

NOTICES

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, February 6, 2002. The hearing will be part of the Commission's regular business meeting. Both the conference session and business meeting are open to the public and will be held at the Commission offices at 25 State Police Drive, West Trenton, NJ.

The conference among the Commissioners and staff will begin at 9:30 a.m. Topics of discussion will include an update on the Comprehensive Plan (CP) and a proposed resolution concerning development of management strategies for implementing the goals and objectives of the CP; a Water Quality Advisory Committee proposal concerning the Delaware Riverkeeper's "Petition To Designate The Lower Delaware River As Special Protection Waters And Other Matters"; a report on the PCB TMDL development effort and proposal to modify the composition of the PCB Expert Panel within the previously approved budget authority; a report on Delaware Estuary Program activities; a proposal to fund a pilot Internet GIS interactive mapping application; a proposed resolution to enter into a contract with the Delaware Riverkeeper Network to provide support for the Little Neshaminy Watershed Study; a proposal to release for public comment the *Draft Guidelines for Developing an Integrated Resource Plan Under the Delaware River Basin Commission Southeastern Pennsylvania Ground Water Protected Area Regulations*; and a report on developments pursuant to Resolution No. 2001-32, declaring a drought emergency for the purpose of conservation of regional reservoir storage.

The subjects of the public hearing to be held during the 1 p.m. business meeting include, in addition to the following dockets, a resolution adopting the 2002 Water Resources Program.

The dockets scheduled for public hearing are as follows:

1. *Holdover Project: Philadelphia Suburban Water Company. D-98-11 CP.* A project to withdraw up to 4.0 million gallons per day (mgd) from the East Branch Brandywine Creek for public water supply when streamflow exceeds 25% of the average daily flow and is also greater than 90 mgd for the Brandywine River at Chadds Ford. The applicant proposes to serve portions of Wallace, East Brandywine and West Brandywine Townships, all in Chester County, PA. The intake will be situated on the east bank of the East Branch Brandywine Creek just south of Marshall Road in Wallace Township. On a yearly use basis, withdrawal is expected to average approximately 0.76 mgd. When available, the raw water will be conveyed for storage in a nearby abandoned quarry (known as Cornog Quarry) with an estimated storage capacity of approximately 100 mg. Withdrawals ranging from 0.5 mgd to 1.0 mgd will then be made from the quarry, treated by a proposed new filter plant, and distributed to the project service area.

2. *Kiamesha Artesian Spring Water Company. D-90-68 CP Renewal.* A groundwater withdrawal renewal project to supply up to 9.8 mg/30 days of water to the applicant's public water distribution system from the existing Filtra-

tion Plant Well and Fraser Road Well in the Upper Devonian aquifer. No increase in allocation is proposed. The project is located in the Town of Thompson, Sullivan County, NY.

3. *Metachem Products LLC. D-90-96 Renewal.* A groundwater remediation withdrawal project to continue withdrawal of 10.8 mg/30 days of water from existing Wells Nos. RW-1—5 in the Columbia Formation in the Red Lion Creek watershed. The project is located near the north side of Governor Lea Road approximately 1.4 miles north of the Routes 98-72 intersection near Delaware City, New Castle County, DE.

4. *Washington Township Municipal Utilities Authority. D-98-6 CP.* A groundwater withdrawal project to supply up to 248.2 mg/30 days of water to the applicant's distribution system and to permit new Wells Nos. 19 and 20. No increase in allocation is proposed. The project is located in Washington Township, Gloucester County, NJ.

5. *MBNA America. D-2001-7.* A groundwater withdrawal project to supply up to 412 mg/30 days from new Wells Nos. 10 and 14 to supplement supply from its White Clay Creek intake for irrigation of the applicant's Deerfield Golf & Tennis Club and to retain the existing total combined withdrawal from all sources to 6.75 mg/30 days. The project wells are located in the Wissahickon Formation in New Castle County, DE.

6. *Muhlenberg Township Authority. D-2001-30 CP.* A ground water withdrawal project to supply up to 10.8 mg/30 days of water to the applicant's public water supply system from new Well No. 15 in the Leithsville Formation and to increase the existing withdrawal from all wells to 168.5 mg/30 days. The project is located in the Willow Creek watershed in Ontelaunee Township, Berks County, PA.

7. *Conectiv Mid-Merit, Inc. D-2001-31.* An electric power project which entails an average withdrawal of 3.5 mgd of water from the Lehigh River via a proposed new intake for cooling tower make-up. An average of 1.82 mgd of cooling tower blow-down will be discharged back to the Lehigh River via an outfall to be constructed downstream from the project intake. Two 550 MW natural gas-fired power modules will be constructed on a brownfield site in the southern part of the City of Bethlehem, Northampton County, PA on land owned by the Bethlehem Steel Corp. The City of Bethlehem will supply an average of 0.31 mgd of potable water to the applicant for sanitary and process water requirements, of which approximately 0.02 mgd will be returned to Bethlehem's sewage treatment plant for treatment. The overall average water demand will be 3.81 mgd, and the overall consumptive use is projected at 52% or about 1.97 mgd. The power station will be designed to utilize low-sulfur distillate fuel as a secondary fuel supply and to provide electric power to the PJM grid.

8. *City of Dover. D-2001-43 CP.* A groundwater withdrawal project to supply up to 19.44 and 17.28 mg/30 days of water to the applicant's public water supply system from replacement Well No. 13 and from new Well No. 15, respectively, and retain the existing withdrawal from all wells at 438.24 mg/30 days. Both Well No. 13 and Well No. 15 are in the Cheswold Aquifer. The project is located in the St. Jones River watershed in Kent County, DE.

9. *Lejeune Properties, Inc. D-2001-45.* A project to construct a 0.086 mgd sewage treatment plant (STP) to serve

the River Crest Residential Golf Course Community in Upper Providence Township, Montgomery County, PA. The proposed STP is located on the applicant's 283-acre tract off Black Rock Road and State Route 29, in the Schuylkill River watershed. Following tertiary level, effluent will be used to spray irrigate the onsite golf course, but during the winter, STP effluent will be discharged to an unnamed tributary of the Schuylkill River.

10. *Little Washington Wastewater Company. D-2001-46.* A project to construct a 0.085 mgd STP to serve the Somerset Development in Newtown Township, Delaware County, PA. The project is located along the western side of Newtown Road about ¼-mile north of its intersection with Gradyville Road. The project is designed to provide tertiary treatment via an anoxic/oxic process and features chemical addition and effluent filtration. The proposed STP will discharge to an unnamed tributary of Hunter Run in the Crum Creek watershed.

11. *Municipal Authority of the Township of Branch. D-2001-47 CP.* A project to construct a 0.45 mgd STP to serve the predominantly residential service area of Branch and Cass Townships, both in Schuylkill County, PA. The proposed plant is designed to provide advanced secondary treatment and will discharge to the West Branch Schuylkill River. The project is located just south of U.S. Route 209 off Railroad Avenue in Branch Township, Schuylkill County, PA.

12. *Superior Water Company. D-2001-48 CP.* A ground water withdrawal project to supply up to 4.5 mg/30 days of water to the applicant's public water supply system from new Well No. 1 in the Hammer Creek Formation. The project is located in the Schuylkill River watershed in North Coventry Township, Chester County, in the Southeastern Pennsylvania Ground Water Protected Area.

13. *Citizens Utilities Water Company of Pennsylvania. D-2001-49 CP.* An application for approval of a ground-water withdrawal project to supply up to 5.18 mg/30 days of water to the applicant's public water supply system from new Well No. DG-12A in the Brunswick Formation and to increase the existing withdrawal from all wells to 29.14 mg/30 days. The project is located in the Magneton Creek watershed in Amity Township, Berks County, PA.

14. *Village of Beach Lake. D-2001-52.* A project to construct a 0.09 mgd STP to serve residents of Beach Lake Village in Berlin Township, Wayne County, PA. The existing subsurface grainfield system will be replaced by an intermittent cycle extended aeration system, which is designed to provide advanced secondary level of treatment prior to discharge to Beach Lake Creek in the Masthope Creek Watershed. The proposed plant will be constructed about 1 mile east of Beach Lake, just south of State Route 652 and is located in the drainage area to the Special Protection Waters.

15. *Mountainside Farms, Inc. D-2001-53.* A project to upgrade and expand a 0.036 mgd industrial waste treat-

ment plant (IWTP) to process 0.051 mgd from the Mountainside Farms, Inc. milk processing facility located about ¼-mile off State Route 30, in the Town of Roxbury, Delaware County, NY. The project is located in the drainage area to the Commission Special Protection Waters. Following tertiary treatment, the IWTP effluent will continue to percolate to ground water through six exfiltration ponds in the East Branch Delaware River Watershed.

16. *The Ace Center. D-2001-57.* A groundwater withdrawal project to supply up to 12.7 mg/30 days of water to the applicant's golf course irrigation system from new Wells Nos. 1 and 4 in the Wissahickon Formation. The project is located in the Schuylkill River watershed in Whitmarsh Township, Montgomery County, in the Southeastern Pennsylvania Ground Water Protected Area.

In addition to the public hearing items, the Commission will address the following at its 1 p.m. business meeting: minutes of the December 18, 2001, business meeting; announcements; a report on Basin hydrologic conditions; reports by the Executive Director and General Counsel; action on an untimely request for hearing by Gary Eckenrode concerning Doc. D-2001-13 CP of the Northampton Bucks County Municipal Authority; a directed appearance by Delaware Estuary point source dischargers Motiva Enterprises LLC, Metachem Products, LLC and AFG Industries, Inc. to report on their progress toward submitting overdue PCB monitoring data required by the Commission; a resolution concerning the development of management strategies for implementing the goals and objectives of the Comprehensive Plan; a resolution to fund a pilot Internet GIS interactive mapping application; a resolution to enter into a contract with the Delaware Riverkeeper Network to provide support for the Little Neshaminy Watershed Study; a resolution for the minutes expanding the Watershed Advisory Council to include as many as 40 members; and public dialogue.

Documents relating to the dockets and other items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Contact Thomas L. Brand at (609) 883-9500 ext. 221 with any docket-related questions. Persons wishing to testify at this hearing are requested to register in advance with the Commission Secretary at (609) 883-9500 ext. 203.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the hearing should contact the Commission Secretary, Pamela M. Bush, directly at (609) 883-9500 ext. 203 or through the New Jersey Relay Service at (800) 852-7899 (TTY), to discuss how the Commission may accommodate their needs.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 02-175. Filed for public inspection February 1, 2002, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending January 22, 2002.

NOTICES

BANKING INSTITUTIONS

Holding Company Acquisition

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
1-18-02	F.N.B. Corporation, Naples, FL, to acquire 100% of the common stock of Promistar Financial Corporation, Johnstown, PA, and thereby indirectly acquire Promistar Bank and Promistar Trust Company, Johnstown	Naples, FL	Effective

New Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-16-02	York Founders Bank York York County <i>Correspondent:</i> Carl D. Lundblad, Esq. Rhoads & Sinon, LLP One South Market St. Harrisburg, PA 17101	York	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-22-02	Pennsylvania Business Bank Philadelphia Philadelphia County Purchase of assets assumption of liabilities of one branch office of The Bank of Gloucester County, Woodbury, NJ, located at: 30 Elm Avenue Woodbury Heights Gloucester County, NJ	Philadelphia	Effective

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-15-02	WNB Bank Williamsport Lycoming County	24 N. Cedar Street Lititz Lancaster County	Filed
1-16-02	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Giant Eagle 41 Allegheny Towne Center Drive Leechburg Westmoreland County	Approved
1-16-02	Farmers First Bank Lititz Lancaster County	890 East Main Street Ephrata Lancaster County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-176. Filed for public inspection February 1, 2002, 9:00 a.m.]

Election of Nesquehoning Savings Bank to Exercise Conditional Powers

Effective on the date of this publication in the *Pennsylvania Bulletin*, under an election by Nesquehoning Savings Bank, authorized by section 513(b) of the Banking Code of 1965 (7 P. S. § 513(b)), Nesquehoning Savings Bank is hereby granted the following conditional powers as described by sections 504(b)(xiii) and 506(a)(iv)(B) and (vi) of the Banking Code of 1965 (7 P. S. §§ 504(b)(xiii) and 506(a)(iv)(B) and (vi)), to be exercised only with the prior written approval of the Department of Banking.

JAMES B. KAUFFMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-177. Filed for public inspection February 1, 2002, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Eligibility Tests for Classroom Plus—Pennsylvania's Education Support Services Program

The act of May 17, 2001 (P. L. 4, No. 4) (Act 4) established Classroom Plus—Pennsylvania's Education Support Services Program (Program).

To be eligible for the Program, a student in the third, fourth, fifth or sixth grade must meet the eligibility requirements set forth in the Program guidelines issued by the Department of Education (Department).

The act also requires the Department to publish annually a list of approved tests that may be used to determine eligibility for the program.

In September 2001, the Department published a list of approved tests for the 2001-02 school year. Various tests, however, also have been added since publication of the initial list.

Therefore, the complete test list for the 2001-02 school year is as follows: The following tests administered in the third grade may be used to determine eligibility for students who score at or below the 25th percentile:

- Stanford Achievement Test Series, Eighth Edition (SAT 8)—Harcourt Educational Measurement
- Stanford Achievement Test Series, Ninth Edition (SAT 9)—Harcourt Educational Measurement
- Terra Nova—CTB McGraw-Hill
- Terra Nova, 2nd Edition—CTB McGraw-Hill
- Comprehensive Test of Basic Skills, Fourth Edition (CTBS 4)—CTB McGraw-Hill
- California Achievement Tests, Fifth Edition (CAT 5)—CTB McGraw-Hill
- Iowa Test of Basic Skills (ITBS)—Riverside Publishing
- Comprehensive Testing Program III—Educational Records Bureau

- Northwest Evaluation Associate Achievement Level Test (NWEAALT)—Northwest Evaluation Association
- Measures of Academic Progress—Northwest Evaluation Association
- Metropolitan Achievement Tests, Seventh Edition (MAT 7)—Harcourt Educational Measurement
- Metropolitan Achievement Tests, Eighth Edition (MAT 8)—Harcourt Educational Measurement
- Performance Assessments for ITBS, TAP and ITED—Riverside Publishing

The following tests administered in the fourth grade may be used to determine eligibility for students who score at or below the 25th percentile:

- Stanford Achievement Test Series, Eighth Edition (SAT 8)—Harcourt Educational Measurement
- Stanford Achievement Tests Series, Ninth Edition (SAT 9)—Harcourt Educational Measurement
- Metropolitan Achievement Tests, Seventh Edition (MAT 7)—Harcourt Educational Measurement
- Metropolitan Achievement Tests, Eighth Edition (MAT 8)—Harcourt Educational Measurement
- Terra Nova—CTB McGraw-Hill
- Terra Nova, 2nd Edition—CTB McGraw-Hill
- Comprehensive Test of Basic Skills, Fourth Edition (CTBS 4)—CTB McGraw-Hill
- California Achievement Tests, Fifth Edition (CAT 5)—CTB McGraw-Hill
- Iowa Test of Basic Skills (ITBS)—Riverside Publishing
- Comprehensive Testing Program III—Educational Records Bureau
- Northwest Evaluation Associate Achievement Level Test (NWEAALT)—Northwest Evaluation Association
- Measures of Academic Progress—Northwest Evaluation Association
- New Standards Reference Exam—Harcourt Educational Measurement
- Performance Assessments for ITBS, TAP and ITED—Riverside Publishing

The following tests administered in the fifth grade may be used to determine eligibility for students who score below the basic level of proficiency:

- Pennsylvania System of School Assessment
- Pennsylvania Alternate System of Assessment

For more complete information, refer to the updated version of the Program guidelines issued by the Department.

CHARLES B. ZOGBY,
Secretary

[Pa.B. Doc. No. 02-178. Filed for public inspection February 1, 2002, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

NPDES APPLICATIONS

PART I PERMITS

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0030571	New Life Youth & Family Services P. O. Box 203 585 Freeman School Road Harleysville, PA 19438	Montgomery County Lower Salford Township	UNT to East Branch Perkiomen Creek	Y
PA0053627	Brad Kardux 745 Forest Grove Road P. O. Box 304 Wycombe, PA 18980	Buckingham Township Bucks County	Mill Creek	Y
PA0054313	Sherry Stangil, Grant Ziegler P. O. Box 512 3176 Walnut Street Springtown, PA 18081	Springfield Township Bucks County	Cooks Creek	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. PA0025437, Sewage, **North Coventry Municipal Authority**, P. O. Box 0833, Pottstown, PA 19464. This application is for renewal of an NPDES permit to discharge treated sewage from North Coventry Municipal Authority STP in North Country Township, **Chester County**. This is an existing discharge to Schuylkill River.

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

The proposed effluent limits for Outfall 001, based on an average flow of 1.5 MGD are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	10		20
(11-1 to 4-30)	20		40
Total Residual Chlorine	0.5		1.6
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	Monitor/Report		
pH	Within limits of 6.0—9.0 Standard Units at all times		

Other Conditions:

The EPA Waiver is not in effect.

No. PA0058432, Sewage, **Dr. Said Ali**, 25 Longview Drive, Thornton, PA 19373. This application is for issuance of an NPDES permit to discharge treated sewage from Ali Said SRSTP in Thornbury Township, **Delaware County**. This is a new discharge to an unnamed tributary to West Branch of Chester Creek.

The first downstream potable water supply intake from the point of discharge is the Media Borough Auxiliary Intake in Aston Township.

The receiving stream is classified for the following uses: trout stocking fishery, 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
Total Suspended Solids	20	40
Total Residual Chlorine	Monitor/Report	Monitor/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. PA0057061, Sewage, **Upper Frederick Township**, P. O. Box 597, Frederick, PA 19435. This application is for renewal of an NPDES permit to discharge treated sewage from an sewage treatment plant in Upper Frederick Township, **Montgomery County**. This is existing discharge to Scioto Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 21,525 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	20	40
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	4.0	8.0
(11-1 to 4-30)	12.0	24.0
Phosphorus (as P)		
(4-1 to 10-31)	2.0	4.0

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.2	0.45
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.

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

PA-0062791, Industrial, **Just Born, Inc.**, 1300 Stefko Boulevard, Bethlehem, PA 18017. This proposed facility is located in City of Bethlehem, **Northampton County**.

Description of Proposed Activity: The receiving stream, the Lehigh River, is in the State Water Plan watershed #2C and is classified for: warm water fishery. The nearest downstream public water supply intake for Keystone Water Company Yardley District is located on Delaware River is 54 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.217 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Flow (MGD)	Monitor and Report			
Oil and Grease			15.0	30.0
pH	6.0 to 9.0 Standard Units at all times.			

1. Outfall 002 and 003 are stormwater outfalls.

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

PA0246581, CAFO, **Mercer Vu Farms, Inc.**, 12352 Karper Road, Mercersburg, PA 17236-8705. This proposed facility is located in Montgomery Township, **Franklin County**.

Description of Proposed Activity: The Mercer Vu Farm is an existing dairy operation that wishes to expand to 920 cows and dry cows and 72 large heifers and calves with a total AEUs of 1,254.5. An estimated quantity of total annual manure production is 48,607.1 tons stored in an existing round reinforced concrete manure storage structure plus the construction of a HDPE-lined manure storage facility structure with an approximate storage volume of 7.8 million gallons. The solids will be composted onsite and either land applied or solid off site if a market develops. The Nutrient Management Plan was written to apply all solid manure on site. Total acres where nutrients will be applied 349.0 owned acres and 313.7 rented acres.

The receiving stream, Johnston Run, is in the State Water Plan watershed 13-C/Conococheague Creek and is classified for: CWF.

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

Application No. PA 0026620, Sewage, **Borough of Millersville**, 10 Colonial Avenue, Millersville, PA 17551. This facility is located in Manor Township, **Lancaster County**.

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

The receiving stream, the Conestoga River, is in Watershed 7-J and classified for warm water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Holtwood Dam Power Plant is located on Susquehanna River, approximately 14 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.85 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Suspended Solids	30	45	60
Total Nitrogen		Monitor	
Total Phosphorus	2	XXX	4
Total Residual Chlorine	0.5	XXX	1.6
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	
(5-1 to 9-30)		2,900/100 ml as a geometric average	
(10-1 to 4-30)			

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

The EPA waiver is not in effect.

Application No. PA 0034886, Industrial Waste, **Wolverine Tube—Small Tube Products Company, Inc.**, P. O. Box 1674, Altoona, PA 16603-1674. This facility is located in Allegheny Township, **Bedford County**.

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

The receiving stream, Beaverdam Branch, is in Watershed 11-A and classified for trout stocking, water supply and recreation and fish consumption. The nearest downstream public water supply intake for United Water Company is located on the Susquehanna River, approximately 150 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.183 MGD are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
pH	—	—	from 6.0 to 9.0 inclusive		
Temperature	—	—	Monitor and Report		
Total Copper	0.49	1.28	0.32	0.64	0.80
Total Zinc	4.0	8.0	2.6	5.2	6.5
Total Lead	0.35	0.70	0.23	0.46	0.58
Total Chromium	0.62	1.53	Monitor	—	1.00
Total Nickel	4.33	6.66	Monitor	—	7.09

The proposed limits for Outfalls 002, 003 and 004 are:

Parameter	Concentrations (mg/l)		
	Average Monthly	Maximum Daily	Instantaneous Maximum
pH	from 6.0 to 9.0 inclusive		
Temperature	Monitor and Report		

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

The EPA waiver is in effect.

Application No. PA 0086398, Groundwater Cleanup, SIC Code 9511, **U. S. Army Corps of Engineers (Marsh Run Park)**, 285 18th Street, New Cumberland, PA 17070-5016. This facility is located in Fairview Township, **York County**.

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

The receiving stream, Marsh Run Creek, is in Watershed 7-E and classified for warm water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake is the Wrightsville Water supply Company is located on the Susquehanna River, approximately 22 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.072 MGD are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
pH	XXX	XXX	from 6.0 to 9.0 inclusive		
Total Mercury	XXX	XXX	0.5	1.0	1.2
1,1-Dichloroethylene	XXX	XXX	3.5	7.0	8.7
1,1,2,2-Tetrachloroethane	XXX	XXX	6.0	12	15
Trichloroethylene	XXX	XXX	7.5	15	18.7

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

- Monthly effluent monitoring for volatile organic compounds (VOCs) and metals
- Quarterly groundwater monitoring for VOCs and metals.

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

The EPA waiver is in effect.

Application No. PA 0246387, Sewage, **Rustic Meadows Camping and Golf Resort**, 1980 Turnpike Road, Elizabethtown, PA 17022. This facility is located in West Donegal Township, **Lancaster 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 of Snitz Creek, is in Watershed 7-G and classified for warm water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Columbia Water Company is located on the Susquehanna River, approximately 17 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.01215 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Suspended Solids	20	40
NH ₃ -N (5-1 to 10-31)	3.0	6.0
(11-1 to 4-30)	9.0	18.0
Total Residual Chlorine	0.37	1.2
Dissolved Oxygen	minimum of 5.0 at all times	
pH	from 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	

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

The EPA waiver is in effect.

Application No. PA 0246417, Industrial Waste 5015, **State Line Sales, Inc.**, 2632 Robert Fulton Highway, Peach Bottom, PA 17563. This facility is located in Fulton Township, **Lancaster County**.

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

The receiving stream, unnamed tributary to the Conowingo Creek, is in Watershed 7-K and classified for high quality cold water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake for the Naval Training Center is located on the Susquehanna River, approximately 15 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfalls 001 and 002 are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅		Monitor	
COD		Monitor	
Oil and Grease		Monitor	
pH		Monitor	
Total Suspended Solids		Monitor	
Total Kjeldahl Nitrogen		Monitor	
Total Phosphorus		Monitor	
Iron, Dissolved		Monitor	

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

The EPA waiver is in effect.

Application No. PA 0246484, Sewage, **The Links at Gettysburg Land Co., LLC**. This facility is located in Mount Joy Township, **Adams County**.

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

The receiving stream, Rock Creek, is in Watershed 13-D and classified for warm water fisheries, water supply and recreation and fish consumption. The nearest downstream public water supply intake for City of Frederick, MD is located on Monocacy River. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.110 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	XXX	50
Total Suspended Solids	30	XXX	60
Total Phosphorus	2.0	XXX	4.0
Total Residual Chlorine	0.5	XXX	1.6
Dissolved Oxygen	minimum of 5.0 at all times		
pH	from 6.0 to 9.0 inclusive		

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a geometric average 49,000/100 ml as a geometric average

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

The EPA waiver is in effect.

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

PA# 0228494, CAFO 0291, **Hostetter Management Company**, 120 Lake Street, Ephrata, PA 17522-0526. This existing facility is located in Beaver Township, **Snyder County**.

Description of existing activity: This farm operation is a sow unit housing 1,520 sows. The manure generated at this facility is exported to a total of 1,460 acres on other farms for nutrient application from 730.9 Animal Equivalent Units.

The receiving stream, Kern Run, is in the State Water Plan watershed 6A and is classified for: Cold Water Fishes.

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

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

PA0218863, Industrial Waste, SIC 4911, **Duke Energy North America**, 5400 Westheimer Court, Houston, TX 77056-5310. This application is for issuance of an NPDES permit to discharge treated process water, cooling water and stormwater from the Fayette Energy Facility—Duke Energy in German Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River (001) and unnamed tributary 41154 (002), classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Carmichaels Municipal Authority, located below Nemaocolin on the Monongahela River, over 3 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.973 MGD.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)			Monitor and Report		
Oil and Grease			Monitor and Report		
Temperature (°F)					110
Total Suspended Solids			Monitor and Report		
Total Residual Chlorine			0.5		1.0
pH (S.U.)	not less than 6.0 nor greater than 9.0				

Other Conditions: Residual solids disposal, floating solids control, temperature condition, stormwater conditions, oil storage area conditions, hydrostatic test discharge conditions, total residual chlorine restrictions, chemical additive controls, PCB control, sampling and Part II permit application required, cooling tower pollutant restrictions, chemical cleaning and intake structure wastes to be hauled off.

The EPA waiver is in effect.

Outfall 101: new discharge, design flow of 0.688 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)			Monitor and Report		
Zinc			1.0	1.0	
Chromium			0.2	0.2	
Total Suspended Solids			30	100	
Total Dissolved Solids			Monitor and Report		
Oil and Grease			15	20	
Iron			2		4
Aluminum			4		8
Manganese			1		2
Free Available Chlorine			0.2		0.5
Antimony			Monitor and Report		

NOTICES

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	not less than 6.0 nor greater than 9.0				

Outfall 201: new discharge, design flow of 0.036 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30	100	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 9.0				

Outfall 301: new discharge, design flow of 0.008 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30	100	
Oil and Grease			15	20	
Total Dissolved Solids	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

Outfall 401: new discharge, design flow of 0.144 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

Outfall 501: new discharge, design flow of 0.369 MGD

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
Total Suspended Solids			30	100	
Oil and Grease			15	20	
pH	not less than 6.0 nor greater than 10.0				

Outfall 002: new stormwater discharge

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Discharge to consist of uncontaminated stormwater runoff.					

PA0032212, Sewage, **Lawrence J. and Pamela K. Nelson**, 144 Silver Lake Lane, Fombell, PA 16123. This application is for renewal of an NPDES permit to discharge treated sewage from Camp Silver Lake STP in Marion Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Connoquenessing Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Beaver Falls Municipal Authority.

Outfall 001: existing discharge, design flow of 0.0016 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	9.0			18.0
(11-1 to 4-30)	25.0			50.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	10,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0096717, Sewage, **Penn Cambria School District**, 201 6th Street, Cresson, PA 16630-1363. This application is for renewal of an NPDES permit to discharge treated sewage from Penn Cambria Primary School STP in Lilly Borough, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Bear Rock Run, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Saltsburg Municipal Water Works on the Conemaugh River.

Outfall 001: existing discharge, design flow of 0.00442 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	50,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0097811, Sewage, **Dry Tavern Sewer Authority**, P. O. Box 159, Rices Landing, PA 15357. This application is for Renewal of an NPDES permit to discharge treated sewage from Dry Tavern Sewer Authority Sewage Treatment Plant in Jefferson Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Pumpkin Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri-County Joint Municipal Authority.

Outfall 001: existing discharge, design flow of 0.051 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.3			6.6
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.03			0.08
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0204994, Sewage, **Central Indiana County Joint Sanitary Authority**, 30 East Wiley Street, Homer City, PA 15748. This application is for renewal of an NPDES permit to discharge treated sewage from Central Indiana County Joint Sanitary Authority STP in Center Township, **Indiana County**.

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

Outfall 001: existing discharge, design flow of 0.65 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	17.5	16.3		35.0
(11-1 to 4-30)	25.0	37.5		50.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.6
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0210102, Sewage, **Brett Gassner**, 300 Gilkey Road, West Middlesex, PA 16159. This proposed facility is located in Shenango Township, **Mercer County**.

Description of Proposed Activity: treated sewage discharge from a single residence.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is New Castle District—Pennsylvania American water company and Shenango River located 9.1 miles below point of discharge.

The receiving stream, an unnamed tributary (Gulf Creek) to the Shenango River, is in watershed 20-A and classified for: warm water fishes, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 based on a design flow of 400 GPD.

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
CBOD ₅	25		50
Total Suspended Solids	30		60
Total Residual Chlorine	XX		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	200/100 ml as a geometric average		
pH	6.0 to 9.0 standard units at all times		

The EPA Waiver is in effect.

WATER QUALITY MANAGEMENT PERMITS

CONTROLLED INDUSTRIAL WASTE AND SEWAGE WASTEWATER

APPLICATIONS UNDER THE CLEAN STREAMS LAW

PART II PERMITS

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

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted before the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The comments should include the name, address and telephone number of the

writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

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

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

WQM Permit No. 2802201, CAFO Operation, **Mercer Vu Farms, Inc.**, 12352 Karper Road, Mercersburg, PA 17236-8705. This proposed facility is located in County. Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity: Construction of a new manure reinforced concrete storage facility.

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

WQM Permit No. 4101410, Sewerage [SIC 4952], **Department of Conservation and Natural Resources**, 7th Floor, Rachel Carson State Office Building, P. O. Box 8767, Harrisburg, PA 17105-8767. This proposed facility is located in Cummings Township, **Lycoming County**.

Description of Proposed Action/Activity: Construction of sanitary sewers, 3 pumping stations, a sand filter STP and spray irrigation disposal to serve Little Pine State Park.

WQM Permit No. 1802401, Sewerage [SIC 4952], **City of Lock Haven**, 20 East Church Street, Lock Haven, PA 17745. This proposed facility is located in the City of Lock Haven, **Clinton County**.

Description of Proposed Action/Activity: Construction of pump station and wastewater storage tank. Pump station will be constructed at the influent headworks of the existing treatment plant.

WQM Permit No. 1701202, Industrial Waste, **Westover Municipal Authority**, 121 North Main Street, P. O. Box 185, Westover, PA 16692-0185. This proposed facility is located in Westover Borough, **Clearfield County**.

Description of Proposed Action/Activity: Continue use of an existing lagoon and wetland area for the discharge of backwash water from a public drinking water treatment system. This existing lagoon and wetland area previously received the backwash water from a conventional filtration system, which is being replaced with a membrane filtration system.

WQM Permit No. 0801403, Sewerage, **Sigmund Winiavski**, R. R. 1, Doe Run 6, Troy, PA 16947. This proposed facility is located in Columbia Township, **Bradford County**.

Description of Proposed Action/Activity: Construct and operate a Single Residence Sewage Treatment System.

WQM Permit No. 1701409, Sewerage, **Municipal Authority of the Township of Morris**, P. O. Box 121, Allport, PA 16821. This proposed facility is located in Morris Township, **Clearfield County**.

Description of Proposed Action/Activity: The applicant proposes to construct one new sewage pump station, 17,870 LF of 8-inch gravity sewers and appurtenances, 1,120 LF of 4-inch force main, 38 individual grinder pump stations, 6,250 LF low pressure sewer and upgrade three existing sewage pump stations.

The permit application was received on December 28, 2001.

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

Application No. 0202401, Sewerage, **Robinson Township**, 1000 Church Hill Road, Pittsburgh, PA 15205. Application for the construction and operation of a gravity sewer and sanitary sewer pump station to serve the Burkett Park Development located in Robinson Township, **Allegheny County**.

Application No. 0377405-A1, Sewerage, **North Apollo Borough**, 1624 Sixteenth Street, North Apollo, PA 15673. Application for the Construction and Operation of a Sewer Separation/Extension to serve the North Apollo Borough located in North Apollo Borough, **Armstrong County**.

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

Application No. 2602402, Sewerage, **City of Uniontown**, 20 North Gallatin Avenue, Uniontown, PA 15401. Application for the construction and operation of a sanitary sewer system to separate combined sewers tributary to the Redstone Creek Interceptor and the Sewage Treatment Plant to serve the City of Uniontown, North Union Township and South Union Township located in the City of Uniontown, **Fayette County**.

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

Application No. 5672403-A2, Sewerage, **Jenner Area Joint Sewer Authority**, P. O. Box 202, Jennerstown, PA 15547. Application for the construction and operation of sewer extensions and sewage plant equalization facility to serve the Jenner Area Joint Sewer Authority Sewage Treatment Plant located in Boswell Borough, **Somerset County**.

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

WQM Permit No. 2402401, Sewerage, **Fox Township Sewer Authority**, 116 Irishtown Road, P. O. Box 186, Kersey, PA 15846-0186. This proposed facility is located in Fox Township, **Elk County**.

Description of Proposed Action/Activity: This project is for the expansion of an existing wastewater treatment facility.

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

Description of Proposed Action/Activity: This project is for the installation and operation of a new sewage treatment facility to replace a malfunctioning on-lot system.

WQM Permit No 4301427, Sewerage, **Sandra K. Hill**, 352 Franklin Road, Mercer, PA 16137. This proposed facility is located in Coolspring Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

WQM Permit No 4202401, Sewerage, **William Freeman**, P. O. Box 782, Bradford, PA 16701. This proposed facility is located in Lafayette Township, **McKean County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

WQM Permit No 4302401, Sewerage, **Jeremy M. Gaus and Angela L. Fuchs**, 417 East Jamestown 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 PA0238741, Sewerage, **Don W. Neff**, 111 Beach Road, Chicora, PA 16025. This proposed facility is located in Concord Township, **Butler County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

WQM Permit No PAG048787, Sewerage, **Thomas M. Lewis**, R. D. 2, Box 349-A, Portersville, PA 16051. This proposed facility is located in Perry Township, **Lawrence County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

WQM Permit No 2001421, Sewerage, **Carol Ann Scott**, 217 Fourth Street, Aspinwall, PA 15215. This proposed facility is located in Summerhill Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

WQM Permit No 2501425, Sewerage, **Brett M. and Tricia M. Peterson**, 9841 Mark Road, Erie, PA 16509. This proposed facility is located in North East Township, **Erie 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 that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

NPDES Permit PAS10 G503, Stormwater, **Marlin King**, 70 King Road, Honey Brook, PA, has applied to discharge stormwater associated with a construction activity located in Honeybrook Township, **Chester County** to West Branch Brandywine Creek (HQ-TSF).

NPDES Permit PAS10 G504, Stormwater, **Jerome McArdle**, 155 Schoolhouse Road, Christiana, PA 17509, has applied to discharge stormwater associated with a construction activity located in Lower Oxford Township, **Chester County** to UNT to Big Elk Creek (HQ-TSF).

NPDES Permit PAS10 G505, Stormwater, **Green Point Farm**, 402 Bayard Road, Kennett Square, PA 19348, has applied to discharge stormwater associated with a construction activity located in New London Township, **Chester County** to Hodgson Run (HQ-TSF).

NPDES Permit PAS10-G506, Stormwater, **Veteran's Life Insurance Company**, 4333 Edgewood Road, Cedar Rapids, IA 52499-5556, has applied to discharge stormwater associated with a construction activity located in East Whiteland Township, **Chester County** to Valley Creek (EV).

NPDES Permit PAS10-T101, Stormwater, **Steven W. Fisher**, 439 Mail Street, Harleysville, PA 19438, has applied to discharge stormwater associated with a construction activity located in Upper Salford Township, **Montgomery County**, to Stone Hill Run/Unami Creek (HQ-TSF).

NOTICE OF INTENT (NOI) FOR COVERAGE UNDER CAFO NPDES GENERAL PERMITS

The following parties have submitted: (1) NOIs for Coverage under the Department's CAFO (concentrated animal feeding operation) General NPDES Permit—PAG 12 to develop and operate a facility that may discharge wastewater into the surface waters of this Commonwealth.

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

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

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

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

CAFO Notices of Intent Received

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

PAG 124811, CAFO, SIC 0213, **Matthew L. McClellan**, R. R. 1, Box 181, Granville Summit, PA 16926. This proposed facility is located in Granville Township, **Bradford County**.

Description of Size and Scope of Proposed Operation/Activity: Endless Mountain Farm contains a CAFO operated with the primary purpose of finishing swine. The estimated population of the CAFO will be 4,200 pigs, totaling 499 Animal Equivalent Units.

The receiving stream, North Branch Towanda Creek, is in the Towanda (4-C) watershed and classified for: Cold Water Fishes.

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

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

SAFE DRINKING WATER

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

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

Permit No. 6002501, Public Water Supply.

Applicant	New Berlin Municipal Authority
Borough	New Berlin Borough, Union County
Responsible Official	Garth R. Miller, Manager New Berlin Municipal Authority 700 Water Street P. O. Box 396 New Berlin, PA 17855-0396
Type of Facility	Public Water Supply
Consulting Engineer	J. A. Coukart & Associates 122 Front Street P. O. Box 300 New Berlin, PA 17855-0300
Application Received Date	January 10, 2002
Description of Action	Construction of Well #7, phosphate feed, a 325,000 gallon finished water storage reservoir, related transmission mains for use with existing chlorination system.

Permit No. 1402501, Public Water Supply.

Applicant	College Township Municipal Authority
Township	College Township, Centre County

Responsible Official R. David Derr, Chairperson
College Township Municipal
Authority
1481 East College Avenue
State College, PA 16801

Type of Facility Public Water Supply

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
P. O. Box 32
Reading, PA 19603

Application Received January 14, 2002
Date

Description of Action Construction of a transmission
main for interconnection of the
Oak Hall water system.

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

Permit No. 6301504, Public Water Supply.

Applicant **Tri-County Joint Municipal
Authority**
P. O. Box 758
Frederickstown, PA 15333

[Township or East Bethlehem Township
Borough]

Responsible Official Jeff Kovach, Manager
Tri-County Joint Municipal
Authority
P. O. Box 758
Frederickstown, PA 15333

Type of Facility SCI Prison Pump Station

Consulting Engineer Nichols & Slagle Engineers
980 Beaver Grade Road
Suite 101, Westmark Building
Moon Township, PA 15108

Application Received December 31, 2001
Date

Description of Action Pump station

Permit No. 0302501, Public Water Supply.

Applicant **Rayburn Township Municipal
Authority**
454B, R. D. 6
Kittanning, PA 16201

[Township or Rayburn Township
Borough]

Responsible Official Norman Bowser, Chairperson
Rayburn Township Municipal
Authority
454B, R. D. 6
Kittanning, PA 16201

Type of Facility Booster pump station

Consulting Engineer Senate Engineering Company
U-PARC
420 William Pitt Way
Pittsburgh, PA 15238

Application Received January 4, 2002
Date

Description of Action Waterlines, booster pump station

Permit No. 3002501, Public Water Supply.

Applicant **Southwestern Pennsylvania
Water Authority**
P. O. Box 187, 1442 Jefferson
Road
Jefferson, PA 15344

[Township or Washington Township, **Greene
County** and German Township,
Borough] **Fayette County**

Responsible Official Joseph Simatic, Manager
Southwestern Pennsylvania Water
Authority
P. O. Box 187, 1442 Jefferson
Road
Jefferson, PA 15344

Type of Facility Water tanks

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
P. O. Box 200
Indianola, PA 15051

Application Received January 9, 2002
Date

Description of Action 5.0 and 2.0 million gallon water
tanks

Permit No. 3202501, Public Water Supply.

Applicant **Lower Indiana County
Municipal Authority**
P. O. Box 444
Black Lick, PA 15716

[Township or Burrell and Center Townships
Borough]

Responsible Official William A. King, Chairperson
Lower Indiana County Municipal
Authority
P. O. Box 444
Black Lick, PA 15716

Type of Facility Water tanks, pump station

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
P. O. Box 200
Indianola, PA 15051

Application Received January 9, 2002
Date

Description of Action Dean Drive Reservoir, pump
station and waterlines

Permit No. 0302502, Public Water Supply.

Applicant **Rural Valley Borough**
P. O. Box 415
Rural Valley, PA 16249

[Township or Rural Valley Borough
Borough]

Responsible Official Richard Brewer, President of
Council
Rural Valley Borough
P. O. Box 415
Rural Valley, PA 16249

Type of Facility Water plant

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road, P. O. Box 200
Indianola, PA 15051

Application Received January 9, 2002
Date

Description of Action Development of well, construction of a water storage tank, installation of sodium hydroxide feed equipment and construction of an emergency interconnection pump station.

MINOR AMENDMENT

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

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

Application No., Minor Amendment.

Applicant **Ralston Area Joint Authority**

Township McIntyre Township, **Lycoming County**

Responsible Official John Orr, Chairperson
Ralston Area Joint Authority
P. O. Box 93
Ralston, PA 17763

Type of Facility Public Water Supply

Consulting Engineer Pennoni Associates, Inc.
3001 Market Street
One Drexel Plaza
Philadelphia, PA 19104

Application Received January 18, 2002
Date

Description of Action Construction of a 100,000 gallon finished water storage tank

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

Application No. 3799502-MA1, Minor Amendment.

Applicant **PA—American Water Company**
2736 Ellwood Road
New Castle, PA 16101.

Township or Borough Mahoning and Union Townships
Lawrence County

Responsible Official Kevin Mortimer, P.E., Engineer
PA—American Water Co.

Type of Facility PWS

Consulting Engineer HRG Inc.
290 Executive Drive, Suite 1A
Cranberry Township, PA 16066.

Application Received January 8, 2002
Date

Description of Action Construction of an elevated 1.0 million gallon finished water tank.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

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

WA63-564A, Water Allocations, **Tri-County Joint Municipal Authority**, P. O. Box 758, Frederickstown, PA 15333, **Washington County**. Resubmittal—Requesting an increase in service territory. The current allocation is 3 million gpd from the Monongahela River. No increase in allocation is requested.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site.

For the sites identified, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified.

During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan.

Requests to be involved and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the Environmental Cleanup Program Manager in the Department Regional

Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Modern Dry Cleaners, Chambersburg Borough, **Franklin County**. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522 (on behalf of Emory Becker, Modern Dry Cleaners, 130 Lincoln Highway West, Chambersburg, PA 17201) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX and PHCs. The applicant proposes to remediate the site to meet a combination of the Statewide Health and Site Specific standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the Hagerstown, MD *Herald Mail* on January 4, 2002.

Wawa Reading, Store No. 153, City of Reading, **Berks County**. Groundwater and Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 (on behalf of Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19065) has submitted a Notice of Intent to Remediate site soils contaminated with lead, BTEX and PHCs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the Reading *Eagle/Times* on November 1, 2001.

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

Eckerd Drug, Loyalsock Township, **Lycoming County**. Civil & Environmental Consultants, Inc., on behalf of Loyal Plaza Venture, L.P., 20 South Third Street, Columbus, OH 43215 has submitted a Notice of Intent to Remediate soil, groundwater and surface water contaminated with lead, solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet the Site-Specific Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Williamsport Sun-Gazette* on December 10, 2001.

Harbison Walker Refractories, Clearfield Borough, **Clearfield County**. BL Companies on behalf of Clearfield County Economic Development Corporation, 309 East Locust Street, Clearfield, PA 16830, has submitted a Notice of Intent to Remediate soil contaminated with lead, heavy metals, solvents, BTEX, PHCs and PAHs. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Progress* on November 30, 2001. See other notice in this *Pennsylvania Bulletin*.

Pennsylvania Air National Guard (former), College Township, **Centre County**. Pennsylvania Air National Guard, 62 Olmsted Boulevard, Middletown, PA 17057 has submitted a Notice of Intent to remediate soil contaminated with arsenic. The applicant proposes to remediate the site to meet the Background Standard. A summary of the Notice of Intent to Remediate was reported to have been published in *The Centre Daily Times* December 4, 2001. See other notice in this *Pennsylvania Bulletin*.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Applications received under the Solid Waste Management (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.

PAD002312791. Sunoco Inc., Margaret and Bermuda Streets, Philadelphia, PA 19137, City and **County of Philadelphia**. Modification application to include two existing industrial boilers operating under interim status at Sunoco's Frankford Plant as permitted BIF units. Application received by the Southeast Regional Office on January 14, 2002.

DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Applications for Determination of Applicability 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/or the Beneficial Use of Residual Waste Other Than Coal Ash

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

General Permit Application No. WMGR038NC007. Lycoming County Commissioners, Brady Township, **Lycoming County**. Storage of Waste Tires for Beneficial Use. The application for determination of applicability was received by the Williamsport Regional Office on December 21, 2001.

Comments concerning the application should be directed to John C. Hamilton, P.E., Facilities Operations Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the general permit application may contact the Williamsport Regional Office, (570) 327-3653. 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.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

General Permit Application No. WMGR002D006. WeCare Organics, LLC, 9289 Bonta Bridge Road, Jordan, NY 13080. Beneficial use of wastewater treatment sludge generated by paper mills for use as a soil additive to: establish or reestablish agricultural productivity on disturbed land; establish herbaceous wildlife habitat; facilitate revegetation on disturbed land at permitted and abandoned mine sites. The application for determination of applicability was accepted by the Division of Municipal and Residual Waste on January 14, 2002.

Persons interested in obtaining more information about the general permit application may contact Ronald Hasinger, 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. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**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.

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

Permit Application No. 101427. Pine Grove Landfill, Inc., P.O. Box 307, Pine Grove, PA 17963. An application for a Radiation Protection Plan to be initiated at this municipal waste landfill located in Pine Grove Township, **Schuylkill County**. The application was received in the Regional Office on December 20, 2001, and was deemed administratively complete as of December 31, 2001.

Permit Application No. 100020. IESI PA Bethlehem Landfill Corporation, 2335 Applebutter Road, Bethlehem, PA 18015-6004. An application for a Radiation Protection Plan to be initiated at this municipal waste landfill located in Lower Saucon Township, **Northampton County**. The application was received in the Regional Office on December 20, 2001, and was deemed administratively complete as of December 31, 2001.

Permit Application No. 100265. Grand Central Sanitary Landfill, Inc., 1963 Pen Argyl Road, Pen Argyl, PA 18072. An application for a Radiation Protection Plan, a Meteorological Monitoring Plan, a new above ground leachate storage tank and Form R revisions for this municipal waste landfill located in Plainfield Township, **Northampton County**. The application was received in the Regional Office on December 21, 2001 and was deemed administratively complete as of January 11, 2002.

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

Permit Application No. 301261. US Liquids of Pennsylvania, Inc. d/b/a US Liquids, 199 Clyde Street, Ellwood City, PA 16117. Ellwood City Borough, **Lawrence County**. The application seeks the Department's approval to implement the facility's Radiation Protection Plan. The application was received by the Northwest Regional Office on January 14, 2002.

Comments concerning the application should be directed to A. Patrick Boyle, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335-3481. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office, (814) 332-6848. 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.

AIR QUALITY

**NOTICE OF PLAN APPROVAL AND OPERATING
PERMIT APPLICATIONS
NEW SOURCES AND MODIFICATIONS**

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

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

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

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

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

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

PLAN APPROVALS

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

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

48-309-117: ESSROC Cement Corp. (3251 Bath Pike, Nazareth, PA 18064-8928) for installation of an air clean-

ing device to Clinker Silo 524 in Lower Nazareth Township, **Northampton County**.

48-309-118: ESSROC Cement Corp. (3251 Bath Pike, Nazareth, PA 18064-8928) for the major modification of the cement production facility and air cleaning devices at the Nazareth Cement Manufacturing Complex in Upper and Lower Nazareth Townships and the Borough of Nazareth, **Northampton County**.

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

17-00001A: Reliant Energy Mid-Atlantic Power Holdings, LLC (1001 Broad Street, Johnstown, PA 15907-1050) for modification of an ash disposal facility at the Shawville Electric Generating Station in Bradford Township, **Clearfield County**.

17-305-042B: DTE River Hill, L.L.C. (414 South Main Street, Ann Arbor, MI 48104), owner and Covol Fuels, Division of Headwaters, Inc. (11778 South Election Drive, Suite 210, Draper, UT 84020), operator, for modification of a coal fines agglomeration facility and associated air cleaning devices (two fabric collectors) by increasing the plant's throughput from 613,000 tons per year to 1.752 million tons per year in Karthaus Township, **Clearfield County**. A cage mill crusher incorporated in this plant is subject to Subpart Y of the Federal Standards of Performance for New Stationary Sources.

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

11-00500A: Allegheny Environmental Solutions Inc. (938 Mine Road, P. O. Box 175, Northern Cambria, PA 15714) for installation and operation of incinerator at Northern Cambria Facility in Susquehanna Township, **Cambria County**.

03-00229A: Rosebud Mining Co. (R. D. 39 Box 379A, Kittanning, PA 16201) for installation of coal stock piling and screening operation at Logansport Mine in Bethel Township, **Armstrong County**.

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

42-198A: Elkhorn Field Services—Kane Plant (US Highway 6, Kane, PA 16701) for construction of natural gas compression and processing facility (12 mmscfd) in Kane, **McKean County**. The facility will construct two compressors (800 HP), a hot oil heater and a glycol unit. The facility is subject to the Federal New Source Performance Standard 40 CFR Part 60, Subpart KKK.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

01163: Philadelphia International Airport (Philadelphia, PA 19153) for permitting 35 heating units for various applications in the City of Philadelphia, **Philadelphia County**.

01168: National Publishing Co. (1311 Roosevelt Boulevard, Philadelphia, PA 19154) for permitting a heatset web offset lithographic printing press in the City of Philadelphia, **Philadelphia County**.

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

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

48-313-089: Elementis Pigments, Inc. (1525 Wood Avenue, Easton, PA 18042-3186) for modification and operation of an iron oxide granulation system and associated air cleaning devices in Wilson Borough, **Northampton County**. The modification is for the installation of a micro mill and two filter/receivers for the iron oxide granulation system. The emissions from the micro mill will be controlled by the existing granulation system fabric collector; and the emissions from each filter/receiver will be controlled by its own fabric collector. The particulate emissions from each fabric collector will not exceed the Best Available Technology standard of 0.02 grain/DSCF. The Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 48-00018. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

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

07-310-025B: Grannas Bros. Stone and Asphalt Co., Inc. (P. O. Box 488, Hollidaysburg, PA 16648) for installation of a limestone crushing unit at the existing limestone crushing and screening plant in Catharine Township, **Blair County**. The crusher will be controlled by wet suppression. This facility is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The potential emissions of particulate matter will increase by 170 lbs/yr. The facility currently operates with conditions that limit NOx emissions below major levels. These limitations will continue. The plan approval will include operations limitations, monitoring, recordkeeping and reporting requirements designed to ensure compliance with the applicable air quality requirements.

21-05064B: Atlas Roofing Corp. (802 Highway 19 North, Suite 190, Meridian, MS 39307) for installation of a regenerative thermal oxidizer to control volatile organic compound (VOC) emissions from the foam laminator operation at their polyisocyanurate foam manufacturing facility in Camp Hill Borough, **Cumberland County**. The company will limit the actual (total) facility VOC emissions to less than 50 tons per 12-month rolling total so as to maintain a synthetic minor status. The plan approval and operating permit shall contain monitoring and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

36-05084A: Ephrata Community Hospital (169 Martin Avenue, P. O. Box 1002, Ephrata, PA 17522-1002) for installation of a wet scrubber to control emissions from a hazardous medical infectious waste incinerator at their facility located in Ephrata Borough, **Lancaster County**. The source is subject to 40 CFR 60.30e—60.39e, Standards of Performance for New Stationary Sources. The

company will need to meet the emission limits found in NSPS, Subpart Ce, Table 1 for "medium" HMIWIs. This table list emission standards for PM, CO, dioxin/furan, HCl, SO₂, NO_x, lead, cadmium and mercury. The site specific performance testing is required as per 40 CFR 60.37e. The wet scrubber installation will ensure that the hydrogen chloride emissions are less than 100 parts per million by volume (or 93% reduction). The Plan Approval and Operating Permit shall contain monitoring and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

67-03028A: Dentsply International Trubyte Division (570 West College Avenue, P. O. Box 872, York, PA 17405-0872) for construction of a new multi-stage mist eliminator for the hard chromium electroplating unit at the facility in the City of York, **York County**. The facility is a non-Title V (State only) facility. The facility is subject to 40 CFR Part 63, Subpart N—National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks. It is expected that this project will not increase emissions into the outdoor atmosphere. The plan approval will include conditions designed to keep the project in compliance with all applicable air quality requirements.

67-05066A: Surtech Industries, Inc. (125 Derry Court, York, PA 17402) for relocation of its industrial manufacturing facility in the City of York, **York County**. This surface coating facility is a non-Title V State Only facility. This relocation will result in an estimated 2.15 tpy of Volatile Organic Compound (VOC) emissions and 1.34 tpy of Hazardous Air Pollutants emitted from the surface coating portion. There will be less than 1 tpy of Nitrogen Oxides, Carbon Monoxide, Particulate Matter and VOCs emitted from the burn off ovens. Section 129.52 of 25 Pa. Code becomes applicable if Surtech Industries, Inc. exceeds 2.7 tpy of VOCs in the surface coating operation. Standard monitoring, recordkeeping and operating restrictions are also included to keep the facility operating within applicable requirements.

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

12-399-017: Pennsylvania Sintered Metals, Inc., d/b/a Bronco Powder Products (116 West Second Street, P. O. Box 308, Emporium, PA 15834) for construction of a powdered metal parts sintering furnace in Emporium Borough, **Cameron County**. The air contaminant emissions from the sintering furnace will be controlled by an in-stack afterburner.

The sintering furnace, which is currently operating at a different location under Operating Permit 12-399-004C, will be used to sinter various aluminum and iron parts. The powdered aluminum and iron used in the parts processed through the furnace will have a lubricant content of 1.5 and 0.75% by weight, respectively. The furnace will emit up to 0.66 ton of particulate matter per year.

The Department has determined that the proposed sintering furnace and associated in-stack afterburner will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue plan approval for the construction of the respective sintering furnace.

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 air contaminants from the sintering furnace shall be controlled by an instack afterburner which is to be maintained at a minimum temperature of 1,500°F at all times when the sintering furnace is in operation.

2. The particulate matter emissions in the exhaust of the each of the sintering furnace stacks shall not exceed 0.02 grain per dry standard cubic foot.

3. The lubricant content of the aluminum and iron powdered metals to be processed shall not exceed 1.5 and 0.75% by weight, respectively. The metal powders shall not contain any zinc stearate, lithium stearate or any other metal-bearing lubricant.

4. The opacity from the sintering furnace stacks shall not exceed 10% at any time.

5. The sintering furnace stacks shall not be cleaned using high temperature burnout procedures.

17-309-024: Mt. Savage Specialty Refractories Co. (P. O. Box 60, Curwensville, PA 16833) for reactivation of existing refractories manufacturing equipment including an apron feeder, roll crusher, jaw crusher, transfer chute, natural gas-fired rotary dryer, 27 associated belt conveyors, elephant trunk, monolithics bins, 32 tippie bins, synton feeders, maximuller (crusher), material bucket elevator, material sizing screens, return chute to maximuller from screens, 44 sized material storage bins, two holding/additive hoppers, batch car/weigh lorry, three mixers, skip hoist, two weigh stations and supersack filling station and for the construction of new refractories manufacturing equipment including an additives conveyor, skip hoist, mixer, supersack filling station and bagging station at their Curwensville Facility in Pike Township, **Clearfield County**.

The particulate matter air contaminants emitted from the apron feeder, jaw crusher, roll crusher, transfer chute, rotary dryer and five associated conveyors will be controlled by an existing wet scrubber. The scrubber will be modified to incorporate a pumped recirculating scrubbing solution system. The particulate matter air contaminant emissions from the additional operations will be controlled by several existing fabric collectors. The proposed refractories manufacturing facility is expected to result in controlled emission rates of particulate matter of approximately 20.2 tons per year, of which 4.4 tons per year is expected to be PM-10. Emissions of other air contaminants, including hazardous air pollutants are expected to be minimal.

The Department has determined that the proposed refractories manufacturing facility will comply with all applicable regulatory requirements pertaining to air contaminant sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue a plan approval for the reactivation/construction of the respective refractories manufacturing facility.

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

1. The particulate matter in the exhaust of the scrubber shall not exceed 0.02 grain per dry standard cubic foot.

2. The particulate matter in the exhaust of each fabric collector shall not exceed 0.01 grain per dry standard cubic foot. Additionally, there shall be no visible emissions from the exhaust of any fabric collector at any time.

3. There shall be no visible fugitive emissions from any portion of the refractories manufacturing facility other than what the Department determines to be of minor significance.

4. The permittee shall process in the refractories manufacturing facility only Mulcoa 47, Mulcoa 60, refractory brick bats or additives as identified in the application and supplemental materials submitted for plan approval.

5. The rotary dryer shall be fired only on natural gas.

6. The scrubber shall operate at a minimum scrubbing solution recirculation rate of 60 gallons per minute and at a minimum differential pressure of 12.0 inches of water.

7. The scrubber shall be equipped with instrumentation to monitor the differential pressure across the scrubber on a continuous basis and flow monitoring equipment capable of measuring the scrubbing solution recirculating flow rate on a continuous basis. Each fabric collector shall be equipped with a manometer or gauge capable of measuring the differential pressure across the collector on a continuous basis.

8. Under no circumstances shall the scrubber be used to simultaneously control: 1) the apron feeder, jaw crusher, roll crusher, transfer chute and five associated conveyors; and 2) the rotary dryer.

9. The scrubber shall be drained and cleaned at the end of each 5 day work week.

10. The permittee shall inspect each fabric collector at least once every 3 months for damaged or worn bags.

11. The permittee shall conduct stack testing on the exhaust of the scrubber in accordance with 25 Pa. Code Chapter 139 to determine compliance with the particulate matter emission limit. The permittee shall also conduct opacity observations in accordance with Federal Reference Method 9 during all test runs.

49-00001A: Foster Wheeler Mt. Carmel, Inc. (Marion Heights Road, Marion Heights, PA 17832) for construction of a culm processing plant and associated air cleaning devices (eight fabric collectors) at their facility in Mt. Carmel Township, **Northumberland County**.

Foster Wheeler Mt. Carmel is a major facility for which a Title V Operating Permit (49-00001) has been issued.

The information provided by the applicant, as well as the Department's own analysis, indicates that the previous source will have the potential to emit up to 7.96 tons of particulate matter per year. However, construction of the previous source will not increase the emission of any air contaminant above the level currently authorized for the facility, as its operation will replace the operation of an existing culm processing plant. Nevertheless, the existing plant will remain on site as a back up to the proposed plant.

A preliminary review of the information submitted by the applicant indicates that the proposed culm processing plant will meet all applicable air quality requirements including the "best available technology" requirements of 25 Pa. Code §§ 127.1 and 127.12 and Subpart Y of the

Federal Standards of Performance for New Stationary Sources, 40 CFR 60.250—60.254. Based on this finding, the Department proposes to approve the application and issue a plan approval.

In order to ensure compliance with all applicable standards, the Department proposes to place the following requirements in the respective plan approval.

- The particulate matter concentration of the exhaust from each of the fabric collectors associated with the culm processing plant shall not exceed 0.01 grain per dry standard cubic foot.

- The total combined particulate matter emissions from the culm processing plant shall not exceed 1.82 pounds per hour and 7.96 tons per year.

- The exhaust of each fabric collector shall not have any visible emissions.

- The proposed culm processing plant shall never operate simultaneously with the existing culm processing plant.

- All conveyors incorporated in the culm processing plant, with the exception of conveyor CR-615, shall be equipped with a 3/4 cover. Additionally, all transfer points shall be equipped with "head box" type enclosures and both of the plant's screens shall be equipped with covers.

- The HSI crusher, the VSI crusher and the two screens incorporated in the culm processing plant, as well as conveyors CR-605, CR-608, CR-609 and CR-610, shall all be enclosed within a permanent structure or building.

- The company shall maintain an adequate supply of spare collector bags onsite in order to replace any bags that may require replacement due to deterioration resulting from routine operation or from any other malfunction that may cause bag damage.

- All compressed air systems associated with the fabric collectors shall be equipped with air dryers and oil traps.

- Each of the fabric collectors shall be equipped with instrumentation to continuously monitor the collector's differential pressure.

- The culm processing plant shall never be operated without the simultaneous operation of all air pollution control devices or without all conveyors (with the exception of conveyor CR-615), transfer points and screens being properly enclosed.

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

24-0120B: Dominion Transmission Corp. (625 Liberty Avenue, Pittsburgh, PA 15222) for construction of two new production engines rated at 1,775 HP each (equipped with Low Emission Combustion controls) at the Ardell Station in Benetzette Township, **Elk County**. The facility had previously been permitted to install two new engines rated at 2,225 HP, but after conducting a reassessment of the horsepower needs, indicated smaller engines would provide sufficient horsepower. The changes/additions will result in a decrease of 73.9 TPY of Potential NOx emissions, an increase of 49.2 TPY of potential CO emissions, an increase of 2.1 TPY, 2.0 TPY and 0.1 TPY of Potential VOC, PM-10 and SO₂ emissions, respectively. The use of LEC for the two engines is considered BAT. The Turbine is subject to Subpart GG of the NSPS standards of 40 CFR Part 60. The plan approval includes conditions limiting the emissions from the turbine and the two engines. In addition, the two production engines will be stack tested initially and on a semiannual basis to

determine the emissions of NO_x, CO and VOC. The permit contains limitations pertaining to fugitive, odor, visible particulate and sulfur emissions. The Plan Approval and Operating Permit will contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility was issued a Title V Operating Permit No. 24-00120 on October 2, 1997. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

61-199 ERC: Pennzoil-Quaker State Co. (700 Milam, P. O. Box 2967, Houston, TX 77252-2967) for an Air Quality Emission Reduction Credit Approval for 18.29 tons of NO_x, 45.03 tons of VOC, 15.43 tons of CO and 5.01 tons of SO_x emission reduction credits from the shutdown of sources from the Rouseville Refinery in Rouseville, **Venango County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

01154: Sun Chemical GPI (3301 Hunting Park Avenue, Philadelphia, PA 19132) for installation of four air operated drum mixers and four air operated pail mixers in the City of Philadelphia, **Philadelphia County**. This is a Title V facility. Sun Chemical will cut operation of the inkmakers from two shifts to one. There will be no increase in emissions due to these additions. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

01156: Qwest Communication Corp. (2400 Market Place, #19, Philadelphia, PA 19104) for permitting a 1,500 kW Cummins/Onan Diesel fired emergency generator in the City of Philadelphia, **Philadelphia County**. This is a natural minor facility. The nitrogen oxide emission from the generator will be 12.1 tons per year. The plan approval will contain operating and recordkeeping requirements to ensure operation within all applicable requirements.

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

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

45-315-004: Rock Tenn Co. (P. O. Box 770, Delaware Water Gap, PA 18327) for operation of a polymer make-down system and chemical additive delivery system in Smithfield Township, **Monroe County**.

48-318-129B: C F Martin and Co., Inc. (510 Sycamore Street, Nazareth, PA 18064) for operation of a coating operation and associated air cleaning device in Upper Nazareth Township, **Northampton County**.

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

14-309-044: Gensimore Trucking, Inc. (P. O. Box 5210, Bellefonte, PA 16823) for operation of a bulk cement blending facility and associated air cleaning devices (two fabric collectors) in Spring Township, **Centre County**.

The bulk cement blending facility consists of various storage silos, hoppers, bucket elevators, baggers, tank truck loading stations and the like. The fugitive particu-

late emissions generated by the use of this equipment are controlled by two fabric collectors. The particulate matter emissions from these collectors will be no greater than 2.57 pounds per hour.

The Department has determined that the bulk cement blending facility has been constructed and is operating, in conformance with all conditions of Plan Approval 14-309-044 as well as in compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department consequently intends to issue an operating permit for the operation of the respective bulk cement blending facility.

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

1. The first blending line shall unload no more than one truck and one railcar simultaneously. The second blending line shall unload no more than two trucks simultaneously.
2. The only trucks which shall be loaded at this facility shall be tank trucks.
3. At no time shall any of the equipment controlled by a fabric collector be in operation at any time the fabric collector is in a bag shaking cycle.
4. Spare fabric collector bags shall be kept on hand.
5. The fabric collectors shall be equipped with instrumentation to monitor differential pressure.

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

04-00704: Buckeye Pipe Line Co., L.P. (P. O. Box 368 Emmaus, PA 18049-0368) for a gasoline distributor in Midland Borough, **Beaver County**.

04-00710: Cronimet Corp. (417 Railroad Street, East Rochester, PA 15074) for a dust collector in East Rochester Borough, **Beaver County**.

65-00919: Angleo Iafate Construction (P. O. Box 259, 108B Main Street, New Stanton, PA 15672) for a crusher and asphalt plant in Mt. Pleasant Borough, **Westmoreland County**.

04-00006: Brighton Steel Inc. (510 45th Street, Beaver Falls, PA 15010) for a Steel Foundry in Beaver Falls, **Beaver County**.

11-00433: GapVax, Inc. (575 Central Avenue, Johnstown, PA 15902) for a paint booth in Johnstown, **Cambria County**.

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

95-054: Amerada Hess Corp. (1630 South 51st Street, Philadelphia, PA 19143) for operation of a gasoline terminal in the City of Philadelphia, **Philadelphia County**. The synthetic minor facility's air emission sources include three gasoline storage tanks, 11 distillate and additive storage tanks, a gasoline loading rack with a vapor recovery unit, a distillate and residual oil loading rack and marine loading of distillate and residual oil.

AMS intends to reissue the synthetic minor operating permit originally issued on June 15, 1998, to modify the monitoring method for the loading rack vapor recovery

unit from weekly checks with a portable analyzer to the use of a continuous emissions monitor. AMS also intends a minor modification of the operating permit per 25 Pa. Code § 127.462 to allow the following increases in throughputs: adding marine loading of 42 million gallons per rolling 12-month period (gpy) of distillate and residual fuel oil (increases VOC emissions by 0.25 ton per rolling 12-month period (tpy)); increasing the gasoline loading rack throughput from 110 million gpy to 123 million gpy (increases VOC emissions by 0.98 tpy); and increasing the distillate and residual oil loading rack throughput from 110 million gpy to 152 million gpy (increases VOC emissions by 0.51 tpy). After these increases (1.74 tpy VOC total), the facility's potential VOC emissions remain less than 25 tpy. AMS also intends to administratively amend the operating permit as per 25 Pa. Code § 127.450 to update contact information.

The operating permit will be revised under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII.

MINING ACTIVITY APPLICATIONS

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

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

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

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the previous, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for

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

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

Coal Applications Received

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

17970119 and NPDES Permit No. PA 0237876. Johnson Brothers Coal Company, R. D. 1, Box 580, Mahaffey, PA 15757. Transfer of an existing bituminous surface mine-auger permit from Moravian Run Reclamation Co., Inc., located in Gulich Township, **Clearfield County** affecting 52.7 acres. Receiving streams: Muddy Run. Application received: December 21, 2001.

17860122 and NPDES Permit No. PA 0115410. Laurel Energy, L.P., One Energy Place, Suite 7500, Latrobe, PA 15650. Transfer from Al Hamilton Contracting Company and renewal of an existing bituminous surface mine-auger-coal preparation plant permit located in Lawrence Township, **Clearfield County** affecting 490.4 acres. Receiving streams: unnamed tributaries of Wallace Run to Little Clearfield Creek to Clearfield Creek to West Branch Susquehanna River. Application received: December 26, 2001.

17910125 and NPDES Permit No. PA 0206733. Laurel Energy, L.P., One Energy Place, Suite 7500, Latrobe, PA 15650. Transfer from Al Hamilton Contracting Company and renewal of an existing bituminous surface mine-auger permit in Lawrence Township, **Clearfield County** affecting 78 acres. Receiving streams: unnamed tributaries of Wallace Run and Wallace Run to Clearfield Creek. Application received: December 26, 2001.

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

26920105. Twilight Industries (Division of US Natural Resources, Inc., 212 State Street, Belle Vernon, PA 15012-1158). Renewal application received for reclamation only of a bituminous surface mine located in Jefferson Township, **Fayette County**, affecting 157 acres. Receiving streams: unnamed tributaries to Washington Run and to Little Redstone Creek, classified for the following use: warm water fishery. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 15, 2002.

65970103. Derry Stone and Lime Co., Inc. (R. R. 5, Box 34, Latrobe, PA 15650). Revision application to add acres for a bituminous surface mine located in Derry Township, **Westmoreland County**, affecting 105 acres.

Receiving stream: unnamed tributary to Stoney Run, classified for the following use: cold water fishery. There is no potable water supply intake within 10 miles downstream from the point of discharge. Revision application received: January 18, 2002.

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

56020101 and NPDES Permit No. PA0249122. Dunamis Resources, Inc., One Energy Place, Suite 4000, Latrobe, PA 15650. Commencement, operation and restoration of a bituminous surface and auger mine and for discharge of treated mine drainage in Jenner Township, **Somerset County**, affecting 56.6 acres. Receiving streams: unnamed tributary to/and Roaring Run classified for the following uses: Cold Water Fishery. The first downstream potable water supply intake from the point of discharge is Quemahoning Reservoir (Cambria-Somerset Authority). Application received: January 2, 2002.

56703107 and NPDES Permit No. PA0605956. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541. Permit Revision for a stream variance for the purpose of construction of erosion and sedimentation facilities and a stream crossing on unnamed tributary "A" of Kaufman Run and a small side flow "Z" of the unnamed tributary "A." The encroachment areas begins approximately 40 feet above the junction of S.R. 0601 and the unnamed tributary "A" and continues upstream approximately 600 feet. The encroachment area on flow "Z" starts 25 feet above its juncture with the unnamed tributary "A" and continues upstream 330 feet. Permit Revision for a road variance to conduct surface mining activities within 100 feet of S.R. 0601, beginning at a point 3,900 feet northeast of the intersection of S.R. 0601 and S.R. 4039 then continuing along the south side of S.R. 0601 approximately 2,900 feet in Paint Township, **Somerset County**, affecting 863.0 acres. Receiving streams: unnamed tributary to Paint Creek; to Kaufman Run; to unnamed tributaries to Kaufman Run; to Stony Creek; and to Shade Creek classified for the following uses: Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 8, 2002.

32970103 and NPDES Permit No. PA0234371. Kent Coal Mining Company, 400 Overview Drive, P. O. Box 219, Shelocta, PA 15774. Permit renewal for reclamation only for continued restoration of a bituminous surface and auger mine and for existing discharge of treated mine drainage in Young Township, **Indiana County**, affecting 113.0 acres. Receiving streams: Marshall Run and unnamed tributaries to Marshall Run classified for the following uses: Cold Water Fishery. The first downstream potable water supply intake from the point of discharge is Avonmore Public Water Supply. Application received: January 9, 2002.

11970101 and NPDES Permit No. PA0234389. E. P. Bender Coal Company, Inc., P. O. Box 594, Carrolltown, PA 15722. Permit renewal for continued operation of a bituminous surface mine and for discharge of treated mine drainage in Reade Township, **Cambria County**, affecting 93.0 acres. Receiving streams: Powell Run classified for the following uses: Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 15, 2002.

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

32011302. NPDES Permit No. N/A, Laurel Energy, L.P. (One Energy Place, Suite 7500, Latrobe, PA 15650), to operate the Gillhouser Run Mine in Buffington and Brush Valley Townships, **Indiana County**, new underground mine permit and related NPDES permit, Surface Acres Proposed 43.0, Underground Acres Proposed 1880, SCP Acres Proposed 1360, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, Little Yellow Creek, classified for the following uses: HQ-CWF. The first downstream potable water supply intake from the point of discharge is Central Indiana Water Authority. Application received: November 15, 2001.

56831601. NPDES Permit No. 0213497, Reitz Coal Co. (509 15th St., Windber, PA 15963-1603), to renew the permit for the Reitz No. 11 Coal Preparation Plant in Shade Township, **Somerset County**, renewal, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Application received: January 7, 2002.

Noncoal Applications Received

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454, (570) 621-6494.

0302C4. Bedrock Quarries, Inc. (P. O. Box 189, Damascus, PA 18415), incidental boundary correction to an existing quarry operation to add 4.4 acres for a total of 102.4 acres, receiving stream—unnamed tributary of North Branch Calkins Creek. Application received: January 14, 2002.

15810401T. Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506), transfer of an existing quarry operation from Welsh Mountain Building Stone, Inc. in Honey Brook Township, **Chester County** affecting 106.0 acres, receiving stream—none. Application received: January 14, 2002.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

The Department may conduct a fact-finding hearing or an informal conference in response to comments if

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E40-569. City of Nanticoke, 15 East Ridge Street, Nanticoke, PA 18634, in City of Nanticoke, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To remove the existing structure (known as the Union Street Bridge) and to construct and maintain a road crossing of South Branch Newport Creek (locally known as Forge Creek) (CWF), consisting of a 24.0-foot by 6.0-foot reinforced concrete box culvert with its invert depressed 2.5 feet below stream bed elevation. A temporary stream diversion, utilizing 348-inch culverts, is proposed. The project is located on West Union Street, approximately 850 feet upstream of Main Street (S.R. 3001). (Nanticoke, PA Quadrangle N: 12.6 inches; W: 1.5 inches).

E40-585. PPL Utilities, GENN-4, Two North Ninth Street, Allentown, PA 18101-1179, in Rice and Wright Townships, **Luzerne County**, U. S. Army Corps of Engineers, Baltimore District.

To construct and maintain four road crossings of wetlands (three permanent and one temporary), within the drainage basin of Big Wapwallopen Creek, for the purpose of maintaining an existing electric transmission line known as the Harwood-Jenkins 69kV line. The project will permanently impact approximately 0.48 acre (approximately 1,300 linear feet) of wetlands and will temporarily impact approximately 0.09 acre (230 linear feet) of wetlands. The applicant proposes to participate in the Pennsylvania Wetland Replacement Project in lieu of replacing wetlands on site. The project extends northeasterly from a point located along the north side of Nuangola Road (S.R. 2042), approximately 0.5 mile west of the intersection of S.R. 2042 and S.R. 2045. (Wilkes-Barre West, Quadrangle N: 8.0 inches; W: 3.6 inches).

E45-422. Monroe County, One Quaker Plaza, Stroudsburg, PA 18360-2192, in Hamilton Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To maintain County Bridge No. 12 across Lake Creek (HQ-CWF) to improve the structural integrity and safety of the bridge. The bridge is located along Township Road

T237, approximately 0.4 mile upstream of S.R. 0209. (Saylorsburg, Quadrangle N: 8.0 inches; W: 7.7 inches).

E45-423. Monroe County, One Quaker Plaza, Stroudsburg, PA 18360-2192, in Hamilton Township, **Monroe County**, U. S. Army Corps of Engineers, Philadelphia District.

To maintain County Bridge No. 9 across McMichael Creek (HQ-CWF) to improve the structural integrity and safety of the bridge. The bridge is located along Township Road T233, approximately 0.2 mile south of T234. (Saylorsburg, Quadrangle N: 12.3 inches; W: 7.3 inches).

E58-245. Forest Lake Township, Ridge Road, Montrose, PA 18801, in Forest Lake Township, **Susquehanna County**, U. S. Army Corps of Engineers, Baltimore District.

To construct and maintain a road crossing of a tributary to Middle Branch Wyalusing Creek (CWF), consisting of an 8-foot-diameter steel culvert. Work includes construction of riprap-lined channeled sections extending upstream and downstream of the culvert, for a total linear impact of approximately 190 feet. The project is associated with the relocation of Stewart Road at its intersection of S.R. 0267, located approximately 4,500 feet southwest of the intersection of S.R. 0267 and S.R. 4014. (Friendsville, PA-NY, Quadrangle N: 2.8 inches; W: 2.3 inches).

E54-291. Samuel S. and Connie Strauss, 3 Mengle Road, Pottsville, PA 17901-8864, in Washington Township, **Schuylkill County**, U. S. Army Corps of Engineers, Baltimore District.

To construct and maintain a bridge having a single span of 55.5 feet and an underclearance of approximately 10.3 feet across Lower Little Swatara Creek (CWF) for the private access to a single family home. The project is located approximately 1,200 feet west of the intersection of S.R. 0895 and S.R. 3009 (Swatara Hill, PA Quadrangle N: 8.8 inches; W: 5.6 inches).

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

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

To maintain a bridge having a span of 25 feet and an underclearance of 6.5 feet across the channel of Cove Creek (EV) at a point at Wertz Road (Beans Cove, PA Quadrangle N: 22.4 inches; W: 8.2 inches) in Colerain Township, Bedford County.

E21-334. Mark Burkhead, PennDOT 8-0, 2140 Herr Street, Harrisburg, PA 17103.

To construct and maintain the lengthening of an existing 72-inch diameter, 63-foot long reinforced concrete culvert by extending the culvert 10 feet on the west side and 17 feet on the east side for the purpose of conveying surface water flow to Letort Spring Run (EV) under the roadway of SR 0034, Segment 230 Offset 3625 located about 0.6 mile south of the Route 34 interchange exit of US Interstate 81 (Carlisle, PA Quadrangle N: 10.7 inches; W: 9.2 inches) in Carlisle Borough, **Cumberland County**.

E21-335. Robert Gill, East Pennsboro Township, 98 South Enola Drive, Enola, PA 17025 in East Pennsboro Township, **Cumberland County**, ACOE Baltimore District.

To remove an existing crossing and to construct and maintain a reinforced concrete box culvert having a clear

span of 14-feet and a rise of 5-feet, along with gabion walls at both upstream and downstream ends of the culvert in an unnamed tributary to the Conodoquinet Creek (WWF), locally known as Possum Hollow Creek, located on Magaro Road (T-625) about 0.3 mile upstream of the confluence of Possum Hollow Creek and the Conodoquinet Creek (Harrisburg West, PA Quadrangle N: 5.2 inches; W: 8.1 inches) in East Pennsboro Township, Cumberland County.

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

To construct and maintain a 4-inch outfall structure to provide a stable discharge point for root/foundation drainage and regrade the stream embankment to create a mowable/maintainable slope for the property owner along Falling Spring Creek (TSF) (Chambersburg, PA Quadrangle N: 10.5 inches; W: 2.3 inches) in Chambersburg Borough, Franklin County.

E36-723. Nancy Hallwell, Rapho Township, 971 N. Colebrook Road, Manheim, PA 17545 in Rapho Township, **Lancaster County**, ACOE Baltimore District.

To remove a deteriorating concrete bridge and construct and maintain a timber bridge over Little Chickies Creek (TSF) at a point along Camp Road approximately 2 miles from the intersection of Camp Road and Pinch Road (Manheim, PA Quadrangle N: 17.25 inches; W: 12.5 inches) in Rapho Township, Lancaster County.

E50-203. Leo A. Williams, 954 Fox Hollow Road, Shermans Dale, PA 17090 in Carroll Township, **Perry County**, ACOE Baltimore District.

To construct and maintain a single span bridge having a clear span of 13.9 feet and an underclearance of 3.5 feet across an unnamed tributary to Shermans Creek (WWF) and to authorize previously placed fill in associated wetlands for the purpose of accessing private property located along the south side of Fox Hollow Road (T-303) about 3.1 miles west of its intersection with SR 0034 (Shermans Dale, PA Quadrangle N: 8.8 inches; W: 11.9 inches) in Carroll Township, Perry County.

E67-714. Phil Bowers, Kreutz Creek Preservation Society, 5345 Lincoln Highway, Hellam, PA 17406 in Hellam Township, **York County**, ACOE Baltimore District.

To construct and maintain several stream enhancement structures such as rock vanes and boulder bank stabilization along Kreutz Creek (WWF) (Red Lion, PA Quadrangle N: 19.85 inches; W: 14.3 inches) in Hellam Township, **York County**.

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

E17-364. Pennsylvania Department of Transportation, Engineering District 2-0, 1924-30 Daisy Street, Clearfield, PA 16830, SR 4003-Section 000 Box Culvert, in Brady Township, **Clearfield County**, ACOE Pittsburgh District (DuBois, PA Quadrangle N: 10.6 inches; W: 5.0 inches).

To remove an existing structure and construct, operate and maintain a reinforced concrete box culvert to carry SR 4003, Section 000 across an unnamed tributary to Limestone Run (Cold Water Fishery). The precast concrete box culvert shall have a minimum span of 16-feet, rise of 5-feet and depressed 1-0 foot. The project will permanently impact 0.05-acre of wetland and 30-feet of

waterway. The project is located along the eastern right-of-way of SR 0119 approximately 1.2-miles east of SR 4003 and SR 0119 intersection. The 0.05-acre of wetland permanently impacted by the project is de minimis and the permittee will not be required to mitigate the impacts with replacement wetlands.

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

To operate and maintain a single span bridge across Elevenmile Creek (High Quality-Cold Water Fishery) for access to private property. The bridge shall be operated and maintained with a minimum span of 14-feet, width of 12-feet and underclearance of 4-feet. Bridge construction also included concrete block abutments and wingwalls. All future work shall be conducted at stream low flow. All in-stream channel abutment and wingwall repair work shall be completed in dry work conditions by dam and pumping or fluming stream flow around the work area. The bridge construction did not impact wetlands while impacting 30-feet of Elevenmile Creek. The project is located along the southern right-of-way of SR 4023 approximately 1,000-feet south of T-380 and SR 4023 intersection. This permit also authorizes the construction, operation, maintenance and removal of temporary stream diversions and cofferdams for in-stream abutment and wingwall repair. Upon completion of repair work, all temporary structures shall be removed, the stream bank restored to original contours and elevations and all final stabilization applied.

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

E04-280. Ohioville Borough, 6268 Tuscarawas Road, Industry, PA 15052-1924. Ohioville Borough, **Beaver County**, ACOE Pittsburgh District.

To construct and maintain a conspan bridge having a span of 14' and underclearance of 6.5' and to construct and maintain a 24' outfall structure to the South Branch Brady Run (TSF). The project is located along Brady Run Road approximately 300 feet north of its intersection with Lisbon Road (Midland, PA Quadrangle N: 15.2 inches; W: 8.0 inches).

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

E10-350. Indspec Chemical Corporation, 133 Main Street, P. O. Box 307, Petrolia, PA 16050, North Bridge Widening, in Petrolia Borough, **Butler County**, ACOE Pittsburgh District (Petrolia, PA Quadrangle N: 3.7 inches; W: 12.6 inches).

Project will widen by 12 feet the existing North Bridge Structure that spans South Branch Bear Creek (WWF). The project will improve the existing alignment and reduce risk to vehicular traffic between various components of the Indspec industrial complex. The project is located in the Borough of Petrolia, Butler County and will impact approximately 0.01 acre.

E20-512. Marianne Cerula, 1125 Broughton Road, Pittsburgh, PA 15236, Dock Renovation and Extension at Lake Canadohta, in Bloomfield Township, **Crawford County**, ACOE Pittsburgh District (Lake Canadohta, PA Quadrangle N: 10.6 inches; W: 11.75 inches).

The project involves the renovation of an existing 40-foot private dock, located on Lake Canadohta (CWF), by replacing the boards on the walkway using the

existing supports and the construction of a new 8-foot section to include support, frame and walkway. In addition to the renovation, a 48-foot seasonal floating dock extension will be added at the end of the 8-foot new construction. The total length of the permanent dock and floating dock will equal 96-feet. The total acreage of the project is .119 acre.

ENVIRONMENTAL ASSESSMENTS

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

D46-054EA. Albert Herrmann, Collegeville Borough, 491 East Main Street, Collegeville, PA 19426. Collegeville Borough and Lower Providence Township, **Montgomery County**, ACOE Philadelphia District.

To breach and remove the Collegeville Dam across Perkiomen Creek (WWF, MF) for the purpose of restoring the stream to a free flowing condition. The dam is located approximately 2,500 feet north of the Perkiomen Bridge (S.R. 422) (Collegeville, PA Quadrangle N: 11.9 inches; W: 10.4 inches).

ACTIONS

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

INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

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

Persons aggrieved by this 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, 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 receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of 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 of 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 decisional law.

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

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

WQM Permit No. 2301411, Sewerage, **Newtown Township Municipal Authority**, 209 Bishop Hollow Road, Newtown Square, PA 19073. This proposed facility is located in Newtown Township, **Delaware County**.

Description of Proposed Action/Activity Construction and operation of the sewer collection system, pump station and force main to serve Newtown Heights.

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

NPDES Permit No. PA-0064122, Industrial Waste, **Conectiv Mid-Merit, Inc.**, P. O. Box 6066, Newark, DE 19714-6066. This proposed facility is located in City of Bethlehem, **Northampton County**.

Description of Proposed Action/Activity: to discharge noncontact cooling water to Lehigh River.

WQM Permit No. 4001403, Sewerage, **Municipal Authority of Hazle Township**, P. O. Box 502, Harleigh, PA 18225. This proposed facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action/Activity: Construction of a new wastewater collection and conveyance system to serve limited specific portions of Northeast Area of Hazle Township.

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

NPDES Permit No. PA0088579, Sewage **Felton Borough (Felton Borough WWTP)**, 88 Main Street, Felton, PA 17322. This proposed facility is located in Felton Borough, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to North Branch Muddy Creek in Watershed 7-I (Kreutz—Muddy Creeks).

WQM Permit No. 6700417, Sewerage, **Felton Borough**, 88 Main Street, Felton, PA 17322. This proposed facility is located in Felton Borough, **York County**.

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

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

WQM Permit No. 2501426, Sewerage, **Thomas J. Steele**, 1013 Broad Street, Conneaut, OH 44030. This proposed facility is located in Franklin Township, **Erie 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.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under 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). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the

Department's regulations governing practice and procedure before the Board may be obtained from the Board.

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>
PAS10-D121	Jonathan Brown 10305 Southwest No. 58 Avenue Coral Gables, FL 33156	Bucks	Solebury Township	UNT to Cuttalossa Creek (HQ-CWF)
PAS10-D122	Zaveta Construction Company, Inc. 4030 Sky Run, Suite H Doylestown, PA 18901	Bucks	Solebury Township	Paunnacussing Creek (HQ)
PAS10-G378	Lawrence Sager 43 High Street Pottstown, PA 19464	Chester	East Coventry Township	Pigeon Creek (HQ-TSF)
PAS10-G444	West Vincent Associates 707 Eagleview Boulevard P. O. Box 362 Exton, PA 19341	Chester	West Vincent Township	Birch Run Creek (EV)

APPROVALS TO USE NPDES AND/OR OTHER GENERAL PERMITS

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

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
South Coatesville Borough Chester County	PAR10G451	Branford Woods 242 Winged Foot Drive Blue Bell, PA 19422	UNT to West Branch Brandywine Creek (WWF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
East Marlborough Township Chester County	PAR10G449	Red Lion Learning Center 403 East Conservancy Road Kennett Square, PA 19348	Pocopson Creek/East Branch Red Clay Creek (TSF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
West Caln Township Chester County	PAR10G455	West Caln Township P. O. Box 175 Wagontown, PA	Rock Run (TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Sadsbury Township Chester County	PAR10G439	Sadsbury Associates P. O. Box 544 West Chester, PA 19381	Buck Run (TSF-MF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Upper Chichester Township Delaware County	PAR10J218	Upper Chichester Township P. O. Box 2157 Boothwyn, PA 19061	Naamans Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Collegeville Borough Lower and Upper Perkiomen Townships Montgomery County	PAR10T794	County of Montgomery P. O. Box 311 Norristown, PA 19404	UNT of Doe Run and Norma Run	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Lower Providence Township Montgomery County	PAR10T730	Toll Brothers, Inc. 3103 Philmont Avenue Huntingdon Valley, PA 19006	Schuylkill River (WF-M)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Limerick Township Montgomery County	PAR10T775	Limerick Partners, LLC 700 Universe Boulevard Juno Beach, FL 33408	Brook Evans Creek (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Montgomery Township Montgomery County	PAR10T814	Irving Stein 497 East Lancaster Avenue Berwyn, PA 19312	West Branch Neshaminy Creek (WF, M)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Limerick Township Montgomery County	PAR10T796	Limerick Township MA P. O. Box 29 Royersford, PA 19468	Possum Hollow and Brooke Evans Watershed (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Plymouth Township Montgomery County	PAR10T762	Plymouth Township 700 Belvoir Road Plymouth Meeting, PA 19462	Sawmill Run (WWF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Horsham Township Montgomery County	PAR10T737	Liberty Property Trust 125 Witmer Road Horsham, PA 19044	Tributary to Park Creek (WWF, M)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000

<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>
City of Philadelphia Philadelphia County	PAR105342	Fairmont Park Commission Memorial Hall—West Park P. O. Box 21601 Philadelphia, PA 19131	Schuylkill River Wissahickon, Pennypack and Cobbs Creeks (WWF, TSF)	Southeast Regional Office Suite 6010, Lee Park 555 North Lane Conshohocken, PA 19428 (610) 832-6000
Greenwich Township Berks County	PAR10C398	Angelo Corrado 271 Berger Road Kutztown, PA 19530	UNT Maiden Creek TSF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Ontelaunee Township Berks County	PAR10C391	Linda King 425 Kindt Corner Road Shoemakersville, PA 19555	Lake Ontelaunee/Maiden Creek WWF	Berks County Conservation District P. O. Box 520 1238 County Welfare Road Leesport, PA 19533 (610) 372-4657
Lincoln Township Huntingdon County	PAR103021	Juniata College Brumbaugh Science Center Huntingdon, PA 16652	Raystown Lake	Huntingdon County Conservation District R. R. 1 Box 7C Huntingdon, PA 16652 (814) 627-1627
College Township Centre County	PAR10F152	BXAL, Inc. 422 Allegheny St. Hollidaysburg, PA 16648	UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Harris/Potter Townships Centre County	PAR10F155	Kissinger Bigatel & Brower 2300 S. Atherton St. State College, PA 16801	Cedar Run CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817
Muncy, Fairfield and Muncy Creek Townships Lycoming County	PAR103948	Lycoming County Water and Sewer Authority 216 Old Cement Rd. Montoursville, PA 17754	Turkey Run WWF Tules Run WWF Carpenters Run WWF Wolf Run CWF	Lycoming County Conservation District 542 County Farm Rd. Suite 202 Montoursville, PA 17754 (570) 433-3003

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
York County York Township	PAR213539	Monarch Products Co., Inc. 385 Sipe Road York Haven, PA 17370	East Branch Codorus Creek/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Cumberland County Silver Springs Township	PAR803513	Shaffer Trucking Inc. P. O. Box 418 New Kingstown, PA 17072	Hogestown Run/CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
York County Fairview Township	PAR803616	FedEx Ground Lewisberry Facility Environmental Services Dept. P. O. Box 108 Pittsburgh, PA 15230-0108	Fishing Creek/TSF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Bern Township	PAR233540	Saint Gobain Performance Plastics Corporation 1044 MacArthur Road Reading, PA 19605	Tulpehocken Creek/ WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Adams Township Butler County	PAR808316	Edward L. and Margaret J. Vogel Vogel Disposal Service P. O. Box 847 Mars, PA 16046-0847	Breakneck Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Sugarcreek Borough Venango County	PAR148304	Greif Brothers Corporation 425 Winter Road Delaware, OH 43015	Allegheny River	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Union City Erie County	PAR238317	Molded Fiber Glass Company/Union City 55 Fourth Avenue Union City, PA 16438	South Branch of French Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of New Castle Lawrence County	PAR218312	Castle Builders Supply, Inc. 1409 Moravia Street New Castle, PA 16101	Big Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Telephone No.</i>
York County Hellam Township	PAG043570	Susquehanna Resources P. O. Box 3711 York, PA 17402-3711	Susquehanna River	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin Township Erie County	PAG048777	Thomas J. Steele 1013 Broad Street Conneaut, Ohio 44030	Unnamed tributary to Little Elk Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8 (SSN)

<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>
Clinton Township Lycoming County	PAG084824	Montgomery SWA 35 S. Main St. Montgomery, PA 17752-0125	Harer Farm Clinton Township Lycoming County	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 William Hanczar (570) 327-3655

PUBLIC WATER SUPPLY PERMITS

The Department of Environmental Protection (Department) has taken the following actions on applications received under the Safe Drinking Water Act for the construction, substantial modification or operation of a public water system.

Persons aggrieved by this 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 Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days from the date of issue of 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 of 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 decisional law.

If persons wish to challenge this action, the appeal must reach the Board within 30 days. Individuals do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, the document should be shown to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board (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).

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

Operations Permit issued to: **Quakertown Borough**, P. O. Box 727, Quakertown, PA 18957, Quakertown Borough, **Bucks County** on January 2, 2002.

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

Permit No. 4197501, Public Water Supply.

Applicant	Limestone Township Municipal Water Authority 1408 Quarry Road Jersey Shore, PA 17740
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Township	Limestone Township
County	Lycoming
Type of Facility	Public Water Supply—permanent operational permit for an EPD filter plant, Intake Well, Filter Plant Well, 132,000 gallon finished water storage tank and related piping and appurtenances
Consulting Engineer	Richard W. Marcinkevage, P.E. 431 South Jones Street Lock Haven, PA 17745
Permit to Operate Issued	January 15, 2002

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

Operations Permit issued to: **Vanport Township Municipal Authority**, 285 River Avenue, Vanport, PA 15009, Vanport Township, **Beaver County** on December 11, 2001.

Operations Permit issued to: **Klingensmith's Drug Store**, P. O. Box 151, 401 Ford Street, Ford City, PA 16226, vended-by-rule permit Southwest Region on December 20, 2001.

Permit No. 0287505-A3, Minor Amendment. Public Water Supply.

Applicant	Harmar Township Municipal Authority 200 Pearl Avenue Cheswick, PA 15024
Borough or Township	Harmar Township
County	Allegheny
Type of Facility	Potassium permanganate feed system
Consulting Engineer	Gannett Fleming, Inc. 601 Holiday Drive Pittsburgh, PA 15220

Permit to Construct Issued January 16, 2002

Permit No. 0201505, Minor Amendment. Public Water Supply.

Applicant	Municipal Authority of the Township of Robinson P. O. Box 15539 Pittsburgh, PA 15244-0539
Borough or Township	Robinson Township
County	Allegheny

Type of Facility Potassium permanganate feed system
 Consulting Engineer NIRA Consulting Engineers
 950 Fifth Avenue
 Coraopolis, PA 15108
 Permit to Operate Issued December 20, 2001

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

Permit No. 3791502-MA1, Minor Amendment. Public Water Supply.

Applicant **Bessemer Borough**
 201 1/2 East Poland Avenue
 P. O. Box 789
 Bessemer, PA 16112

Borough or Township Bessemer Borough

County **Lawrence**

Type of Facility PWS

Consulting Engineer Gannett Fleming Inc.
 Foster Plaza 111, Suite 200
 601 Holiday Drive
 Pittsburgh, PA 15220

Permit to Construct Issued January 14, 2002

Permit No. 1097503-MA1, Minor Amendment. Public Water Supply.

Applicant **Concordia Lutheran Ministries**
 134 Marwood Road
 Cabot, PA 16023

Borough or Township Jefferson Township

County **Butler**

Type of Facility PWS

Consulting Engineer Gray-Warnick Engineering
 662 West New Castle Road
 Butler, PA 16001

Permit to Construct Issued January 17, 2002

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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>
Earl Township	19 Schoolhouse Road Boyertown, PA 19512	Berks County

Plan Description: The approved plan provides for a proposed low pressure sewer line and individual grinder pumps to serve 150 existing residential homes in the Manatawny Creek area of Earl Township. The proposed sewer line will connect to an existing gravity sewer line owned by the Amity Township Sewer Authority with treatment to occur at the Amity Township Wastewater Treatment Plant. The Minor Act 537 revision Department number is A3-06931-079-3M. The Department's review of the sewage facilities update revision has not identified

any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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

Plan Location: 169 Ashwood Drive, Industry, PA 15052

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Ohioville Borough	6268 Tuscarawas Road Industry, PA 15052-1924	Beaver

Plan Description: The approved plan provides for construction of a small flow treatment facility to replace a malfunctioning onlot septic system serving a church. This will also allow for a small church expansion. The treated effluent will be discharged to an unnamed tributary to the South Branch of Brady's Run Creek which, in turn, discharges to the Beaver River. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant. The Department's review of the sewage facilities update revision has not identified any significant impacts resulting from this proposal.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
City of Uniontown	c/o Grace Giachetti City Clerk City of Uniontown 20 North Gallatin Avenue Uniontown, PA 15401	Fayette

North Union Township	c/o Thomas Kumor Secretary 7 South Evans Station Road Lemont Furnace, PA 15456	Fayette
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South Union Township	c/o Robert Schiffbauer Secretary R. D. 2, Box 623 Uniontown, PA 15401	Fayette
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Plan Description: The approved plan provides for the expansion of the Uniontown Sewage Treatment Plant and the extension of sewage facilities to the sewage needs areas as identified in the plan. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Depart-

ment) 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:

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

Harbison Walker Refractories, Clearfield Borough, **Clearfield County**. BL Companies, on behalf of Clearfield County Economic Development Corporation, 309 East Locust Street, Clearfield, PA 16830, has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals, solvents, BTEX, PHCs and PAHs. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard. See additional notice in this *Pennsylvania Bulletin*.

Pennsylvania Air National Guard (former), College Township, **Centre County**. Pennsylvania Air National Guard, 60 Olmsted Boulevard, Middletown, PA 17057 has submitted a Final Report concerning remediation of site soil contaminated with arsenic. The Final Report is intended to document remediation of the site to meet the Background Standard. See additional notice in this *Pennsylvania Bulletin*.

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 reme-

dial 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:

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

Former Lawrenceville Exxon, Lawrenceville Borough, **Tioga County**. Bradley E. Robinson, 55 Main Street, P. O. Box 288, Lawrenceville, PA 16929 has submitted a Baseline Environmental Report concerning the remediation of site soil contaminated with heavy metals, BTEX, PAHs and PHCs. The Baseline Environmental Report was approved by the Department on December 19, 2001.

DuBois Bulk Plant (Petrolec), City of DuBois, **Clearfield County**. Environmental Remediation & Recovery, Inc., on behalf of its client Russell Real Estate, R.D. 1, Box 179, Curwensville, PA 16833, has submitted a Work Plan concerning the remediation of site soil and groundwater contaminated with BTEX and PAHs. The Work Plan was approved by the Department on January 10, 2002.

State College Service Station, Ferguson Township, **Centre County**. Chambers Environmental Group, Inc., on behalf of Centre Oil and Gas, Inc., 769 Westerly Parkway, State College, PA 16801, has submitted a Final Report concerning the remediation of site soil contaminated with BTEX and PHCs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 3, 2002.

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

Penske Truck Leasing Company, LP, City of Reading, **Berks County**. ARCADIS Geraghty & Miller, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047 (on behalf of Penske Truck Leasing Company LP, Route 10 Green Hills, Reading, PA 19603) submitted a final report concerning the remediation of site groundwater contaminated with BTEX and solvents. The final

report demonstrated attainment of the Site-Specific standard and was approved by the Department on January 17, 2002.

Ameristeel Facility, Spring Garden Township, **York County**. ARM Group, Inc., 129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797 (on behalf of Coastal Steel Company, Inc., 1200 Country Club Road, York, PA 17403) submitted a combined remedial investigation and final report concerning the remediation of site groundwater contaminated with solvents. The final report demonstrated attainment of the Site-Specific standard and was approved by the Department on December 7, 2001. This corrects a notice published on December 29, 2001.

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

Agway Petroleum, Inc., 511 West Grant Street, City of New Castle, **Lawrence County**, had submitted a Baseline Environmental Report concerning remediation of soil and groundwater. The site had been found to be contaminated with Benzene. The report demonstrated attainment of the Special Industrial Standard and was approved by the Department on January 10, 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

Valley City Disposal, Inc. d/b/a Valley City Environmental Services, Inc., 1040 Market Street SW, Grand Rapids, MI 49503. License No. **PA-AH 0410**. Effective January 16, 2002.

Four Seasons Environmental, Inc., 9413 Apison Pike, Suite 200, Ooltewah, TN 37363. License No. **PA-AH 0632**. Effective January 16, 2002.

Von Roll America, Inc., 1250 St George Street, East Liverpool, OH 43920. License No. **PA-AH 0644**. Effective January 15, 2002.

HAZARDOUS WASTE TRANSPORTER LICENSE ISSUED

Superior Carriers, Inc., 2122 York Road, Suite 150, Oak Brook, IL 60523. License No. **PA-AH 0686**. Effective January 10, 2002.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

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

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

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE EXPIRED

Brookville Hospital, 100 Hospital Road, Brookville, PA 15825. License No. **PA-HC 1037**. Effective December 31, 2001.

Incendere, Inc., 6175 NW 153rd Street, Suite 324, Miami Lakes, FL 33014. License No. **PA-HC 0058**. Effective December 31, 2001.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permits issued, suspended, expired, denied, revoked, reinstated or returned under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

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

PAD 002389559. Keystone Cement Company, P. O. Box A, Bath, PA 18014-0058. A permit renewing the term of Keystone Cement Company's permit for the receipt and temporary storage of approved liquid wastes prior to the beneficial use of the liquid waste as fuel in the cement kilns at this hazardous waste storage facility located in East Allen Township, **Northampton County**. The permit replaces the facility's original December 26, 1991, hazardous waste management permit. The permit was issued in the Regional Office on December 27, 2001, and it will expire on December 27, 2011.

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.

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

06-03069B: Highway Materials, Inc. (P. O. Box 1667, Blue Bell, PA 19422) on January 16, 2002, was authorized to operate a portable nonmetallic mineral processing plant under GP3 in Alsace Township, **Berks County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

00178: ICS Corp. (2225 Richard Street, Philadelphia, PA 19125) for installation of one web fed nonheatset lithographic printing press in the City of Philadelphia, **Philadelphia County**.

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

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

23-0047C: Degussa Corp. (1200 West Front Street, Chester, PA 19013) on December 28, 2001, for operation of a spray dryer III in City Of Chester, **Delaware County**.

09-0093: Castrol Industrial North America, Inc. (775 Louis Drive Warminster, PA 18974) on January 4, 2002, for the operation of a seven product process tanks in Warminster Township, **Bucks County**.

15-0095B: Longwood Gardens, Inc. (401 E. Street Road, Kennett Square, PA 19348) on January 4, 2002, for the operation of a two 800 kw emergency generators in East Marlborough Township, **Chester County**.

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

48-320-012: Wheaton USA, Inc. (2400 Baglyos Circle, Bethlehem, PA 18020) on January 9, 2002, for construction of a heat-set printing operation in Bethlehem Township, **Northampton County**.

40-320-015: Great Northern Press of Wilkes-Barre (173 Gilligan Street, Wilkes-Barre, PA 18702) on January 14, 2002, for construction and modification of a heat set web offset printing operations and associated air cleaning device in Hanover Township and Wilkes-Barre, **Luzerne County**.

48-328-006: Connectiv Bethlehem, Inc. (P. O. Box 6066, 252 Chapman Road, Newark, DE 19714-6066) on January 16, 2002, for construction of an 1,100 megawatt combined cycle electric generating facility in the City of Bethlehem and Lower Saucon Township, **Northampton County**.

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

22-03051: Buse Funeral Home (9066 Jonestown Road, Grantville, PA 17028) on January 15, 2002, for construction of a human cremation chamber controlled by an afterburner in East Hanover Township, **Dauphin County**.

36-03119A: Esh's Toys LLC (343 Furnace Road, Quarryville, PA 17566) on January 16, 2002, for construction of a sealer spray booth and a topcoat spray booth in Bart Township, **Lancaster County**.

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

04-00226B: Better Materials Corp. (P. O. Box 187, Berkeley Springs, WV 25411) on December 20, 2001, for operation of batch asphalt plant controlled by a fabric collector at Sewickley Creek Plant in Economy Borough, **Beaver County**.

63-00893C: Master Woodcraft, Inc. (100 Stationvue, Washington, PA 15301) on January 18, 2002, for installation of surface coating spray booth at Washington Plant in Chartiers Township, **Washington County**.

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

10-027A: Penreco (138 Petrolia Street, Karns City, PA 16041) on December 29, 2001, for the replacement of No. 7 Storage Tank in Karns City, **Butler County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Thomas Barsley, Chief, (215) 685-9428.

01033: Children's Hospital of Philadelphia (34th Street and Civic Center Boulevard, Philadelphia, PA. 19104) for operation of two 13 pounds per day ethylene oxide sterilizers and two peak shaving generators in the City of Philadelphia, **Philadelphia County**.

01072: Cage Graphics, Inc. (2781 Roberts Avenue, Philadelphia, PA 19129) for operation of two flexographic plate processor units and associated equipment in the City of Philadelphia, **Philadelphia 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.

46-0158: Colorcon Div./BPSI (415 Moyer Boulevard, West Point, PA 19486) on December 27, 2001, for operation of a NO-TOx area in Upper Gwynedd Township, **Montgomery County**.

46-317-006A: Colorcon Div./BPSI (415 Moyer Boulevard, West Point, PA 19486) on December 27, 2001, for operation of a manufacturing process in Upper Gwynedd Township, **Montgomery County**.

09-0080: Milford Enterprises, Inc. (200-300 Commerce Drive, Quakertown, PA 18951) on December 27, 2001, for operation of a wood finishing in Milford Township, **Bucks County**.

15-0014C: Saint Gobain Performance Plastics Corp (57 Morehall Road, Malvern, PA 19355) on December 27, 2001, for operation of an air cleaning control device in East Whiteland Township, **Chester County**.

46-0036A: Visteon Systems LLC (2750 Morris Road, Lansdale, PA 19446) on December 27, 2001, for operation of a urea selective catalytic reduction in Worcester Township, **Montgomery County**.

46-0037C: Cabot Performance Materials (County Line Road, Boyertown, PA 19512) on December 28, 2001, for operation of a tantalum scrap digestion in Douglass Township, **Montgomery County**.

15-0098: Rhodia ChiRex Inc. (383 Phoenixville Pike, Malvern, PA 19355) on December 28, 2001, for operation of two new reactors in Charlestown Township, **Chester County**.

23-0009: Boeing MACAM Sys Group—Philadelphia (Stewart Avenue and Route 291, Eddystone, PA 19013) on January 4, 2002, for operation of a two-stage dry particulate filter in Ridley Township, **Delaware County**.

46-0059: Handelok Bag Co. (701A West Fifth Street, Lansdale, PA 19446) on January 3, 2002, for operation of a flexographic printing press in Lansdale Borough, **Montgomery County**.

46-0024: McNeil Consumer and Specialty Pharmaceutical (7050 Camp Hill Road, Fort Washington, PA 19034) January 4, 2002, for operation of a dust collection system in Whitemarsh Township, **Montgomery County**.

09-0068A: Orchard Hill Memorial Park, Inc. (80 Kelly Road, Quakertown, PA 18951) on January 3, 2002, for operation of an incinerator in Quakertown Borough, **Bucks County**.

09-0015A: Rohm and Haas Co. (Route 413 and State Road, Bristol, PA 19007) on January 3, 2002, for operation of a 1.7 mw-hr emergency generator in Bristol Township, **Bucks County**.

46-322-007: Waste Management Disposal Service of PA (1425 Sell Road, Pottstown, PA 19464) on January 4, 2002, for operation of a Municipal Solid Waste Landfill in West Pottsgrove Township, **Montgomery County**.

23-0021A: Congoleum Corp. (4401 Ridge Road, Trainer, PA 19061) on January 7, 2002, for operation of a 1,000 kilowatt emergency generator in Trainer Borough, **Delaware County**.

15-0037: Oberthur Card Systems, Inc. (523 James Hance Court, Exton, PA 19341) on January 7, 2002, for operation of a nonheatset lithographic press in West Whiteland Township, **Chester County**.

15-0099: Heckett MultiServ (South First Avenue, Coatesville, PA 19320) on January 4, 2002, for operation of a scrap cutting torch with baghouses in South Coatesville Borough, **Chester County**.

09-0090: Messer Griesheim Industries, Inc. (One Steel Road East, Morrisville, PA 19067) on January 9, 2002, for operation of a residual cylinder gases in Bristol Township, **Bucks County**.

09-0105A: Naceville Materials (Springfield Street and Route 309, Coopersburg, PA 19474) on January 3, 2002, for operation of an asphalt batch plant in Springfield Township, **Bucks County**.

09-0035B: Coltec Industries (23 Friends Lane, Newtown, PA 18940) on January 7, 2002, for operation of a PTFE manufacturing line, Lubricant in Newtown Township, **Bucks County**.

09-0063A: New Hope Crushed Stone Co. (6970 Phillips Mill Road, New Hope, PA 18938) on January 9, 2002, for operation of a stone crushing plant in Solebury Township, **Bucks County**.

46-0155A: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on January 9, 2002, for operation of two ATR CEW spray booths in Limerick Township, **Montgomery County**.

46-0155C: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on January 9, 2002, for operation of a binder mix tank in Limerick Township, **Montgomery County**.

46-0155B: Sermatech International, Inc. (155 South Limerick Road, Limerick, PA 19468) on January 9, 2002, for operation of a thermal spray unit in Limerick Township, **Montgomery County**.

23-0009A: Boeing MACAM Sys Group—Philadelphia (Stewart Avenue and Route 291, Eddystone, PA 19013) on January 4, 2002, for operation of four gas turbine generators in Ridley Township, **Delaware County**.

23-0024A: Hanson Aggregates PA, Inc. (523 West Forge Road, Glen Mills, PA 19342) on January 15, 2002, for operation of an aero pulse baghouse in Middletown Township, **Delaware County**.

09-0110: Riverside Construction Materials, Inc. (7900 Radcliffe Street, Bristol, PA 19007) on January 16, 2002, for operation of a cement handling in Bristol Township, **Bucks County**.

46-0182: Rotoflex Technology Inc. (92B County Line Road, Colmar, PA 18915) on January 15, 2002, for operation of a chrome plating process in Hatfield Township, **Montgomery County**.

46-313-093B: SmithKline Beecham Research Company (1250 South Collegeville Road, Collegeville, PA 19486) on January 10, 2002, for operation of a chemical development facility in Upper Providence Township, **Montgomery County**.

46-0190: Dickson Investment Hardware, Inc. (404 East Church Road, King of Prussia, PA 19406) on January 18, 2002, for operation of a gas fired thermal oxidizer in Upper Merion Township, **Montgomery County**.

46-0032A: SPS Technologies, Inc. (Highland Avenue, Jenkintown, PA 19046) on January 16, 2002, for operation of a coating and mixing room in Abington Township, **Montgomery County**.

23-0001L: Sunoco, Inc. (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on January 15, 2002, for operation of two racing fuel storage tanks in Marcus Hook Borough, **Delaware County**.

46-313-093C: SmithKline Beecham Research Company (1250 South Collegeville Road, Collegeville, PA 19486) on January 10, 2002, for operation of a hydrogenation facility in Upper Providence Township, **Montgomery County**.

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

21-322-001B: Community Refuse Service, Inc. t/a Cumberland County Landfill (142 Vaughn Road, Shippenburg, PA 17257) on January 1, 2002, for construction of a landfill gas venting system controlled by a flare in Hopewell Township, **Cumberland County**. This source is subject to 40 CFR Part 60, Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills. This plan approval was extended.

36-310-013E: Compass Quarries, Inc. (47 McIlvaine Road, Paradise, PA 17562) on November 30, 2001, for modification of an existing stone crushing plant at the Paradise Quarry in Paradise Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performances for Nonmetallic Mineral Processing Plants. This plan approval was extended.

36-310-023F: Compass Quarries, Inc. (47 McIlvaine Road, Paradise, PA 17562) on November 30, 2001, for modification of an existing agricultural limestone pulverizing plant at the Paradise Quarry facility in Paradise Township, **Lancaster County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. This plan approval was extended.

67-05004A: P H Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on January 15, 2002, for construction of a hardpiping system to convey process condensates to the wastewater treatment plant in Spring Grove Borough, **York County**. This plan approval was extended.

67-05030A: C-P Converters, Inc. (15 Grumbacher Road, York, PA 17402) on January 16, 2002, for construction of a Flexographic Press No. 11 enclosed in a permanent total enclosure controlled by a catalytic incinerator in Manchester Township, **York County**. This plan approval was extended.

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

08-399-032: OSRAM SYLVANIA Products Corp. (Hawes Street, Towanda, PA 18848) on January 11, 2002, to authorize operation of a tantalum carbide sifter and the use of an existing air cleaning device (a fabric collector) to control its particulate matter emissions in North Towanda Township, **Bradford County**.

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

04-468C: S. H. Bell Corp. (644 Alpha Drive, P. O. Box 11495, Pittsburgh, PA 15238) on January 8, 2002, for construction of a truck load-out station in Ohioville Borough, **Beaver County**. This 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.

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

47-00001: PPL Montour, LLC (2 North Ninth Street, Allentown, PA 18101-1179) issued a revised Title V Operating Permit on January 17, 2002, to include terms and conditions for the operation of an electrostatic precipitator and a selective catalytic reduction system to control emissions from a bituminous coal/No. 2 fuel oil fired boiler (Unit #2) in Derry Township, **Montour County**. These air cleaning devices were constructed under Plan Approvals 47-0001B and 47-0001C. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

19-00006: HJ Heinz, LP (6670 Low Street, Bloomsburg, PA 17815) issued a revised Title V Operating Permit on January 16, 2002, to include terms and conditions for the operation of three scrubbers to control malodors from the facility in South Centre Township, **Columbia County**. These air cleaning devices were constructed under Plan Approvals 19-00006, 19-317-023B and 19-317-023C. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

41-00025: Lycoming County Resource Management Service (P. O. Box 187, Montgomery, PA 17752) issued a revised Title V Operating Permit on January 11, 2002, to allow for the use or horizontal gas collection lines in Fields 7—9 and 10 at their facility in Brady Township, **Lycoming County**. This revision also permits Lycoming County Resource Management Service to transport a portion of landfill gas generated offsite to locations and specific sources approved by the Department. This Title V Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

95-038: The Sunoco Philadelphia Refinery (3144 Passyunk Avenue, Philadelphia, PA 19145) on January 17, 2002, for operation of a petroleum refinery in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include eight boilers larger than 100 mmBtu/hr, heaters, cumene tank truck loading, benzene railcar unloading, propane loading, two Claus sulfur recovery plants, eight cooling towers, storage

tanks, marine barge loading, inter-refinery pipeline equipment, two alkylation units, hydrogen purification, degreasing vats, a butane isomerization unit, wastewater sources, a benzene production unit, a cumene production unit and fugitives.

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

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

25-00025: General Electric Transportation System (2901 East Lake Road, Erie, PA 16531) for its Erie facility in Lawrence Park Township, **Erie County**, will be administratively amending their Title V Operating Permit (issued November 2, 2000) on January 15, 2002, to change the name of the responsible official.

62-00017: United Refining Co.—Warren (Bradley and Dobson Street, P. O. Box 780, Warren, PA 16365) in Warren, **Warren County**, will be administratively amending their Title V Operating Permit (issued December 26, 2000, revised on March 21, 2001, and again on December 18, 2001) on January 15, 2002, to incorporate the conditions from the API Separator Plan Approval 62-312-036A.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

49910201R2. Rosini Enterprises, Inc. (P. O. Box 568, Shamokin, PA 17872-0568), renewal of an existing anthracite coal refuse operation in Coal Township, **Northumberland County** affecting 68.0 acres, receiving stream—none. Application received: November 16, 2001. Renewal issued: January 17, 2002.

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

26900109. Chess Coal Company (15 Chess Road, Smithfield, PA 15478). Permit revised to change the postmining land use from forestland to pastureland or

land occasionally cut for hay, to change the erosion and sedimentation control plan and to add 27 acres to the existing permit area, as well as add mining on the Sewickley coal seam, at a bituminous surface mining site located in Georges Township, **Fayette County**, now affecting 213 acres. Receiving streams: unnamed tributary to York Run. Application received: October 19, 2001. Permit revision issued: January 17, 2002.

03990106 and NPDES No. PA0202606. Thomas J. Smith, Inc. (R. R. 1, Box 260-D, Shelocta, PA 15774). Permit revised to add a sedimentation pond and two collection ditches at a bituminous surface mine located in Washington Township, **Armstrong County**, affecting 94.1 acres. Receiving streams: unnamed tributary to Huling Run, to the Allegheny River. Application received: September 12, 2001. Permit revision issued: January 17, 2002.

30010103 and NPDES No. PA025015. SBX Corporation (668 Lower Hildebrand Road, Morgantown, WV 26501). Permit for commencement, operation and reclamation of a bituminous surface mine located in Greene Township, **Greene County** affecting 16.1 acres. Receiving streams: unnamed tributary to Whitely Creek to the Monongahela River. Application received: August 16, 2001. Permit issued: January 18, 2002.

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

56910104 and NPDES Permit No. PA0599255. Hardrock Coal Company, 275 Saddle Ridge Road, Berlin, PA 15530. Permit renewal for continued operation of a bituminous surface mine and for existing discharge of treated mine drainage in Elk Lick Township, **Somerset County**, affecting 133.4 acres. Receiving streams: unnamed tributary to Tub Mill Run, unnamed tributary to Casselman River classified for the following uses: Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream of the point of discharge. Application received: October 22, 2001. Application issued: January 9, 2002.

11010101 and NPDES Permit No. PA0248941. E. P. Bender Coal Company, Inc., P. O. Box 594, Carrolltown, PA 15722. Commencement, operation and restoration of a bituminous surface and auger mine and for discharge of treated mine drainage in Reade Township, **Cambria County**, affecting 71.0 acres. Receiving streams: Fallentimber Run and Clearfield Creek classified for the following uses: Cold Water Fishery and Warm Water Fishery. There are no potable water supply intakes within 10 miles downstream of the point of discharge. Application received: January 31, 2001. Application issued: January 9, 2002.

56980103 and NPDES Permit No. PA0234699. Godin Brothers, Inc., 136 Godin Drive, Boswell, PA 15531. Permit revision includes a request for three stream variances. The first stream variance includes sediment pond installation within 100 feet but no closer than 25 feet of unnamed tributary "A." This activity along unnamed tributary "A" is for pond construction only and does not include coal removal. This variance area begins 1,500 feet upstream of the confluence with unnamed tributary "B" and continues upstream for a distance of 200 feet.

The second stream variance is for unnamed tributary "B" to include mining within 100 feet but no closer than 50 feet and the construction of a collection ditch within 100 feet but no closer than 25 feet of unnamed tributary "B." This variance area begins 350 feet upstream of the

confluence with unnamed tributary "A" and continues upstream for a distance of 2550 feet.

The third variance is along unnamed tributary "C" to include mining within 100 feet but no closer than 50 feet and the construction of a collection ditch within 100 feet but no closer than 25 feet of unnamed tributary "C." This variance area begins at the confluence with unnamed tributary "A" and continues upstream for a distance of 1,350 feet in Lincoln and Jenner Township, **Somerset County**, affecting 143.3 acres. Receiving streams: unnamed tributaries to Quemahoning Creek classified for the following uses: Cold Water Fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Water Authority—Quemahoning Dam. Application received: April 19, 2001. Application issued: January 14, 2002.

32010104 and NPDES Permit No. PA0248967, Reichard Contracting, Inc., 212 Olean Trail, New Bethlehem, PA 16242, commencement, operation and restoration of a bituminous surface and auger mine and for discharge of treated mine drainage, in West Mahoning Township, **Indiana County**, affecting 66.1 acres. Receiving streams: unnamed tributaries to Carr Run and Carr Run classified for the following uses: Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 22, 2001. Permit issued: January 14, 2002.

56940104 and NPDES Permit No. PA0212849. Mountaineer Mining Corporation, 1010 Garrett Shortcut Road, Berlin, PA 15530. Permit revision to add 7.5 acres to the existing 99.7 acres. Total SMP acres goes from 99.7 to 107.2 acres. Also, a land use change request from woodland to pastureland in Brothersvalley Township, **Somerset County**. Receiving streams: unnamed tributary to Tubs Run and Laurel Run; and to Tubs Run and Laurel Run classified for the following uses: Cold Water Fishery and Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream of the point of discharge. Application received: September 6, 2001. Application issued: January 15, 2002.

32970103 and NPDES Permit No. PA0234371. Kent Coal Mining Company, 400 Overview Drive, P. O. Box 219, Shelocta, PA 15774. Permit renewal for reclamation only for continued restoration of a bituminous surface and auger mine and for existing discharge of treated mine drainage in Young Township, **Indiana County**, affecting 113.0 acres. Receiving streams: Marshall Run and unnamed tributaries to Marshall Run classified for the following uses: Cold Water Fishery. The first downstream potable water supply intake from the point of discharge is Avonmore Public Water Supply. Application received: January 9, 2002. Application issued: January 16, 2002.

56010101 and NPDES Permit No. PA0248924. Action Mining, Inc., 1117 Shaw Mines Road, Meyersdale, PA 15552-7228. Commencement, operation and restoration of a bituminous surface and for discharge of treated mine drainage in Elk Lick Township, **Somerset County**, affecting 70.0 acres. Receiving streams: unnamed tributary to Casselman River and unnamed tributaries to Elk Lick Creek classified for the following uses: Cold Water Fishery and Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream of the point of discharge. Application received: January 24, 2001. Application issued: January 18, 2002.

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

56733702. NPDES Permit #PA0110035, MF Land Co., Inc. (P. O. Box 68, Boswell, PA 15531), to renew the

permit for the Warnick Refuse Site in Jenner Township, **Somerset County**, renew permit for reclamation only, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued: January 9, 2002.

30733707. NPDES Permit #PA0215830, Consolidation Coal Co. (P. O. Box 100, Osage, WV 26543), to revise the permit for the Robena CRDA in Greene and Monongahela Townships, **Greene County**, install three sludge injection boreholes and pipeline, Surface Acres Proposed N/A, Underground Acres Proposed N/A, SCP Acres Proposed N/A, CRDP Support Acres Proposed N/A, CRDP Refuse Disposal Acres Proposed N/A, no additional discharges, classified for the following uses: N/A. The first downstream potable water supply intake from the point of discharge is N/A. Permit issued: January 16, 2002.

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

33960107. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127), revision to an existing bituminous strip operation to add auger mining in Union Township, **Jefferson County** affecting 17.8 acres. Receiving streams: Welch Run. Application received: November 5, 2001. Permit Issued: January 8, 2002.

61970101. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127), renewal of an existing bituminous strip and limestone removal operation in Irwin Township, **Venango County** affecting 66.5 acres. Receiving streams: Four unnamed tributaries to Scrubgrass Creek. Application received: November 13, 2001. Permit Issued: January 14, 2002.

Noncoal Permits Actions

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

25010805. Tom Francis (10258 Wattsburg Road, Erie, PA 16509). Commencement, operation and restoration of a small noncoal sand and gravel operation in Venango Township, **Erie County** affecting 1.0 acre. Receiving streams: unnamed tributary to French Creek. Application received: October 11, 2001. Permit Issued: January 11, 2002.

10010811. Judith McCrea (P. O. Box 82, Fenelton, PA 16034). Commencement, operation and restoration of a small noncoal shale operation in Clearfield Township, **Butler County** affecting 1.0 acre. Receiving streams: Little Buffalo Run. Application received: December 4, 2001. Permit Issued: January 14, 2002.

Project Proposals Issued

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

EGS 32003. Blacklick Creek Watershed Association, Inc., 297 Sarah Street, Homer City, PA 15748. A project to collect and passively treat the abandoned Cherryhill Deep Mine acid mine discharge along State Route 403 approximately 1.5 miles southeast of the village of Clymer with treatment facilities located on the Dennis J. Richards, Sr. property in Cherryhill Township, **Indiana County**. Receiving stream Two Lick Creek. Project received: November 1, 2001. Project issued: January 15, 2002.

ABANDONED MINE RECLAMATION

Cambria Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, (814) 472-1800.

Bond Forfeiture BF 446-101.1
Contract Awarded

Location **Howard Burkland**
Mining Permit Nos. 1185-1, 3
Luzerne Township
Fayette County

Description Abandoned Mine Land Reclamation
Contractor Earthmovers Unlimited, Inc.
Amount \$206,879
Date of Award January 14, 2002

Bond Forfeiture BF 458-101.1
Contract Awarded

Location North Huntingdon Township
Westmoreland County

Description Abandoned Mine Land Reclamation
Contractor Earthmovers Unlimited, Inc.
Amount \$122,243
Date of Award January 18, 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.

06024001. Hall Explosives, Inc. (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for the Reading Hospital Project in Cumru Township, **Berks County** with an expiration date of March 31, 2002. Permit issued: January 15, 2002.

09024001. Eastern Blasting Co., Inc. (1292 Street Road, New Hope, PA 18938), construction blasting in Chalfont Borough, **Bucks County** with an expiration date of May 11, 2002. Permit issued: January 16, 2002.

09024002. Eastern Blasting Co., Inc. (1292 Street Road, New Hope, PA 18938), construction blasting in Hilltown Township, **Bucks County** with an expiration date of May 11, 2002. Permit issued: January 16, 2002.

23024001. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380), construction blasting in Concord Township, **Delaware County** with an expiration date of May 11, 2002. Permit issued: January 16, 2002.

40014011. Explosive Services, Inc. (5 Pine Street, Bethany, PA 18431), construction blasting for Humboldt Industrial Park North in Hazle Township, **Luzerne County** with an expiration date of December 18, 2002. Permit issued: January 16, 2002.

45024001. Empire Construction (1 Empire Plaza, Stroudsburg, PA 18360), construction blasting in

Bartonville Borough, **Monroe County** with an expiration date of February 15, 2002. Permit issued: January 16, 2002.

46024001. Labrador Construction (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting for Lewis Street Shopping Center in Limerick Township, **Montgomery County** with an expiration date of March 4, 2002. Permit issued: January 16, 2002.

46024002. Labrador Construction (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in New Hanover Township, **Montgomery County** with an expiration date of March 14, 2002. Permit issued: January 16, 2002.

46024003. Labrador Construction (P. O. Box 1379, Marshalls Creek, PA 18335), construction blasting in Douglas Township, **Montgomery County** with an expiration date of April 1, 2002. Permit issued: January 16, 2002.

52024001. Explosive Services, Inc. (5 Pine Street, Bethany, PA 18431), construction blasting in Greene Township, **Pike County** with an expiration date of December 26, 2002. Permit issued: January 16, 2002.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under 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). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The Department of Environmental Protection 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 of Environmental Protection 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.

Any person aggrieved by this 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, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board (Board) within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of 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 of 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 decisional law.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)). (Note: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.)

Permits Issued and Actions on 401 Certifications:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E39-404. Berks Products Corporation, P. O. Box 421, Reading, PA 19603. South Whitehall Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To maintain fill placed within the floodway along approximately 300 linear feet of the left bank of a tributary to Little Cedar Creek, at the Berks Products Allentown Plant, an existing cement concrete manufacturing facility. The project is located along the south side of Crackersport Road, at the northwest corner of the intersection of S.R. 0022 and the Pennsylvania Turnpike Northeast Extension (Allentown West, PA Quadrangle N: 17.5 inches; W: 10.0 inches).

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

E01-224. Conewago Enterprises, Incorporated, 660 Edgegrove Road, Hanover, PA 17331 in Mount Pleasant Township, **Adams County**, ACOE Baltimore District.

To: (1) construct and maintain a new bridge with a span of 18 feet and an underclearance of 2.46 feet; (2) replace an existing pipe culvert with a bridge with a span of 17 feet and an underclearance of 5.17 feet; and (3) replace an existing retaining wall and portion of road which is located under a railroad bridge along and across Brush Run (WWF) (McSherrystown, PA Quadrangle N: 20.8 inches; W: 14.5 inches) in Mount Pleasant Township, Adams County. These crossings will be constructed to access a private residence.

E28-274. Franklin County Commissioners, 157 Lincoln Way East, Chambersburg, PA 17201 in St. Thomas Township, **Franklin County**, ACOE Baltimore District.

To remove the existing structure and to construct and maintain County Bridge No. 46 consisting of reinforced concrete having a clear span of 21.5 feet on a 76-degree skew with a minimum underclearance of 6.4 feet across Wilson Run (TSF) on County Road (T-474). The channel banks will be lined with 50 lineal feet of rock filled gabion mattress beginning at the downstream side of the bridge (St. Thomas, PA Quadrangle N: 13.6 inches; W: 7.5 inches) in St. Thomas Township, Franklin County.

E44-106. Decatur Township, 3585 U. S. Highway 522 North, Lewistown, PA 17044 in Decatur Township, **Mifflin County**, ACOE Baltimore District.

To remove an existing structure and to construct and maintain a box culvert having a span of 24 feet and an underclearance of 5 feet across the channel of Meadow Creek (CWF) at a point at T-379 (Alfarata, PA Quadrangle N: 7.73 inches; W: 12.0 inches) in Decatur Township, Mifflin County.

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

E14-403. George Khoury, Pennsylvania Department of Transportation, District 2-0, 1924-30 Daisy, Clearfield, PA 16830. SR 6220 Improvements (A12), in Huston Township and Patton Township, **Centre County**, ACOE Baltimore District (Julian, PA Quadrangle N: 14.6 inches; W: 11.2 inches).

<i>Wetland Identifier</i>	<i>Station</i>	<i>Size (Acres)</i>	<i>Direct Impact (Acres)</i>	<i>Indirect Impact (Acres)</i>	<i>Latitude</i>	<i>Longitude</i>
PJD-261	904+00 Rt.	0.036	0.036	0.000	40° 49' 50"	77° 57' 39"
WRP-004	905+00 Lt.	0.069	0.069	0.000	40° 49' 51"	77° 57' 36"
(WRP-004 is an open water pond that requires a draw-down permit from the Fish and Boat Commission)						
DMG-030	958+00 Lt.	0.010	0.000	0.010	40° 49' 21"	77° 56' 43"
WRP-005	904+00 Lt.	0.095	0.095	0.000	40° 50' 02"	77° 58' 09"
(WRP-005 represents a riverine wetland that is a total of 200 linear feet in length)						

This proposed project location is northwest of State College with a project centroid at latitude 40° 49' 41" and longitude 77° 57' 25" (Port Matilda, PA Quadrangle N: 14.6 inches; W: 11.2 inches) in Huston Township and Patton Township, Centre County.

E18-289 Amendment. East Nittany Valley Joint Municipal Authority, P. O. Box 314, Lamar, PA 16848 East Nittany Sewer Extension in Porter Township, **Clinton County**, ACOE Baltimore District (Beech Creek, PA Quadrangle N: 5.65 inches; W: 2.69 inches).

Change the method of crossing from a bore crossing to an open cut crossing. The crossings shall be constructed in the dry by utilizing stream diversion methods. All dewatering is proposed to be passed through sediment removal system prior to any infiltration to the stream. The two crossings are both on the main branch of Fishing Creek.

E18-328. Richard J. Noll, 6965 Nittany Valley Drive, Mill Hall, PA 17751. Private Driveway Culvert, in Beech Creek Township, **Clinton County**, ACOE Baltimore District (Beech Creek, PA Quadrangle N: 19.8 inches; W: 8.8 inches).

To maintain an I-beam timber deck bridge with reinforced concrete abutments and wingwalls with a maximum waterway depth of 6.8 feet and hydraulic opening of 121 square feet over Masden Run off Masden Hollow Road approximately 2.3 miles from the intersection of Masden Hollow Road with SR 0150 in Beech Creek Township, Clinton County. The project will not impact wetlands while impacting approximately 20 feet of waterway. Masden Run is a cold water fisheries stream.

E41-490. Pennsylvania Department of Transportation, Engineering District 3-0, P. O. Box 218,

To: 1) construct and maintain 95-feet of relocated stream channel within Waddle Creek located 450 feet southwest of the SR 3042 and T-341 (Seller Lane) intersection at latitude 40° 49' 22" and longitude 77° 56' 43"; 2) construct and maintain Structure 317, a 516-foot long by 15-foot by 7-foot reinforced concrete box culvert with a 14-foot long concrete apron improved inlet and a 29-foot by 15-foot St. Anthony Falls energy dissipating outlet to carry an unnamed tributary to Buffalo Run under SR 6220 located 1,500 feet southeast of the SR 550 and SR 3042 intersection at latitude 40° 49' 41" and longitude 77° 57' 25"; 3) construct and maintain a 50-foot long 36-inch diameter culvert temporary construction vehicle stream crossing located 2,800 feet northwest of the SR 550 and SR 3042 intersection at latitude 40° 50' 02" and longitude 77° 58' 09"; 4) to place fill in the following wetlands:

Montoursville, PA 17754-0218. SR 3010, Section 005 Canoe Run bridge replacement, in Mifflin Township, **Lycoming County**, ACOE Susquehanna River Basin District (Linden, PA Quadrangle N: 22.1 inches; W: 14.4 inches).

To remove existing structure and construct and maintain a 16-foot by 6 foot reinforced concrete box culvert on a skew of 70° in Canoe Run located 1.0 mile west of the intersection of SR 0287 and SR 3010 along SR 3010, in Mifflin Township, Lycoming County. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E20-508. Dean and Stephanie Felmlee, P. O. Box 477, Cranberry, PA 16319. Plaza Lanes Bowling Alley Within Floodway of French Creek, in Vernon Township, **Crawford County**, ACOE Pittsburgh District (Geneva, PA Quadrangle N: 21.8 inches; W: 5.1 inches).

To construct and maintain a building measuring 142 feet wide by 137 feet long and adjoining paved parking area and landscaping within the mapped FEMA floodway of French Creek for Plaza Lanes bowling alley along the south side of S.R. 6/19/322 approximately 1 mile east of I-79. This structure replaces the former building which burned down and was removed at the same location.

ENVIRONMENTAL ASSESSMENTS

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

EA03-004SW. Bureau of Abandoned Mine Reclamation, 286 Industrial Park Road, Ebensburg, PA 15931. Bradys Bend Township, **Armstrong County**, ACOE Pittsburgh District.

To relocate approximately 444 feet of an unnamed tributary to Sugar Creek by constructing and maintaining approximately 467 feet of new channel in association with the regarding and stabilization of a refuse pile along approximately 2,000 linear feet of Sugar Creek and the construction of a passive treatment system to treat mine drainage from the Snow Hill Mine and to construct and maintain a temporary ford across Sugar Creek, two outfall structures in Sugar Creek, which will include (0.05 acre) de minimis impacts to wetlands. (Chicora, PA Quadrangle N: 19.97 inches; W: 4.57 inches).

SSIP

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
02-48-002	Joseph B. Riding Conectiv Bethlehem Inc. P. O. Box 6066 Newark, DE 19714	Northampton	Bethlehem	1 AST storing— Low Sulfur Distillate Fuel Oil	4 million gallons 23,650 gallons total
				9 ASTs storing— Regulated Substances	

[Pa.B. Doc. No. 02-179. Filed for public inspection February 1, 2002, 9:00 a.m.]

STORAGE TANKS**SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

DEPARTMENT OF HEALTH**Application of Bariatric Care Center of Pennsylvania for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Bariatric Care Center of Pennsylvania 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: 7.30.B2 (relating to the dimensions of elevator cars).

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

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

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

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-180. Filed for public inspection February 1, 2002, 9:00 a.m.]

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV, Subparts B—G.

Section 51.33(d) provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from July 1, 2001, through December 22, 2001. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception requests and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals and ambulatory surgical facilities shall be addressed to the Division of Acute and Ambulatory Care, Sandra Knoble, Director, P. O. Box 90, Harrisburg, PA 17108. Inquiries regarding long-term care facilities shall be addressed to the Division of Nursing Care Facilities, Susan Getgen, Director, P. O. Box 90, Harrisburg, PA 17108. Those persons requiring special assistance for speech and/or hearing impairment should call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

Exception Requests—Hospitals

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
Canonsburg General Hospital	28 Pa. Code § 51.3	notification	11/3/2001	granted
Carlisle Regional Medical	28 Pa. Code § 51.3	notification	9/22/2001	granted
Community Medical Center	28 Pa. Code § 51.3	notification	9/22/2001	not necessary
Milton S. Hershey Medical	28 Pa. Code § 51.3(a)	notification	7/21/2001	not necessary
Riverview Ambulatory	28 Pa. Code § 51.3(a)	notification	8/18/2001	denied
HealthSouth Rehab Hospital	28 Pa. Code § 51.3(c)	notification	7/21/2001	granted
Allegheny General Hospital	28 Pa. Code § 51.3(g)(4)	notification	8/18/2001	granted
UPMC Shadyside	28 Pa. Code § 51.3(g)(4)	notification	11/3/2001	denied
Suburban General Hospital	28 Pa. Code § 51.3(g)(4)	notification	8/18/2001	granted
The Western Pennsylvania Soldiers & Sailors Memorial	28 Pa. Code § 51.3(g)(4) 28 Pa. Code § 51.6	notification identification of personnel	8/18/2001 9/22/2001	granted granted
Allegheny General Hospital	28 Pa. Code § 51.23	PET scanning services	7/21/2001	granted
Alliance Imaging	28 Pa. Code § 51.23	PET scanning services	7/21/2001	granted
Altoona Hospital	28 Pa. Code § 51.23	PET scanning services	7/21/2001	granted
Canonsburg General Hosp.	28 Pa. Code § 51.23	PET scanning services	11/3/2001	granted
Geisinger Medical Center	28 Pa. Code § 51.23	PET scanning services	11/3/2001	granted
Heritage Valley Health System	28 Pa. Code § 51.23	PET scanning services	8/8/2001	granted
J.C. Blair Memorial Hospital	28 Pa. Code § 51.23	PET scanning services	9/22/2001	granted
Meadville Medical Center	28 Pa. Code § 51.23	PET scanning services	7/21/2001	granted
Memorial Hospital York	28 Pa. Code § 51.23	PET scanning services	9/22/2001	granted
Monongahela Valley Hospital	28 Pa. Code § 51.23	PET scanning services	5/5/2001	granted
Reading Hospital and Medical	28 Pa. Code § 51.23	PET scanning services	9/22/2001	granted
St. Joseph Medical Center	28 Pa. Code § 51.23	PET scanning services	8/18/2001	granted
UPMC Horizon	28 Pa. Code § 51.23	PET scanning services	4/28/2001	granted
Geisinger Healthsouth Rehab	28 Pa. Code § 107.2	medistaff membership	9/22/2001	granted
HealthSouth Rehab Hosp.	28 Pa. Code § 107.2	medical staff membership	11/3/2001	granted for podiatrists
Holy Spirit Hospital	28 Pa. Code § 107.2	medical staff membership	10/13/2001	granted
Geisinger HealthSouth Rehab	28 Pa. Code § 107.25 (b)(8)	medical staff executive	8/18/2001	approved
SemperCare Hospital	28 Pa. Code § 107.32	meetings and attendance	8/18/2001	granted/denied
HealthSouth Rehab Hosp. of	28 Pa. Code § 107.62	oral orders	12/22/2001	granted
HealthSouth Rehab Hosp. of	28 Pa. Code § 107.62	oral orders	10/13/2001	granted
HealthSouth Rehab Hospital	28 Pa. Code § 107.62	oral orders	7/21/2001	granted
Mercy Hospital, Scranton	28 Pa. Code § 135.15	surgical specimens	9/22/2001	granted
Delaware Memorial Hospital	28 Pa. Code § 137.21 (b)(5)	obstetrical services policies	9/22/2001	granted
Sewickley Hospital	28 Pa. Code § 138.2	definitions	10/13/2001	denied
Monongahela Valley Hospital	28 Pa. Code § 138.15	high risk cardiac cath	7/21/2001	denied
Jameson Memorial Hospital	28 Pa. Code § 138.15	high risk cardiac cath	7/21/2001	denied
Sewickley Hospital	28 Pa. Code § 138.15	high risk cardiac cath	10/13/2001	denied
Somerset Hospital	28 Pa. Code § 138.15	high risk cardiac cath	7/21/2001	denied
Uniontown Hospital	28 Pa. Code § 138.15	high risk cardiac cath	7/21/2001	denied
Sewickley Hospital	28 Pa. Code § 138.17(c)	PTCA	10/13/2001	denied
Graduate Hospital	28 Pa. Code § 143.7	medical orders	8/18/2001	denied

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
Ephrata Community Hospital	28 Pa. Code § 151.21	fire drills	7/21/2001	denied
Lifecare Hospitals of	28 Pa. Code § 153.1	minimum construction stds	10/13/2001	not necessary
Altoona Hospital	28 Pa. Code § 153.1	minimum construction stds	9/22/2001	granted
HealthSouth Rehab Hosp. of	28 Pa. Code § 153.1	minimum construction stds	11/3/2001	not necessary
Temple Univ. School of	28 Pa. Code § 153.1	minimum construction stds	7/21/2001	granted
University Orthopedics Center	28 Pa. Code § 153.1	minimum construction stds	10/13/2001	not necessary
LifeCare Hospital	28 Pa. Code § 153.1 (7.6.C)	minimum construction stds	12/22/2001	granted

Exception Requests—Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
Lancaster Neuroscience	28 Pa. Code § 569.31	emergency power	1/3/2001	granted
Main Line Surgery Center	28 Pa. Code § 551.21	criteria for ASF	6/2/2001	denied
North Shore Surgi-Center	28 Pa. Code § 551.21	criteria for ASF	6/9/2001	denied
HealthSouth Surgery Center	28 Pa. Code § 551.21(a)	criteria for ASF	7/21/2001	denied
Wills Eye Hospital	28 Pa. Code § 551.21 (a)(2)	criteria for ASF	10/13/2001	denied
Wills Eye Hospital	28 Pa. Code § 551.21(b)	criteria for ASF	10/13/2001	denied
Leonard P. Ferrara, MD	28 Pa. Code § 551.22	criteria for ASF	8/18/2001	granted
St. Vincent Surgery Ctr.	28 Pa. Code § 551.22 (3)(ii)	criteria for ASF	12/22/2001	granted/denied
Shadyside Medical Center	28 Pa. Code § 551.22(4)	pediatric amb surgery	7/21/2001	granted
Albert Einstein Medical Center	28 Pa. Code §§ 553.2, 553.3	ASF ownership	7/21/2001	granted
St. Vincent Surgery Ctr.	28 Pa. Code § 553.3	governing body	12/22/2001	granted/denied
St. Vincent Surgery Ctr.	28 Pa. Code § 553.4	other functions	12/22/2001	granted/denied
Wills Eye Hospital	28 Pa. Code § 553.21(b)	principles of admission	10/13/2001	denied
Hamot Surgery Center	28 Pa. Code § 555.22	preoperative care	7/21/2001	granted /denied
St. Vincent Surgery Ctr.	28 Pa. Code § 555.23	operative care	12/22/2001	granted/denied
St. Vincent Surgery Ctr.	28 Pa. Code Chap. 557	quality assurance	12/22/2001	granted/denied
Lancaster NeuroScience	28 Pa. Code § 571.1	minimum construction stds	12/22/2001	granted
Lancaster NeuroScience	28 Pa. Code § 571.1 (9.2H(a))	minimum construction stds	8/18/2001	granted
Lancaster Neuroscience	28 Pa. Code § 571.1	minimum construction stds	11/3/2001	granted
Main Line Plastic Surgery	28 Pa. Code § 571.1	minimum construction stds	11/17/2001	granted/denied
Northeastern Rehab Assoc.	28 Pa. Code § 571.1	minimum construction stds	12/22/2001	granted
Delaware Valley Ortho and	28 Pa. Code § 571.2	modifications to HHS	11/3/2001	withdrawn

Exception Requests—Nursing Care Facilities

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
Phoenixville Hospital	28 Pa. Code § 201.18(e)	management	8/18/01	temp. approval
The Franciscan Skilled Care	28 Pa. Code § 201.18(e)	management	12/15/01	no longer req.
Villa St. Joseph of Baden	28 Pa. Code § 205.6(a)	function of building	11/3/01	granted
Laurel Crest Rehabilitation	28 Pa. Code § 205.6(a)	function of building	11/3/01	granted
Meadow View Nursing	28 Pa. Code § 205.6(a)	function of building	11/3/01	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Req. Published</i>	<i>Decision</i>
Morrison's Cove Home	28 Pa. Code § 205.6(a)	function of building	11/3/01	denied
Mountain View Manor	28 Pa. Code § 205.6(a)	function of building	10/6/01	granted
Penn Lutheran Village	28 Pa. Code § 205.6(a)	function of building	9/1/01	granted
Saint Mary's at Asbury Ridge	28 Pa. Code § 205.6(a)	function of building	11/3/01	granted
Seton Manor Skilled Nursing	28 Pa. Code § 205.6(a)	function of building	7/28/01	granted
Sheperd's Choice of Gettysburg	28 Pa. Code § 205.6(a)	function of building	10/27/01	granted
Westmoreland Manor	28 Pa. Code § 205.6(a)	function of building	9/1/01	temp. approval
Carleton Senior Care Center	28 Pa. Code § 205.6(a)	function of building	7/28/01	granted
Meadows Nursing Center	28 Pa. Code § 205.6(a)	function of building	7/28/01	granted
ManorCare Hlth Serv-Lansdale	28 Pa. Code § 205.6(a)	function of building	6/30/01	granted
Belle Reve	28 Pa. Code § 205.6(a)	function of building	7/7/01	granted
Dunmore HealthCare Ctr.	28 Pa. Code § 205.6(a)	function of building	8/18/01	temp. approval
ManorCare Health Chambersburg	28 Pa. Code § 205.6(a)	function of building	9/1/01	granted
Jefferson Manor Hlth Ctr.	28 Pa. Code § 205.6(a)	function of building	9/1/01	granted
Garden Spot Village	28 Pa. Code § 205.6(a)	function of building	10/27/01	granted
Lutheran Home at Kane	28 Pa. Code § 205.6(a)	function of building	10/27/01	granted
Dauphin Manor	28 Pa. Code § 205.9(a)	corridors	11/3/01	temp. approval
Belle Reve	28 Pa. Code § 205.12(b)	elevators	7/7/01	granted
Pennsylvania Soldiers & Sailor	28 Pa. Code § 205.19(b)	windows and windowsills	6/23/01	granted
Dauphin Manor	28 Pa. Code § 205.25(b)	kitchen	11/3/01	temp. approval
Beverly Healthcare Titusville	28 Pa. Code § 205.28(a)	nurses' station	10/6/01	not necessary
Margaret E. Moul Home	28 Pa. Code § 205.28(b)	nurses' station	10/28/00	no longer req.
Bryn Mawr Terrace Conv. Ctr.	28 Pa. Code § 205.28(b)	nurses' station	10/27/01	granted
Rest Haven-York	28 Pa. Code § 205.28(c)	nurses' station	7/14/01	granted
Mt. Hope Dunkard Brethren	28 Pa. Code § 205.32(b)	janitor's closet	10/6/01	granted
Margaret E. Moul Home	28 Pa. Code § 205.33(a)	utility room	10/28/00	no longer req.
Dauphin Manor	28 Pa. Code § 205.33(a)	utility room	11/3/01	temp. approval
St. Mary's of Asbury Ridge	28 Pa. Code § 205.36(e)	bathing facilities	1/19/02	granted
Dauphin Manor	28 Pa. Code § 205.36(h)	bathing facilities	11/3/01	temp. approval
Moses Taylor Hospital	28 Pa. Code § 205.36(h)	bathing facilities	10/27/01	granted
Hillcrest Center	28 Pa. Code § 205.36(h)	bathing facilities	7/14/01	granted
Dauphin Manor	28 Pa. Code § 205.38(b)	toilet facilities	11/3/01	temp. approval
Dauphin Manor	28 Pa. Code § 205.67(e)	electric requirement	11/3/01	temp. approval
Green Acres/Adams County	28 Pa. Code § 205.71	bed and furnishings	10/27/01	no longer req.
Dallastown Nsng Center	28 Pa. Code § 211.12(b)	nursing services	11/10/01	denied
Old Orchard Health Care	28 Pa. Code § 211.12(f)(1)	nursing services	8/18/01	granted
Meda Nipple Conv. Home	28 Pa. Code § 211.12(f)(1)	nursing services	9/8/01	denied
Beverly Healthcare Titusville	28 Pa. Code § 211.16(b)	social services	10/6/01	denied

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-181. Filed for public inspection February 1, 2002, 9:00 a.m.]

Preapproved Tobacco Cessation List

The Department of Health (Department) is soliciting applications from tobacco cessation providers in this Commonwealth to be included on the Department's preapproved tobacco cessation list. This list will be utilized as the Department tobacco cessation resources registry and referral system at the State, regional and local levels, and by the Department of Public Welfare to identify cessation providers. Staff of the Statewide quitline, Department primary contractors and the Department of Public Welfare, Office of Medical Assistance will refer individuals to providers for individual and group smoking cessation counseling. The application form, along with the standards for programs and instructors, may be found on the Department's website at www.health.state.pa.us or by contracting Nancy Shaffer, Cessation Program Manager, at (717) 783-6600.

Persons with a disability who require a copy in alternative formats (such as larger print, audio tape or Braille) of this application form should contact Nancy Shaffer at (717) 783-6600. V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-182. Filed for public inspection February 1, 2002, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

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

Angela Jane Pavilion
8410 Roosevelt Blvd.
Philadelphia, PA 19152

Spruce Manor Nursing
and Rehabilitation Center
220 South 4th Avenue
West Reading, PA 19611

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, e-mail address: PAEXCEPT@HEALTH.STATE.PA.US.

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech

and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-183. Filed for public inspection February 1, 2002, 9:00 a.m.]

Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under the Federal Traumatic Brain Injury Act of 1996 (Pub. L. No. 104-66), will hold a public meeting on Wednesday, February 20, 2002. The meeting will be held at 333 Market Street, Harrisburg, PA, in the Heritage Room B Conference Room, from 10 a.m. to 3 p.m.

For additional information, contact Elaine M. Terrell, Director, Head Injury Program, Division of Child and Adult Health Services at (717) 772-4959.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact the Head Injury Program at (717) 772-4959, V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 02-184. Filed for public inspection February 1, 2002, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Blarney Bucks Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

- Name:* The name of the game is Pennsylvania Blarney Bucks.
- Price:* The price of a Pennsylvania Blarney Bucks instant lottery game ticket is \$1.00.
- Play Symbols:* Each Pennsylvania Blarney Bucks instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$3.⁰⁰ (THR DOL), \$7.⁰⁰ (SVN DOL), \$17\$ (SVNTN), \$35\$ (TRY FIV), \$70\$ (SEVENTY), \$170 (ONEHUNSTY) and \$1,700 (SVNTNHUN). Each Pennsylvania Blarney Bucks instant lottery game ticket will also contain a "Bonus Box" area. The play symbols and their captions located in the "Bonus Box" area are: Hat Symbol (HAT) and NO BONUS (TRY AGAIN).
- Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$7, \$17, \$35, \$70, \$170 and \$1,700.
- Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania Blarney Bucks instant lottery game.

6. *Determination of Prize Winners.*

(a) Holders of tickets with three matching play symbols of \$1,700 (SVNTNHUN) in the play area on a single ticket, shall be entitled to a prize of \$1,700.

(b) Holders of tickets with three matching play symbols of \$170 (ONEHUNSTY) in the play area on a single ticket, shall be entitled to a prize of \$170.

(c) Holders of tickets with three matching play symbols of \$70\$ (SEVENTY) in the play area on a single ticket, shall be entitled to a prize of \$70.

(d) Holders of tickets with three matching play symbols of \$35\$ (TRY FIV) in the play area on a single ticket, shall be entitled to a prize of \$35.

(e) Holders of tickets with a Hat Symbol (HAT) play symbol in the "Bonus Box" area, on a single ticket, shall be entitled to a prize of \$17.

(f) Holders of tickets with three matching play symbols of \$17\$ (SVNTN) in the play area on a single ticket, shall be entitled to a prize of \$17.

(g) Holders of tickets with three matching play symbols of \$7.⁰⁰ (SVN DOL) in the play area on a single ticket, shall be entitled to a prize of \$7.

(h) Holders of tickets with three matching play symbols of \$3.⁰⁰ (THR DOL) in the play area on a single ticket, shall be entitled to a prize of \$3.

(i) Holders of tickets with three matching play symbols of \$2.⁰⁰ (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(j) Holders of tickets with three matching play symbols of \$1.⁰⁰ (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Get</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 7,200,000 Tickets</i>
3-\$1	\$1	1:7.89	912,000
3-\$2	\$2	1:18.75	384,000
3-\$3	\$3	1:75	96,000
3-\$7	\$7	1:375	19,200
3-\$17	\$17	1:300	24,000
Hat	\$17	1:71.43	100,800
3-\$35	\$35	1:7,059	1,020
3-\$70	\$70	1:24,000	300
3-\$170	\$170	1:48,000	150
3-\$1,700	\$1,700	1:900,000	8

Hat = Win \$17 automatically

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Blarney Bucks instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Blarney Bucks, prize money from winning Pennsylvania Blarney Bucks instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Blarney Bucks instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Blarney Bucks or through normal communications methods.

LARRY P. WILLIAMS,
Secretary

[Pa.B. Doc. No. 02-185. Filed for public inspection February 1, 2002, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

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

The Department of Transportation (Department), Bureau of Motor Vehicles, under the authority of section 3368 of the Vehicle Code, 75 Pa.C.S. § 3368, published at 31 Pa.B. 7078 (December 29, 2001) a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

Addition

As an addendum to the list of approved Official Maintenance and Calibration Stations, the Department hereby gives notice of the addition of the following station as an official maintenance and calibration station for electronic (nonradar), which measures elapsed time between two points, electronic (nonradar), which calculates average speed between two points, Stopwatch Speed-Timing and Mobile Units:

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063. Station numbers will be W1, EL1 and EM1.

Change of Address

As an addendum to the listing of approved Official Maintenance and Calibration Stations, the Department hereby gives notice of the change of address of the following station (station numbers W61, EL11, EM6):

S & D Calibration Services, 132 Fawn Valley Drive, McMurray, Washington County, PA 15330.

The new station address will be:

S & D Calibration Services, 115 Walnut Drive, Eighty Four, Washington County, PA 15317. The station numbers will remain the same.

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

Other approved speed-timing devices and appointment of maintenance and calibration stations appear at 31 Pa.B. 7078.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 02-186. Filed for public inspection February 1, 2002, 9:00 a.m.]

FISH AND BOAT COMMISSION

Lake Erie Commercial Fishing—2002

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 69.31(b) (relating to seasons), has determined that the 2002 total allowable commercial catch of walleye from the Pennsylvania waters of Lake Erie is 9,000 pounds. The commercial fishing season for walleye on Lake Erie is January 1 to midnight March 15 and 12:01 a.m. the first Saturday in May to December 31. This season shall end when the Executive Director determines that 9,000 pounds of walleye probably have been taken by commercial fishing interests fishing in the Pennsylvania waters of Lake Erie.

The Executive Director of the Commission, acting under the authority of 58 Pa. Code § 69.31(c), has established the total allowable 2002 commercial catch for yellow perch from the Pennsylvania waters of Lake Erie. The 2002 total allowable commercial catch for yellow perch is 30,000 pounds. The commercial fishing season for yellow perch on Lake Erie is January 1 until the date the Executive Director determines that 30,000 pounds of yellow perch probably have been taken by commercial fishing interests fishing in the Pennsylvania waters of Lake Erie.

PETER A. COLANGELO,
Executive Director

[Pa.B. Doc. No. 02-187. Filed for public inspection February 1, 2002, 9:00 a.m.]

GOVERNOR'S OFFICE

Regulatory Review

Executive Order 1996-1, which was signed by Governor Ridge on February 6, 1996, requires all agencies under the jurisdiction of the Governor to submit for publication an agenda of regulations under development or consideration. The following is the eleventh publication of the Administration's regulatory agenda, grouped by agency. Subsequent agendas will be published on the first Saturdays in February and July.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed below (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ADMINISTRATION			
No regulations being developed or considered at this date.			
AGING			
PA Code Title VI Chapter 11 Older Adult Daily Living Centers	November 2002, as proposed.	This regulation is being reviewed for consolidation with regulations from DPW and DOH with the intent to publish as part of regulations to be proposed as Adolescent and Adult Part-Day Licensing Regulations. Review is also occurring as a result of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 15 Protective Services For Older Adults	March 2002, as final.	This regulation is being reviewed as a result of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1. Amendments were published as proposed rulemaking in the <i>Pennsylvania Bulletin</i> on November 27, 1999. Second and third drafts of amendments were prepared based on comments received and second and third rounds of meetings were held with stakeholders. On December 27, 2001, the Final Rulemaking package was submitted to IRRC and the legislative oversight committees.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 21 Domiciliary Care Services for Adults	March 2003, as proposed.	A review of these regulations will be coordinated with the Adult Residential Facilities initiative being led by the Office of Licensing and Regulatory Management, Department of Public Welfare.	Robert Hussar 717-783-6207
PA Code Title VI Chapter 3 Fair Hearings and Appeals	December 2002, as proposed.	This regulation has been initially reviewed by stakeholders in response to passage of Acts 169-96 and 13-97 amending the Older Adult Protective Services Act (35 P. S. §§ 10225.101—10225.5102) and of Executive Order 1996-1. The completion of any proposed changes is dependent on the promulgation of final adult protective services regulations.	Robert Hussar 717-783-6207
AGRICULTURE			
Agricultural Conservation Easement Purchase Program/Agricultural Security Areas	April, 2002, as proposed.	Act 138 of 1998 and Act 14 of 2001 amended the Agricultural Area Security Law. The regulations at 7 Pa. Code Chapter 138e must be revised to implement these statutory changes. This regulation would also replace the outdated regulations at 7 Pa. Code Chapter 138, relating to agricultural security areas.	Russell C. Redding (717) 787-3418
The Food Code	July, 2002, as proposed.	This regulation would provide the retail food industry needed and requested guidance for the safe handling of food. The Food Act (31 P. S. §§ 20.1—20.18) and the Public Eating and Drinking Places Law (35 P. S. §§ 655.1—655.13) form the statutory basis for this regulation.	Sheri Dove (717) 772-8353
Maple Products	September, 2002, as proposed.	This regulation is required by the Maple Products Act (3 Pa.C.S. §§ 6101—6112). This regulation would establish standards, product quality practices and facility requirements relating to the production of maple syrup and maple products.	Lenchen Radle (717) 772-3234
Amusement Rides	August, 2002, as proposed.	This regulation will update the current regulation at 7 Pa. Code Chapter 139 to reflect changes to the Amusement Ride Inspection Act (4 P. S. §§ 401—418).	Charles Bruckner (717) 787-9089

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Harness Racing Commission	February, 2002, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly and address conditions which exist in harness racing that did not exist when the current regulations were originally promulgated. This regulation is a long-term project and would amend 58 Pa. Code Chapters 181, 183, 185 and 186—190, including the general authority of the Commission and provisions relating to associations licensed to conduct pari-mutuel wagering, individual licensing, licensing of officials, rules of the conduct of races, veterinary practices, equine health and medication, wagering, due process and disciplinary action.	Anton J. Leppler (717) 787-5196
Land application of soil and groundwater contaminated with agricultural chemicals	February, 2002, as proposed.	This regulation is required under the Land Recycling and Environmental Remediation Standards Act, at 35 P. S. § 6026.101 et seq. This regulation would allow soil and groundwater contaminated with agricultural chemicals to be treated and re-applied upon agricultural lands. Numerous comments have been received with respect to drafts of this regulation, and will be addressed as the regulation proceeds.	Phillip M. Pitzer (717) 772-5206
Fruit Tree Improvement Program	November, 2003, as proposed.	This regulation would facilitate interstate and international export of Pennsylvania-grown fruit tree nursery stock. This regulation would amend 7 Pa. Code Chapter 120, which provides testing and inspection standards and procedures pursuant to which fruit tree nursery stock can be certified as to quality, consistency and disease/insect-free status. The regulation would be a technical update of current provisions, would bring this program into greater conformity with programs in other states and would provide more practical assistance to participating growers.	Ruth Welliver (717) 787-5609
Certification of Virus-Tested Geraniums	September, 2003, as proposed.	This regulation would amend the current regulatory authority to update the voluntary program pursuant to which geranium producers may obtain the Department's certification of virus-tested geraniums. This amendment would establish an inspection fee to help cover the Department's costs in inspecting and testing geraniums offered for certification. This regulation would amend 7 Pa. Code Chapter 122 to: 1) expand the certification of virus-tested geraniums to include Culture-Indexed Geraniums, which are free from certain economically-important bacterial and fungal pathogens; and 2) establish a reasonable fee for the Department's inspection and certification services.	Ruth Welliver (717) 787-5609
Dog Law	February, 2002, as proposed.	House Bill 397 of 1996 accomplished revisions of the Dog Law that will necessitate regulatory revisions. This regulation is a long-term project and would amend 7 Pa. Code Chapters 23, 25 and 27 to bring them into greater conformity with statutory revisions. The Dog Law (3 P. S. §§ 459-10 et seq.) is the statutory basis for this regulation.	Richard Hess (717) 787-4833
Dog Law—Lifetime Licenses	May, 2002, as final.	House Bill 397 of 1996 accomplished revisions of the Dog Law that will necessitate regulatory revisions. We are amending 7 Pa. Code §§ 21.51—21.57 to allow the Department to implement the use of micro-chipping for lifetime dog licenses.	Richard Hess (717) 787-4833

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Domestic Animals	June, 2002, as proposed.	This long-term project is intended to update the Department's regulatory authority to make it more consistent with the provisions of the Domestic Animal Law (3 Pa.C.S. §§ 2301—2389).	John Enck, DVM (717) 772-2852
Aquaculture Development	January, 2002, as proposed.	The Aquacultural Development Law requires the Department to develop an "Aquaculture Development Plan" through regulation.	Leo Dunn (717) 783-8462
<i>BANKING</i>			
Continuing education regulations for residential first mortgage lender and broker industry.	Six months.	The Mortgage Bankers and Brokers Act ("MBBA") is Act 90 of 1989, and has been amended by Act 131 of 1998. Amended section 4(e) of the MBBA provides that the Secretary of Banking shall delineate the requirements for continuing education regulations for licensees (i.e., mortgage bankers, mortgage brokers, and loan correspondents) by regulation within three years of the effective date (February 19, 1999) of the amendments to the MBBA. Therefore, continuing education regulations are required to be promulgated by February 19, 2002.	Carter D. Frantz (717) 787-1471
Amendments to Banking regulations in 10 Pa. Code Part II to comply with amendments to the Banking Code made by Act 89 of 2000.	One year.	Act 89 of 2000 substantially amended the Banking Code. Accordingly, some banking regulations need to be amended in order to conform to the statutory amendments.	Reginald S. Evans (717) 787-1471
<i>BUDGET</i>			
No regulations being developed or considered at this date.			
<i>COMMUNITY & ECONOMIC DEVELOPMENT</i>			
Industrialized Housing and Components 12 Pa. Code Chapter 145 (proposed regulation)	Spring 2002.	The regulation will further clarify and strengthen the Department's and third party's role in monitoring the installation of industrialized housing; adopt the ICC International Building Code; update definitions to bring them into conformance with current terminology and with proposed changes to the placement of insignia of certification; place the determination regarding the frequency of inspection reports on the inspection agency; require manufacturers to ensure that instructions for installation are given to those installing industrialized housing; and increase the fees charged by the Department to offset increases in the cost of administering and enforcing the industrialized housing program.	Jill B. Busch (717) 720-7314
Certified Provider (proposed new regulation)	Spring 2002.	In accordance with the Job Enhancement Act of 1996, the regulation will establish professional and organizational standards that must be met in order for providers to continue packaging loans on behalf of the Department.	Jill B. Busch (717) 720-7314
<i>COMMISSION ON CRIME AND DELINQUENCY</i>			
Constables' Education and Training Board—New Chapter 431 to Title 37 Pa. Code	March 2002, as final	To implement the authority of Act 1994-44, 42 Pa.C.S.A. §§ 2944—2948, as to program content and administration of basic training and continuing education, standards for qualification to carry firearms in the performance of constable duties, and qualification for schools and instructors.	Stephen Spangenberg (717) 705-3693 ext. 3040

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Deputy Sheriffs' Education and Training Board—Amendments to 37 Pa. Code Chapter 421	April 2002, as final	To amend existing regulation to further increase hours of basic training that were increased by Statement of Policy in 2000. Proposed pursuant to the Deputy Sheriffs' Education and Training Act, 71 P. S. §§ 2105—2106, this rulemaking would add law enforcement-related duties to the basic training curriculum.	Stephen Spangenberg (717) 705-3693 ext. 3040
Bureau of Victims' Services, Victims Compensation Division (formerly Crime Victim's Compensation Board)—Deletion of 37 Pa. Code Chapter 191, replacement with new Chapter 211	April 2002, as proposed	To create a new chapter reflecting elimination of Crime Victim's Compensation Board and inclusion of its functions under PCCD pursuant to Act 1995-27 of the Special Session on Crime; changes in terminology and operations brought about by that act and by section 4 of Act 1997-57; and citation changes resulting from Act 1998-111 and its relocation of the Crime Victims Act from Title 71 of Purdon's Statutes Title 18. The act at 18 P. S. § 11.312(3) gives the Bureau of Victims' Services the authority, subject to the approval of PCCD, to promulgate regulations to carry out the purposes of the act as it relates to compensation. Also to be revised are restrictions that are antiquated or that limit flexibility in carrying out the statutory purposes.	Lynn Shiner (717) 783-5153 ext. 3210
Commission on Crime and Delinquency—Amendments to 37 Pa. Code Chapter 401 (General Provisions), Chapter 405 (Grant Management) and Chapter 407 (Administrative Proceedings)	September 2002, as final omitted	To update existing regulations to reflect current operations and eliminate language that is obsolete due to operational or statutory change.	Gerard Mackarevich (717) 705-0888 ext 3034
<i>CONSERVATION & NATURAL RESOURCES</i>			
Conservation of Native Wild Plants (Chapter 45)	Publish proposed rulemaking June 2002.	This proposal is being developed to update existing native wild plant regulations. The legal basis for these regulations is the Wild Resource Conservation Act of 1982. This update is necessary to change the status of various plants to reflect field work completed during the last three years. Recommendations of the Rare Plant Committee and the Vascular Plant Technical Committee will be considered during the development of this proposed rulemaking.	Chris Firestone, Mike Lester and Dan Devlin 717-783-3227
State Parks Rules and Regulations (Chapter 11)	Publish proposed rulemaking March 2002. Final rulemaking September 2002.	This revision to state parks rules and regulations will take place after extensive public outreach. Updates are necessary to reflect changes for more efficient operations, increase opportunities for public recreation, and an effort to improve visitor services and to promote good stewardship of public parks. Eight state-wide regional public meetings were held in the summer of 2000 to begin to gather input on possible regulatory changes. Parks also conducted roundtable discussions. Legal basis for these regulations is Act 18 of 1995.	Gary Smith 717-783-3303
State Forest Picnic Area Rules and Regulations (Chapter 23)	Publish proposed rulemaking April 2002. Final rulemaking September 2002.	General State Forest rules and regulations were updated in 1998. Chapter 23 pertaining to State Forest Picnic Areas needs to be updated and revised to conform with Title 17 general regulation changes.	Bill Slippey 717-783-7941

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Snow & All Terrain Vehicle Registration and Operations (Chapter 51)	Publish proposed rulemaking May 2002. Final rulemaking November 2002.	This chapter needs to be updated to implement recent amendments to Chapter 77 of the Vehicle Code and to reflect the Department's current registration and titling procedures.	Bill Slippey 717-783-7941 (Operations & Recreation) Lynn Loudenslager 717-783-3751 (Registration & Titling)
<i>CORRECTIONS</i>			
Revisions to the regulations governing county correctional facilities, 37 Pa. Code Chapter 95.	Spring 2002, as proposed.	The regulations will be revised to eliminate unnecessary regulations and update necessary regulations.	William Reznor 717-975-4876
<i>EDUCATION</i>			
22 Pa. Code Chapter 155—Board of State College and University Directors—Personnel Chapter 161—School Administrators Handbook Chapter 181—Mentally Retarded Exceptional Children Chapter 251—Postsecondary Education Planning Commission—Rules & Regulations Chapter 329—Computation of Subsidy	The Secretary intends to submit these regulations as final-omitted in the regulatory review process since they are obsolete and outdated. March 2002, as final omitted.	Chapter 155—This chapter was issued under Section 2 of the Act of February 1970 (P. L. 24, No. 13) (24 P. S. § 20-2002) (Repealed). It was adopted June 12, 1975, 5 Pa. B. 1548. Chapter 161—Statutory authority for this chapter is 71 P. S. § 352. Chapter 181—Taken from the <i>Pennsylvania Bulletin</i> (Vol. 3, No. 39-9/15/73, p. 2069), the authority was contained in the Act of January 14, 1970, P. L. (1969) 468 (24 P. S. § 13-1372). Chapter 251—The Postsecondary Education Planning Commission, formerly known as the 1202 Commission and also known as the 1203 Commission, was authorized by 20 U.S.C., Section 1143 and established by the Governor upon recommendation of the State Board of Education through its resolution of March 15, 1974. Chapter 329—This chapter provided procedures for calculating the instruction subsidy described in Sections 2502, 2502.5 and 2502.6 of the School Code.	Ernest Helling (717) 787-5500
Pupil Personnel Services, Attendance and Students 22 Pa. Code, Chapters 7, 11, 12	June 2002, as final omitted.	These regulations define the elements of student services programs, delineate the rights and responsibilities of students and establish provisions regarding school attendance. Specific revisions are necessary to make the regulations consistent with current statute and court decisions as well as current practices in student services. These regulations are promulgated under the authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Higher Education General Provisions, Foreign Corporation Standards, Institutional Approval, Program Approval 22 Pa. Code, Chapters 31, 36, 40, 42	June 2002, as proposed.	These regulations are necessary to establish procedures for the approval and operation of institutions of higher education in the Commonwealth. Specific revisions are necessary to clarify the intent of the chapters, modify the time frame during which new institutions must achieve accreditation, update provisions for library and learning resources, and amend regulations to accommodate for-profit baccalaureate and higher education. These regulations are promulgated under authority of the Public School Code of 1949 (P. L. 30, No.14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
Certification of Professional Personnel 22 Pa. Code, Chapter 49	June 2002, as final-omitted.	Revisions to these regulations are necessary to incorporate provisions of Act 48 of 1999, which requires continuing professional development for all certificated educators. Since these revisions will be technical to incorporate a statutory change, they will be promulgated as final rulemaking with the public comment phase omitted.	Peter Garland (717) 787-3787
Charter School Services, General Provisions	September 2002, as proposed.	These regulations will clarify a number of provisions to the Charter School Law, which have been the subject of questions from charter school applicants and school districts. These regulations will be promulgated under the authority of the Charter School Law, 24 P. S. § 17-1701-A et seq. 1949, March 10, P. L. 30, No. 14, Article XVII-A, § 1701-A, added 1997, June 19, P. L. 225, No. 22, § 1.	Kerri McCarthy (717) 705-2558
Academic Standards (Science & Technology, Environment & Ecology) 22 Pa. Code, Chapter 4	January 2002, as final rulemaking	Chapter 4 sets forth requirements for instruction, graduation, strategic planning and assessment based on academic standards. When initially promulgated in 1999, Chapter 4 contained academic standards in reading, writing, speaking and listening, and mathematics. Additional sets of standards were anticipated. This revision to Chapter 4 seeks to establish academic standards in Science and Technology, and Environment and Ecology.	Peter Garland (717) 787-3787
Academic Standards (Civics and Government, Economics, Geography and History; Arts and Humanities; Family and Consumer Science; Health, Safety and Physical Education) 22 Pa. Code, Chapter 4	March 2002, as proposed.	Chapter 4 sets forth requirements for instruction, graduation, strategic planning, and assessment based on academic standards. These additional sets of standards will revise Chapter 4 by their inclusion. These regulations are promulgated under the authority of the Public School Code of 1949 (P. L. 30, No. 14), Article XXVI-B, §§ 26-2601-B—26-2606-B.	Peter Garland (717) 787-3787
General Provisions—State Board of Private Licensed Schools 22 Pa. Code, Chapter 73	March 2002, as final.	The proposed revisions to the regulations of the State Board of Private Licensed Schools will amend Section 73.1 (Definitions) to add a new definition of the term “Seminar” and modify the current definition of the term “Nonresident” and amend Section 73.151 relating to fees to allow the Board to raise sufficient revenue to offset its projected expenditures for fiscal year 2000-01 and 2001-02. These regulations are promulgated under the authority of the Private Licensed Schools Act, Act 174 of 1986 (1986, Dec. 15, P. L. 1585, No. 174, § 1, effective Jan. 1, 1987) (24 P. S. §§ 6501—6518).	Sharon Lane (717) 783-8228

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
General Vocational Education Standards 22 Pa. Code, Chapter 339	September 2002, as proposed.	Educational institutions offering vocational programming have evolved substantially since their inception. Many of the standards defining and governing those institutions were conceived over 30 years ago. A revision of Chapter 339 is necessary to assist schools in developing, funding and maintaining programs that will provide the Commonwealth with a competent workforce. Discussions with the State Board of Vocational Education, as well as practitioners in that field, will be initiated to revise these standards. These regulations are promulgated under the authority of the Pennsylvania School Code, Article 18 on Vocational Education and section 2502.8 on Vocational Education Funding. These standards are also provided for under Chapter 4 of Title 22 of the <i>Pennsylvania Code</i> , section 4.32(a).	John C. Foster (717) 787-5530
22 Pa. Code, Chapter 191	March 2002, as final.	A new chapter in Pa. Code 22 will provide for procedures for calculating state subsidies for the National School Lunch and School Breakfast programs. These procedures are necessary to incorporate provisions of Act 16 of May 3, 2000, amending the Public School Code of 1949 (P. L. 30, No. 14) (24 P. S. § 1337.1).	Pat Birkenshaw (717) 783-6556
22 Pa. Code, Chapters 233 and 237 Professional Standards and Practices Commission By-laws; Definitions	In September, the Commission adopted amendments to its Statement of Policy (Chapter 233) and voted to announce its intent to adopt revisions to its Bylaws (Chapter 237). The Commission has initiated the appropriate review process for both Chapters.	The statements of policy and regulations defining specific terms are issued under the Professional Educator Discipline Act (24 P. S. § 2070.1 et seq.), which was recently amended by HB 2189 or Act 123 of 2000.	Carolyn Angelo (717) 787-6576
22 Pa. Code, Chapter 21 School Facilities	June 2002, as proposed.	Proposed revisions to State Board of Education regulations on school facilities.	Carle Dixon Earp (717) 787-5480
Standards for Approved Private Schools 22 Pa. Code Chapter 171 Subchapters A & B	The Secretary intends to submit revised standards in the Regulatory Review Process in 2002 since the current standards are outdated. The revised standards will reflect the changes in Chapter 14 and IDEA.	These standards define the elements of Approved Private Schools and the Chartered Schools (schools for the deaf and blind). These standards contain general provisions and allowable expenses and costs. The standards are promulgated under the Authority of the Public School Code of 1949, as amended, PL 30, NO 14, March 16, 1949, P. S. Section 1-101, et. seq.	Richard Brown (717) 783-6906

EMERGENCY MANAGEMENT AGENCY

No regulations being developed or considered at this time.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
ENVIRONMENTAL HEARING BOARD			
Pa. Code Title 25 Chapter 1021 Practice and Procedure	April 2002, as final	Proposed rulemaking number 106-6 relates to the following: 1) electronic filing and service of legal documents; 2) withdrawal of appearance by counsel; 3) number of copies of documents to be filed with the Board; 4) attachment of proposed orders to motions and responses; 5) discovery; 6) reconsideration; and 7) composition of the certified record on appeal to the Commonwealth Court. In addition, the Board is proposing a reorganization of its rules of practice and procedure in order to make the rules more user-friendly for practitioners before the Board. The proposed rulemaking was published in the Pennsylvania Bulletin on November 10, 2001. On January 10, 2002, the Independent Regulatory Review Commission proposed minor changes regarding the clarification of the definitions of "electronic filing" and "registration statement."	Mary Anne Wesdock (412) 565-5245
ENVIRONMENTAL PROTECTION			
Stream Redesignations—Little Bush Kill, et al. Clean Streams Law	February 2002 as final	This stream redesignation package includes five streams or portions thereof that were evaluated for redesignation as High Quality (HQ) or Exceptional Value (EV) Waters. The Little Bush Kill (Pike Co.) was evaluated in response to a petition from Bushkill Falls. West Penn Township (Schuylkill Co.) petitioned for redesignation of Lizard Creek. Smithtown Creek (Bucks Co.) was studied as a result of a petition from the Smithtown Creek Watershed Association. The Pennsylvania Fish and Boat Commission (PFBC) requested evaluations of Oswayo Creek (Potter Co.) and Browns Run (Warren Co.). Minor corrective amendments are also included for Buck Hill Creek (Monroe Co.) and Slate Run (Lycoming Co.).	Bob Frey 717-787-9637
Stream Redesignations—Class A Wild Trout Streams Clean Streams Law	July 2002 as final	Nearly 70 streams were evaluated in response to a request from the PFBC under Section 93.4b of DEP's antidegradation regulations, which includes in subsection (a)(2)(ii) that a surface water designated as a Class A wild trout stream by the PFBC following public notice and comment qualifies for HQ designation. DEP independently reviewed the trout biomass data in the PFBC reports for these streams to ensure that the Class A criteria were met. A 45-day public comment period on the proposed rulemaking closed January 22, 2002.	Bob Frey, 717-787-9637
Stream Redesignations Clean Streams Law	Dates undetermined.	DEP has an ongoing program to evaluate streams for possible redesignation in the Water Quality Standards in Chapter 93. Evaluations are undertaken in response to petitions to the EQB as well as requests from the PFBC or DEP staff. DEP publishes a notice of assessment in the <i>Pennsylvania Bulletin</i> and local newspapers and requests technical information on each stream. A list of evaluations undertaken or needed and the status of each one can be found on the Bureau of Water Supply and Wastewater Management web page on DEP's website at www.dep.state.pa.us . Following completion of a draft evaluation report, and if a redesignation is proposed, the recommendations will be presented to the EQB as proposed rulemaking either individually or as part of a group of streams.	Bob Frey 717-787-9637

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Stream Redesignations—Oysterville Creek, et al. Clean Streams Law	February 2002 as proposed	This stream redesignation package includes six streams or segments that were evaluated for redesignation as HQ or EV Waters. Oysterville Creek and a portion of the West Branch Perkiomen Creek (Berks Co.) were petitioned by the Berks County Conservancy and District Township. Two private citizens submitted a rulemaking petition for Trout Run (York Co.). Another private citizen petitioned for the redesignation of an unnamed tributary to Chester Creek (Delaware Co.). Rambo Run (York Co.) was evaluated in response to a request from the PFBC. The lower reaches of Cove Creek (Bedford Co.), previously petitioned by Friends of Cove Creek, was restudied based on DEP's recent change to the Percent Dominant Taxon biological metric used in HQ/EV evaluations. A 45-day public comment period will be recommended.	Robert Frey 717-787-9637
Stream Redesignations—Brushy Meadow Creek, et al. Clean Streams Law	August 2002 as proposed	This stream redesignation package includes 13 streams or segments that were evaluated for redesignation as Cold Water Fishes (CWF), HQ or EV Waters. Brushy Meadow Creek in Northampton County was evaluated due to a request from DEP's Northeast Regional Office and the PFBC. Crum Creek in Chester and Delaware Counties, Frya Run in Northampton County, and Green Lick Run in Fayette County were evaluated as a result of petitions. Hay Creek in Berks County was evaluated due to public concern following a 1999 final rulemaking that resulted in an EV designation in portions of Hay Creek. The Little Juniata River in Blair and Huntingdon Counties and Spring Creek in Dauphin County were evaluated due to a request from DEP's Southcentral Regional Office. Pine Creek in Crawford and Warren Counties and Dunbar Creek in Fayette County were evaluated due to requests from the PFBC. In addition, four streams not currently listed in Chapter 93 were evaluated to determine proper use designations. A 45-day public comment period will be recommended.	Bonita Moore 717-787-9637
Chapter 93—Great Lakes Initiative (GLI) Federal Clean Water Act	November 2002 as final	The amendment to Section 93.8a(j) (relating to requirements for the Great Lakes System) consists of the elimination of the words "except Subpart C" in the current GLI to provide consistency with the federal guidance promulgated by USEPA on November 15, 2000, for the Great Lakes System. The proposed rulemaking will provide greater protection for the Great Lakes System by eliminating the use of mixing areas for discharges of toxic and persistent chemicals known as bioaccumulative chemicals of concern (BCCs). Examples of BCCs are mercury, PCBs and dioxin. The proposed rulemaking was published on January 26, 2002, with a 45-day public comment period. The Water Resources Advisory Committee (WRAC) will review the draft final rulemaking.	Carol Young 717-783-2952

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 96—Water Quality Standards Implementation Clean Streams Law	November 2002 as final	Chapter 96 is amended to make the application of the sulfate and chloride criteria consistent with that already provided for total dissolved solids, nitrate, phenol and fluoride under Section 96.3(d). The proposed rulemaking was published on January 26, 2002, with a 45-day public comment period and a public hearing to be held February 26 in Harrisburg. WRAC will review the draft final rulemaking.	Carol Young 717-783-2952
Chapter 109—Safe Drinking Water Amendments (Public Notification/Consumer Confidence Report) Safe Drinking Water Act	May 2002 as final	These amendments incorporate recently-adopted federal initiatives, including the provisions of the Federal Consumer Confidence Report (CCR) Rule, revisions to the Public Notification (PN) regulations, and minor changes to the Lead and Copper Rule. The CCR and PN rules expand and clarify requirements that deal with the public's right to know what is in the water they receive from a regulated public water supplier. The proposal also includes several technical changes to address differences between state and federal regulations at 40 CFR 141 which involve primacy concerns. The Small Water Systems Technical Assistance Center (TAC) and WRAC will review the draft final rulemaking.	Lisa Daniels 717-772-2189
Radionuclides Rule Safe Drinking Water Act	November 2002 as proposed	This proposal will amend Chapter 109 to incorporate the provisions of the recently-published federal Radionuclides Rule, which establishes a new Maximum Contaminant Level (MCL) for uranium and retains the current existing MCLs for gross alpha, combined radium-226/228 and beta and photon activity and establishes new monitoring requirements. The Radionuclides Rule applies to community water systems and does not include radon. WRAC and TAC will review drafts of the proposed amendments. A 30-day public comment period will be recommended.	John Wroblewski 717-772-4018
Filter Backwash Recycling Rule Safe Drinking Water Act	November 2002 as proposed	This proposal will amend Chapter 109 to incorporate the provisions of the recently-promulgated federal Filter Backwash Recycling Rule, which governs the recycling of the filter backwash water within the treatment process of public water systems (PWSs). The Rule will apply to all PWSs that use a surface water source or groundwater under the direct influence of surface water, utilize direct or conventional filtration and recycle spent filter backwash water, sludge thickener supernatant or liquids from dewatering processes. WRAC and TAC will review drafts of the proposed amendments. A 30-day public comment period will be recommended.	John Wroblewski 717-772-4018
Arsenic Rule Safe Drinking Water Act	November 2002 as proposed	This proposal will lower the MCL for arsenic from 0.05 mg/L to 0.01 mg/L at public water systems in order to eliminate or minimize the harmful health effects that are caused by arsenic. The proposed Arsenic Rule will affect all community water systems (approximately 2,190) and nontransient noncommunity water systems (approximately 1,280) in Pennsylvania. WRAC and TAC will review drafts of the proposed amendments. A 30-day public comment period will be recommended.	John Wroblewski 717-772-4018

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Microbial and Disinfection Byproducts (M/DBP) Corrective Amendments Safe Drinking Water Act	November 2002 as proposed	This proposal will amend various provisions of the recently-promulgated Interim Enhanced Surface Water Treatment Rule (IESWTR) and the Disinfectants and Disinfection Byproducts Rule (D/DBPR) for either clarification or to ensure consistency with federal regulations. The IESWTR and the D/DBPR were published in the <i>Pennsylvania Bulletin</i> on July 21, 2001. WRAC and TAC will review drafts of the proposed amendments. A 30-day public comment period will be recommended.	John Wroblewski 717-772-4018
Chapter 105—Dam Safety and Waterway Management Clean Streams Law; Dam Safety and Encroachments Act	December 2002 as proposed	Revisions will be proposed to simplify and clarify the regulations, streamline the process for minor wetland encroachments, establish discretion to issue expedited permit decisions during site visits, simplify the application fee schedule, and clarify the Chapters 105 and 106 programs by consolidating rules and procedures for stream channels, floodways and floodplains into one regulation. The Wetlands Protection Advisory Committee (WetPAC) is thoroughly reviewing the issues. The Agricultural Advisory Board (AAB) will also be briefed on developments.	Ken Reisinger 717-787-6827
Chapter 245—Storage Tank Amendments Storage Tank and Spill Prevention Act	September 2002 as proposed	With the exception of Subchapter D (Corrective Action Process), this proposal represents comprehensive amendments to all other aspects of the Storage Tank and Spill Prevention Program provisions of Chapter 245, which was last updated in 1997. The amendments have been identified through implementation of the program over the past five years. In addition, a general review of Chapter 245—which is necessary to obtain state program authorization for the underground storage tank program from the USEPA—occurred in the past year, and this review identified other potential revisions. The Storage Tank Advisory Committee (STAC) will review the draft amendments.	Ray Powers 717-772-5551
Amendments to the Hazardous Waste Regulations Solid Waste Management Act; Clean Streams Law	August 2002 as final	This proposal includes minor modifications to the hazardous waste amendments that were finalized on May 1, 1999, to address changes in the federal regulations since that time and for EPA approval as a federally authorized program. The modifications include minor “housekeeping” issues such as exceptions to the blanket substitution of DEP for USEPA where the federal authority cannot be delegated to a state. Other changes include correcting typographical errors and adding clarification or consistency in certain sections. A 30-day public comment period on the proposed rulemaking closed on January 14, 2002. The Solid Waste Advisory Committee (SWAC) will review a draft of the final rulemaking.	Rick Shipman 717-787-6239

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Provisions for the Management of Safe Fill Solid Waste Management Act; Clean Streams Law; Land Recycling and Environmental Remediation Standards Act	December 2002 as final	This proposal revises Chapter 287 of the residual waste regulations to address the unrestricted use of uncontaminated soil, including rock and stone, as safe fill provided that the soil has not been subject to a spill or release and there are no visible staining, odors or other sensory nuisances associated with the soil. The current definition of "clean fill" would be replaced with a new definition for "safe fill." The proposal will also include permit-by-rule requirements allowing restricted use of contaminated soils resulting from urbanization, pesticide use in fruit orchards, historic fill materials and Act 2 remediated soils. The proposed rulemaking was published February 2, 2002, with a 60-day public comment period and 3 public meetings and 3 public hearings. SWAC will review the draft final rulemaking.	William Pounds 717-787-7381
Prohibition on Open Burning of Recyclable Materials Air Pollution Control Act	May 2002 as proposed	This proposal will revise the open burning provisions of Section 129.14(c) to prohibit the burning of leaves, yard wastes and other recyclable materials in areas that have curbside recycling programs. The Air Quality Technical Advisory Committee (AQTAC) reviewed a draft of the proposal.	Terry Black 717-787-9495
Architectural and Industrial Maintenance (AIM) Coatings Air Pollution Control Act	September 2002 as final	This proposal will set specific volatile organic content (VOC) limits in grams/liter for 46 categories of AIM coating and require compliance by January 1, 2005. Compliance with these new limits would be reached through either reformulating products or substituting products with compliant coatings that are currently on the market. A 69-day public comment period on the proposed rulemaking concludes February 22, 2002. AQTAC will review the draft final rulemaking.	Terry Black 717-787-9495
Control of NOx from Cement Kilns and Stationary Internal Combustion Engines Air Pollution Control Act	September 2002 as proposed	This proposal will establish a program to limit the emissions of oxides of nitrogen (NOx) from cement kilns and large stationary internal combustion engines. These provisions are proposed to be included in Chapter 145 (Interstate Ozone Transport Reduction). These regulations were previously proposed as part of an earlier rulemaking, but will be re-proposed for additional public comment. NOx emission reductions are needed to help achieve ozone health-based standards in the eastern United States. AQTAC will review a draft of the proposal.	Dean Van Orden 717-787-9495
Portable Fuel Containers Air Pollution Control Act	July 2002 as final	This proposal is part of Pennsylvania's strategy to attain and maintain the one-hour National Ambient Air Quality Standard (NAAQS) for ozone. Based on the Ozone Transport Commission rule and the California Air Resources Board (CARB) program, the proposal will control VOC emissions from portable fuel containers by establishing permeability requirements designed to reduce the loss of gasoline through fuel container walls. The proposal also reduces gasoline loss due to spillage by adding "no-spill" fill spout requirements. Manufacturers will be responsible for developing and distributing compliant products for sale in Pennsylvania by January 1, 2003. The proposal does not affect portable fuel containers currently in use. A 67-day public comment period on the proposed rulemaking closed January 16, 2002. AQTAC will review the draft final rulemaking.	Terry Black 717-787-9495

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Consumer Products Air Pollution Control Act	July 2002 as final	This proposal is also part of Pennsylvania's strategy to attain and maintain the NAAQS for ozone. This proposal will set specific VOC content limits for approximately 80 consumer product categories, and it will apply more stringent VOC content limits than the Federal rule. The compliance date for the limits would be January 1, 2005. Manufacturers would ensure compliance with the limits by reformulating products and substituting products with compliant products that are currently available. The proposal will include some flexibility options. A 67-day public comment period on the proposed rulemaking closed January 16, 2002. AQTAC will review the draft final rulemaking.	Terry Black 717-787-9495
Emission Limits for Heavy-Duty Highway Diesel Vehicles Air Pollution Control Act	March 2002 as final	This proposal adopts California regulations to require 2005 and 2006 model year heavy-duty highway diesel engines to meet the same standards in effect for model years 2002 through 2004. The 2002-2004 standards resulted from consent decrees signed by the U.S. Department of Justice, the EPA and CARB with seven of the largest heavy-duty diesel engine manufacturers who violated certification regulations. The consent decrees require the manufacturers to meet new lower emission standards by October 1, 2002, for the two-year period. EPA has proposed supplemental standards and test procedures for 2004 and later model year engines, but will not be able to require them until model year 2007. Adopting the California regulations by Pennsylvania and other states will create a de facto national standard that would maintain the lower emission standards for 2005 and 2006 model year engines. AQTAC reviewed the draft final rulemaking.	Arleen Shulman 717-787-9495
Small Sources of NOx Air Pollution Control Act	April 2002 as proposed	The states in the Ozone Transport Region (OTR) have evaluated a number of NOx control strategies and developed draft model regulations that will help address the emission reduction shortfalls identified by EPA for three ozone nonattainment areas. This proposal would achieve NOx reductions from small sources that are not included in the Chapter 145 NOx reduction program. Many portions of the draft model regulation developed by the OTR are based on states' Reasonably Available Control Technology (RACT) rules. The 1996 Southeast Pennsylvania Stakeholders Working Group also recommended similar controls on a subset of these sources. AQTAC will review a draft of the proposal.	Dean Van Orden 717-787-9495

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
New Source Review Air Pollution Control Act	Contingent on EPA action.	The Department's existing new source review regulations will be reorganized and reformatted to make the requirements clear to the regulated community and to facilitate the creation and use of emission reduction credits (ERCs). The Department will incorporate proposed changes in the Federal new source review requirements as necessary. Drafts of the proposal will be reviewed by the AQTAC. EPA has proposed in its draft new source review (NSR) regulations a number of mechanisms related to generation and use of ERCs and the use of an "area wide" plant-wide applicability limit (PAL) to address trading issues. The proposed rules were issued in July 1996; however, EPA has not yet issued final rules. With the uncertainty of the nature of the final rules, the Department cannot proceed with revisions of the existing trading regulations until the final EPA rule is promulgated.	Terry Black 717-787-9495
Chapters 86-88 and 90—Coal Mine Permits/Road Requirements Surface Mine Conservation and Reclamation Act; Coal Refuse Disposal Control Act; Clean Streams Law	February 2002 as final	The amendments modify Chapters 86, 87, 88 and 90 for clarity and consistency with federal regulations. The changes relate to criteria for approval/denial of coal mine permits and to requirements concerning coal mine roads at surface coal mines and coal refuse disposal operations. The Mining and Reclamation Advisory Board (MRAB) reviewed the draft final rulemaking.	Nevin Strock 717-787-6842
Chapter 86—Coal Mining Amendments Surface Mine Conservation and Reclamation Act	February 2002 as proposed	This proposal adds new § 86.6 to clarify existing statutory requirements and ensure the regulations are no more stringent than federal requirements. This amendment provides an exemption to the regulatory requirements for coal extraction incidental to federal, state and local government-financed highway construction and reclamation projects. The exemption currently exists in Pennsylvania's Surface Mine Conservation and Reclamation Act. Other changes involve the areas unsuitable for mining program in §§ 86.37(a)(5)(i) and 86.123(a). These amendments are proposed based on a recent law suit to clarify that a person may submit an application for a surface mining permit for an area designated unsuitable for mining, and that the application will be processed as a petition to terminate the existing designation.	Evan Shuster 717-783-9888

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Chapter 207—Underground Noncoal Mines General Safety Law	June 2002 as final	This proposal consolidates the regulatory provisions implementing Section 2(f) of the General Safety Law, which regulates worker safety in noncoal mines, into Chapter 207 (Noncoal Mines). Most of these provisions were promulgated by the Department of Labor and Industry over 30 years ago and are found at Title 34, <i>Pennsylvania Code</i> , Chapter 33. DEP's Chapter 207 addresses the use of explosives at noncoal mines and has not been amended since its adoption in 1972. The amendments address effective safety practices in noncoal mines based on changes in the industry and DEP's administration of the program. The proposal incorporates by reference the U.S. Mine Safety and Health Administration's (MSHA) regulations found at 30 CFR Part 57 and adds provisions to address certification of foremen as well as the licensing and duties of blasters. A 60-day public comment period on the proposed rulemaking will close February 6, 2002.	Richard Stickler 724-439-7469
GENERAL SERVICES			
Surplus State Property 4 Pa. Code, Chapter 41	Fall, 2002, as proposed	With the enactment of the Commonwealth Procurement Code (Act 57 of 1998) this Chapter must be substantially amended. Further, there is a need for review and revision of these regulations to implement improvements in the transfer and disposition of state surplus property.	Sharon P. Minnich (717) 787-5295
Responsibility 4 Pa. Code Chapter 60	Spring, 2002, as proposed	This chapter must be amended to conform with the legislative changes required by Act 57 and to provide for uniform Commonwealth agency debarment and suspension procedures.	Gary F. Ankabrandt (717) 783-1982
Instructions to Bidders 4 Pa. Code, Chapter 61	Fall, 2002, as proposed	This Chapter has been superseded and should be repealed because such instructions should not be set out in regulatory form. There is a need for flexibility which can be of benefit to the Department as well as bidders.	Merle H. Ryan (717) 787-7095
General Conditions of the Construction Contract 4 Pa. Code, Chapter 63	Fall, 2002, as proposed	See comment for Chapter 61.	Merle H. Ryan (717) 787-7095
State Art Commission 4 Pa. Code, Chapter 65	Fall, 2002, as final	The legislation creating the State Art Commission was sunsetted	Merle H. Ryan (717) 787-7095
Emergency Construction Repairs 4 Pa. Code, Chapter 67	Fall, 2002, as proposed	The regulation should be amended to more accurately reflect present practice and to delete contract provisions. Such provisions should not be in regulatory form and their deletion will serve the same purpose as noted for Chapter 61.	Merle H. Ryan (717) 787-7095
Contract Compliance 4 Pa. Code, Chapter 68	Fall, 2002, as proposed	Executive Order 1996-8 transferred the contract compliance responsibilities to the Department of General Services	Sheri Phillips (717) 783-8720
Methods of Awarding Contracts 4 Pa. Code, Chapter 69	Fall, 2002, as proposed	With the enactment of the Commonwealth Procurement Code (Act 57) it is necessary to conform this Chapter with the changes in the law and to address other procurement areas affected by Act 57.	Sharon P. Minnich (717) 787-5295
Commonwealth Parking Facilities 4 Pa. Code, Chapter 71	Fall, 2002, as proposed	Amendments are required because parking locations have been changed.	James W. Martin (717) 783-5028
Commonwealth Automotive Fleet 4 Pa. Code, Chapter 73	Fall, 2002, as proposed	The regulation will be amended to eliminate the requirement for a Pennsylvania license to drive a state vehicle and will permit out-of-state licenses.	Sharon P. Minnich (717) 783-1982

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Processing Subscriptions and Sales of <i>Pennsylvania Code</i> and Related Publications 4 Pa. Code, Chapter 81	Fall, 2002, as proposed	These regulations should be repealed since the Department of General Services' Bureau of Management Services no longer has responsibility for the processing of subscriptions and orders for the <i>Pennsylvania Code</i> .	Sheri Phillips (717) 783-8720
First Amendment Rights 4 Pa. Code, Chapter 86	Fall, 2002, as proposed	The amendment will extend coverage of the statement of policy to the Philadelphia State Office Building, Pittsburgh State Office Building, Scranton State Office Building, and Reading State Office Building.	Gregory C. Santoro (717) 787-5599
Prequalification 4 Pa. Code, Chapter 60	Spring, 2002, as proposed	Under the authority granted in the Commonwealth Procurement Code, the Department will initiate prequalification of public works contractors for Commonwealth projects. The regulations will provide factors to be considered in determining whether to prequalify contractors as well as provisions for suspending or revoking prequalification if contractors do not comply with prequalification standards.	Jan Matthew Tamanini (717) 787-6789
HEALTH			
Testing Blood and Alcohol Specimens Taken From Persons Who Die as a Result of a Vehicle Accident. 28 Pa. Code §§ 29.21 and 29.22	August 2002, as proposed.	The amendments to existing regulations will update testing procedures and make the regulations consistent with the authorizing statute. Pursuant to the section 3749 of the Vehicle Code, 75 Pa.C.S. § 3749, and Reorganization Plan No. 4 of 1981 (71 P. S. § 751-31).	Kenneth E. Brody 717-783-2500
Health Facility Licensure—General & Special Hospitals & Health Planning 28 Pa. Code § 301.1 et seq. 28 Pa. Code § 401.1 et seq.	August 2002, as final-omitted.	Existing regulations in chapters on health planning (federal program and certificate of need) will be repealed as statutory authority for both chapters has terminated. Pursuant to the Health Care Facilities Act, 35 P. S. §§ 448.101—448.904b.	James T. Steele, Jr. 717-783-2500
Health Facility Licensure—General Administrative Chapter & General and Special Hospitals. 28 Pa. Code § 101.1 et seq.	December 2002, as proposed.	The amendments to existing regulations will update the licensure requirements for hospitals. Pursuant to the Health Care Facilities Act, 35 P. S. §§ 448.101—448.904b.	Tanya Leshko 717-783-2500
Birth Centers 28 Pa. Code § 501.1 et seq.	March 2002, as final.	The amendments to existing regulations will incorporate proposed newborn screening regulations. Pursuant to the Health Care Facilities Act, 35 P. S. §§ 448.101—448.409b.	Carol Somerset-Griffie 717-783-2500
Communicable Diseases 28 Pa. Code § 27.1 et seq.	February 2002, as final.	The amendments to existing regulations will make them consistent with current public health practices for the control of communicable and other reportable conditions. Pursuant to the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1—521.21.	Yvette M. Kostelac 717-783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Reporting of Certain HIV Test Results, CD4 T-Lymphocyte Counts Below a Certain Level, and Perinatal Exposure of Newborns to HIV 28 Pa. Code §§ 27.1-27.2, 27.21-27.22, 27.32, 27.32a—27.32d	July 2002, as final.	The amendments to existing regulations will add reporting of certain HIV test results, CD4 T-lymphocyte counts below a certain level, and perinatal exposure of newborns to HIV to the list of diseases, infections and conditions reportable to the Department of Health. The amendments will specify who is required to report these conditions and how the reporting is to be done. The amendments will also require clinical laboratories to report all reportable diseases, infections and conditions to the Department electronically. Pursuant to the Disease Prevention and Control Law of 1955, 35 P. S. §§ 521.1—521.21.	Yvette M. Kostelac 717-783-2500
Public Bathing Place Lifeguard Requirements 28 Pa. Code § 18.1; § 18.42	May 2002, as proposed.	The amendments to existing regulations will provide lifeguard requirements for recreational swimming establishments, and add requirements for lifeguard certification and factors to be considered in determining adequate lifeguard coverage. Pursuant to Act 75 of 1998, amending 35 P. S. §§ 672—680 (the Public Bathing Law).	Grace R. Schuyler 717-783-2500
Special Supplemental Food Program for Women, Infants and Children (WIC Program) 28 Pa. Code § 1101.1 et seq.	June 2002, as proposed.	The amendments to existing regulations will bring the State regulations into compliance with changes in the Federal regulations (7 C.F.R. § 246) published December 29, 2000, relating to vendor selection criteria, training requirements, monitoring requirements and compliance investigations, and the vendor appeals process.	Karin Simpson Gutshall 717-783-2500
Health Facility Licensure/Hospices 28 Pa. Code § 651.1 et seq.	July 2002, as proposed.	These new regulations will provide standards for the licensing and regulation of hospices. They will, at a minimum, contain standards set forth in regulations for hospices certified as providers under the Medicare Program. Pursuant to Act 95 of 1998, amending the Health Care Facilities Act, 35 P. S. §§ 448.101—448.904b.	Tanya Leshko 717-783-2500
Hearing Aid Sales and Registration/Continuing Education 28 Pa. Code § 25.201 et seq.	April 2002, as proposed.	The amendments to existing regulations will include continuing education requirements for hearing aid fitters, provide for 30-day money back written guarantees on hearing aids, and revise certification fees for consistency with the statute. Pursuant to Act 153 of 1998, amending the Hearing Aid Sales Registration Act, 35 P. S. §§ 6700-101—6700-802.	Tanya Leshko 717-783-2500
Newborn Screening 28 Pa. Code § 28.1 et seq.	April 2002, as final.	The amendments to the existing regulations will add four diseases to the list of required diseases for which newborns must be screened. The amendments will also prescribe the manner by which specimens are to be collected and tested. Pursuant to the Newborn Child Testing Act, 35 P. S. §§ 621—625.	Stephanie Michel-Segnor 717-783-2500
Drug and Alcohol Facility Physical Plant Standards 28 Pa. Code §§ 705.1—705.29.	February 2002, as final.	The amendments to existing regulations will establish health and safety requirements for the physical sites of all residential and nonresidential services. Pursuant to the Pennsylvania Drug and Alcohol Abuse Control Act, 71 P. S. §§ 1690.101—1690.115.	Keith Fickel 717-783-2500
Narcotic Treatment Standards 28 Pa. Code §§ 701 and 715.	July 2002, as final.	The amendments to existing regulations will repeal 4 Pa. Code § 263, transfer regulations to Title 28, and amend and update narcotic treatment, including methadone treatment standards. Pursuant to the Pennsylvania Drug and Alcohol Abuse Control Act, 71 P. S. §§ 1690.101—1690.115.	Keith Fickel 717-783-2500

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Prevention Activities 28 Pa. Code §§ 701 and 713.	June 2002, as final.	Existing regulations imposing standards for approval of drug and alcohol prevention activities will be repealed. Pursuant to the Pennsylvania Drug and Alcohol Abuse Control Act, 71 P. S. §§ 1690.101—1690.115.	Keith Fickel 717-783-2500
Drugs Used in Optometric Practices 28 Pa. Code § 6.2	March 2002, as proposed.	The amendments to existing regulations will add substances to the list of drugs that may be used by certain optometrists. Pursuant to section 244.2 of the Optometric Practice and Licensure Act, 63 P. S. § 244.2.	Keith Fickel 717-783-2500
HOUSING FINANCE AGENCY			
No regulations being developed or considered at this date.			
INFRASTRUCTURE INVESTMENT AUTHORITY			
No regulations being developed or considered at this date.			
INSURANCE			
Objections and Procedure for Hearings on Reports of Examination, 31 Pa. Code, Chapter 58, §§ 58.1—58.3	Spring 2002, as proposed.	Repeal to eliminate outdated, unnecessary requirements consistent with the new examination law adopted in 1992 (40 P. S. §§ 323.1—323.8).	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Charter Amendments, 31 Pa. Code, Chapter 65, §§ 65.21—65.26	Spring 2002, as proposed.	Amend to eliminate outdated, unnecessary provisions relating to minimum capital and surplus requirements pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Motor Vehicle Financial Responsibility Law—Evidence of Financial Responsibility 31 Pa. Code, Chapter 67, §§ 67.21—67.28	Summer 2002, as proposed.	Amend to make the regulation consistent with statutory requirements.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Replace Life Insurance Annuities 31 Pa. Code, Chapter 81, §§ 81.1—81.9	Spring 2002, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Variable Life Insurance, 31 Pa. Code, Chapter 82, §§ 82.1—82.91	Summer 2002, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Disclosure in Solicitation of Life Insurance 31 Pa. Code, Chapter 83, §§ 83.1—83.57	Spring 2002, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Annuity Disclosure, (NEW Chapter 83a)	Spring 2002, as proposed.	A new regulation to eliminate misleading illustrations, make illustrations more understandable and to standardize the disclosure statement language to be use with the selling of annuities.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Requirements for Life Policies and Sales Practices, 31 Pa. Code, Chapter 87, §§ 87.1—87.42	Summer 2002, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Life Insurance Illustrations (New Chapter 87a)	Summer 2002, as proposed.	Act 154 of 1996 provides for life insurance illustration requirements for life insurance policies. The statute sunsets when a life insurance illustration regulation becomes effective. A life insurance illustration regulation will eliminate misleading illustrations, make illustrations more understandable, and standardize terms and illustration formats for the entire life insurance industry. Further, it is more appropriate that technical requirements, such as these, appear in a regulation rather than in statutory form.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Preparation of Forms, 31 Pa. Code, Chapter 89, §§ 89.12—16, 89.18—89.62	Spring 2002, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Prior Approval of Forms Required, 31 Pa. Code, Chapter 89, § 89.101	Spring 2002, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Long-Term Care Insurance, 31 Pa. Code, Chapter 89, §§ 89.901—89.921	Winter/Spring 2002, as final.	Repeal current regulation and adopt new regulation based on NAIC model regulation.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Cash Advances to Insurance Companies 31 Pa. Code, Chapter 105, §§ 105.1—105.2	Spring 2002, as proposed.	Amend to apply to all types of insurers, reflect statutory amendments adopted in 1992 and 1995 and to eliminate outdated, unnecessary provisions relating to cash advancements to insurance companies pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Public Adjusters, 31 Pa. Code, Chapter 115, §§ 115.1—115.8	Winter/Spring 2002, as proposed.	The regulation was initially promulgated to clarify the requirements of public adjuster contracts. The authorizing statute, Act 72, was amended in 1983 (63 P. S. §§ 1601—1608), and the Insurance Department seeks to modify Chapter 115 to be consistent with the revised statutory language. Licensing requirements are being proposed to be added to this regulation.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Management Contracts or Exclusive General Agent Agreements, 31 Pa. Code, Chapter 127, §§ 127.1—127.8	Spring 2002, as proposed.	Amend pursuant to Executive Order 1996-1	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Description of Reserves—Prohibited Phrases, 31 Pa. Code, Chapter 139, §§ 139.1—139.3	Spring 2002, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Unfair Insurance Practices; Unfair Claims Settlement Practices, 31 Pa. Code, Chapter 146, §§ 146.1—146.10	Summer 2002, as proposed.	Amend pursuant to Executive Order 1996-1.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Privacy of Consumer Health Information, 31 Pa. Code, Chapter 146b	Spring 2002, as proposed.	NEW. This implements the NAIC model privacy regulation with respect to health information in accordance with the health privacy regulations of the U.S. dept. of health and Human Services and the Gramm-Leach-Bliley Act (15 U.S.C. § 6801 et seq.).	Peter J. Salvatore, Regulatory Coordinator 717-787-4429

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Securities Held Under Custodial Agreements, 31 Pa. Code, Chapter 148, §§ 148.1—148.4	Winter/Spring 2002, as proposed.	Amend to eliminate unnecessary forms, add uniform requirements relating to custodial agreements and duties of custodians and update provisions relating to permissible custodians.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Underground Storage Tank Indemnification Fund Fees	Winter/Spring 2002, as final-omitted.	Update the existing regulation for the Underground Storage Tank Indemnification Fund (USTIF). The new fee structure is based off the actuarial study performed in 2001.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
Workers' Compensation Security Fund Assessment Regulation, xx Pa. Code (new chapter)	Spring 2002, as proposed.	HB1370 passed the GA in 2000 allowing the Fund to develop a regulatory scheme to finance the obligations of the Fund. The proposed regulation will establish reporting requirements for licensed worker's compensation carriers and assessment calculations.	Peter J. Salvatore, Regulatory Coordinator 717-787-4429
LABOR AND INDUSTRY			
Workers' Compensation Bureau, Workers' Compensation Judges, and Workers' Compensation Appeal Board regulations at 34 Pa. Code Chapters 131, 121, and 111.	Fall 2001, withdrawn as final form and re-submitted as proposed.	These rules have not been updated in many years; they need to reflect the changes in the law and practice of workers' compensation. The Department withdrew the final form regulations and re-submitted because of comments submitted by the Attorney General's Office.	Thomas J. Kuzma (717) 783-4467
Underground Storage Facilities	Anticipate submitting as proposed in Spring, 2003.	This regulation will address requirements for natural or man-made caverns used for LPG storage.	James Varhola (717) 787-3329
Dry Cleaning	Will be addressed through Act 45 regulations. (See Act 45 regs below.)	Dry Cleaning Law, Act of December 19, 1990, P. L. 1327, No. 214, 35 P. S. 1270.1 et seq. This proposal will regulate the construction, operation and maintenance of dry cleaning plants.	Edward Leister (717) 787-3323
Elevators and Lifting Devices	Will be addressed through Act 45 regulations. (See Act 45 regs below.)	The new regulation will amend the current standards to include ANSI/ASME A17.1, B20.1 and other national consensus standards. There is a need to update standards to bring them in line with national standards.	James Varhola (717) 787-3329
Unemployment Compensation Regulations, Title 34. Labor & Industry Regulations	Currently preparing final form regulations and anticipate submitting to IRRC in Winter, 2002.	The proposed regulation will clarify the meaning of reasonable assurance as it applies to the eligibility of the employees of educational institutions during regularly scheduled non-school periods. Under Section 402.1 of the PA UC Law, a school employe is not eligible for benefits based on school employment during a regularly scheduled non-school period when the individual performed services for a school employer prior to the break and has a reasonable assurance of performing such services following the break.	Jeri Morris (717) 787-6337
Asbestos Occupations Accreditation and Certification	June 2001, as proposed.	Act of December 19, 1990, P. L. 05, No. 194, 64 P. S. §§ 2101—2112. This regulation established the Department's worker certification and training provider accreditation program. It also sets up training course requirements. It is based on the Environmental Protection Agency's model plan.	Sharon Lawson (717) 772-3396

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Uniform Construction Code (UCC) regulations. Act 45 of 1999.	The Training and Certification portion was submitted as proposed in Spring, 2001. Anticipate submitting in final form in Winter/Spring, 2002. Anticipate submitting Administrative regulations as proposed in Summer, 2002.	Act 45 of 1999, providing for a uniform statewide building code, requires the Dept. of L&I to promulgate regulations. Because this measure in effect repealed the Dry Cleaning Law, Elevator Law and Fire & Panic Act, the regulations pursuant to each (including those for Personal Care Homes), will be addressed through regulations for Act 45. Personal Care Home regs, previously submitted to OGC, were withdrawn and provisions not addressed in Act 45 regs will be addressed through legislative measure.	Edward L. Leister (717) 787-3323
<i>MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND</i>			
Payment and Collection of Fund Surcharge 31 PA. Code §§ 242.1 et. seq.	June 2002, as proposed.	This regulation will clarify and update the basis upon which the Medical Professional Liability Catastrophe Loss Fund's surcharge is to be paid. The regulation will be consistent with the statute as it relates to the procedure for levying, payment and collection of the surcharge. The regulation will clarify the guidelines and requirements governing proper administrative and financial operations of the Fund, and will provide uniform procedures to be used in conducting mediation. Statutory authority 40 P. S. §§ 1301.701 et seq.	Kenneth J. Serafin 717-783-3770
<i>MILITARY AND VETERANS AFFAIRS</i>			
State Veterans Home 43 Pa. Code Section 7.1 et. seq.	October 2002, as proposed.	This regulation is necessary to update current regulations, make them more user-friendly. This regulation is a long-term project and would amend 43 Pa. Code Chapter 7.	Eclenus Wright, Jr. 717-861-8503
<i>PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM</i>			
See Public School Employees' Retirement System.			
<i>PROBATION AND PAROLE</i>			
No regulations being developed or considered at this date.			
<i>PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM</i>			
22 Pa. Code Chapter 213	Publication anticipated within 3 months	This proposal is being made to conform the Board's regulations with the policy adopted by the Board at its December 2, 1998 meeting allowing actuarial debt reduction for purchases of service.	Frank Ryder (717) 720-4733

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<i>PUBLIC WELFARE</i>			
Child Protective Services Law 55 Pa. Code Ch. 3490	June 2002, as final	This regulation incorporates the amendments to the Child Protective Services Law as a result of Act 127 of 1998. The major changes include: convening of an investigative team for the investigation of suspected child abuse; increased communication between county agencies and law enforcement officials; increased requirements for multi-disciplinary teams; increasing the length of time unfounded reports are retained; and expanded reporting requirements by county agencies to law enforcement officials.	Tom Vracarich (717) 783-2209
Adolescent and Adult Part Day Regulations 28 Pa. Code Chs. 704 and 709 (Subchapters C, H and I) (3 facility types) Staffing Requirements for Drug and Alcohol Treatment Facilities Standards for Licensure of Freestanding Treatment Facilities 55 Pa. Code Ch. 2390 Vocational Facilities 55 Pa. Code Chapter 2380 Adult Training Facilities 55 Pa. Code Chapter 5200 Psychiatric Outpatient Clinics 55 Pa. Code Chapter 5210 Partial Hospitalization 6 Pa. Code Chapter 11 Older Adult Daily Living Centers	March 2002 as proposed.	DPW, DOH and PDA are consolidating nine sets of regulations into one chapter of regulations. Each agency will retain its statutory authority. Regulations will include common administrative standards and common health and safety standards for all facilities included, as well as unique program standards for each facility type.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Adult Residential Regulations 28 Pa. Code Chapters 704 and 709 (Subchapters C and E)</p> <p>(2 facility types) Staffing Requirements for Drug and Alcohol Treatment Facilities Standards for Licensure of Freestanding Treatment Facilities 55 Pa. Code Chapter 6500</p> <p>Family Living Homes 55 Pa. Code Chapter 5310</p> <p>Community Residential Rehabilitation Services for the Mentally Ill 55 Pa. Code Chapter 5320</p> <p>Long Term Structured Residence 55 Pa. Code Chapter 2620</p> <p>Personal Care Home Licensing Also (no current regs.—regulated under Article X):</p> <p>Residential Treatment Facilities for Adults</p> <p>Residential Crisis Intervention</p>	April 2002, as proposed.	DPW, DOH and PDA are consolidating eight sets of regulations into one chapter of regulations. Each agency will retain its statutory authority. Regulations will include common administrative and health and safety standards for all facilities included, as well as unique program standards for each facility type. However, at this time, the Department has prioritized Personal Care Home Licensing regulations for proposed publication.	Tom Vracarich (717) 783-2209
Administration of County Children and Youth Programs 55 Pa. Code Ch. 3130	January 2003, as proposed	This regulation incorporates the amendments to the Juvenile Act as a result of Act 126 of 1998 and the final form federal regulations (effective March 27, 2000) for Title IV-B and Title IV-E funding for child welfare services for children in their own homes and for children receiving placement services. Major changes include: Permanency Hearings and the matters to be determined; requirements related to reasonable efforts including aggravated circumstances, contrary to the welfare and best interests; and redefining permanency goals for children.	Tom Vracarich (717) 783-2209
Subsidized Child Day Care Eligibility 55 Pa. Code Ch. 3040	October 2002, as proposed.	This regulation is proposed in order to clarify existing regulations relating to eligibility requirements for day care subsidy.	Tom Vracarich (717) 783-2209
Continuation of Medical Assistance Throughout Pregnancy 55 Pa. Code Chs. 140, 181	September 2002, as proposed	This regulation codifies the provision that Medical Assistance coverage will be continued for pregnant women throughout their pregnancy and postpartum period, regardless of changes in family income that occur after the authorization of MA or cash assistance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Workfare/Community Service 55 Pa. Code Chs. 166, 275	December 2002, as proposed	The revisions clarify who may be assigned and the priority and factors to be considered in making Workfare program assignments, define responsibilities of county assistance offices and project operators regarding participation expenses and program requirements, and provide for grievance rights for Workfare recipients and regular employees. Provisions of Act 1995-20 will also be incorporated into this regulation package. This regulation will be reviewed by representatives of community legal services agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Real Property Liens 55 Pa. Code Chs. 101, 121, 177, 183, 257, 297	June 2002, as proposed.	This regulation codifies the elimination of the requirement that applicants who own real property, including mobile homes, which are used as their primary residence, will no longer be required to sign a lien encumbering their residence as a condition of eligibility for cash assistance. The Department intends to rescind 55 Pa. Code Chapter 257, regarding Reimbursement. Instead, the Department will propose a new chapter governing reimbursement policy for cash assistance recipients and applicants who own personal property. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Criminal History* 55 Pa. Code Chs. 125, 133, 141	October 2002, as proposed	This regulation incorporates the Act 1995-20 provision that prohibits the granting of assistance to any person sentenced for a felony or misdemeanor who has not satisfied the penalty imposed by law by having completed the period of incarceration and by paying all fines, costs, and restitution. Act 1996-35 expands the satisfied penalty requirement to include compliance with an approved payment plan. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Act 1996-35—Provisions Effective March 3, 1997 * 55 Pa. Code Chapters 105, 125, 133, 140, 141, 145, 151, 153, 165, 168, 177, 178, 181, 183, 187, 255	March 2002, as proposed	This regulation incorporates provisions of the TANF program implemented 3/3/97 by NORC including establishing RESET; requiring applicants and recipients to enter into an agreement of mutual responsibility with the department; and further defining Title IV-D cooperation requirements and procedures for TANF and GA applicants and recipients. Act 1996-35 provisions applicable to the TANF program may not be implemented until federal approval is received. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Medical Support Rights 55 Pa. Code Ch. 187	October 2002, as proposed	This regulation will require Medical Assistance applicants/ recipients to assign their medical support rights to the Commonwealth and apply for Title IV-D support services as conditions of eligibility. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Annuity Rule 55 Pa. Code Ch. 178	October 2002, as proposed	This regulation codifies the provision that in addition to the current provision permitting the institutionalized spouse to provide part of his monthly income to the community spouse whose income is below the minimum monthly maintenance needs allowance, either the institutionalized spouse or their representative may file an appeal and seek an administrative order permitting the protection of additional resources to enable the community spouse to purchase an annuity that will generate sufficient income to bring her income up to the minimum monthly maintenance needs allowance. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Food Stamp Disqualification Penalties 55 Pa. Code Ch. 501	October 2002, as proposed	This regulation incorporates a revision to the Food Stamp disqualification penalties as required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The revision increases the Food Stamp intentional program violation disqualification penalties from six months to one year for the first violation and from one year to two years for the second violation. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Employment Requirements for Two-Parent Households: Definition of Unemployment* 55 Pa. Code Chapters 153, 178	June 2002, as proposed	This regulation codifies the provision in the current Temporary Assistance for Needy Families (TANF) State Plan that DPW is revising the definition of unemployment so that working parents who meet financial eligibility requirements and are otherwise eligible may receive TANF until their income exceeds eligibility limits or they exhaust their 60 months of TANF. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Family Violence Option 55 Pa. Code Ch. 187	November 2002, as proposed.	This regulation codifies the provision in the TANF State Plan to screen and identify victims of domestic violence, refer those individuals to counseling and supportive services, establish service plans, provide universal notification, and make appropriate referrals to social service agencies. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Lump Sum Income (Cash) 55 Pa. Code Ch. 183	June 2002, as Final	This regulation codifies provisions to specify that lump sum is considered income in the month of receipt and a resource in subsequent months. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
OBRA '90 55 Pa. Code Chs. 140, 178, and 181	November 2002, as proposed	This regulation codifies changes resulting from OBRA '90 that affect the SSI program and, therefore, the SSI-related program in the areas of income and resources. OBRA '90 also provides a mandatory change to the post-eligibility requirements for institutionalized Medicaid eligibles who will have their VA pension reduced to \$90 but that will now not be counted in determining cost of care. Thus, SSI and Medicaid recipients will be positively impacted. The reduction that veterans will contribute toward cost of care will increase federal/state costs but will not affect service delivery. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups	Tom Vracarich (717) 783-2209
20% Hardship Exemption for TANF 55 Pa. Code Ch. 141	February 2002, as proposed	This regulation codifies provisions that extend TANF beyond 60 months to up to 20% of the average monthly caseload based on hardship or domestic violence issues. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Increases in Payment for Burial and/or Cremation 55 Pa. Code Ch. 285	June 2002, as proposed	This regulation codifies an increase to the maximum payment for burial and/or cremation for eligible persons. A deceased person of any age who received or was eligible to receive a money payment—TANF, General Assistance, State Blind Pension, or Supplemental Security Income—may be eligible for a maximum burial and/or cremation payment of \$750, if there are no resources that reduce the payment. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Medical Assistance for Workers with Disabilities 55 PA. Code Chapter 140	March 2002, as proposed	This regulation provides Medicaid benefits to Workers with Disabilities who would otherwise not be eligible, effective January 1, 2002. The Ticket to Work and Work Incentives Improvement Act of 1999 (P. L. 106-170) gave states the option of providing categorically needy Non-Money Payment Medicaid benefits to workers with disabilities who have higher incomes and resources than the current Medicaid standards. Pennsylvania exercised this option by passing Act 2001-77 of June 26, 2001 (P. L. 755), also known as the Tobacco Settlement Act, which establishes MAWD. MAWD is intended to provide individuals with disabilities the opportunity to enter and remain in the workforce while receiving Medicaid coverage. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Breast and Cervical Cancer Prevention and Treatment Program 55 Pa. Code Chapter 140	March 2002, as proposed	This regulation provides Medicaid benefits to individuals diagnosed with Breast and Cervical Cancer, effective January 1, 2002. The BCCPT Act of 2000 amended Title XIX of the Social Security Act by giving states the option of providing full Medicaid benefits to a new group of individuals. This regulation provides healthcare coverage for treatment of breast and cervical cancer, including pre-cancerous conditions of the breast and cervix, in addition to full Medicaid benefits. Specifically, uninsured and underinsured women under the age of 65, screened and diagnosed with either breast or cervical cancer, including pre-cancerous conditions of the breast or cervix, by a provider or facility funded in full or part by the Centers for Disease Control and Prevention under its National Breast and Cervical Cancer Early Detection Program, will be eligible for Medicaid benefits. Pennsylvania has chosen the Department of Health Healthy Woman Project as the screening entity for this program. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Semi-annual Budgeting 55 Pa. Code Chapters 142, 168, 175, and 183	November 2002, as proposed	This regulation will change the manner of reporting and adjusting earned income for employed clients. Reporting of earned income will be required for specific periods within six-month intervals. Benefits will be adjusted on a post-adjustment basis so that income reported for period A will affect benefits received in period B, etc. This regulation will be reviewed by representatives of community legal service agencies, the welfare rights organization, and other similar client advocacy groups.	Tom Vracarich (717) 783-2209
Early and Periodic Screening Diagnosis Treatment (EPSDT)* 55 Pa. Code Chapters 1101, 1121, 1123, 1147, 1241	December 2002, as final omitted	This regulation relating to services provided as a follow-up to an EPSDT visit or encounter that are not currently recognized under the approved Medical Assistance (Medical Assistance) State Plan. This regulation will be reviewed by the medical assistance advisory committee (MAAC) which includes representatives of professional provider associations, providers, the health law project, the welfare rights organization, consumers, and client advocacy groups.	Tom Vracarich (717) 783-2209
Medical Assistance Case Management Services * 55 Pa. Code Chapter 1239	January 2003, as final omitted	This final regulation codifies payment for medically necessary case management services as mandated by Omnibus Budget Reconciliation Act '89 to Medical Assistance recipients under the age of 21. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
OMNIBUS MA * 55 Pa. Code Chapters 1101, 1121, 1149	September 2002, as final omitted	This final regulation codifies Act 1994-49 provisions that affect the medical benefits of General Assistance recipients over the age of 21 when these services are solely state funded. These recipients are no longer eligible for (1) dental services unless their medical condition or handicap requires services to be provided in an ambulatory surgical center, short procedures unit or inpatient hospital; (2) medical supplies and equipment except as prescribed for family planning or with home health agency service; and (3) prescription drugs except legend birth control drugs. This regulation also implements Act 1996-35 provisions imposing a \$150 deductible on inpatient and outpatient hospital services and ambulatory surgical center services, except laboratory and x-ray services for General Assistance and General Assistance-related Medical Assistance recipients. In addition, this regulation removes family planning clinics from the list of providers limited under the General Assistance Basic Health Care Package to 18 practitioner's office and clinic visits per year. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
OMNIBUS Pharmacy * 55 Pa. Code Chapters 1121, 1126, 1129, 1141, 1163, 1221, 1225, 1243	June 2002, as final omitted	This final regulation codifies Act 1994-49 provisions that discontinues payment for all drugs, devices, products, services and procedures that are used or related to treating infertility, including surrogacy services, effective September 1, 1994. This regulation also provides that the medical assistance program provides drug coverage to medically needy only recipients receiving nursing facility services. This includes medically needy only recipients who reside in nursing facilities and intermediate care facilities/mental retardation (ICF/MR). This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Residential Treatment Facilities (RTF) for Mental Health Services* 55 Pa. Code Chapters 1157, 1165	December 2002, as final omitted	This regulation codifies coverage for mental health services to children under 21 years of age that are provided in a residential treatment facility. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Early Intervention Services* 55 Pa. Code Chapters 4225, 4226	July 2002, as final	This regulation will establish program regulations for early intervention services in keeping with the Federal regulations under the Individuals with Disabilities Education Act (IDEA) and Act 212 of 1990. Early intervention services regulations are called for by the Legislative Budget and Financing Committee Report on early intervention services.	Tom Vracarich (717) 783-2209
Behavioral Health Rehabilitation Services* 55 Pa. Code Chapter 1154	December 2002, as proposed	This final regulation codifies requirements necessary to receive reimbursement for medically necessary outpatient wraparound mental health services for individuals under 21 years of age with a diagnosis of mental illness or emotional disturbance. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Physician Assistant/Midwife* 55 Pa. Code Ch. 1141	June 2002, as final omitted.	This final regulation codifies revised supervision requirements for physician assistants and midwives. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Discontinuance of the Mandatory Second Opinion Program* 55 Pa. Code Ch. 1150	July 2002, as final omitted	This final regulation removes the mandatory second opinion program requirement for certain surgical procedures. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Capital Component Payment for Replacement Beds 55 Pa. Code Ch. 1187	July 2003, as proposed.	This regulation takes the policy as set forth in the Statement of Policy and promulgates it into the regulations. This regulation will be reviewed by the MAAC.	Tom Vracarich (717) 783-2209
New Definition of "Emergency Medical Condition"* 55 Pa. Code Chs. 1101, 1141, 1150, 1221	April 2002, as proposed	This final regulation codifies the revised definition of "emergency medical condition" contained in the Balanced Budget Act of 1997, effective July 1, 1998. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Definition of Medically Necessary 55 Pa. Code Ch. 1101	April 2002, as proposed	This proposed regulation replaces the current definition of "medically necessary" with the definition found in the HealthChoices Request for Proposal. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Provision of Drug and Alcohol Treatment 55 Pa. Code Ch. 1223	June 2002, as final omitted	This final regulation eliminates the need for the supervisory physician to perform a physical exam within 15 days following intake and before the provision of treatment. This regulation will be reviewed by the MAAC, as noted above.	Tom Vracarich (717) 783-2209
Invoicing for Services 55 Pa. Code Ch. 1101	June 2002, as final omitted.	This regulation revises the invoice submission requirements for nursing facilities. This regulation will be reviewed by the MAAC.	Tom Vracarich (717) 783-2209
Exceptional Payments for Durable Medical Equipment 55 Pa. Code Ch. 1187	February 2002, as final omitted	This regulation provides for payment for exceptional DME separate from and in addition to the case mix payment rate. This regulation will be reviewed by the MAAC.	Tom Vracarich (717) 783-2209
Tobacco Cessation and Nutritional Supplements 55 Pa. Code Chapter 1121	July 2002, as final omitted	This final regulation will provide coverage under the Medical Assistance Program for tobacco cessation products and counseling services and will extend coverage for nutritional supplements to eligible Medical Assistance recipients 21 years of age and older. This regulation will be reviewed by MAAC.	Tom Vracarich (717) 783-2209
Dental Services 55 Pa. Code Chapter 1149	December 2002 as final omitted	This final regulation will provide coverage for core build-up and will revise the Medical Assistance Orthodontia Program. This regulation will be reviewed by MAAC.	Tom Vracarich (717) 783-2209
Preadmission Requirements for Nursing Facility Services (Mandatory 12 month spend-down) 55 Pa. Code Chapter 1187	September 2002, as proposed	This regulation will require nursing facilities to have all individuals applying for nursing facility services, evaluated by the Department or an independent assessor if it is likely that the applicant will use Medical Assistance as a payer source within 12 months of admission. The purpose of this regulation is to allow an individual to remain in the community by delaying or eliminating the need for admission to a nursing facility. This regulation will be reviewed by the MAAC.	Tom Vracarich (717) 783-2209

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
REVENUE			
Employer Returns and Other Withholding Provisions 61 Pa. Code §§ 113.2, 113.3, 113.3a, 113.3b, 113.3c, 113.4, 113.4a, 113.7 and 121.16	June 2002, as final.	The Department is proposing amendments to various withholding regulatory sections, including requiring an employer who is required to file 250 or more withholding statements, to forward to the Department the reconciliation statement with such withholding statements via electronic or magnetic media as specified in the instructions of the Department. In addition, § 121.16 is amended to delete language relating to the filing of a W-2 with Form PA-40 as evidence of taxes withheld.	Douglas A. Berguson 717-787-1382
File-by-phone (TeleFile) System and Federal and State Electronic Tax Filing Program 61 Pa. Code §§ 117.19—117.21	June 2002, as proposed.	The file-by-phone (TeleFile) program involves the filing of a Pennsylvania personal income tax return by phone. The Federal and State electronic tax filing program involves the filing of a Pennsylvania personal income tax return as part of the Federal and State Electronic Filing Program.	Douglas A. Berguson 717-787-1382
Master Settlement Agreement 61 Pa. Code §§ 71.31—71.33	June 2002, as final.	On November 23, 1998, leading United States tobacco product manufacturers entered into a settlement agreement, entitled the "Master Settlement Agreement," with the Commonwealth. On June 22, 2000, Act 54-2000, known as the Tobacco Settlement Agreement Act, was signed into law. Pursuant to Act 54, the Department is proposing a regulation which describes the responsibilities for participating and nonparticipating tobacco product manufacturers and cigarette stamping agents.	Douglas A. Berguson 717-787-1382
Partial Refunds For Bad Debts 61 Pa. Code §§ 33.3 and 33.5	June 2002, as final.	This regulation explains the application of section 247.1 of the TRC (72 P. S. § 7247.1) relating to partial refund of sales tax attributed to bad debts.	Douglas A. Berguson 717-787-1382
Powerball 61 Pa. Code §§ 871.1—871.20	July 2002, as final.	This regulation will provide the rules required to implement the Powerball game in this Commonwealth.	Douglas A. Berguson 717-787-1382
Realty Transfer Tax Amendments 61 Pa. Code, Chapter 91	June 2002, as proposed.	The amendments to Chapter 91. Realty Transfer Tax, are made to address numerous legislative changes and to bring the regulatory provisions into conformity with Departmental policy.	Douglas A. Berguson 717-787-1382
Small Games of Chance Amendments 61 Pa. Code, Part VII	September 2002, as proposed.	The regulation contains comprehensive amendments to Part VII to incorporate legislative changes made to the Local Option Small Games of Chance Act (10 P. S. §§ 311—328) in 1990 and 2000 and to codify policy and administrative changes regarding games of chance.	Douglas A. Berguson 717-787-1382
Supplemental Unemployment Benefit Plan 61 Pa. Code §§ 101.1 and 101.6	March 2002, as final.	This regulatory amendment will provide an explanation of the meaning and scope of the exclusion from compensation in section 301(d)(vi) of the TRC (72 P. S. § 7301(d)(vi)) for employer or labor union payments for supplemental unemployment programs. The changes will address the tax treatment of programs offered to provide supplemental benefits to employees terminated from service as a result of layoff, workforce reduction, plant closings or other involuntary terminations.	Douglas A. Berguson 717-787-1382

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Support Offset and Other Personal Income Tax Provisions	June 2002, as proposed	This regulatory change will amend certain regulatory provisions to provide for the intercept of income tax refunds from individuals who are delinquent in support payments and redirect the funds accordingly. Other amendments are proposed to update and/or clarify personal income tax provisions.	Douglas A. Berguson 717-787-1382
Termination Pay, Severance Pay and Early Retirement Incentive Programs 61 Pa. Code §§ 101.1 and 101.6	March 2002, as final.	This regulatory change will clarify the taxation of termination pay, severance pay, early retirement incentive programs and programs offered by employers to provide benefits to employees in addition to those in qualifying retirement plans upon separation from service. This regulation also interprets section 301(d) of the TRC (72 P. S. § 7301(d)) to mean that Federal insurance benefits paid under the Railroad Retirement Act and guaranteed payments to a partner of a partnership for services to the partnership are excluded from compensation.	Douglas A. Berguson 717-787-1382
Vending Machines 61 Pa. Code § 31.28	March 2002, as final.	This regulation sets forth the Department's interpretation of Act 45-1998 as it relates to vending machines.	Douglas A. Berguson 717-787-1382
SECURITIES COMMISSION			
No regulations being developed or considered at this time.			
STATE			
State Athletic Commission General Revisions—58 Pa. Code, Chapter 21. (16-17)	Winter 2002, as final.	The regulation would make comprehensive revisions to reflect statutory changes in the Pennsylvania Athletic Code and changes in Commission procedures. Statutory authority: 5 Pa.C.S. § 101 et seq.	Greg Sirb (717) 787-5720
Navigation Commission for the Delaware River and Its Navigable Tributaries General Revisions—13 Pa. Code, Chapters 201-209. (16A-662)	Winter 2002, as final.	The regulation would make comprehensive revisions to eliminate obsolete provisions and reflect statutory changes. Statutory authority: 55 P. S. § 31 and 71 P. S. § 670.2(4).	L. Lawrence Boyle (717) 787-6458
State Architects Licensure Board— Examination Fees and Annual Filing Fee for Registered Architecture Firms 49 Pa. Code, Chapter 9. (16A-416)	Winter 2002, as proposed.	The regulation would eliminate national ARE examination fees; add a section adopting the national board examination; consolidate all examination requirements into one section; and as the result of adoption of the national board examination, delete any provisions related to, among other things, the processing of applications, scores and the conduct of examinations. The regulation also would provide for a filing fee for registered partnerships, professional associations, professional corporations or business corporations, which is permitted under the Architects Licensure Law, but has never been implemented. Statutory authority: Sections 8 and 13(h) of the Law, 63 P. S. §§ 34.8, 34.13(h).	Dorna Thorpe (717) 783-1253
State Board of Accountancy General Revisions—49 Pa. Code, Chapter 11. (16A-559)	Winter 2002, as proposed.	The regulation would repeal outdated and unnecessary requirements; clarify certain issues relating to examination, certification and practice; and make editorial changes. Statutory authority: Section 3 of the C.P.A. Law, 63 P. S. § 9.3(10)—(12).	Dorna Thorpe (717) 783-1253

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Auctioneer Examiners Update of Examination Fees—49 Pa. Code § 1.41. (16A-645)	Spring 2002, as proposed.	The regulation would update the Board's examination fee. Statutory authority: Section 6(a) of the Act, 63 P. S. § 734.6(a).	Michelle Demerice (717) 783-3399
State Board of Barber Examiners Sanitation/General Revisions—49 Pa. Code, Chapter 3. (16A-424)	Winter 2002, as final.	The regulation would revise and update the entire chapter and repeal antiquated provisions, particularly with regard to standards for disinfection and sanitation. Statutory authority: Section 15-A.4(b) of the Barber License Law, 63 P. S. § 566.4(b).	Sara Sulpizio (717) 783-1261
Deletion of Examination Fees—49 Pa. Code, Chapter 3. (16A-425)	Spring 2002, as proposed.	The regulation would delete licensing examination fees. Statutory authority: Section 14 of the Law, 63 P. S. § 564.	
State Board of Certified Real Estate Appraisers—Experience Options for Certification, Duties of Supervising Appraiser—49 Pa. Code §§ 36.13 and 36.14. (16A-706)	Spring 2002, as proposed.	The regulation would revise qualifying experience for certification as an appraiser; impose supervisory and record-keeping duties on appraisers who supervise appraisal assistants; and require appraisal reports submitted as qualifying experience to conform to the Uniform Standards of Professional Appraisal Practice (USPAP). The regulation is consistent with standards established for state appraiser boards by the federal Appraiser Qualification Board (AQB). Statutory authority: Section 5(2) of the Real Estate Appraisers Certification Act, 63 P. S. § 457.5(2).	Cheryl Lyne (717) 783-7129
Standards of Practice—49 Pa. Code § 36.51. (16A-7012)	Spring 2002, as proposed	The regulation would require all certified general appraisers, residential appraisers and broker/appraisers to comply with the USPAP unless the Board has adopted supplemental practice standards. Statutory authority: Section 5(2) of the Act, 63 P. S. § 457.5(2).	
Update of Application and Related Fees—49 Pa. Code § 36.6. (16A-7011)	Spring 2002, as final.	The regulation would revise the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: Section 9 of the Act, 63 P. S. § 457.9.	
Broker/Appraiser Continuing Education—49 Pa. Code § 36.41. (Number not yet assigned)	Winter 2002, as final, proposed-omitted.	The regulation would establish continuing education requirements for broker/appraisers pursuant to Act 103 of 2000. Statutory authority: Section 10(b) of the Real Estate Appraisers Certification Act, 63 P. S. § 457.10(b).	
Biennial Renewal Fee—49 Pa. Code §§ 36.6, 36.41, 36.261. (Number not yet assigned)	Summer 2002, as proposed	The regulation would establish a revised biennial renewal fee for broker/appraisers and other certificate holders of the Board. Statutory authority: Sections 5(6) and 9 of the Real Estate Appraisers Act, 63 P. S. §§ 457.5(6) and 457.9.	
Act 48-1993 Civil Penalties—49 Pa. Code, Chapter 43b. (Number not yet assigned)	Spring 2002, as proposed.	The regulation would establish a schedule of Act 48 of 1993 civil penalties for violations of the Real Estate Appraisers Certification Act and the Board's regulations. Statutory authority: Section 5(a) of Act 48-1993, 63 P. S. § 2205(a).	
State Board of Cosmetology—Deletion of Examination Fees—49 Pa. Code § 7.2. (16A-4510)	Spring 2002, as final.	The regulation would amend the Board's fee schedule by deleting references to examination fees, which are determined by contract. Statutory authority: Sections 11 and 16 of the Law, 63 P. S. §§ 517, 522.	Sara Sulpizio (717) 783-1261
General Revisions—49 Pa. Code §§ 7.1—7.142. (16A-459) (Includes previous 16A-454 and 16A-457)	Spring 2002, as proposed.	The regulation would make comprehensive revisions to Chapter 7 to bring existing regulations up-to-date and to clarify requirements for sanitation and the provision of advanced aesthetic services. Statutory authority: Section 11 of the Law, 63 P. S. § 517.	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Act 48-1993 Civil Penalties—49 Pa. Code, Chapter 43b.	Spring 2002, as proposed.	The regulation would establish a schedule of Act 48-1993 civil penalties for violations of the Beauty Culture Law and the Board's regulations. Statutory authority: Section 5(a) of the Act, 63 P. S. § 2205(a).	
State Board of Dentistry—Administration of General Anesthesia, Conscious Sedation and Nitrous Oxide/Oxygen Analgesia—49 Pa. Code §§ 33.331—33.344. (16A-4610)	Fall 2002, as final.	The regulation would amend requirements for administration of anesthesia/analgesic in response to a Commonwealth Court case and legislative concerns. Statutory authority: Section 3(o) of the Dental Law, 63 P. S. § 122(o).	Lisa Burns (717) 787-1762
Sexual Misconduct—49 Pa. Code, Chapter 33. (Number not yet assigned)	Summer 2002, as proposed.	The regulation would address acts of a sexual nature that the Board deems unprofessional when occurring or resulting from a professional relationship. Statutory authority: Section 3(o) of the Law, 63 P. S. § 122(o).	
Update of Application Fee for Dental Radiology—49 Pa. Code, Chapter 33. (16A-4611)	Spring 2002, as proposed.	The regulation would amend the Board's fee schedule to reflect the actual cost incurred by the Board to authorize applicants to perform radiologic services. Statutory authority: Section 3(o) of the Law, 63 P. S. § 122(o).	
Expanded Function Dental Assistants—49 Pa. Code § 33.103 (Number not yet assigned)—	Spring 2002, as proposed.	The regulation would eliminate the clinical examination component with respect to expanded function dental assistants. Statutory authority: Section 3(o) of the Law, 63 P. S. § 122(o).	
State Board of Examiners of Nursing Home Administrators—Deletion of Examination Fees—49 Pa. Code § 39.72. (16A-628)	Winter 2002, as proposed.	This regulation would delete licensing examination fees. Statutory Authority: Section 4(c) of the Nursing Home Administrators Licensing Act, 63 P. S. § 1104(c).	Chris Stuckey (717) 783-4856
Requirements for Admission to Examination—49 Pa. Code § 39.5.(16A-627)	Spring 2002, as proposed.	The regulation would update and revise the requirements for admission to the licensing examination. Statutory authority: Section 4(c) of the Act, 63 P. S. § 1104(c).	
State Board of Examiners in Speech-Language and Hearing—Continuing Education—49 Pa. Code, Chapter 45. (Number not yet assigned)	Spring 2002, as proposed.	The regulation would establish continuing education requirements to comply with Act 71 of 2000. Statutory authority: Section 5(7) of the Speech-Language and Hearing Licensure Act, 63 P. S. § 1705(7).	Clara Flinchum (717) 783-1389
Assistant Regulations—49 Pa. Code §§ 45.301-308. (16A-6801)	Spring 2002, as proposed.	The regulation would update provisions pertaining to assistants. Statutory authority: Section 5(8) of the Act, 63 P. S. § 1705(8).	
Act 48 of 1993 Civil Penalties—49 Pa. Code § Chapter 43b. (16-29)	Spring 2002, as proposed.	The regulation would establish a schedule of Act 48 of 1993 civil penalties for violations of the Speech-Language and Hearing Licensure Act and the Board's regulations. Statutory Authority: Section 5(2) of the Act, 63 P. S. § 1705(2).	
State Board of Funeral Directors—Update of Application/Certification/Verification/Reinsertion Fees—49 Pa. Code § 13.12. (16A-482)	Winter 2002, as final.	The regulation would revise the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: Section 18.1 of the Funeral Director Law, 63 P. S. § 479.18.1.	Cheryl Lyne (717) 783-7129

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Unprofessional Conduct—49 Pa. Code § 13.201, 202. (16A-483)	Spring 2002, as proposed.	The regulation would add to the Board's standards of practice and conduct. Statutory authority: Section 16(a) of the Law, 63 P. S. § 479.16(a).	
General Regulation Update—49 Pa. Code § 13.1 et seq. —Advertising (16A-484) —Application (16A-485) —Facility (16A-486) —Qualifications (16A-487) —Supervisor (16A-488)	Spring 2002, as proposed.	The regulation would update provisions relating to advertising, applications, facilities, qualifications, and supervisors. Statutory authority: Section 16(a) of the Law, 63 P. S. § 479.16(a).	
Continuing Education—49 Pa. Code, Chapter 13. (16A-489)	Winter 2002, as proposed.	The regulation would implement Act 48 of 2000, which required the Board to promulgate regulations related to continuing education requirements. Statutory authority: 63 P. S. § 479.10(b).	
Limited License—49 Pa. Code §§ 13.1, 13.12, and 13.77. (16A-4810)	Spring 2002, as proposed.	The regulation would implement Act 48 of 2000, which authorized the Board to enter into agreements with other states to issue limited licenses to funeral directors from other states. Statutory Authority: 63 P. S. § 479.9(c).	
State Board of Landscape Architects— Establishment of Examination Fees—49 Pa. Code § 15.12. (16A-616)	Spring 2002, as proposed.	The regulation would establish a new examination fee. Statutory authority: 63 P. S. § 904(2).	Shirley Klinger (717) 783-4865
General Revisions—49 Pa. Code, Chapter 15. (Number not yet assigned)	Summer 2002, as proposed	The regulation would entail general revisions of the Board's current regulations. Statutory authority: 63 P. S. § 904(9).	
State Board of Medicine— General Delegation—49 Pa. Code, Chapter 16. (16A-4912)	Summer 2002, as final.	The regulation would establish standards for the delegation of medical services to qualified personnel. Statutory authority: Section 17(b) of the Medical Practice Act, 63 P. S. § 422.17(b).	Cindy Warner (717) 787-7768
Update of Fees—49 Pa. Code §§ 16.13, 16.17, 18.303. (16A-4910)	Winter 2002, as final.	The regulation would revise the Board's schedule of fees to reflect the actual costs of the services provided. Statutory authority: Section 6 of the Act, 63 P. S. § 422.6.	
Sexual Misconduct—49 Pa. Code, Chapter 16. (16A-497)	Summer 2002, as final.	The regulation would address acts of a sexual nature that the Board deems unprofessional when occurring or resulting from a professional relationship. Statutory authority: Section 8 of the Act, 63 P. S. § 422.8.	
State Board of Nursing— RN General Revisions—49 Pa. Code §§ 21.1—21.126. (16A-516)	Spring 2002, as final.	The regulation would update or repeal outdated provisions pertaining to registered nurses and consolidate all regulatory provisions pertaining to registered nurse education programs. Statutory authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).	Ann Steffanic (717) 783-7143
LPN General Revisions—49 Pa. Code §§ 21.141—21.234. (16A-519)	Spring 2002, as proposed.	The regulation would update or repeal outdated provisions pertaining to licensed practical nurses and consolidate all regulatory provisions pertaining to practical nurse education programs. Statutory authority: 63 P. S. § 667.6.	
Conscious Sedation—49 Pa. Code § 21.14. (16A-5114)	Spring 2002, as proposed.	The regulation would embody the statement of policy on conscious sedation at 49 Pa. Code § 21.413(d). Statutory authority: Section 2.1(k) of the Law, 63 P. S. § 212.1(k).	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<p>Oral Orders—49 Pa. Code §§ 21.14; 21.145. (16A-5115)</p> <p>CRNP Programs—49 Pa. Code §§ 21.260-278, 286-289. 16A-5119</p> <p>Update of CRNP Prescriptive Authority Fees—49 Pa. Code § 21.253. (16A-5116)</p> <p>CRNP Prescriptive Authority Continuing Education—49 Pa. Code § 21.253. (16A-5117)</p> <p>Act 48 of 1993 Civil Penalties—49 Pa. Code, Chapter 43b. (16-29)</p>	<p>Summer 2002, as final.</p> <p>Spring 2002, as proposed.</p> <p>Spring 2002, as proposed.</p> <p>Winter 2002, as proposed.</p> <p>Spring 2002, as proposed.</p>	<p>This regulation would delete the prohibition on LPNs accepting oral orders in other than urgent circumstances. Statutory authority: Section 2.1(k) of the Law, 63 P. S. § 212.1(k), and Section 17.6 of the Practical Nurse Law, 63 P. S. § 667.6.</p> <p>The regulation would establish requirements for CRNP education programs approved by the Board. Statutory authority: Section 2.1(k) of the Professional Nursing Law, 63 P. S. § 212.1(k).</p> <p>This regulation would revise the Board's schedule of fees to reflect the actual cost of the services provided. Statutory authority: Section 11.2 of the Law, 63 P. S. § 221.2.</p> <p>The regulation would address continuing education requirements associated with the prescriptive authority of CRNPs. Statutory authority: Section 2.1(k) of the Law, 63 P. S. § 212.1(k).</p> <p>The regulation would establish a schedule of Act 48 of 1993 civil penalties for violations of the Professional Nursing Law. Statutory authority: 63 P. S. §§ 225.4 and 664(4).</p>	
<p>State Board of Occupational Therapy Education and Licensure—Act 48 of 1993 Civil Penalties—49 Pa. Code, Chapter 43b. (16-29)</p>	<p>Spring 2002, as proposed.</p>	<p>The regulation would establish a schedule of Act 48 of 1993 civil penalties for violations of the Occupational Therapy Practice Act and the Board's regulations. Statutory authority: 63 P. S. § 1505(b).</p>	<p>Lisa Burns (717) 783-4853</p>
<p>State Board of Optometry—General Revisions—49 Pa. Code §§ 23.1, 23.33, 23.34, 23.42, 23.64, 23.71. (16A-528)</p> <p>Continuing Education—49 Pa. Code, §§ 23.82, 23.83, 23.87. (16A-529)</p>	<p>Spring 2002, as proposed.</p> <p>Spring 2002, as proposed.</p>	<p>The regulation would make general revisions to current regulations, including requirements that must be met for contact lens prescriptions provided at the discretion of the licensee. Statutory authority: Sections 3(a)(2.1) and (b)(14) of the Optometric Practice and Licensure Act, 63 P. S. §§ 244.3(a)(2.1), (b)(14).</p> <p>This regulation would amend the continuing education requirements of licensees. Statutory authority: Section 3(b)(12) and Section 4.1(b) of the Act, 63 P. S. §§ 244.3(b)(12), 244.4a.(b).</p>	<p>Deb Smith (717) 783-4860</p>
<p>State Board of Osteopathic Medicine Sexual Misconduct—49 Pa. Code, Chapter 25. (16A-539)</p>	<p>Winter 2002, as proposed.</p>	<p>The regulation would address acts of a sexual nature that the Board deems unprofessional when occurring or resulting from a professional relationship. Statutory authority: Section 16 of the Osteopathic Medical Practice Act, 63 P. S. § 271.16.</p>	<p>Gina Bittner (717) 783-2440</p>
<p>State Board of Pharmacy—Reference Library and Facsimile Machines—49 Pa. Code, Chapter 27. (16A-549)</p> <p>Technology Regulations—49 Pa. Code, Chapter 27. (Number not yet assigned.)</p>	<p>Winter 2002, as final.</p> <p>Spring 2002, as proposed.</p>	<p>The proposal would amend pharmacy reference library requirements to reflect contemporary pharmaceutical practices and facsimile machine requirements to be consistent with recent changes in Federal law. Statutory authority: Sections 4(j) and 6(k)(1) and (9) of the Pharmacy Act, 63 P. S. §§ 390-4(j), 390-6(k)(1), (9).</p> <p>The proposal would address issues raised by new technology now available in the field of pharmacy to allow the use of such technology while ensuring consumer safety. Statutory authority: Sections 4(j) and 6(k)(1) and (9) of the Act, 63 P. S. §§ 390-4(j), 390-6(k)(1), (9).</p>	<p>Melanie Zimmerman (717) 783-4853</p>

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Physical Therapy— Physical Therapists—49 49 Pa. Code §§ 40.11, 40.13, 40.15, 40.17, 40.18 and 40.21—40.24. (16A-659)	Spring 2002, as proposed.	The regulation would correct and revise existing regulations regarding physical therapists. Statutory authority: Section 3(a) of the Physical Therapy Practice Act, 63 P. S. § 1303(a).	Bob Kline (717) 783-4861
Sexual Misconduct—49 Pa. Code, Chapter 40. (16A-656)	Winter 2002, as final.	The regulation would address acts of a sexual nature that the Board deems unprofessional when occurring or resulting from a professional relationship. Statutory authority: Sections 3, 5 and 10.2 of the Act, 63 P. S. §§ 1303, 1305 and 1310.2.	
Deletion of Examination Fees—49 Pa. Code § 40.5. (16A-658)	Winter 2002, as final.	This regulation would delete licensing examination fees. Statutory authority: Section 8 of the Act, 63 P. S. § 1308.	
State Board of Podiatry— Update of Application Fees and Deletion of Examination Fees—49 Pa. Code, Chapter 29. (16A-444)	Winter 2002, as final.	This regulation would apportion costs of providing Board services to specific applicants and licensees and eliminates references to examination fees. Statutory authority: Section 15 of the Podiatry Practice Act, 63 P. S. § 42.15.	Gina Bittner (717) 783-2440
Update of Biennial Renewal Fees—49 Pa. Code, Chapter 29. (16A-445)	Winter 2002, as proposed.	The regulation would increase the biennial license renewal from \$175 to \$395. Section 14(a) of the Act requires the Board to increase fees by regulation if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a two-year period. Section 14(b) of the Act requires the Board to increase fees by regulation in the amount that adequate revenues are raised to meet the required enforcement efforts, when the fees established by the Board are inadequate to meet the minimum enforcement efforts required by the Act. Statutory authority: Sections 14(a) and (b) of the Act, 63 P. S. §§ 42.14(a), (b).	
Continuing Education—49 Pa. Code, Chapter 29. (16A-446)	Spring 2002, as proposed.	The regulation would amend the current continuing education provision at 49 Pa. Code § 29.61 to include pre-approved course providers. Statutory authority: Section 9 and 9.1 of the Act, 63 P. S. §§ 42.9 and 42.9a.	
Sexual Misconduct—49 Pa. Code, Chapter 29. (Number not yet assigned)	Summer 2002, as proposed.	The regulation would address acts of a sexual nature that the Board deems unprofessional when occurring during or resulting from a professional relationship. Statutory authority: 63 P. S. § 42.1	
State Board of Psychology— Ethics Amendment—49 Pa. Code § 41.59(b). (16A-639)	Spring 2002, as final.	The regulation would amend the Board's continuing education regulations at Section 41.59(b) by clarifying that licensees must take ethics each biennial period and that extra ethics credits may only be counted toward the total needed rather than the ethics requirement for a future biennial period. Statutory authority: Section 3.2 of the Professional Psychologists Act, 63 P. S. § 1203.2(2).	Chris Stuckey (717) 783-4856
Computerized Examination—49 Pa. Code §§ 41.41, 41.42. (16A-6310)	Summer 2002, as proposed.	The regulation would update current provisions to reflect changes associated with the computerization of the national and state examinations. Statutory authority: Section 3.2 of the Act, 63 P. S. § 1203.2(2).	
Deletion of Examination Fees—49 Pa. Code § 41.12. (16A-6311)	Winter 2002, as final.	This regulation would delete licensing examination fees in Section 41.12. Statutory authority: Sections 3.2(1) and 3.2(3)(d) of the Act, 63 P. S. §§ 1203.2(1), 1203.3(d).	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Ethics Principles—49 Pa. Code § 41.61. (Number not yet assigned)	Spring 2002, as proposed.	The regulation would amend Principles 2(b) and 7(i) of the Board's Code of Ethics. Statutory Authority: 63 P. S. § 1203.2(2).	
Doctoral Degrees in Psychology—49 Pa. Code § 41.31. (16A-6313)	Summer 2002, as proposed	The regulation would address accreditation requirements for doctoral degrees in fields related to psychology. Statutory authority: 63 P. S. §§ 1203.2(1) and 1206(a)(2)(ii).	
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors—Licensure Regulations—49 Pa. Code, Chapter 47. (16A-694)	Winter 2002, as final.	The regulation would add Licensed Clinical Social Workers, Marriage and Family Therapists and Professional Counselors as new licensure classes. Statutory authority: Sections 1 to 20.2 of the Social Workers, Marriage and Family Therapists and Professional Counselors Act, 63 P. S. §§ 1901—1920.2.	Clara Flinchum (717) 783-2454
Update of Existing Fees and Establishment of Fees for New Licensure Classes—49 Pa. Code, Chapter 47. (16A-695)	Spring 2002, as final.	The regulation would update the schedule of fees for Licensed Social Workers and Continuing Education providers and establishes fees for Licensed Clinical Social Workers, Marriage and Family Therapists and Professional Counselors. Statutory authority: Section 18(c) of the Act, 63 P. S. § 1918(c).	
State Board of Vehicle Manufacturers, Dealers and Salespersons—Consignment Sales—49 Pa. Code § 19.19. (16A-601)	Winter 2002, as proposed.	The regulation would set forth the standards by which dealers may engage in consignment sales. Statutory authority: Section 4(9) of the Board of Vehicles Act, 63 P. S. § 818.4(9).	Teresa Woodall (717) 782-8377
General Revisions—49 Pa. Code § 19.1 <i>et seq.</i> (16A-602)	Winter 2002, as final.	The regulation would update the Board's regulations consistent with the 1996 amendments to the Act. Statutory authority: Section 4(9) of the Act, 63 P. S. § 818.4(9).	
Auction License—49 Pa. Code § 19.21. (16A-603)	Winter 2002, as proposed.	The regulation would set out standards for licensure as a vehicle auction, a new category of licensure created by the 1996 amendments to the Act. Statutory authority: Section 4(9) of the Act, 63 P. S. § 818.4(9).	
Display Requirements—49 Pa. Code § 19.18. (16A-604)	Winter 2002, as proposed.	The regulation would create an exception in the Board's regulations to permit a vehicle dealer to display up to five vehicles in a non-conforming area so long as the public is not permitted to enter the non-conforming area. Statutory authority: Section 4(9) of the Act, 63 P. S. § 818.4(9).	
Unlicensed Locations—49 Pa. Code § 19.18. (16A-605)	Winter 2002, as proposed.	The regulation would define the term "display" as used in the Act to be consistent with the Commonwealth Court's holding in <i>Spankey's Auto Sales</i> , 773 A.2d 206 (Pa. Commw. Ct. 2001), permitting vehicle dealers to (1) display a single vehicle, or series of single vehicles, at an unlicensed location if no sales activity is occurring at that location and (2) store vehicles at an unlicensed location if no sales activity is occurring at that location. Statutory authority: Sections 2, 4(4) and (9), and 5(e) of the Act, 63 P. S. §§ 818.2, 818.4(4), 818.4(9), 818.5(e).	
Act 48 of 1993 Civil Penalties—49 Pa. Code, Chapter 43b. (16-29)	Spring 2002, as proposed.	The regulation would establish a schedule of Act 48 of 1993 civil penalties for violations of the Board of Vehicles Act and the Board's regulations. Statutory Authority: Section 4(9) of the Board of Vehicles Act, 63 P. S. § 818.4(9).	

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Veterinary Medicine Prescription Drugs—49 Pa. Code § 31.21, Principle 8. (16A-5712)	Spring 2002, as proposed.	The regulation would require veterinarians to meet specified standards regarding dispensing, packaging and labeling of prescription drugs and would mandate that veterinarians use only current, unexpired drugs. Statutory authority: Section 5(1) and (2) of the Act, 63 P. S. §§ 485.5(1), 485.5(2).	Bob Kline (717) 783-4861
Deletion of Examination Fees—49 Pa. Code §§ 31.3, 31.11, 31.32, 31.35, 31.41. (16A-5713)	Winter 2002, as final.	The regulation would delete references to the fee charged by the national testing organization for the national licensure examination. The regulation would also clarify issues regarding the impact of past criminal history on applicants for licensure as animal health technicians. Statutory authority: Section 5(4) and (7) of the Act, 63 P. S. §§ 485.5(4), 485.5(7).	
Allowable Veterinary Technician Dental Practices—49 Pa. Code, Chapter 31. (16A-5714)	Summer 2002, as proposed.	The regulation would further define the allowable practice of veterinary technicians in relation to veterinary dental practices.	
State Real Estate Commission—General Revisions: Agency Disclosures—49 Pa. Code, Chapter 35. (16A-568)	Winter 2002, as final.	The regulation would implement the requirements of Act 112 of 1998 and Act 47 of 1999 pertaining to agency relationships. Statutory authority: Section 404 of the Real Estate Licensing and Registration Act, 63 P. S. § 455.404.	Deb Sopko (717) 783-1475
Education—49 Pa. Code, Chapter 35. (16A-561)	Spring 2002, as proposed.	The regulation would change the current pre-licensure and continuing education requirements and address distance education. Statutory authority: Section 404.1(a) of the Act, 63 P. S. §§ 455.404a.(a).	
Act 48 of 1993 Civil Penalties—49 Pa. Code, Chapter 43b. (16-29)	Spring 2002, as proposed.	The regulation would establish a schedule of Act 48 of 1993 civil penalties for violations of the Real Estate Licensing and Registration Act and the Commission's regulations. Statutory authority: Section 5(a) of Act 48 of 1993, 63 P. S. § 2205(a).	
STATE EMPLOYEES' RETIREMENT SYSTEM			
Revisions to Definition Regulation: 4 Pa. Code § 241.1	Winter 2002	Delete. Adequately defined in statute; amend to delete already redundant language already in statute.	Brian McDonough Sean Sanderson 787-6293
Revisions to Membership, Credited Services, Class of Service, and Eligibility for Benefits Regulations: 4 Pa. Code §§ 243.2, 243.6, 243.9, 243.10, 243.13(a)	Winter 2002	Amend to eliminate language that contradicts statute; Delete. Repeats requirements already in statute.	Brian McDonough Sean Sanderson 787-6293
Revisions to Contribution Regulations: 4 Pa. Code §§ 245.2, 245.4	Winter 2002	Delete. Adds nothing useful to statutory provisions; Delete in order to simplify and improve the process to purchase service.	Brian McDonough Sean Sanderson 787-6293
Revisions to Administration, Funds, Accounts and General Regulations: 4 Pa. Code §§ 249.4	Winter 2002	Amend to eliminate redundant, unnecessary, or archaic language; Delete. Repeats requirements already contained in statute.	Brian McDonough Sean Sanderson 787-6293

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
STATE POLICE			
Regulatory amendments to further adopt a cheating policy as part of the Municipal Police Officers Education and Training Commission regulations. Chapter 203	The proposed regulation will be published in the the Pa. Bulletin in Spring of 2002.	The provisions of this chapter set forth regulations for the administration of the training program for municipal police by the Municipal Police Officers Education and Training Commission. The proposed amendments will further adopt a cheating policy.	Ronald E Plesco, Jr., Esq. 717-772-0905
STATE SYSTEM OF HIGHER EDUCATION			
No regulations being developed or considered at this date.			
TRANSPORTATION			
Manufacturer, Dealers and Miscellaneous Motor Vehicle Businesses Registration Plates Chapter 53	July 2002, as proposed.	Amendments are needed based on revisions to related sections of the Vehicle Code and Industry/Department concerns. Proposed package undergoing further review with the Department's legal counsel.	Sue Wilson (717) 787-4291
Permanent Registrations of Fleet Vehicles Chapter 60	March 2002, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	Ann Marie Kessler (717) 787-3977
School Buses and School Vehicles Chapter 171	March 2002, as proposed.	Amendments are needed to clarify previous revisions and to address concerns raised by the public transportation community. The Department has prepared draft amendments based on recommendations received by the public transportation community. The Proposed Regulatory Package was finalized and sent to General Counsel.	Mike Kistler (717) 772-2119
Physical and Mental Criteria, Including Vision Standards Relating to the Licensing of Drivers Chapter 83	March 2002, as proposed.	The Department's Medical Advisory Board has approved proposed amendments to the medical standards licensure. The proposed regulation was finalized and is being advanced to General Counsel.	Mike Kistler (717) 772-2119
Liquid Fuels Tax Chapter 449	February 2002, as final	Final draft was forwarded to the Office of General Counsel in October 2001.	Dick Zerbe (717) 787-2183
School Bus Drivers Chapter 71	March 2002, as proposed.	Creates standards to allow persons with certain medical conditions to become a school bus driver that were previously banned because of their medical condition. Through the standards and monitoring systems approved by the Medical Advisory Board in 2000, these persons do not pose a significant danger while driving. The proposed Regulatory Package was finalized and sent to General Counsel.	Mike Kistler (717) 772-2119
Proportional Registration of Fleet Vehicles Chapter 63	March 2002, as proposed.	Proposed amendments required to modify fee schedules associated with House Bill 67 (Act 3 of 1997).	Ann Marie Kessler (717) 787-3977
Flashing or Revolving Lights on Emergency and Authorized Vehicles Chapter 173	September 2002, as final.	Proposed amendments required complying with Act 151 of 1999.	Tom Zamboni (717) 783-9513
Shared-Ride Transportation Service Reimbursement Chapter 425	July 2002, as proposed.	Revised regulations are required due to the repeal of the original authorizing legislation and the enactment of revised authorizing legislation for the Shared-Ride Program for Senior Citizens.	Laverne Collins (717) 783-8025
Emission Inspection Chapter 177	November 2002, as final	Amendments needed to address ongoing operational aspects of the emissions program, and to implement an On-Board-Diagnostics (OBD) program.	Peter Gertz (717) 783-7016

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Airport Rating and Licensing Chapter 471	July 2002, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements and to react to the operating environment.	Kathy Reitz (717) 705-1234
Aviation Development Chapter 473	July 2002, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements and to react to the operating environment.	Kathy Reitz (717) 705-1234
Local Real Estate Tax Reimbursement Chapter 477	July 2002, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements and to react to the operating environment.	Kathy Reitz (717) 705-1234
Vehicles Required to Stop at Railroad Grade Crossings Chapter 103	June 2002, as proposed deletion.	Repeal—this regulation is no longer needed because of changes made in § 3342(d) of the Vehicle Code	Terry Garvie (717) 787-2604
Hold-Down and Tie-Down Devices for Junked Vehicles and Vehicle Hulks Chapter 181	June 2002, as proposed deletion.	Repeal—this regulation is no longer needed because of changes in Chapter 49 of the Vehicle Code.	Daniel Smyser (717) 787-7445
Work Zone Traffic Control Devices Chapter 203	April 2002, as proposed deletion.	Section 6123 of the Vehicle Code requires a regulation, but most of Chapter 203 is unnecessary when adopting the MUTCD. Remaining required language will be placed in a new regulation to be promulgated in 2002.	Art Breneman (717) 787-3620
Official Traffic Control Devices Chapter 211	April 2002, as proposed deletion	Section 6121 of the Vehicle Code requires a manual consistent with MUTCD. The size of the regulation will be drastically reduced, and will be proposed as Chapter 212 to eliminate confusion with the current chapter.	Art Breneman (717) 787-3620
Official Traffic Control Devices Chapter 212	April 2002, as proposed rulemaking.	This chapter is being proposed to adopt the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) and to replace Chapters 201, 203 and 211. By adopting the MUTCD, the volume of the new regulation will be only about 5 percent of the combination of the three current regulations.	Art Breneman (717) 787-3620
Hazardous Materials Transportation Chapter 403	June 2002, as proposed.	Compatibility with Federal requirements—Current regulation requires an annual registration of all hazardous materials transporters. It has been determined that this registration is unnecessary and this requirement will be eliminated.	Daniel Smyser (717) 787-7445
Vehicle Equipment & Inspection Chapter 175	March 2002, as proposed	Current language relating to inspection station "hours of operation" is not flexible enough to accommodate changing industry practices and needs.	Kris Singer (717) 783-6823
Hold-Down and Tie down Devices for Metal Cargo and Logs Chapter 183	June 2002, as proposed deletion.	Repeal—this regulation is no longer needed because of changes made in Chapter 49 of the Vehicle Code	Daniel Smyser (717) 787-7445

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Obstruction to Aircraft Chapter 479	July 2002, as proposed.	Amendment is needed to correct inconsistencies between Federal and State requirements and to correct inconsistencies within the regulation itself. It is necessary to more clearly define the requirements and to react to the operating environment.	Kathy Reitz (717) 705-1234
Interstate Motor Carrier Safety Requirements Chapter 229	June 2002, as proposed.	Needs to be amended to be compatible with the Federal Motor Carrier Safety Regulations.	Daniel Smyser (717) 787-7445
Intrastate Motor Carrier Safety Requirements Chapter 231	June 2002, as proposed.	Needs to be amended to be compatible with the Federal Motor Carrier Safety Regulations.	Daniel Smyser (717) 787-7445

[Pa.B. Doc. No. 02-188. Filed for public inspection February 1, 2002, 9:00 a.m.]

HISTORICAL AND MUSEUM COMMISSION

Retention and Disposition of Records Created on E-mail Systems

The Historical and Museum Commission (Commission) issues records schedules for local governments as promulgated by the Municipal Records Act, 53 Pa.C.S. §§ 1381—1389.

The Commission wishes to provide public notice that an addition to the general provisions of the 1993 edition of the *Municipal Records Manual* (manual) entitled The Retention and Disposition of Records Created on E-Mail Systems has been approved by the Local Government Records Committee and will be printed and mailed directly to all third class cities, boroughs, incorporated towns, townships of the first and second class and municipal authorities. Information on the manual and the local government records program is available from the following: Historical and Museum Commission, Division of Archival and Records Management Services, 350 North Street, Harrisburg, PA 17120-0090, (717) 787-3913 or (717) 783-9874.

BRENT D. GLASS,
Executive Director

[Pa.B. Doc. No. 02-189. Filed for public inspection February 1, 2002, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
#16A-568	State Real Estate Commission Agency	1/22/02
#11-208	Insurance Department Long-Term Care Insurance Form and Rate Filings	1/23/02
#11-211	Insurance Department Charter Amendments; Financial Requirements	1/23/02

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 02-190. Filed for public inspection February 1, 2002, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control

H&F Investors IV (Bermuda), L.P. has filed an application to acquire control of American Independent Insurance Company, a Commonwealth domiciled stock casualty insurance company. The filing was made under the requirements of the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1473). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 14 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557 or by e-mail to rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-191. Filed for public inspection February 1, 2002, 9:00 a.m.]

Application for Approval to Acquire Control

Warburg Pincus (Bermuda) Private Equity VIII, L.P., Warburg Pincus (Bermuda) International Partners, L.P., Warburg Pincus Netherlands International Partners I, C.V. and Warburg Pincus Netherlands International Partners II, C.V. have filed an application to acquire control of American Independent Insurance Company, a Commonwealth domiciled stock casualty insurance company. The filing was made under the requirements of the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 14 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557 or by e-mail to rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-192. Filed for public inspection February 1, 2002, 9:00 a.m.]

Application for Domestic Certificate of Authority

Allied Eastern Indemnity Company has applied for a Certificate of Authority to operate as a domestic stock casualty insurance company in this Commonwealth. The filing was made under the requirements of The Insurance Company Law of 1921 (40 P. S. §§ 341—991). Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557 or by e-mail to rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-193. Filed for public inspection February 1, 2002, 9:00 a.m.]

Hartford Insurance Company of the Midwest; Rate Filing

On January 14, 2002, the Insurance Department received from Hartford Insurance Company of the Midwest a filing for a proposed rate level change for homeowners insurance.

The company requests an overall 12.0% increase amounting to \$1.902 million annually to be effective April 2, 2002.

Unless formal administrative action is taken prior to March 15, 2002, the subject filing may be deemed approved by operation of law.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail: xlu@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-194. Filed for public inspection February 1, 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 hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Roseria and Robert Buonacore; file no. 01-182-08790; Prudential Property and Casualty Insurance Company; doc. no. P02-01-012; February 20, 2002, at 10 a.m.

Appeal of Robert E. Fox; file no. 01-494-91176; Allstate Insurance Company; doc. no. E02-01-013; March 7, 2002, at 1 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 Farouk E. Osman; file no. 01-265-06075; Allstate Insurance Company; doc. no. PH02-01-017; February 21, 2002, at 2 p.m.

Appeal of Edgar Moore; file no. 01-265-05932; Colonial Penn Insurance Company; doc. no. PH02-01-018; February 21, 2002, at 3 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal.

and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Tracey Pontius, Agency Coordinator, at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 02-195. Filed for public inspection February 1, 2002, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board lease will expire:

Dauphin County, Carpentry Design Shop, Unit B, 990 Briarsdale Road, Harrisburg, PA 17109.

Lease Expiration Date: September 30, 2005

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Liquor Control Board with approximately 9,000 net useable square feet of new or existing retail commercial industrial flex space within 1 block of the intersection of Briarsdale and Corey Roads, Lower Paxton Township.

Proposals due: February 15, 2002, at 12 noon

Department: Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110
Contact: Willard J. Rhodes, (717) 657-4228

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 02-196. Filed for public inspection February 1, 2002, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall

be considered as sufficient notice to all carriers holding authority from the 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 February 25, 2002, as set forth in 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval to *begin* operating as *common carriers* for transportation of persons as described under each application.

A-00118469, F.2. Sylvia Rose Boronski (P. O. Box 13314, Reading, Berks County, PA 19604)—persons in paratransit service, between points in the county of Berks, and from points in said county, to points in Pennsylvania, and vice versa.

A-00118553. Mygeopy Express, Inc. t/d/b/a Mygeopy (2648 East Cambria Street, Philadelphia, PA 19134), a corporation of the Commonwealth of Pennsylvania—persons in airport transfer service, from points in the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to airports located in Pennsylvania.

Application of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as *common carriers* for transportation of *household goods* in use as described under the application.

A-00106548, F.1, AM-F. Debo Moving and Storage, Inc. (1508 B Street West, Baden, Beaver County, PA 15005), a corporation of the Commonwealth of Pennsylvania, inter alia—household goods in use, between points in the borough of Ambridge, Beaver County, and within an airline distance of 10 miles thereof, including the townships of Harmony and Economy, Beaver County, and from points in said area, to points in Pennsylvania, and vice versa: *So As to Permit* the transportation of household goods in use, between points in the county of Mercer, and from points in said county, to points in Pennsylvania, and vice versa. *Attorney:* John A. Pillar, 680 Washington Road, Suite B101, Pittsburgh, PA 15228.

Application of the following for the *approval* of the *transfer of stock* as described under the application.

A-00100147, F.5000. Edenfield Stages, Inc. (50 West Main Street, Box 116, New Salem, Fayette County, PA 15468), a corporation of the Commonwealth of Pennsylvania—stock transfer—5,000 shares from Wayne Edenfield (2,500 shares) and Marling Edenfield (2,500 shares) to Donald D. Kissell (1,000 shares) and the redemption of 4,000 shares by the company. *Attorney:* John A. Pillar, 680 Washington Road, Suite B101, Pittsburgh, PA 15228.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-197. Filed for public inspection February 1, 2002, 9:00 a.m.]

Telecommunications

A-310824F7000. Verizon Pennsylvania Inc. and DSLnet Communicaitons, LLC d/b/a DSL.net. Joint Petition of Verizon Pennsylvania Inc. and DSLnet Com-

munications, LLC d/b/a DSL.net for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and DSLnet Communications, LLC d/b/a DSL.net filed on December 20, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of a Replacement 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 DSLnet Communications, LLC d/b/a DSL.net 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. 02-198. Filed for public inspection February 1, 2002, 9:00 a.m.]

Telecommunications

A-310951F7000. Verizon Pennsylvania Inc. and Essex Communications Inc. Joint Petition of Verizon Pennsylvania Inc. and Essex Communications Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania Inc. and Essex Communications Inc. filed on December 10, 2001, at the Pennsylvania Public Utility Commission (Commission), a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania Inc. and Essex Communications Inc. Joint Petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-199. Filed for public inspection February 1, 2002, 9:00 a.m.]

Wastewater Without Hearing

A-230410F2000. Rockwell Sewerage Company, Inc. Application of Rockwell Sewerage Company, Inc., for approval of the abandonment of wastewater collection and treatment services to approximately 500 customers in St. Thomas Township, Franklin County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 19, 2002, under 52 Pa. Code (relating to public utilities).

Applicant: Rockwell Sewerage Company, Inc.

Through and By Counsel: Welton J. Fischer, 550 Cleveland Avenue, Chambersburg, PA 17201.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-200. Filed for public inspection February 1, 2002, 9:00 a.m.]

Water Service Without Hearing

A-210104F0009. Pennsylvania Suburban Water Company. Application of Pennsylvania Suburban Water Company for approval to begin to offer, render, furnish or supply water service to the public in an additional portion of Cumru Township, Berks County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 19, 2002, under 52 Pa. Code (relating to public utilities).

Applicant: Pennsylvania Suburban Water Company.

Through and By Counsel: Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-201. Filed for public inspection February 1, 2002, 9:00 a.m.]

Water Service Without Hearing

A-210013F0015. United Water Pennsylvania, Inc. Application of United Water Pennsylvania, Inc. for approval to begin to offer, render, furnish or supply domestic water service to the public in additional territory in Newberry Township, York County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before February 19, 2002, under 52 Pa. Code (relating to public utilities).

Applicant: United Water Pennsylvania, Inc.

Through and By Counsel: John J. Gallagher, Esquire, LeBoeuf, Lamb, Greene and MacRae, 200 North Third

Street, Suite 300, P. O. Box 12105, Harrisburg, PA 17108-2105.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 02-202. Filed for public inspection February 1, 2002, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0155.4, Electrical Renovations plus 2nd Floor and Apron Lighting, Pier 84 South, until 2 p.m. on Thursday, February 21, 2002. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available February 5, 2002. The cost of the bid document is \$35 (includes 7% PA sales tax) which is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

A mandatory prebid job site meeting will be held Thursday, February 14, 2002, 10 a.m. at the job site, Columbus Blvd. and Porter St. Philadelphia, PA 19148 (entrance at the north or upriver gate).

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 02-203. Filed for public inspection February 1, 2002, 9:00 a.m.]

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #0203.1, Paving Repairs (Spray Patch Paving) at PAMT, P98SA, P96S, P84S, P82S, P80S, P80SA, P78S, P78SA, P38-40S, TMT and AOC Bldg., until 2 p.m. on Thursday, February 28, 2002. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Avenue, 2nd Fl., Philadelphia, PA 19134, (215) 426-2600 and will be available February 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. Mandatory prebid job site meeting will be held February 21, 2002, 10 a.m. at the Tioga Admin. Bldg., 3460 N. Delaware Ave., 2nd Fl., Philadelphia, PA 19134.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 02-204. Filed for public inspection February 1, 2002, 9:00 a.m.]

STATE BOARD FOR CERTIFICATION OF SEWAGE TREATMENT PLANT AND WATERWORKS OPERATORS

2002 Examination Announcement

Examination Dates:

April 27, 2002—Applications must be received, complete and correct, no later than February 11, 2002.

November 2, 2002—Applications must be received, complete and correct, no later than August 19, 2002.

The certification examination will be offered in the area of the following cities: Altoona, Harrisburg, Meadville, Philadelphia, Pittsburgh, Williamsport and Wilkes-Barre.

Applications may be obtained from and must be returned to the Department of Environmental Protection, Certification and Licensing, P. O. Box 8454, 400 Market Street, Harrisburg, PA, 17105-8454, (717) 787-5236, by the established cutoff dates previously stated (not post-marked). Information regarding the certification examination can be obtained by contacting this same address and telephone number.

Information on training courses can be obtained by contacting the Department of Environmental Protection, Technical Training, P. O. Box 8467, Harrisburg, PA, 17105-8467, (717) 787-0122.

Applicants requesting two examinations (water and sewage) must be examined in the Harrisburg area.

Qualified applicants will receive a "letter of notification" approximately 3 weeks prior to the examination. This letter must be presented at the examination center for admission to the examination.

All applicants will be notified of examination results within 75 days after the examination date.

The sewage and water treatment plant operator examination consists of 100 multiple-choice questions. A formula conversion table is provided with the examination package at the test site.

Persons with a disability who require accommodation to take the sewage treatment plant or waterworks operator exam should contact the State Board for Certification of Sewage Treatment Plant and Waterworks Operators (Board) at (717) 787-5236 or through Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Board may accommodate their needs.

KATHY W. KEYES,
Secretary

[Pa.B. Doc. No. 02-205. Filed for public inspection February 1, 2002, 9:00 a.m.]

STATE BOARD OF CHIROPRACTIC

**Bureau of Professional and Occupational Affairs v.
Charles Dunn t/b/d/a Massage Therapy for All by
Chad; Doc. No. 0298-43-00**

Charles Dunn, t/b/d/a Massage Therapy for All by Chad, of Sayre, Bradford County, was assessed a civil penalty of \$4,000 based on his practice of chiropractic without a license on December 7, 2001.

Individuals may obtain a copy of the adjudication by writing to Alicia S. Miller, Board Counsel, State Board of Chiropractic, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Chiropractic (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

JONATHAN W. MCCULLOUGH, D.C.,
Chairperson

[Pa.B. Doc. No. 02-206. Filed for public inspection February 1, 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:

February 28, 2002	Jacqueline Campbell (Dec'd) (Contested Death Benefit)	1 p.m.
March 13, 2002	Stephen J. Romanko (Denial of a service-connected disability supplement)	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 § 250.1 (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. 02-207. Filed for public inspection February 1, 2002, 9:00 a.m.]

TURNPIKE COMMISSION

Retention of an Engineering/Construction Management Firm

Project Management/Cost Control and Construction Documentation System; Reference No. 3-147

The Turnpike Commission (Commission) will retain an engineering firm that performs construction management services, to develop a system design and construction, for a process driven Project Management/Cost Control and Construction Documentation System. The Engineering Department intends to implement the appropriate technology system to properly maintain construction documentation and project administration processes and to manage, track and control project resources.

The following factors will be considered by the Commission during the evaluation of the firms submitting Statements of Interest for these projects:

A. Specialized experience and technical competence of prime consultant and subconsultants. The Team must clearly demonstrate an ability to analyze available data to make decisions and develop documents to complete the project in a timely and cost effective manner.

B. Ability and methods to efficiently and effectively manage the implementation of this system in conjunction with existing construction documentation requirements and procedures.

C. Past record of performance with respect to cost control, work quality, ability to meet schedules and previous experience on similar projects. The consultant should identify similar projects that have been completed by that firm as the prime, the magnitude of the project and the client.

D. Project Management Team Experience:

1. Experience with the Commission's Construction policies, procedures and best practices.
2. Experience with the Commission's project development and project management process.
3. Experience in preparing plans, specifications and estimates in accordance with established project criteria.
4. Experience in development and implementation of construction management/engineering technology, construction project management and cost control expert systems, Construction Documentation Systems, Client Server Technology, WAN/LAN system integration, XML and browser centric applications.
5. Past performance with the Commission pertaining to the Construction and Construction Management Phases of the Capital Plan Programs.

E. The specific experience and number of individuals who constitute the firm.

F. Workload of the prime consultant and subconsultants for all Department of Transportation (Department) and Commission projects.

G. Other factors, if any, specific to the project.

Address these items and any necessary further details in a brief yet comprehensive manner in the statement of interest.

The Commission is committed to the inclusion of disadvantaged, minority and woman firms in contracting opportunities. The minimum participation level for DBE/MBE/WBEs in this contract will be 10% total. Responding firms shall clearly identify DBE/MBE/WBE firms expected to participate in this contract, in their statement of interest. If the selected firm does not meet the minimum requirement for DBE/MBE/WBE participation, the firm will be required to demonstrate good faith efforts to achieve the required level. Proposed DBE/MBE/WBE firms must be certified by the Department at the time of the submission of the statement of interest. If further information is desired concerning DBE/MBE/WBE participation, direct inquiries to the Commission's Contracts Administration office by calling (717) 939-9551 ext. 4241.

Specific details and requirements related to this project are identified in the conceptual scope of work for the Project Management/Cost Control and Construction Documentation System. Firms interested in obtaining a copy of this document or have additional questions can direct their project inquiries to Michael J. Phillips, (717) 939-9551 ext. 3522; or by e-mail to mphillip@paturnpike.com. Contractual questions should be directed to George M. Hatalowich, (717) 986-8737; or by e-mail to ghatalow@paturnpike.com.

General Requirements and Information

Firms interested in providing the previous work and services are invited to submit a statement of interest with the required information. The Statements of Interest must include the following:

1. One page transmittal letter clearly identifying the project reference number, brief description of the project from the advertisement, the firm's Federal identification number, the firm's legal name, contact person or project manager, address of corporate office and project office. (If the firm has multiple offices, the location of the office performing the work must be identified).

2. A three-page expression of interest on the advertised project. Each firm should demonstrate their ability to perform the specific requirements indicated for the project and provide an 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 of workload for the prime consultant and all subconsultants for all Department and Commission projects.

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 to two 8 1/2 × 11 pages, per person). Only resumes of key personnel should be included.

- Copy of the firm's registration to do business in this Commonwealth as provided by the Department of State for firms with out-of-State headquarters or corporations not incorporated in this Commonwealth.

- A copy of the Department's DBE/WBE Certification, if applicable.

If a joint venture responds to a project advertisement, the Commission will not accept separate statements of interest from joint venture constituents. A firm will not be permitted to submit a statement of interest on more than one joint venture for the same project reference number. Also, a firm that responds to a project as a prime may not be included as a designated subconsultant to another firm that responds to the same project advertisement. Multiple responses under any of the forgoing situations will cause the rejection of all responses of the firm or firms involved. This does not preclude a firm from being set forth as a designated subconsultant to more than one prime consultant responding to the project advertisement.

Firms interested in performing the previous services are invited to submit a statement of interest and required information to George M. Hatalowich, Engineering Contract Manager, Turnpike Commission Administration Building, 700 South Eisenhower Boulevard, Middletown, PA 17057 (street address). The Commission 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, February 15, 2002. Any 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 project. Oral presentations may be required prior to selection. 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 Selection Committee. Technical Proposals or Requests for Proposals will not be requested prior to selection.

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

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