previous work and services are invited to submit a statement of interest with the required information. The statements of interest must include the following:

1. One-page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. If the firm has multiple offices, the location of the office performing the work must be identified.
2. A three-page expression of interest on the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for each project and provide explanation of the technical approach.
3. An organization chart for the project, identifying key personnel and any subconsultants and their roles. Any deviation from the subconsultant's listed in the statement of interest will require written approval from the Commission.
4. Tabulation or listing of workload for the prime consultant and all subconsultants for all Department and Commission projects. Do not graphically represent the firm's workload.
5. A Consultant Qualification Package similar to the one submitted to the Department for the current year or one that is best suited for this project. A copy of the Consultant Qualification Package printed directly from the Department's ECMS website is acceptable.

The Consultant Qualification Package should contain at a minimum the following information for the prime consultant and all subconsultants and attached to the back of the statement of interest (subs to follow primes):

- ECMS General Information and Project Experience Forms or Standard Form (SF) 254—Architect-Engineer and Related Services Questionnaire in its entirety, either not more than 1 year old as of the date of the advertisement.
- Resumes of key personnel expected to be involved in the project. (limit two 8 1/2 x 11 pages, per person). Only resumes of key personnel should be included.
- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in this Commonwealth.
- A copy of the Department's DBE/WBE Certification, if applicable.

Small firms, DBE firms and other firms who have not previously performed work for the Commission are encouraged to submit a statement of interest.

Firms interested in performing the above services are invited to submit a statement of interest and required information to George M. Hatalowich, Engineering Contract Manager, Turnpike Commission, Administration Building, 700 South Eisenhower Boulevard, Middletown,

PA 17057 (street address). The mailing address is P. O. Box 67676, Harrisburg, PA 17106-7676.

The statement of interest and required information must be received by 12 p.m., Friday, November 22, 2002. Statements of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable statements of interest received in response to this solicitation, one firm will be selected for this contract. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the

Commission. Technical proposals will not be requested prior to the establishment of the final ranking.

The Commission reserves the right to reject all statements of interest, to cancel solicitation requested under this notice and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,
Chairperson

[Pa.B. Doc. No. 02-2044. Filed for public inspection November 8, 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.

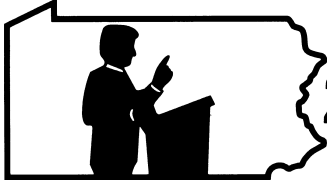
Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) 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.

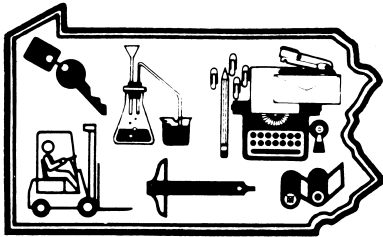
⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

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



Commodities

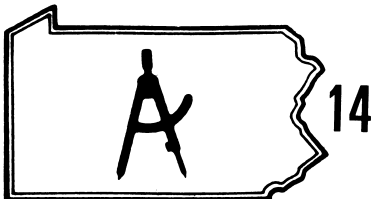
PSSH 10076 Nursing Uniforms.

Department: Military Affairs
Location: PA Soldiers & Sailors Home, 560 East 3rd Street, Erie, PA 16507
Duration: Date of approved contract through June 30, 2003
Contact: Jenny Nowacinski, (814) 878-4930

#100203 1) Ergolift mobile electric battery operated lifters complete with built-in battery charger, safety features for energy down, anti-sway, back-up controls. Includes inservices for staff and training materials.....2 ea. 2) Six Strap Hammock Sling: Size Medium.....20 ea. 3) Six Strap Hammock Sling: Size Small....12 ea. 4) Digital Scale factory mounted to one of the above lifts....1 ea.

Department: Public Welfare
Location: Ebensburg Center, 4501 Admiral Perry Highway, Rt. 22 West, P.O. Box 600, Ebensburg, PA 15931.
Contact: Marilyn Cartwright, Purchasing Agent, (814) 472-0259

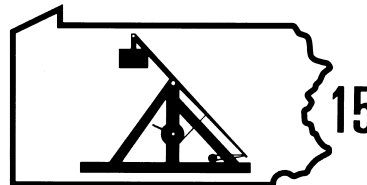
SERVICES



Engineering Services

PennDOT-ECMS The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at www.dot2.state.pa.us.

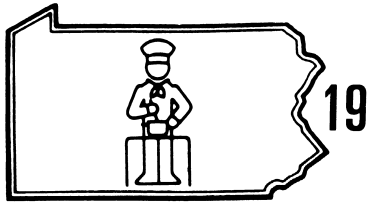
Department: Transportation
Location: Various
Contact: www.dot2.state.pa.us



Environmental Maintenance Service

OSM 61(6962)101.1 Abandoned Mine Land Reclamation, Smith Corners East. The work involved essentially consists of access road construction (which will remain as a permanent structure), clearing and grubbing, backfilling approximately 12 ft. of high wall, 11 acre seeding and 9,650 tree planting. Federal funds are available for this project from the \$37.8 million 2001 Pennsylvania AML grant. This project issues November 8, 2002. Payment in the amount of \$10.00 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Clinton and Venango Townships, Venango and Butler Counties
Duration: 120 calendar days after notice to proceed
Contact: Construction Contracts Section, (717) 783-7994



Food

S-7 Frozen Foods - To be delivered twice weekly during contract period.

Department: Military Affairs
Location: Southeastern Veterans Center, One Veterans Drive, Spring City, PA 19475
Duration: January, February, March, 2003
Contact: Patricia M. Urban, (610) 948-2448

PSSH 10075 Milk and Cream Products

Department: Military Affairs
Location: PA Soldiers & Sailors Home, 560 East 3rd Street, Erie, PA 16507
Duration: January 1, 2003 through December 31, 2003
Contact: Jenny Nowacinski, (814) 878-4930

S-5 Meat - To be delivered weekly during contract period.

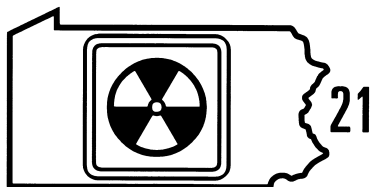
Department: Military Affairs
Location: Southeastern Veterans Center, One Veterans Drive, Spring City, PA 19475
Duration: January, February, March, 2003
Contact: Patricia M. Urban, (610) 948-2448

009 Bid is for meat and meat products (frozen). A copy of the bid packet can be obtained by contacting the Purchasing Department by phone (610) 740-3428 or fax (610) 740-3424.

Department: Public Welfare
Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18109-2498
Duration: January 2003 through March 2003
Contact: Robert Mitchell, (610) 740-3425

S-6 Poultry - To be delivered twice weekly during contract period.

Department: Military Affairs
Location: Southeastern Veterans Center, One Veterans Drive, Spring City, PA 19475
Duration: January, February, March, 2003
Contact: Patricia M. Urban, (610) 948-2448



Hazardous Material Services

FD-08263 The PA Emergency Management Agency (PEMA) is soliciting bid proposals to licensed radioactive material broker/disposal contractors to remove, dispose and/or recycle 2 Cesium 137 calibration sources and 1 test source from the Radiological Instrument Maintenance and Calibration (RIMC) facility located at Fort Indiantown Gap, Annville, PA. If you are interested in receiving a bid package, please contact Donna Simmons at dsimmons@state.pa.us or call (717) 651-2188. Facsimile request may be submitted to (717) 651-2025. Please include your name, title, phone number, fax number, complete company address, Federal ID number and reference FD-08263 on all correspondences.

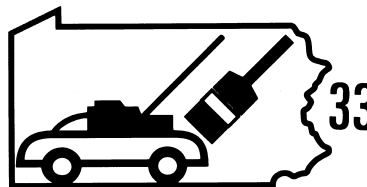
Department: PA Emergency Management Agency
Location: Radiological Instrument Maintenance and Calibration (RIMC) facility, Fort Indiantown Gap, Annville, PA.
Duration: Not to exceed 3 months after the issuance of the notice to proceed
Contact: Donna Simmons, (717) 651-2188



Janitorial Services

FM-8553 Furnish materials, equipment, and labor to perform janitorial services 3 visits per week at the Troop F. Emporium Station. Detailed work schedule and bid specifications will be forwarded upon notification of request for quote from the Facility Management Division.

Department: State Police
Location: Troop F, Emporium Station, 12921 Route 120, Emporium, PA 15834
Duration: December 2002 through June 30, 2005
Contact: Stacey Logan-Kent, (717) 705-5952



Property Maintenance

CPC 02.065 CPC 02.065 South Wing Marble Entry Steps: The work of this contract includes but is not limited to the removal and replacement of existing marble treads; the removal, repair, cleaning and reinstallation of existing marble risers; and the refinishing of adjacent brass accessories. Specifications will be available October 23, 2002, with a mandatory pre-proposal conference and site walkthrough scheduled for October 30, 2002. Proposals are due on November 11, 2002.

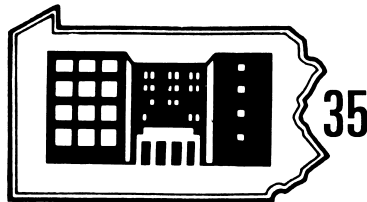
Department: PA Capitol Preservation Committee
Location: Room 630, Main Capitol Building, Harrisburg, PA.
Duration: January 1, 2003 to September 12, 2003
Contact: Chris Ellis, (717) 783-6484

Bid #8554 Furnish all labor, materials and equipment for snow removal services from driveways and parking areas and snow removal from sidewalks at the PA State Police, Tionesta Station. Totals are based on estimated snow removal and salting/cindering hours/tons. Detailed Work Schedule and Request for Quote must be obtained from Facility Management Division, 717-705-5951.

Department: State Police
Location: Tionesta Station, R.D. #1, Box 43DD, Tionesta, PA 16353-9502
Duration: 12/1/02 to 6/30/04
Contact: Donna Enders, (717) 705-5951

9744 Exterior painting of several cottages.

Department: Military Affairs
Location: Scotland School for Veterans' Children, 3583 Scotland Rd., Scotland, PA 17254-0900
Duration: Work to be performed April 12-20, 2003, and June 8-30, 2003.
Contact: Marion Jones, (717) 264-7187 ext. 661



Real Estate Services

93516 LEASE OFFICE SPACE TO THE COMMONWEALTH OF PA. Proposals are invited to provide the Department of Labor and Industry with 5,721 useable square feet of office space with a minimum parking for 41 vehicles, within the following Townships: Lower Matefield Falls, Newton, Middletown, Bristol, Northampton, Bensalem, Ivyland, Upper Southampton, Lower Southampton and the Municipalities of Yardley and Morrisville, Bucks County, PA. Downtown locations will be considered. For more information on SFP #93516, which is due on November 18, 2002, visit www.dgs.state.pa.us or call (717) 787-4394.

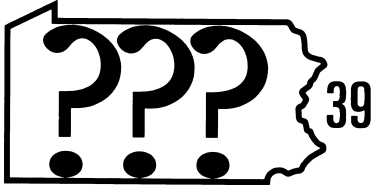
Department: Labor and Industry
Location: 505 North Office Building, Harrisburg, PA 17125
Contact: Mr. Jennings Ward, (717) 787-7412

93520 LEASE OFFICE SPACE TO THE COMMONWEALTH OF PA. Proposals are invited to provide the Department of Labor and Industry with 2,795 useable square feet of office space in Harrisburg, Dauphin County, PA. with a minimum parking for 12 vehicles. Downtown locations will be considered. For more information on SFP #93520, which is due on November 18, 2002, visit www.dgs.state.pa.us or call (717) 787-4394.

Department: Labor and Industry

Location: 505 North Office Building, Harrisburg, PA 17125

Contact: Jennings Ward, (717) 787-7412



Miscellaneous

RFP 2002-1A A study and report as required by Act 1998-150 that is actuarially sound and subject to peer review by a member of the American Academy of Actuaries based on the standards of actuarial practice. A study is required of the cost and benefits of Section 5 of Act 1998-150, which imposed certain mental illness coverage requirements on specific group health insurance policies. Contractor must also provide oral testimony at a public hearing.

Department: Legislative Budget and Finance Committee

Location: Room 400-A, Finance Building, Harrisburg, PA 17120

Duration: Completion of contract required by June 30, 2003.

Contact: Phil Durgin, (717) 783-1600

[Pa.B. Doc. No. 02-2045. Filed for public inspection November 8, 2002, 9:00 a.m.]

DESCRIPTION OF LEGEND

- | | |
|--|---|
| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
|--|---|

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
5810-03 sup#16	10/30/02	Bindview Development	\$5,000.00
5810-03 sup#16	10/30/02	Gould Publications	5,000.00
5810-03 sup#16	10/30/02	Image Vision-Net	5,000.00
9110-05 rip#1	10/30/02	Bradford Energy	792,000.00
8254140-01	10/28/02	Ingersol-Rand Equipment	49,988.00

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
8254130-01	10/28/02	Phillips Ford	141,952.00
8254350-01	10/28/02	US Municipal Supply	204,750.00
8254380-01	10/28/02	Stephenson Equipment	132,302.00
8254390-01	10/28/02	Phillips Ford	63,091.00

KELLY POWELL LOGAN,
Secretary

[Pa.B. Doc. No. 02-2046. Filed for public inspection November 8, 2002, 9:00 a.m.]

United States Postal Service

Statement of Ownership, Management, and Circulation

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7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4) Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg Dauphin County, PA 17120-0033				Contact Person Mary Jane Phelps Telephone 717-783-1530	
8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer) Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg Dauphin County, PA 17120-0033					
9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)					
Publisher (Name and complete mailing address) Mary Jane Phelps, Acting Director PA Bulletin, Leg. Ref. Bur., Hbg., PA 17120-0033					
Editor (Name and complete mailing address)					
Barbara Furjanic, PA Bulletin, Leg. Ref. Bur., Harrisburg, PA 17120-0033					
Managing Editor (Name and complete mailing address) None					
10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)					
Full Name		Complete Mailing Address			
Commonwealth of Pennsylvania		Commonwealth of Pennsylvania			
Legislative Reference Bureau		Legislative Reference Bureau			
641 Main Capitol Building		641 Main Capitol Building			
Harrisburg, PA 17120-0033		Harrisburg, PA 17120-0033			
11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box <input checked="" type="checkbox"/> None					
Full Name		Complete Mailing Address			
12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one) The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes: <input checked="" type="checkbox"/> Has Not Changed During Preceding 12 Months <input type="checkbox"/> Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)					
13. Publication Title Pennsylvania Bulletin		14. Issue Date for Circulation Data Below September 21, 2002			
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months		No. Copies of Single Issue Published Nearest to Filing Date	
a. Total Number of Copies (Net press run)		7936		7545	
b. Paid and/or Requested Circulation	(1) Paid/Requested Outside-County Mail Subscriptions Stated on Form 3541. (Include advertiser's proof and exchange copies)	7654		7263	
	(2) Paid In-County Subscriptions Stated on Form 3541 (Include advertiser's proof and exchange copies)	0		0	
	(3) Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Paid Distribution	0		0	
	(4) Other Classes Mailed Through the USPS	0		0	
c. Total Paid and/or Requested Circulation (Sum of 15b. (1), (2), (3), and (4))		7654		7263	
d. Free Distribution by Mail (Samples, complimentary, and other free)	(1) Outside-County as Stated on Form 3541	0		0	
	(2) In-County as Stated on Form 3541	0		0	
	(3) Other Classes Mailed Through the USPS	0		0	
e. Free Distribution Outside the Mail (Carriers or other means)		0		0	
f. Total Free Distribution (Sum of 15d. and 15e.)		0		0	
g. Total Distribution (Sum of 15c. and 15f.)		7654		7263	
h. Copies not Distributed		282		282	
i. Total (Sum of 15g. and h.)		7936		7545	
j. Percent Paid and/or Requested Circulation (15c. divided by 15g. times 100)		100		100	
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17. Signature and Title of Editor, Publisher, Business Manager, or Owner Barbara W. Furjanic Editor - PA Bulletin					Date 9-25-02

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