

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 14, 2004.

BANKING INSTITUTIONS

Mutual Holding Company Reorganization

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-10-04	North Penn Bank Scranton Lackawanna County	Scranton	Filed
	Application represents reorganization into a mutual holding company to be known as "North Penn Mutual Holding Company."		

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
12-8-04	S & T Bancorp, Inc., to acquire up to 24.99% of the outstanding shares of common stock of Allegheny Valley Bank, Inc., Pittsburgh	Indiana	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-2-04	Community Banks Millersburg Dauphin County	1415 Ritner Highway Carlisle Cumberland County	Opened
12-8-04	Orrstown Bank Shippensburg Cumberland County	1725 Lincoln Way East Chambersburg Guilford Township Franklin County	Approved
12-8-04	PeoplesBank, A Codorus Valley Company York York County	1477 Carlisle Road York West Manchester Township York County	Approved
12-10-04	Penn Liberty Bank Wayne Delaware County	649 West Germantown Pike Plymouth Meeting Montgomery County	Filed

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-4-04	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 12 Chestnut Road Paoli Chester County <i>From:</i> 10 East Lancaster Avenue Paoli Chester County	Effective
12-9-04	Premier Bank Doylestown Bucks County	<i>To:</i> 736 Street Road Upper Southampton Township Bucks County <i>From:</i> 516 Second Street Pike Upper Southampton Township Bucks County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
7-1-04	UTI Credit Union Collegeville Montgomery County	50 West Third Avenue Collegeville Montgomery County	Opened

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-2281. Filed for public inspection December 23, 2004, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of December 2004

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), hereby determines that the maximum lawful rate of interest for residential mortgages for the month of December 2004 is 7%.

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 4.47 to which was added 2.50 percentage points for a total of 6.97 that by law is rounded off to the nearest quarter at 7%.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 04-2282. Filed for public inspection December 23, 2004, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of The Lutheran Theological Seminary at Philadelphia for Approval of Amendment of Its Articles of Incorporation

Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6504(a) (relating to fundamental changes), the Department of Education (Department) will consider the application of The Lutheran Theological Seminary at Philadelphia for a Certificate of Authority approving the amendment to its Articles of Incorporation.

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

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

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

FRANCIS V. BARNES, Ph.D.,
Secretary

[Pa.B. Doc. No. 04-2283. Filed for public inspection December 23, 2004, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or amendment
Section III	WQM	Industrial, sewage or animal waste; discharge into groundwater
Section IV	NPDES	MS4 individual permit
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

For NPDES renewal applications 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 applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 individual permits and individual stormwater construction permits in Sections IV and VI, the Department, based upon preliminary reviews, has made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. 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 proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. 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 will also accept requests for a public hearing on applications. A public hearing may be held 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 within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0060968	Aldick Associates, Inc. d/b/a Swatara Village 101 Swatara Drive Pine Grove, PA 17963-9774	Pine Grove Township Schuylkill County	Swatara Creek CWF Watershed 7d	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0088331 (Sewage)	David Martin 914 S. 13th Street Harrisburg, PA 17104	Dauphin County Londonderry Township	7G	Y
PA0088293 (Sewage)	Todd A. Librandi 93 Airport Drive Middletown, PA 17057	Dauphin County Londonderry Township	7G	Y
PA0082643 (Sewage)	Flatbush Golf Course, Inc. 940 Littlestown Road Littlestown, PA 17340	Adams County Union Township	7F - UNT South Branch Conewago Creek	Y

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

III. WQM Industrial Waste and Sewerage Applications Under the Clean Streams Law (35 P. S. §§ 691.1—691.1001)

IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

V. Applications for NPDES Waiver Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033604012	Rose M. Rohrer 2651 Oregon Pike Lititz, PA 17543	Lancaster	Sadsbury Township	Knotts Run/HQ, CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041404005	Department of Transportation Engineering Dist. 2-0 P. O. Box 342 Clearfield, PA 16830	Centre	Harris Township	UNT Spring Creek and Galbraith- HQ-CWF

VII. List of NOIs for NPDES and/or Other General Permit Types

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

PUBLIC WATER SUPPLY (PWS) PERMIT

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on a 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 the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the

writer and a concise statement to inform the Department of Environmental Protection (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 are

available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0604520,	Public Water Supply.
Applicant	Bernville Borough Authority
Municipality	Bernville Borough
County	Berks
Responsible Official	Spencer R Watts, Chairman P. O. Box 104 Bernville, PA 19506
Type of Facility	Public Water Supply
Consulting Engineer	David Bright, P. E. Spotts, Stevens & McCoy, Inc. 1047 North Park Road Reading, PA 19610-0307
Application Received Date	11/22/2004
Description of Action	Construction of Well No. 4 as additional source to system. Project also requires a transmission main to connect the new well to the existing system.

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

Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.

WA46-67J, Water Allocations. Aqua Pennsylvania, Inc. 763 W. Lancaster Avenue, Bryn Marw, PA 19010, Whitemarsh, Township, Montgomery County. Aqua Pennsylvania, Inc. request the right to withdraw up to maximum of 2.0 mgd from Bubbling Springs.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one

time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

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

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. 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 (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.

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

67-05004H: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362-0500) on November 2, 2004, for installation of a selective noncatalytic control (SCNR) system in Spring Grove Borough, **York 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.

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

67-05001B: LWB Refractories Co. (232 East Market Street, P. O. Box 1189, York, PA 17404) for installation of a regenerative thermal oxidizer (RTO) on Tunnel Kilns TK5 and TK6 in their West Manchester Township, **York County** facility. The RTO will reduce VOC emissions by an estimated 90 tons per year. This plan approval will include monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

33-033C: Owens Brockway Glass Container (Cherry Street, Brockway, PA 15824) for modification of Plan Approval 33-033B in Brockway, Jefferson County. This is a Title V Facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. 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. Plan approval No. 33-033C is for the modification of the applied ceramic labeling (ACL) plan approval 33-033B. The plan approval was originally issued on July 31, 2003, and required installation of afterburners to control particulate emissions from the process. The new plan approval removes the previous limits on the afterburner temperatures and requires a stack tests to verify continued compliance with particulate emissions and establishment of new minimum afterburner temperatures. The applicant will be required to comply with the outlet particulate emission rate of 0.02 gr/dscf. In addition to the emission testing and monitoring afterburner temperatures, the applicant will be required to conduct daily observations to detect abnormal visible emissions and EPA Method 9 visible emission observations when abnormal visible emissions are detected. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

OPERATING PERMITS

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

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215) 823-7584.

V04-007: Jefferson Smurfit Corp. (U. S.) (5000 Flat Rock Road, Philadelphia, PA 19127) for operation of a paperboard manufacturing facility in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include two <250 MMBtu/hr boilers with the capability of burning coal, No. 6 oil, and natural gas, lime and ash handling processes and two paper making and coating machines. One boiler has flue gas desulfurization and a baghouse as controls while burning coal. The other boiler has an electrostatic precipitator and a baghouse as controls while burning coal.

The operating permit will be issued under the *Pennsylvania Code* Title 25, Philadelphia Code Title 3 and air management regulation xiii. Permit copies and other supporting information are available for public inspection at AMS, 321 University Ave., Philadelphia, PA 19104. For further information, contact Edward Wiener (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or com-

ments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

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

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

19-00026: Haddon Craftsmen, Inc. (4411 Old Berwick Road, Bloomsburg, PA 17815), for their facility in South Centre Township, **Columbia County**. The facility's main sources include four book binding lines, eight offset web printing presses, one cold cleaning parts washer, one emergency fire pump, two emergency generators, and 14 combustion units. The facility has the potential to emit major quantities of VOCs. However, the facility has taken a synthetic minor restriction to limit its VOCs emissions below the major emission threshold. The facility has the potential to emit SO_x, NO_x, CO, PM (PM₁₀), and HAPs below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

53-00016: Tennessee Gas Pipeline Co. (P. O. Box 2511 Houston, TX 77252-2511) for their Ellisburg Booster Station in Genesee Township, **Potter County**. The facility's sources include two reciprocating internal combustion engines, one auxiliary generator and associated pipeline flanges and valves. These sources have the potential to emit particulate matter, NO_x, SO_x, HAPs and CO below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and report conditions.

17-00054: Forcey Coal, Inc. (P. O. Box 225, Madera, PA 17830) for their coal processing facility in Bigler Township, **Clearfield County**. The facility main sources includes one coal crusher with integral screener and two belt conveyors, one secondary impact crusher/screener powered by a diesel-fired engine and one screener powered by a gasoline-fired engine. These sources have the potential to emit PM, NO_x, SO_x, HAPs and CO below the major emission thresholds. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and report conditions.

COAL AND NONCOAL 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); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to 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 an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application 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.

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 identified in this notice for the respective coal and noncoal applications. In addition,

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 who have requested review of 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 the requirements.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the 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; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

Effluent Limits

The following coal mining applications that include an NPDES permit application will be subject to, at a minimum, the following technology-based effluent limitations for discharges of wastewater to streams:

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
suspended solids	35 mg/l	70 mg/l	90 mg/l
pH ¹		greater than 6.0; less than 9.0	
alkalinity greater than acidity ¹			

¹ The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to (1) surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated and (2) drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-1100.

30841312. NPDES Permit No. PA0013790, Consolidation Coal Company. (1 Bridge Street, Monongah, WV 26544), to revise the permit for the Blacksville Mine No. 2 in Wayne Township, **Greene County** to perform stream remediation along Hoover's Run. No additional discharges. Application received October 27, 2004

32840701. NPDES Permit No. PA0092193, Tanoma Coal Company, Inc., (One Energy Place, Latrobe, PA 15650), to renew the permit for the Tanoma No. 2 Refuse Disposal Area in Rayne Township, **Indiana County** and related NPDES permit. No additional discharges. Application received November 5, 2004.

30841316. NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company, (P. O. Box J, Claysville, PA 15323), to revise the permit for the Bailey Mine in Richhill Township, **Greene County** to add surface acres,

to install an airshaft and boreholes, and add a NPDES discharge point. Surface Acres Proposed 4.7. Receiving stream: UNT to South Fork Dunkard Fork, classified for the following use: WWF. Application received November 12, 2004.

32041301. NPDES Permit (to be assigned), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642), to operate the Brush Valley Mine in Center and Brush Valley Townships, **Indiana County** a new underground coal mine and related NPDES permit, Surface Acres Proposed 133.2, Underground Acres Proposed 2671.0, SCP Acres Proposed 1169.0. Receiving stream: Tearing Run, classified for the following use: CWF and UNT to Brush Creek, classified for the following use: CWF. Application received November 12, 2004.

56961303. NPDES Permit No. PA0214957, Svonavec, Inc., (150 W. Union Street, Suite 201, Somerset, PA 15501), to renew the permit for the Milford No.3 Mine in Milford Township, **Somerset County** and related NPDES permit. No additional discharges. Application received November 16, 2004.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, (814) 472-1900.

11970103 and NPDES Permit No. PA0234450. T. J. Mining, Inc., P. O. Box 370, Carrolltown, PA 15722, major permit amendment, land use change request from

forest to unmanaged natural habitat on the lands of Todd J. Morchesky in Cresson Township, **Cambria County**, affecting 6.6 acres. Receiving stream: Burgoon Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received November 16, 2004.

56990103 and NPDES Permit No. PA0235172. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552-0157, surface mining permit renewal in Brothersvalley Township, **Somerset County**, affecting 222.0 acres. Receiving streams: UNTs to/and Miller's Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received November 24, 2004.

Greensburg District Mining Office: R. R. 2, Box 603-C, Greensburg, PA 15601, 724-925-5500.

03990107 and NPDES Permit No. PA0202622. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Renewal application for continued operation and reclamation of an existing bituminous surface mine, located in Washington and East Franklin Townships, **Armstrong County**, affecting 203.8 acres. Receiving stream: UNT to Limestone Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: December 7, 2004.

03990108 and NPDES Permit No. PA0202665. Thomas J. Smith, Inc. (R. R. 1, Box 260D, Shelocta, PA 15774). Renewal application for reclamation only of an existing bituminous surface mine, located in Plumcreek Township, **Armstrong County**, affecting 57.4 acres. Receiving stream: UNT to Plumcreek, classified for the following use: TSF. The first potable water supply intake within 10 miles downstream from the point of discharge: Penelec Keystone Station. Renewal application received: December 10, 2004.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 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) 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. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional 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. Individuals 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 8 a.m. and 4 p.m. on each working day at the regional office noted before the application.

Persons with a disability who wish to attend a 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 FWPCA (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E48-355. Jandy Partnership, P. O. Box 9, Bath, PA 18014, in East Allen Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a stormwater outfall structure in the floodway of Monocacy Creek (HW-CWF). The project is located on the west side of SR 0512 (Beth-Bath Pike), opposite the Brown Daub Dodge dealership. (Catasauqua, PA Quadrangle N: 16.1 inches; W: 2.8 inches).

E40-643. Carl Jones, 1670 Laurel Run Road, Wilkes-Barre, PA 18702, in Harveys Lake Borough, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To modify and maintain an existing dock structure in Harveys Lake (HQ-CWF), with work consisting of constructing a 30-foot by 10-foot addition, supported by concrete pillars. As modified, the dock will have a total area of approximately 1,350 square feet above the lake, and will extend a maximum distance of 50 feet from the shoreline. The project is located at Pole No. 208, along Lakeside Drive. (Harveys Lake, PA Quadrangle N: 20.5 inches; W: 7.6 inches).

E40-644. Patrick J. Yurish, 58 Hildebrandt Road, Dallas, PA 18612, in Dallas Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To place fill in a de minimus area of PFO wetlands equal to approximately 0.03 acre, for the purpose of constructing a trail to provide access to a 5.75-acre property for recreational purposes. The trail will consist of 6 inches of gravel and mulch, approximately 4 feet wide and 275 feet long. The project is located on the south side of Hildebrandt Road (SR 1044), approximately 1.0 mile northeast of the intersection of Hildebrandt Road and Upper Demunds Road (SR 1041). (Kingston, PA Quadrangle N: 18.3 inches; W: 9.5 inches).

E52-199. Nemanie Village, Inc., P. O. Box 77, Hawley, PA 18428, in Palymra Township, **Pike County**, United States Army Corps of Engineers, Philadelphia District. To (1) construct and maintain a floating community dock in Lake Wallenpaupack (HQ-CWF), extending approximately 220 feet from the shoreline and occupying a width of 27 feet (including a 5-foot walkway with fingers extending from the walkway); and (2) remove two existing culverts and construct and maintain three minor road crossings of a tributary to Lake Wallenpaupack, for the purpose of

constructing Nemanie Village Subdivision. The project is located on the west side of SR 0507, approximately 0.5 mile west of the intersection of SR 0507 and T-413. (Hawley, PA Quadrangle N: 6.8 inches; W: 14.8 inches).

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

E67-775. PennDot District 8-0, 2140 Herr Street, Harrisburg, PA 17103 in Washington Township, **York County**, ACOE Baltimore District.

To remove the existing structure and then to construct and maintain a 76-inch by 48-inch concrete elliptical pipe culvert at the channel of an UNT to North Branch Bermudian Creek (WWF) and associated improvements on SR 4043, Section 003 in order to improve the traffic safety condition located about 0.75 mile northwest of Bermudian Village (Dillsburg, PA Quadrangle N: 5.23 inches; W: 6.25 inches) in Washington Township, York County.

E05-327. Woodbury Township Supervisors, 4100 Woodbury Pike, P. O. Box 280, Woodbury, PA 16695 in Woodbury Township, **Bedford County**, ACOE Baltimore District.

To construct and maintain 24 linear feet of 29-inch by 45-inch concrete culvert, a 6-foot by 6-foot riprap pad at the culvert outlet, and a 15-foot by 12-foot riprap pad at the culvert inlet all within the channel of an UNT to Yellow Creek (HQ-CWF), an ephemeral watercourse, at a point (Martinsburg, PA Quadrangle N: 0.8 inches; W: 14.0 inches) along Over Road (T-645) approximately 660 feet west of SR 866 in Woodbury Township, Bedford County. The project will result in 45 feet of direct permanent impacts to the channel of the UNT to Yellow Creek.

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

E14-468. Pennsylvania Department of Transportation, Engineering District 2-0, 1924-30 Daisy Street Extension, P. O. Box 342, Clearfield, PA 16830. State Route 4004, Section A01, Culvert Replacement over Bush Hollow Run, **Centre County**, ACOE Baltimore District (Bear Knob, PA Quadrangle N: 12.88 inches; W: 0.99 inches).

To remove the existing bridge, construct and maintain a 13 foot by 5 foot 6 inch reinforced concrete box culvert that has baffles and is buried 1 foot into the streambed of Bush Hollow Run, located 50 feet southwest of the intersection of SR 4004 (Bush Hollow Road) and T302 (Dubbs Road). This project proposes to permanently impact 50 feet of Bush Hollow Run that is classified as a CWF without any wetland impacts.

E41-543. Ray Eck, 2862 Gap Road, Allenwood, PA 17810. Pond Construction, in Washington Township, **Lycoming County**, ACOE Susquehanna River Basin District (Williamsport SE, PA Quadrangle N: 21.3 inches; W: 14.7 inches).

To construct and maintain a 0.5 acre pond and 0.25 acre wetland, a 4-inch intake and 6-inch outfall pipes in and UNT to White Deer Hole Creek, in Washington

Township, Lycoming County. This project proposes to have a minimal impact on White Deer Hole Creek, which is, designated a H-Q CWF. This project proposes to impact 0.229 acres of jurisdictional wetlands.

E49-284. PA Fish and Boat Commission, 450 Robinson Lane, Bellefonte, PA 16823. Water Obstruction and Encroachment Permit Application, in the City of Sunbury, **Northumberland County**, ACOE Susquehanna River Basin District (Sunbury, PA Quadrangle N: 17.625 inches; W: 7.625 inches).

To construct and maintain a concrete access ramp measuring 30 feet wide by 155 feet long with gabion basket and R-6 rock protection located at the existing Sunbury Fish and Boat Commission access ramp along the western right-of-way of SR 0147. This project proposes to have a minimal impact on the Susquehanna River, which is listed as a WWF. The project does not propose to impact any jurisdictional wetlands.

E55-201. Leonard Krautheim III, R. R. 5, Box 341, Middleburg, PA 17842. Water Obstruction and Encroachment Permit Application, in Middleburg Borough, **Snyder County**, ACOE Susquehanna River Basin District (Middleburg, PA Quadrangle N: 8.1 inches; W: 6.4 inches).

To construct and maintain 97 feet of 30-inch diameter polyethylene pipe in Stumps Run along SR 0104 in Middleburg Borough, Snyder County. This project proposes to have a minimal impact on Stumps Run, which is listed as a WWF. The project does not propose to impact any jurisdictional wetlands.

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

E10-400. Butler County, P. O. Box 1208, Butler, PA 16003-1208. Dreshel Road Bridge Replacement, in Lancaster Township, **Butler County**, ACOE Pittsburgh District (Portersville, PA Quadrangle N: 0.7 inch; W: 0.3 inch).

To remove the existing concrete slab bridge having a clear span of 29 feet and 5 inches, an inside curb to curb width of 14 feet and an average underclearance of 14.33 feet and to construct and maintain a concrete slab bridge having a clear span of 33 feet, an inside curb to curb width of 24 feet and an average underclearance of 14.33 feet at a point carrying Pfeifer Road (T-338) over Little Yellow Creek (CWF) approximately 200 feet southwest of the intersection of Pfeifer and Schmitt Roads.

DAM SAFETY

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

D02-120A. Kennedy Township, 340 Grove Road, Coraopolis, PA 15108. To modify, operate, and maintain the Pine Hollow Control Structure across a tributary to the Ohio River (WWF), for the purpose of modifying the low-level, primary spillway. Work includes the installation of an outlet control structure upstream of the low-level, outlet pipe. (Pittsburgh West, PA Quadrangle N: 18.1 inches; W: 12.7 inches) in Kennedy Township **Allegheny County**.

ACTIONS

**THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE
ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY
MANAGEMENT (WQM) PERMITS**

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or amendment
Section III	WQM	Industrial, sewage or animal wastes; discharges to groundwater
Section IV	NPDES	MS4 individual permit
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit 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. Permits 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 before the action.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa. C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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 decision law.

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0044911 (Industrial Waste)	Land O'Lakes, Inc. 405 Park Drive Carlisle, PA 17013	Cumberland County South Middleton Township	Mountain Creek/7-E	Y

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

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

NPDES Permit No. PA0031534, Sewage, **Chestnut Ridge School District**, P. O. Box 80, Fishertown, PA 15539. This proposed facility is located in Napier Township, **Bedford County**.

Description of Proposed Action/Activity: Cancellation of Permit.

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

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

WQM Permit No. 4404401, Sewerage, **Oliver Township Board of Supervisors**, c/o 274 Lockport Road, Lewistown, PA 17044. This proposed facility is located in Oliver Township, **Mifflin County**.

Description of Proposed Action/Activity: Construction/Operation of sewerage facilities consisting of collection system, submersible pump station, and force main to serve the Lockport Area.

WQM Permit No. 0604413, Sewerage, **Exeter Township Berks County Authority**, 4975 DeMoss Road, Reading, PA 19606. This proposed facility is located in Exeter Township, **Berks County**.

Description of Proposed Action/Activity: Approval for the construction of sewerage facilities consisting of the replacement of 5,100 feet of existing 8-inch and 10-inch clay pipe with 10-inch and 15-inch PVC and DI pipe. The project is located in the Shelborne Road, Shoffers Road, and Boyertown Road areas. This permit does not allow for any new connections.

WQM Permit No. 0603405, Sewerage, **Blue Mountain Academy**, 2363 Mountain Road, Hamburg, PA 19526. This proposed facility is located in Tilden Township, **Berks County**.

Description of Proposed Action/Activity: Approval for the construction / modification of sewerage facilities consisting of new treatment units and modification of existing treatment units providing for a treatment capacity of 0.05 mgd.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

VII. Approvals to Use NPDES and/or Other General Permits

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).

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 Plants
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
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 Residential Septage 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	CAFOs
PAG-13	Stormwater Discharges from MS4

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 & Phone No.</i>
Centre County Patton Township	PAG2001404019	Peter Hulbert Shaner Family Partners LLC 1965 Waddle Road State College, PA 16803	Unt. Spring Creek (Big Hollow) CWF	Centre County Conservation District 414 Holmes Ave. Suite 4 Bellefonte, PA 16823 (814) 355-6817

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Columbia County Orange Township	PAG2001904007	David Sorce 218 Main St. Orangeville, PA 17859	Unt. Fishing Creek CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310
Armstrong County Rayburn Township	PAG2000304007	Department of Transportation 2550 Oakland Avenue Indiana, PA 15701-0429	Cowanshannock Creek (TSF)	Armstrong County CD (724) 548-3425
Cambria County Johnstown to Ehrenfeld Borough	PAG2001104014	Cambria County Conservation and Recreation Authority 401 Candlelight Drive Suite 234 Ebensburg, PA 15931	Little Conemaugh River (WWF)	Cambria County CD (814) 472-2120
Washington County Centerville Borough	PAG2006304036	Robert Duritza Route 40 Centerville, PA	Barneys Run (WWF)	Washington County CD (724) 228-6774

*General Permit Type—PAG-13**Southcentral Region: Water Management Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110.*

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133500	South Hanover Township 111 W. Third St. Hershey, PA 17033	Dauphin	South Hanover Township	Swatara Creek/WWF Kellock Run-UNT to Swatara Creek/WWF Beaver Creek/WWF Manada Creek/WWF	Y
PAG133549	Camp Hill Borough 2145 Walnut St. Camp Hill, PA 17011	Cumberland	Camp Hill Borough	Cedar Run/CWF Conodoguinet Creek/WWF	Y
PAG133615	Swatara Township 599 Eisenhower Blvd. Harrisburg, PA 17111	Dauphin	Swatara Township	Beaver Creek/WWF Laurel Run/WWF Spring Creek/WWF Susquehanna River/WWF Swatara Creek/WWF	Y
PAG133547	Londonderry Township 783 S. Geyers Church Rd. Middletown, PA 17057	Dauphin	Londonderry Township	Iron Run/WWF UNT to Susquehanna River/WWF Swatara Creek/WWF Conewago Creek-Stream 9217/TSF	Y
PAG133616	Wormleysburg Borough 20 Market St. Wormleysburg, PA 17043	Cumberland	Wormleysburg Borough	Susquehanna River/WWF Conodoquinnet Creek/WWF	Y
PAG133573	Monroe Township 1220 Boiling Springs Rd. Mechanicsburg, PA 17050	Cumberland	Monroe Township	Trindle Spring Run/CWF Yellow Breeches Creek/CWF	Y
PAG133552	Lemoyne Borough 665 Market St. Lemoyne, PA 17043	Cumberland	Lemoyne Borough	Susquehanna River/WWF	Y
PAG133660	Shiremanstown Borough 1 Park Lane Shiremanstown, PA 17011	Cumberland	Shiremans- town Borough	Cedar Run/CWF	Y

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG133680	East Pennsboro Township 98 S. Enola Drive Enola, PA 17025-2796	Cumberland	East Pennsboro Township	Susquehanna River/WWF Conodoguinet Creek/WWF UNT to Susquehanna River/WWF UNT to Conodoguinet Creek/WWF	Y

PUBLIC WATER SUPPLY (PWS) PERMITS

The Department of Environmental Protection has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa. C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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 decision law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act.

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

Permit No. 6704501a, Minor Amendment, Public Water Supply.

Applicant	Exelon Nuclear
Municipality	Delta Borough
County	York
Type of Facility	Amendment to previous permit for the installation of a new programmable logic controller.

Consulting Engineer 1—Not Available
Permit to Construct Issued: 11/29/2004

Operations Permit issued to: **Alexandria Borough Water Authority**, 4310021, Alexandria Borough, **Huntingdon County** on 12/8/2004 for the operation of facilities approved under Construction Permit No. 3102504.

Operations Permit issued to: **Tulpehocken Spring Water Inc.**, 7226289, Gratz Borough, **Dauphin County** on 12/1/2004 for the operation of facilities approved under Construction Permit No. 2204504.

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

Permit No. Minor Amendment—Construction Public Water Supply.

Applicant	Chapman Township Water Authority
Township or Borough	Chapman Township
County	Clinton
Responsible Official	Richard Eliason, Secretary Chapman Township Water Authority P. O. Box 433 North Bend, PA 17760
Type of Facility	Public Water Supply— Construction
Consulting Engineer	Joseph Matalavage Alfred Benesch and Company P. O. Box 1090 Pottsville, PA 17901
Permit Issued Date	12-7-04
Description of Action	Construction of a chemical treatment building, disinfection for North Bend Well No. 1 and chlorine contact piping.

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

Operations Permit issued to: **Hawthorn Area Water Authority**, P. O. Box 241, Hawthorn, PA 16230, PWSID No. 6160026, Borough of Hawthorn, **Clarion County**, on December 7, 2004, for the operation of Caustic Soda Feeding System for pH adjustment and Ferric Chloride for coagulation, as approved under Construction Permit No. 364W14-MA2.

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), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of 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. 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. Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. 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 before 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. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Lititz Elementary School, Borough of Lititz, Lancaster County. GemChem, Inc., P. O. Box 384, Lititz, PA 17543-0384, on behalf of Warwick School

District, 301 West Orange Street, Lititz, PA 17543, submitted a Final Report concerning remediation of site soils contaminated with No. 4 fuel oil. The report was submitted within 90 days of the release. The final report demonstrated attainment of the Statewide Health standard, and was approved by the Department on December 10, 2004.

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

Envirite of Ohio, Inc., 2050 Central Avenue S E, Canton, OH 44707. License No. PA-AH0548. Effective October 28, 2004.

Environmental Equipment and Services, 601 W. State Street, Media, PA 19063. License No. PA-AH0472. Effective November 16, 2004.

Ferrick Construction Co., Inc., 811 Ivy Hill Road, Philadelphia, PA 19150. License No. PA-AH0473. Effective December 1, 2004.

Envirotran, Inc., 387 Gore Road, Conneaut, OH 44030. License No. PA-AH0543. Effective December 2, 2004.

H.M.H.T.T.C. Response Team, Inc., P. O. Box 5215, Parsippany, NJ 07054. License No. PA-AH0554. Effective December 6, 2004.

Dart Trucking Co., Inc., 41738 Easterly Drive, P. O. Box 60, Columbiana, OH 44408. License No. PA-AH0219. Effective December 7, 2004.

Actions taken 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 Expired

Empire Wrecking Co. of Reading, PA, 1420 Clarion Street, Reading, PA 19601. License No. PA-AH0255. Effective 11/30/04.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions taken under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the act of July 13, 1988 (P. L. 525, No. 93) (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

MAC Healthcare Services, LLC, 87 Dorsa Avenue, Livingston, NJ 07039. License No. PA-HC0215. Effective 10/31/04.

DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Permits Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

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

General Permit Application No. WMGM001D002. Granger Energy of Honey Brook, LLC., 16980 Wood Road, Lansing, MI 48906-1044.

General Permit Number WMGM001D002 is for the processing and beneficial use of landfill gas (LFG), generated at Lanchester Landfill located in **Lancaster County**, as an alternate fuel to be conveyed by pipeline for industrial use. The general permit was issued by Central Office on December 9, 2004.

AIR QUALITY

Plan Approvals Issued under the Air Pollution Control Act 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, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

46-0240: Moyer Packing Co. (249 Allentown Road, Souderton, PA 19864) on December 9, 2004, to operate a 29.9 MMBtu/hr heat input boiler in Franconia Township, **Montgomery County**.

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

39-302-178: St. Lukes Hospital North (801 Ostrum Street, Bethlehem, PA 18015) on December 6, 2004, to construct three No. 6 oil/natural gas fired boilers at their facility in Fountain Hill Borough, **Lehigh County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

46-317-005E: Moyer Packing Co. (P. O. Box 395, Souderton, PA 18964) on December 8, 2004, to operate various rendering equip and scrubber in Franconia Township, **Montgomery County**.

15-0115: QVC, Inc. (1200 Wilson Drive, West Chester, PA 19380) on December 9, 2004, to operate two 12.55 MMBtu/hr gas/fuel boilers in West Goshen Township, **Chester County**.

23-0082: Liberty Electric Power, LLC (1000 Industrial Hwy, Route 291, Eddystone, PA 19022) on December 6, 2004, to operate a power plant—500 MW in Eddystone Borough, **Delaware County**.

46-0036H: Visteon Systems LLC (2750 Morris Road, Lansdale, PA 19446) on December 9, 2004, to operate a selective solder No. 11 in Worcester Township, **Montgomery County**.

46-0112: Palmer International, Inc. (P. O. Box 315, Skippack, PA 19474) on December 9, 2004, to operate a thermal oxidizer in Skippack Township, **Montgomery County**.

46-0112B: Palmer International, Inc. (P. O. Box 315, Skippack, PA 19474) on December 9, 2004, to operate a thermal oxidizer in Skippack Township, **Montgomery County**.

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

22-05046A: Haines and Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474) on December 8, 2004, to construct a fabric filter at their Handwerk Materials asphalt plant in Lower Swatara Township, **Dauphin County**. This facility is subject to 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants. This plan approval was extended.

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

37-248F: United States Can Co. (1902 Old Butler Road, New Castle, PA 16101) on November 30, 2004, for the temporary bypassing of the RTO when using compliant coatings during periods of RTO maintenance and malfunctions in Shenango Township, **Lawrence County**. This is a Title V facility.

Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Edward Jurdonos Brown, Facilities Permitting Chief, (484) 250-5920.

09-00015: Rohm and Haas Co. (Route 413 and 13, P. O. Box 219, Bristol, PA 19021) on October 15, 2004, a minor modification to the Title V Operating Permit at their facility in Bristol Township, **Bucks County**. The facility is a diverse chemical manufacturing plant with a variety of continuous and batch type processes. The revised Title V operating permit will contain additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements.

The modification that have been addressed in the revised Title V Permit, outlined as follows:

Inclusion of an insignificant source (that is, sludge-dewatering centrifuge for the wastewater treatment plant into the list of exempted activities in Section G, Miscellaneous.

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

10-00285: Waste Management—Northwest Sanitary Landfill (1436 West Sunbury Road, West Sunbury, PA 16061) on December 7, 2004, for the re-issuance of the Title V Operating Permit to operate a landfill in Clay Township, **Butler County**. As a result of potential emissions of NOx and VOC, the facility is not a major source, and is therefore not subject to Reasonable Available

Control Technology. The issued renewal Title V Operating Permit does not reflect any changes in air emission from the facility. The facility is subject to Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is not subject to Compliance Assurance Monitoring pursuant to 40 CFR Part 64.

Operating Permits for NonTitle V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

42-00206: Holm Industries, Inc. (700 1/2 Elk Avenue, Kane, PA 16735) on December 8, 2009, a State Only Operating Permit to operate various material handling sources and furnaces in Kane Borough, **McKean County**.

42-00122: Kane Magnetics (700 Elk Avenue, Kane, PA 16735) on December 8, 2009, re-issued as a State Only Operating Permit to operate various material handling sources and furnaces in Kane Borough, **McKean County**. This facility was formerly a Title V facility that became a Natural Minor facility through the transfer of ownership of several emission sources.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

21-05031: Community Refuse Service, Inc. (135 Vaughn Road, Shippensburg, PA 17257-9727) on November 30, 2004, to operate a refuse disposal facility in Hopewell and North Newton Townships, **Cumberland County**. The Title V Operating Permit was administratively amended to incorporate the provisions of Plan Approval No. 21-05031B. This is Revision No. 1.

67-05032: Harley Davidson Motor Co. (1425 Eden Road, York, PA 17402) on December 2, 2004, to operate a motorcycle manufacturing operations in Springettsbury Township, **York County**. The Title V Operating Permit was administratively amended to incorporate the provisions of Plan Approval No. 67-05032C. This is Revision No. 1.

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); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the

Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-1100.

03871302. NPDES Permit No. PA0215414, DLR Mining, Inc., (3065 Airport Road, Indiana, PA 15701), to renew the permit for the Triple K Deep Mine in Burrell Township, **Armstrong County** and related NPDES permit. No additional discharges. Permit issued December 7, 2004.

03871302. NPDES Permit No. PA0215414, Mears Enterprises, Inc., (410 Franklin Street, P. O. Box 157, Clymer, PA 15728), to transfer the permit for the Triple K. No. 1 Mine in Burrell Township, **Armstrong County** and related NPDES permit from DLR Mining, Inc. No additional discharges. Permit issued December 7, 2004.

03961301. NPDES Permit No. PA0214787, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642), to revise the permit for the Tracy Lynne Mine in Kiskiminetas Township, **Armstrong County** to add 1,364 acres to the underground mining area. Underground Acres Proposed 1,364, SCP Acres Proposed 1,364. No additional discharges. Permit issued December 7, 2004.

11841603. NPDES Permit No. PA0235377, AMFIRE Mining Company, (One Energy Place, Latrobe, PA 15650), to transfer the permit for the Sonman Preparation Facility in Portage Township, **Cambria County** and related NPDES permit from Cooney Brothers Coal Company. No additional discharges. Permit issued December 7, 2004.

32831602. NPDES Permit No. PA0214515, General Trade Corporation, (P. O. Box 271, Glassport, PA 15045), to transfer the permit for The Central Preparation Plant in West Wheatfield Township, **Indiana County** and related NPDES permit from Reliant Energy Northeast Management Company. No additional discharges. Permit issued December 7, 2004.

03971301. NPDES Permit No. PA0215091, AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650), to transfer the permit for the Ridge Mine in South Bend Township, **Armstrong County** and Young Township, **Indiana County** and related NPDES permit from DLR Mining. No additional discharges. Permit issued December 8, 2004.

30841317. NPDES Permit No. PA0213527 Consol Pennsylvania Coal Company, (1525 pleasant Grove Road, P. O. Box J, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County**, ACOE Pittsburgh District. (Claysville, PA Quadrangle, N: 6.9 inches; W: 4.1 inches to N: 7.5 inches; W: 3.5 inches).

This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15), and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit revision application to authorize the stream restoration of Templeton Fork at East Finley Township Park to eliminate water pooling that may result from mine subsidence.

The Water Obstruction and Encroachment permit application is available for review at the California District Mining Office, by appointment, at the address listed previously.

Permit issued December 10, 2004

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

56930114 and NPDES Permit No. PA0212679. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563-8164, surface mining permit renewal in Brothersvalley Township, **Somerset County**, affecting 28.8 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 15, 2004. Permit issued December 8, 2004.

56940106 and NPDES Permit No. PA0212903. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563-8164, surface mining permit renewal in Brothersvalley Township, **Somerset County**, affecting 77.4 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 15, 2004. Permit issued December 8, 2004.

56793091 and NPDES Permit No. PA0119296, Hardrock Coal Company, 275 Saddle Ridge Road, Berlin, PA 15530, surface mining permit revision to add 4.2 acres for support activities in Brothersvalley Township, **Somerset County**, affecting 555.7 acres. Receiving streams: unnamed tributaries to/and Tubs Run and unnamed tributary to Millers Run classified for the following use: cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: August 10, 2004. Permit issued: December 3, 2004.

32990108 and NPDES Permit No. PA0235130, KMP Associates, Inc., 1094 Lantz Road, Avonmore, PA 15618, SMP revision for stream variance in Young Township, **Indiana County**, affecting 54 acres. Receiving streams: unnamed tributaries to Whiskey Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 25, 2004. Permit issued: December 6, 2004.

11020101 and NPDES Permit No. PA0249203. E. P. Bender Coal Company, Inc., P.O. Box 594, Carrolltown, PA 15722, surface mining permit revision to add a stream variance and encroachment in Reade Township, **Cambria County**, affecting 141 acres. Receiving stream: Fallentimber Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 7, 2004. Permit issued December 7, 2004.

32990104 and NPDES Permit No. PA0235059. A.B.M. Mining Company, 3330 Johnston Road, Smicksburg, PA 16256, surface mining permit renewal in Grant Township, **Indiana County**, affecting 112.0 acres. Receiving streams: unnamed tributaries to Little Mahoning Creek classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 19, 2004. Permit issued December 8, 2004.

56840111 and NPDES Permit No. PA0607282. Godin & Goden Coal, Inc., 128 Colton Drive, Stoystown, PA 15563, surface mining permit renewal for reclamation only in Jenner Township, **Somerset County**, affecting 108.4 acres. Receiving streams: unnamed tributaries to Quemahoning Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset

Authority Quemahoning Surface Water Withdrawal. Application received September 16, 2004. Permit issued December 8, 2004.

11890201 and NPDES Permit No. PA0598569. Greenley Energy Holdings of PA, Inc., 153 Wilson Street, Central City, PA 15926, surface mining permit renewal for reclamation only in Scalp Level Borough, **Cambria County**, affecting 9.7 acres. Receiving stream: Little Paint Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received November 10, 2004. Permit issued December 9, 2004.

32010103 and NPDES Permit No. PA0248959. KMP Associates, R. R. 2, Box 194, Avonmore, PA 15618, surface mining permit transfer to KMP Associates, Inc., 1094 Lantz Road, Avonmore, PA 15618 commencement, operation and restoration of a bituminous surface mine in Conemaugh Township, **Indiana County**, affecting 8.5 acres. Receiving streams: unnamed tributaries to Big Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 3, 2004. Permit issued December 9, 2004.

32980112 and NPDES Permit No. PA0234893. Alverda Enterprises, Inc., P. O. Box 245, Alverda, PA 15710, surface mining permit renewal for reclamation only in Pine and Green Townships, **Indiana County**, affecting 54.7 acres. Receiving streams: unnamed tributaries to Yellow Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Central Indiana County Water Authority Yellow Creek surface water intake. Application received October 13, 2004. Permit issued December 9, 2004.

11833026 and NPDES Permit No. PA0608653. Greenley Energy Holdings of PA, Inc., 505 Point Drive, Greensburg, PA 15601-5628, surface mining permit renewal for reclamation only in Richland Township, **Cambria County**, affecting 39.5 acres. Receiving stream: Little Paint Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 13, 2004. Permit issued December 9, 2004.

56823108 and NPDES Permit No. PA0605751. C & O Coal Company, 124 Walker School Road, Berlin, PA 15530, surface mining permit renewal for reclamation only in Brothersvalley Township, **Somerset County**, affecting 42.1 acres. Receiving stream: unnamed tributary to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 7, 2004. Permit issued December 9, 2004.

Noncoal Permits Actions

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

58042804. L & D Stoneworks, Inc. (R. R. 5, Box 112-M, Montrose, PA 18801), commencement, operation and restoration of a Bluestone Quarry operation in Middletown Township, **Susquehanna County** affecting 4.96 acres. Receiving stream: Stone Street Creek. Application received August 16, 2004. Permit issued December 6, 2004.

50040801. Roger D. Fleisher (300 Homestead Road, Newport, PA 17074), commencement, operation and restoration of a Shale Quarry operation in Oliver Township,

Perry County affecting 5.0 acres. Receiving stream: Juniata River. Application received June 28, 2004. Permit issued December 6, 2004.

58040854. John A. Castrogiovanni (R. R. 7, Box 7470, Montrose, PA 18801), commencement, operation and restoration of a Bluestone Quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres. Receiving stream: Tributary to Meshoppen Creek. Application received August 20, 2004. Permit issued December 7, 2004.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (73 P.S. §§ 151–161) and 25 Pa. Code § 211.124. 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.

36044121. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting at Wanner Farms in Salisbury Township, **Lancaster County** with an expiration date of December 30, 2004. Permit issued December 3, 2004.

38044106. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting at Hill Farm in Annville and North Annville Townships, **Lebanon County** with an expiration date of April 30, 2005. Permit issued December 3, 2004.

21044112. Hall Explosives, Inc., (2981 Elizabethtown Road, Hershey, PA 17033), construction blasting for Penn Valley Phase V in East Pennsboro Township, **Cumberland County** with an expiration date of December 30, 2005. Permit issued December 7, 2004.

06044048. Horst Drilling & Blasting, Inc., (141 Ranck's Church Road, New Holland, PA 17557), construction blasting at Valley Ponds in Caernarvon Township, **Berks County** with an expiration date of January 3, 2006. Permit issued December 7, 2004.

06044049. Horst Drilling & Blasting, Inc., (141 Ranck's Church Road, New Holland, PA 17557), construction blasting at Darby Square in Caernarvon Township, **Berks County** with an expiration date of January 3, 2006. Permit issued December 7, 2004.

46044041. AMROC, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting at Club View Development in Franconia Township, **Montgomery County** with an expiration date of January 6, 2006. Permit issued December 8, 2004.

67044057. Fitz & Smith, Inc., (483 East Locust Street, Dallastown, PA 17313), construction blasting at Pleasantrees Development in Springettsbury Township, **York County** with an expiration date of December 31, 2004. Permit issued December 8, 2004.

Greensburg District Mining Office: R. R. 2, Box 603-C, Greensburg, PA 15601-0982.

63044006. USA South Hills Landfill, Inc. (3100 Hill Road, Library, PA 15127). Blasting permit to trench for bond drainage, located in Union Township, **Washington County**, with an expected duration of one year. Blasting permit issued: December 8, 2004.

63044007. Richard Lawson Excavating, Inc. (3467 Washington Ave., Findleyville, PA 15332). Blasting permit for construction of Tuscany Estates, located in Union Township, **Washington County**, with an expected duration of 1 year. Blasting permit issued: December 8, 2004.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa. C.S. §§ 501–508 and 701–704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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 decision law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law (35 §§ 691.1–691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E35-376. City of Scranton, 340 North Washington Avenue, Scranton, PA 18503. City of Scranton, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain a 10-foot wide covered pedestrian bridge having a 100-foot span and a 21-foot underclearance across Roaring Brook (CWF). The project is located in Nay Aug Park approximately 0.6 mile downstream of Ash Street (Scranton, PA Quadrangle N: 4.9 inches; W: 1.8 inches). (Subbasin:5A)

E35-377. Homestead Golf Course, R. R. 1, Box 40, Carbondale, PA 18407. Fell Township, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To maintain four wooden pedestrian bridges, each having spans of approximately 30 feet and underclearances of approximately 4 feet across a tributary to Fall Brook (CWF), and to construct and maintain bank stabilization consisting of dumped R-7 rock along 300 feet of Fall Brook for the purpose of repairing damages to Homestead Golf Course occurring from September 2003 flooding. The project is located on the north side of S.R. 0106 approximately 1.5 miles southeast of S.R. 0247 (Carbondale, PA Quadrangle N: 18.2 inches; W: 5.5 inches). (Subbasin: 5A)

E39-439. City of Allentown, 435 Hamilton Street, Allentown, PA 18101-1699. Upper Macungie Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a channel change consisting of rock lining and minor realignment of 200 feet of roadside channel for the purpose of improving safety along Schantz Road and to maintain approximately 1,000 feet of concrete channel with immediate repairs consisting of removing and replacing concrete in a 300-foot section for the purpose of preventing contamination of Schantz Spring and aquifer. The channel is a tributary to Cedar Creek (HQ-CWF).

The project is located on the south side of Schantz Road beginning approximately 0.1 mile east of Centronia Road (Allentown West, PA Quadrangle N: 14.5 inches; W: 7.6 inches). (Subbasin: 2C)

E39-440. Borough of Emmaus, 28 South 4th Street, Emmaus, PA 18049-3802. Emmaus Borough, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 6-foot wide prefabricated wood pedestrian bridge having a 38-foot span and a 5-foot underclearance across Leibert Creek (HQ-CWF, wild trout). The project is located in Emmaus Borough Community Park on the north side of Shimerville Road approximately 0.2 mile east of the PA Turnpike. (Allentown West, PA Quadrangle N: 4.5 inches; W: 1.7 inches). (Subbasin: 2C)

E40-638. Harry V. Cardoni, 340 Market Street, Kingston, PA 18704. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a pile-supported dock/boathouse, having an area of 2,790 square feet, in Harveys Lake (HQ-CWF). The structure will extend approximately 50 feet from the shoreline, with an overall width of approximately 62 feet. The project includes one-time placement of a 4-inch depth of gravel, over approximately 1845 square feet of the lake bed in shallow water as mitigation for the net increase in structure area above shallow water, and over approximately 300 square feet of the lake bed in deep water for swimming purposes. The project is located at Pole No. 260 (Harveys Lake, PA Quadrangle N: 19.0 inches; W: 5.9 inches). (Subbasin: 5B)

E45-469. Arrowhead Lake Community Association, HC88, Pocono Lake, PA 18347. Coolbaugh Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To remove the existing structures and to construct and maintain an open-bottom, concrete arch culvert having a span of 28.0 feet and an underclearance of approximately 8.0 feet impacting approximately 75 L.F. of Trout Creek (HQ-CWF) and in a de minimus area of adjacent PFO wetlands equal to 0.01 acre. The project is located along Owassa Drive in Arrowhead Lake Residential Community. (Thornhurst, PA Quadrangle N: 5.7 inches; W: 7.6 inches). (Sub-basin 02A)

E54-298. Eagle Rock Resort Co., 1031 Valley of Lakes, Hazleton, PA 18201-9717. East Union Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To remove the existing structure and to construct and maintain a 17.0-foot by 8.0-foot open-bottom, structural plate arch culvert in Tomhicken Creek (CWF) for the purpose of providing access to a new phase of development within Eagle Rock Resort. The project is located along West Players Way in the "Western Summit" section of the residential community, approximately 1.8 miles north of S.R. 0924. (Nuremberg, PA Quadrangle N: 7.3 inches; W: 0.1 inches). (Sub-basin: 5E)

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

E06-591: Exeter Township, 4975 DeMoss Road., Reading, PA 19606, Exeter Township, **Berks County**, ACOE Baltimore District

To remove seven existing culverts and to construct and maintain replacement structures carrying Neversink Road (T-480) over Trout Run and associated unnamed tributaries, all for the purpose of improving traffic safety along the roadway, a point located 1.1 mile east of the U. S. Route 422/I-76 Interchange (Reading, PA Quadrangle N: 9.8 inches; W: 0.5 inches) in Exeter Township, Berks County. The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E29-084R: Mason Dixon Council Boy Scouts of America, 677 Boy Scout Road, Fort Littleton, PA 17223, Dublin Township, **Fulton County**, ACOE Baltimore District

To construct and maintain a stream rehabilitation project on an unnamed tributary to Plum Run ("Dry Run") (TSF) beginning at the lake at Camp Sinoquipe (Burnt Cabins, PA Quadrangle N: 16.1 inches; W: 13.1 inches) and extending to a point 1,506 feet upstream (Burnt Cabins, PA Quadrangle N: 16.1 inches; W: 13.89 inches), using a natural stream channel design approach involving floodway excavation, filling, and grading and minor channel modifications along approximately 930 linear feet of the stream channel, the placement of six rock cross vanes and three J-hook log vanes, and the replacement of an existing twin 36-inch CMP stream crossing with an 11-foot by 3 1/2-foot arch culvert at a point 440 feet upstream of the lake at Camp Sinoquipe (Burnt Cabins, PA Quadrangle N: 16.1 inches; W: 13.3 inches), all for the purpose of improving channel stability and aquatic habitat in Dublin Township, Fulton County.

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

E08-415. Department of Transportation, P. O. Box 218, 715 Jordan Avenue, Montoursville, PA 17754-0218. Box Culvert, SR 1055, Sec. 004, in Rome Township, **Bradford County**, ACOE Baltimore District (Windham, PA Quadrangle N: 3.35 inches; W: 12.4 inches).

To: 1) remove the existing steel I-beam bridge which has timber decking with a clear span of 10 feet, a curb-to-curb width of 22.5 feet, is on an 83 degree skew, with a minimum underclearance of 3.8 feet and a hydraulic opening of approximately 40 square feet; 2) construct and maintain a precast reinforced concrete box culvert with a 12 foot by 4.5 foot opening with concrete wingwalls surrounded by R-6 riprap for scour protection, on an 83 degree skew submerged 1 foot in the streambed. The project is located in the Branch of Parks Creek on SR 1055, Section 004 approximately 1 mile north of the intersection of SR 1055 with SR 1044. The project will not impact wetlands, disturbing approximately 0.1 acre of earth and approximately 20 feet of waterway. The Branch of Parks Creek is a Cold Water Fisheries Stream.

This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E08-418. Bradford County Commissioners, Bradford County Courthouse, 301 Main Street, Towanda, PA 18848, Bridge Replacement, in Albany Township, **Bradford County**, ACOE Baltimore District (Dushore, PA Quadrangle N: 16.2 inches; W: 7.9 inches).

To: 1) remove the existing single span riveted steel pony truss bridge with an open steel grid deck and reinforced concrete abutments and wingwalls. The existing bridge is skewed 90° to the roadway, with a clear span between abutments of about 59 feet with a normal span of 59 feet, a curb-to-curb width of 13 feet 3 inches, and a vertical underclearance of about 9 feet; 2) construct and maintain a prestressed spread box beam bridge with a single clear span of 52.84 feet (47.89 feet normal), minimum underclearance of 9.37 feet and a skew of 65° with reinforced concrete abutments and wingwalls; 3) minor realignment of the existing drainage ditch along the near right roadway embankment due to the increased roadway width; 4) construct an improved rock lined drainage ditch along the far left approach with a new 18 inch thermoplastic pipe under an adjacent driveway; 5) place R-7 riprap for scour protection along the abutments and wingwalls; 6) install R-4 rock protection at the far right along the edge of the roadway to stabilize the existing soils behind the guide rail; 7) construct a temporary stream crossing/ford for the contractors use only consisting of clean R-4 rock, AASHTO No. 2 coarse aggregate, and Geotextile, Class 4, Type A.

The project is located over South Branch Towanda Creek on T-382 (French Creek Road) about 500 feet west of the intersection of T-382 with SR 220.

The project will not impact wetlands while impacting about 150 feet of waterway and 0.92 acre of disturbed earth. South Branch Towanda Creek is a CWF Stream.

E49-281. Northumberland County, 399 South Fifth Street, Sunbury, PA 17801. Standard Joint Water Obstruction and Encroachment Permit, in Rockefeller Township, **Northumberland County**, ACOE Susquehanna River Basin District (Sunbury, PA Quadrangle N: 17.2 inches; W: 2.7 inches).

To remove an existing single span steel thru girder bridge and construct and maintain a single span prestressed concrete box beam bridge having a normal span of 67.94 feet, with a minimum underclearance of 7.33

feet on a skew of 47° over Little Shamokin Creek and to construct, maintain and remove a temporary crossing consisting of 5-36 inch diameter culvert pipes and clean R-4 rock, all of which is located along T-722 0.25 miles north of the intersection of SR 4018 and T-722 in Rockefeller Township, Northumberland County. This project proposes to permanently impact 45 linear feet of Little Shamokin Creek, which is, designated a Trout Stocked Fishery stream and does not propose to impact any jurisdictional wetlands.

E49-283. Edward A. Hamilton, 143 Whitetail Lane, Lewisburg, PA 17837. Water Obstruction and Encroachment Permit application, in West Chillisquaque Township, **Northumberland County**, ACOE Susquehanna River Basin District (Lewisburg, PA Quadrangle N: 12.68 inches; W: 16.18 inches).

To construct and maintain a 96-foot long by 16-foot wide commercial picnic pavilion located in the floodway of the West Branch of the Susquehanna River located along the southern right-of-way of SR0405 in West Chillisquaque Township, Northumberland County. This permit was issued under Section 105.13(e) "Small Projects."

E59-453. Elkland Borough, 105 Parkhurst Street, Elkland, PA 16920. Gravel Removal and Steam Maintenance, in Elkland Borough, **Tioga County**, ACOE Baltimore District (Elkland, PA Quadrangle N: 19.7 inches; W: 8.8 inches).

To maintain the waterway opening of the length of the Cowanesque River and levee within the site commonly referred to as the U.S. Army Corps of Engineers "Elkland Flood Control Project." Maintenance items include gravel removal, restoration of eroded soils and riprap, reshaping/resloping of outlet drainage ditches, repair of flap gates and their structures and mowing of levee grass and filling in rodent holes. The project begins at the southeast corner of Osceola Village and continues in an easterly direction to a point approximately 700 feet beyond the eastern borough boundary line. Gravel Bars to be maintained are located at the following sites:

SITE No.	Latitude	Longitude
1	41° 58' 49"	77° 19' 58"
2	41° 58' 59"	77° 19' 26"
3	41° 58' 59"	77° 19' 10"
4	41° 59' 6"	77° 18' 35"
5	41° 59' 15"	77° 18' 9"
6	41° 59' 31"	77° 17' 46"

The project will not impact wetlands while impacting approximately 3.2 miles of waterway. The Cowanesque River is a CWF stream.

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

E02-977 A1. Town of McCandless, 9955 Grubbs Road, Wexford, PA 15090. Construct a new concession stand in the Town of McCandless, **Allegheny County**, Pittsburgh ACOE District. (Emsworth, PA Quadrangle N: 16.1 inches; W: 6.7 inches—Latitude: 40° 55' 19" and Longitude: 80° 2' 54"). To amend permit No. E02-977 to demolish an existing 420 square feet concession stand and to construct and maintain a new 1,250 square feet concession building in the same location in the floodplain of Pine Creek (CWF). The project temporarily impacts 0.07 acre of PSS wetlands and approximately 20 linear feet of Pine Creek for the purpose of installing water and sewer lines. The project is along Pine Creek Road approximately 1,500 feet north of its intersection with SR 19.

E02-1424. Sheetz, Inc., 5700 Sixth Avenue, Altoona, PA 16602. To construct 4 outfalls and fill wetlands in Pleasant Hills Borough, **Allegheny County**, Pittsburgh ACOE District. (Glassport, PA Quadrangle N: 12.7 inches; W: 9.4 inches and Latitude: 40° 19' 32"—Longitude: 79° 56' 32"). To place and maintain fill in five wetlands; Wetland B is 0.08 acre, Wetland C is 0.05 acre, Wetland D is 0.01 acre, Wetland E is 0.01 acre, and Wetland F is 0.01 acre for a total impact of 0.16 acre of wetlands (PEM) and to construct and maintain four outfall structures to Lewis Run (TSF) for a proposed Sheetz retail convenience center. The project will be located on the west side of Clairton Boulevard (SR 51) just south of its intersection with Lewis Run Road (SR 2032). To meet the wetland replacement requirements the applicant has made a contribution to the wetland replacement fund. The total project impact will be: fill in 0.16 acre of wetlands and 4 outfall structures.

E02-1442. Greicon Construction & Development Co., LLC, 8 Alice Street, Crafton, PA 15205. To construct Bryna Ridge Plan of Lots in Collier Township, **Allegheny County**, Pittsburgh ACOE District. (Oakdale, PA Quadrangle N: 7.1 inches; W: 3.5 inches and Latitude: 40° 24' 51" and Longitude: 80° 09' 01"). To place and maintain fill in .02 acre of wetlands, to enclose and maintain 550.0 linear feet of an Unnamed Tributary to Robinson Run (UNT No. 2), to enclose and maintain 250.0 linear feet of an Unnamed Tributary to Robinson Run (UNT No. 4) and to place and maintain fill in .035 acre of open water ponds for the purpose of constructing the Bryna Ridge Plan of Lots. The project is located on the south side of Baldwin Road, approximately 2,000 feet southeast from the intersection of Baldwin Road and S. Cowan Road. This permit also authorizes the construction and maintenance of a utility line (General Permit 5—Utility Line Stream Crossings) and two storm water outfall structures (General Permit 4—Intake and Outfall Structures).

E02-1468. YMCA of Pittsburgh, 330 Boulevard of the Allies, Pittsburgh, PA 15222. To construct a parking lot in Franklin Park Borough, **Allegheny County**, Pittsburgh ACOE District. (Emsworth, PA Quadrangle N: 19.7 inches; W: 14.0 inches and Latitude: 40° 36' 31"—Longitude: 80° 06' 03"). To place and maintain fill in a de minimus area of PEM/PSS wetlands (0.04 acre) and approximately 270.0 feet of an unnamed tributary to Fish Run (CWF) for the purpose of constructing a parking lot for the proposed North Hills YMCA facility. The project is located on the west side of Nicholson Road, approximately 1,500.0 feet south from the intersection of Nicholson Road and SR 910. The stream banks of Pine Creek (CWF) will be stabilized for a distance of approximately 200.0 feet downstream from Perry Highway, located approximately 300.0 feet south from the intersection of Perry Highway and Pine Creek Road in McCandless Township, Allegheny County as compensation for the proposed stream impacts.

E02-1470. Animal Friends, Inc., 2643 Penn Avenue, Pittsburgh, PA 15222. Replace bridge in Ohio Township, **Allegheny County**, Pittsburgh ACOE District. (Emsworth, PA Quadrangle N: 4.0 inches; W: 11.0 inches and Latitude: 40° 31' 21"—Longitude: 30° 04' 14"). To remove the existing bridge (Glen Lane Bridge) and to construct and maintain a new bridge having a span of 115.0 feet with a minimum underclearance of 8.0 feet across the channel of Lowries Run (TSF) to provide access to the proposed animal shelter/hospital. The project is located on the south side of Camp Horne Road, just south from the intersection of Camp Horne Road and Glen Road, (Emsworth, PA Quadrangle N: 4.0 inches; W: 11.0 inches and Latitude: 40° 31' 21"—Longitude: 30° 04' 14")

and will impact approximately 55.0 linear feet of stream channel. This permit also authorizes the construction and maintenance of a waterline, outfall structure and temporary road crossing that will be constructed using a General Permit 5 (Utility Line Stream Crossing), a General Permit 4 (Intake and Outfall Structures) and a General Permit 8 (Temporary Road Crossings).

E02-1475. Boy Scouts of America, Flag Plaza, 1275 Bedford Avenue, Pittsburgh, PA 15219. Install waterline across channel in O'Hara Township, **Allegheny County**, Pittsburgh ACOE District. (Pittsburgh East, PA Quadrangle N: 22.4 inches; W: 5.0 inches and Latitude: 40° 29' 54"—Longitude: 79° 54' 39"). To construct and maintain a waterline under the bed and across the channel of Guyasuta Run (HQ-WWF) and to construct and maintain two outfall structures (36-inch diameter and 12-inch diameter) on the right bank of said stream for the purpose of providing water to the proposed McGinnis Education Center and to transport water from the hillside to said stream. The project is located on the north side of S.R. 28, approximately 2,500 ft. north from the Highland Park Bridge.

E02-1487. McKeesport Housing Authority, 2901 Brownlee Avenue, McKeesport, PA 15132-1759. To renovate and maintain the existing R.B. Harrison Village along the right bank of the Youghiogheny River (WWF) for the purpose of improving said village in the City of McKeesport, **Allegheny County**, Pittsburgh ACOE District. (McKeesport, PA Quadrangle N: 16.7 inches; W: 16.0 inches and Latitude: 40° 29' 31"—Longitude: 79° 51' 53"). The project will consist of building demolition and reconfiguration of existing buildings, roadways and parking areas and will not impact the Youghiogheny River or wetlands.

E65-839. Washington Township, 285 Pine Run Church Road, Apollo, PA 15613. Install box culvert in the Municipality of Murrysville and Washington Township, **Westmoreland County**, Pittsburgh ACOE District. (Murrysville, PA Quadrangle N: 22.2 inches; W: 4.8 inches and Latitude: 40° 29' 48"—Longitude: 79° 39' 37"). To remove the existing structure and to construct and maintain a 32.0-foot long, 1.0-foot depressed 17.0-foot concrete box culvert, with baffles and inlet/outlet protection in Pucketa Creek (TSF) for the purpose of improving transportation safety and roadway standards. The project is located on Ludwig Road.

*Cambria District: Environmental Program Manager,
286 Industrial Pk. Rd., Ebensburg, PA 15931-4119.*

E10-09-001. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Cherry Township, **Butler County**, Pittsburgh ACOE District.

The applicant proposes to backfill several abandoned surface mines, which include a total of 6,550 linear feet of dangerous highwall. The project will include the backfilling of (1) 0.03 acre of PEM wetland and (2) 3.23 acres of open water. In addition, a (3) 2.04 acres open water body will be relocated approx. 40 feet and expanded to (4) 3.26 acres. (5) 1.15 acres of PEM replacement wetland will be constructed onsite to provide mitigation for impacts to the open water bodies. (6) 0.03 acre of offsite advanced compensation wetland constructed in early 2004, under an earlier phase of this project, will replace the impacted wetlands onsite. The project will directly impact 0.03 acre of wetland and 5.27 acres of open water. 0.03 acre of an

off-site replacement wetland will be utilized to compensate for wetland impacts. Relocation and enlargement of an existing water body to 3.26 acres and construction of

1.15 acres of onsite replacement wetland will compensate for water body impacts. (West Sunbury Quadrangle N: 14.4 inches, W: 3.3 inches)

**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.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
04-04-005	Scott Schober Allegheny Petroleum Products Co. 999 Airbrake Avenue Wilmerding, PA 15148	Beaver	Harmony Township	15 ASTs storing Petroleum Products	288,000 gallons total

[Pa.B. Doc. No. 04-2284. Filed for public inspection December 23, 2004, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are on the Department of Environmental Protection's (Department) website: www.dep.state.pa.us (DEP Keyword: Participate). The "Current Inventory" heading is the Governor's list of nonregulatory guidance documents. The "Final Documents" heading is the link to a menu of the various Department bureaus and from there to each bureau's final technical guidance documents. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2004.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Notice of Rescission

DEP ID: 363-3000-013. Title: Inspection of Earth Disturbance Sites. Description: The Department established an identification number for this guidance in anticipation of developing guidelines for the inspection of earth disturbance sites. Subsequent changes required by the Federal Phase II NPDES permit and implementation of the post-construction stormwater management requirements has made the development and finalization of this guidance no longer necessary. Contact: Kenneth Reisinger at (717) 787-6827 or Kereisinge@state.pa.us. Effective Date: December 25, 2004.

DEP ID: 363-2191-014. Title: NPDES Permit: Discharge of Stormwater from Construction Activities. Description: This policy is obsolete due to the changes required by the Federal Phase II NPDES permit and implementation of the post-construction stormwater management requirements. Information contained in revised permit application guidance, Department Fact Sheets and technical guidance 392-0300-002: Comprehensive Stormwater Management Policy replaces this obsolete guidance. Contact: Kenneth Reisinger at (717) 787-6827 or Kereisinge@state.pa.us. Effective Date: December 25, 2004.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 04-2285. Filed for public inspection December 23, 2004, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Intermediate Care Facilities for the Mentally Retarded Assessment

The purpose of this notice is to propose the amount, methodology and aggregate impact of the assessment on Intermediate Care Facilities for the Mentally Retarded (ICFs/MR). This notice is published in compliance with section 805-C (A) of Act 69 of 2004 (act) (62 P. S. §§ 805-C) and section 811-C of Act 154 of 2004 (62 P. S. § 811-C).

Article VIII-C of Act 69 of 2004 (62 P. S. §§ 801-C—811-C) authorizes the Department of Public Welfare (Department) to implement a monetary assessment on each ICF/MR within the Commonwealth. The act further requires that the Department provide initial and final public notices describing the assessment methodology and providing the level of assessment and the aggregate fiscal impact of the assessment. Interested parties are given 30 days from the initial notice to submit comments to the Department, and the comments are to be considered in the final assessment rate which will then be published in a second notice in the *Pennsylvania Bulletin*. Act 154 of 2004 amends the act to allow the Department to impose

the assessment effective July 1, 2003, for the NonState ICF/MR and ICF/ORC (Intermediate Care Facilities for Persons with Other Related Conditions) programs and allows the Department to impose the assessment effective July 1, 2004, for the Public ICF/MR programs.

Assessment Methodology and Amount

The Department intends to impose an assessment on each licensed ICF/MR (which includes NonState ICFs/MR, ICFs/ORC and State Centers) within the Commonwealth at a level of 6% of net operating revenue. The initial assessment will be made retroactively to July 1, 2003, as permitted under section 811-C of the act for NonState-ICF/MR and ICF/ORC programs and amended under section 811-C of Act 154 of 2004. The Department intends that the initial assessment for Fiscal Year 2003-04 will be imposed as a single annual amount and will be based on the revenue submitted by the providers on their most recently accepted annual cost reports for the NonState ICF/MR and ICF/ORC programs. The Department has determined that the most recent available revenue amounts for the Nonstate ICF/MR and ICF/ORC programs are from the Fiscal Year 2002-03 cost reports. These revenue amounts will be trended forward by the budget inflators used by the Department for rate setting purposes. The budget inflator for Fiscal Year 2003-04 was 1% for the NonState ICF/MR program and 2% for the ICF/ORC program.

For Fiscal Year 2004-05 the Department will calculate the annual assessment amount for each provider again using the revenue amounts from the providers' most recently accepted cost reports for the NonState ICF/MR and ICF/ORC programs. These revenue amounts will be trended forward by the applicable budget inflators used by the Department for rate setting. For Fiscal Year 2004-05 the most recent available revenue amounts for the NonState ICF/MR and ICF/ORC programs are again from the providers' Fiscal Year 2002-03 cost reports. The Department has determined that the most recent available adjusted net operating revenue amounts for the State Centers are from the Fiscal Year 2002-2003 cost apportionment report. There are no inflationary increases applied to these amounts.

The budget inflators are 1% for Fiscal Year 2003-04 and 2% for Fiscal Year 2004-05 for the NonState ICF/MR program. The budget inflators are 2% for Fiscal Year 2003-2004 and 2% for Fiscal Year 2004-2005 for the ICF/ORC program. For Fiscal Year 2004-2005, the most recent available adjusted net operating revenue amounts for the State Centers are in the Fiscal Year 2002-2003 Cost Apportionment Report. There is no inflationary increase applied to the State Centers for Fiscal Year 2004-2005.

Once the annual assessment for Fiscal Year 2004-2005 has been determined, the assessment will be collected on a quarterly basis from the providers and the State Centers. For Fiscal Years 2005-2006 and thereafter, the Department intends to determine the assessment amounts using the same methodology as outlined above for Fiscal Year 2004-2005. The Department intends to use the most recent available revenue data as submitted on the providers' most recently accepted annual cost reports as the basis for determining the 6% assessment amounts for the NonState ICF/MR and the ICF/ORC programs and the most recently identified cost apportionment report for the State Centers.

For each year for which the assessment is in place, including the initial Fiscal Year 2003-04 (for the NonState

ICF/MR and ICF/ORC programs only), the Department will provide each ICF/MR the specific amount of the assessment calculated for the facility.

Fiscal Impact

The proposed Fiscal Year 2003-04 assessment is expected to generate additional aggregate revenue of \$14.645 million during Fiscal Year 2004-05 and the Fiscal Year 2004-05 assessment is expected to generate additional aggregate revenue of \$31.237 million of which \$27.388 million is expected to be received during Fiscal Year 2004-05.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department at the following address: Office of Mental Retardation, Attn: Regulations Coordinator, P. O. Box 2675, Harrisburg, PA 17105-2675. Comments received within 30 days will be reviewed and considered for the final publication of this notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-404; (8) recommends adoption. This public notice announces the generation of an additional \$14,645,000 in revenue in Fiscal Year 2004-05 from 2003-04 assessments to ICFs/MR facilities including \$14,510,000 in the Intermediate Care Facilities—MR appropriation and \$135,000 in the Services to Persons with Disabilities appropriation. The Fiscal Year 2004-05 assessments are estimated to generate an additional \$27,388,000 in revenue during 2004-05 including \$16,038,000 in the State Centers for the Mentally Retarded appropriation, \$11,260,000 in the Intermediate Care Facilities—MR appropriation and \$90,000 in the Services to Persons with Disabilities appropriation. Total additional aggregate revenue during Fiscal Year 2004-05 would be \$42,033,000.

[Pa.B. Doc. No. 04-2286. Filed for public inspection December 23, 2004, 9:00 a.m.]

Payments to Nursing Facilities; Final Rates for State Fiscal Year 2003-2004

The purpose of this notice is to announce the Department of Public Welfare's (Department) final payment rates for Medical Assistance (MA) nursing facility providers for the State Fiscal Year 2003-2004 (FY 03-04). The Department calculated the final payment rates in accordance with the case-mix rate-setting methodology in 55 Pa. Code Chapter 1187 (relating to nursing facility services) and the Commonwealth's approved Medicaid State Plan. A proposed rate notice for FY 03-04 was published at 34 Pa.B. 5317 (September 25, 2004) and provided for a 30-day comment period. The Department received one comment letter regarding the proposed State FY 03-04 notice. The Department considered the comment in the development of the final rates.

Under the Department's case-mix payment methodology, the Department establishes a new case-mix per diem payment rate for each MA nursing facility provider once each fiscal year. See 55 Pa. Code § 1187.95 (relating to

general principles for rate and price setting). Each provider's annual case-mix per diem rate is comprised of four cost components: (i) resident care; (ii) other resident related; (iii) administrative; and (iv) capital. For each quarter of the fiscal year, the Department adjusts the resident care cost component of each provider's rate by multiplying the resident care cost component by the provider's MA Case Mix Index for the appropriate picture date as follows: July 1 rate—February 1 picture date; October 1 rate—May 1 picture date; January 1 rate—August 1 picture date; and April 1 rate—November 1 picture date. See 55 Pa. Code § 1187.96 (relating to price and rate setting computations). The Department pays the provider for nursing facility services provided to MA recipients during that quarter using the provider's adjusted quarterly per diem rate.

The Department has calculated new annual case-mix per diem payment rates for FY 03-04 for MA nursing facility providers. The Department will make payments to MA nursing facility providers using these rates. The final FY 03-04 annual per diem rates are available on the Office of Medical Assistance Programs' (OMAP) website: www.dpw.state.pa.us/omap. The final FY 03-04 annual per diem rates are also available at local county assistance offices throughout this Commonwealth or by contacting Tom Jayson, Policy Unit, Bureau of Long Term Care Programs, (717) 705-3705.

The Department has also calculated adjusted quarterly rates for the July, October, January and April quarters of FY 03-04 for each MA nursing facility provider. These adjusted quarterly rates are also available on the OMAP's website, at local county assistance offices and from Tom Jayson.

The database that the Department used to calculate the rates is available on the OMAP's website. Since some of the audited cost reports in the database relate to fiscal periods beginning prior to January 1, 2001, the Department revised the audited costs in the database as specified in 55 Pa. Code § 1187.91(1)(iv)(D) (relating to database) to disregard certain audit adjustments disallowing minor movable property or linen costs. The criteria that the Department used to make these revisions are available on the OMAP's website or by contacting Tom Jayson.

Fiscal Impact

The estimated increase in annual aggregate expenditures for MA nursing facility services for FY 03-04 is \$142.500 million (\$64.467 million in State funds).

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department at the following address: Gail Weidman, Chief, Program Analysis and Review Section, Department of Public Welfare, P. O. Box 2675, Harrisburg, PA 17105. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-402. (1) General Fund; (2) Implementing Year 2003-04 is \$64,467,000; (3) 1st Succeeding Year 2004-05 is \$65,450,000; 2nd Succeeding Year 2005-06 is \$65,450,000; 3rd Succeeding Year 2006-07 is \$65,450,000; 4th Succeeding Year 2007-08 is \$65,450,000;

5th Succeeding Year 2008-09 is \$65,450,000; (4) 2002-03 Program—\$777,084,000; 2001-02 Program—\$761,877,000; 2000-01 Program—\$722,565,000; (7) Medical Assistance—Long Term Care; (8) recommends adoption. Funding for 2003-04 is included in Act 9-A of 2003. Funding for 2004-05 is included in Act 7-A of 2004.

[Pa.B. Doc. No. 04-2287. Filed for public inspection December 23, 2004, 9:00 a.m.]

Peer Groups, Peer Group Medians and Peer Group Prices for General Nursing Facilities, County Nursing Facilities, Hospital-Based Nursing Facilities and Special Rehabilitation Facilities

The purpose of this notice is to announce the Department of Public Welfare's (Department) peer groups, peer group medians and peer group prices for general nursing facilities, county nursing facilities, hospital-based nursing facilities and special rehabilitation facilities under 55 Pa. Code § 1187.95(a)(4) (relating to general principles for rate and price setting). The Department used the peer groups, peer group medians and peer group prices to determine case-mix rates for nursing facilities for the State Fiscal Year July 1, 2003, through June 30, 2004. The Department calculated the peer groups, peer group medians and peer group prices announced in this notice in accordance with 55 Pa. Code Chapter 1187 (relating to nursing facility services) as amended at 32 Pa.B. 734, 758 (February 9, 2002). The data that the Department used to determine the peer group medians and prices is available on the Office of Medical Assistance Programs' website: www.dpw.state.pa.us/omap.

To establish the database for the calculation of peer group medians and prices, the Department used each facility's three most recent audited cost reports that were issued by the Department on or before March 31, 2003, and indexed the costs for each report forward to the common date of December 31, 2003, using the CMS Nursing Home Without Capital Market Basket Index.

The following is a listing, by group, of the number of facilities with a particular year-end, and the inflation factor used to roll the costs of each facility forward to the common date of December 31, 2003.

GENERAL AND COUNTY NURSING FACILITIES

Facility Year End	Number of Facilities*	Inflation Factor
December 31, 1995	1	1.3270
June 30, 1996	1	1.3081
December 31, 1996	5	1.2875
June 30, 1997	3	1.2741
December 31, 1997	12	1.2502
June 30, 1998	38	1.2293
December 31, 1998	305	1.2110
June 30, 1999	254	1.1953
December 31, 1999	340	1.1640
June 30, 2000	240	1.1370
December 31, 2000	349	1.1037
June 30, 2001	243	1.0801
December 31, 2001	37	1.0653

HOSPITAL-BASED NURSING FACILITIES

Facility Year End	Number of Facilities*	Inflation Factor
June 30, 1998	4	1.2293
June 30, 1999	19	1.1953

Facility Year End	Number of Facilities*	Inflation Factor
June 30, 2000	20	1.1370
June 30, 2001	17	1.0801

SPECIAL REHABILITATION FACILITIES

Facility Year End	Number of Facilities*	Inflation Factor
June 30, 1999	3	1.1953
June 30, 2000	3	1.1370
June 30, 2001	4	1.0801

*As a result of using the three most recent audited cost reports, the "Number of Facilities" column reflects a number in excess of actual enrolled nursing facilities.

After the database was inflated using the inflation values, the Department grouped the facilities in the correct geographic and bed size groupings. To establish peer groups, the Department used the most recent Metropolitan Statistical Area (MSA) group classification as published by the Federal Office of Management and Budget on or before April 1, 2003, to classify each nursing facility into one of three MSA groups or one non-MSA group. Then the Department used the bed complement of the nursing facility on the final day of the reporting period of the most recent audited MA-11 used in the Nursing Information System database to classify nursing facilities into one of three bed complement groups. These groups are 3—119 beds, 120—269 beds and 270 beds and over. Peer groups 7 and 10 have been collapsed in accordance with 55 Pa. Code § 1187.94(1)(iv) (relating to peer grouping for price setting). Peer group 13 is designated for special rehabilitation facilities only and peer group 14 is designated for hospital-based nursing facilities only, regardless of geographic location or bed size.

After the database was established and the peer groups determined, the Department then calculated the medians and prices for each peer group. To calculate the resident care cost medians, the Department divided the audited allowable resident care costs for each cost report by the total facility case-mix index from the available February 1 picture date closest to the midpoint of the cost report period to obtain case-mix neutral total resident care cost for the cost report year. The Department then divided the case-mix neutral total resident care cost for each cost report by the total audited actual resident days for the cost report year to obtain the case-mix neutral resident care cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the case-mix neutral resident care cost per diem for each nursing facility to obtain the average case-mix neutral resident care cost per diem of each nursing facility. The Department arrayed the average case-mix neutral resident care cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the other resident care cost medians, the Department first divided the audited allowable other resident care costs for each cost report by the total audited actual resident days for the cost report year to obtain the other resident related cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the other resident related cost for each nursing facility to obtain the average other resident related cost per diem of each nursing facility. The Department arrayed the average other resident related cost per diem for each nursing facility within the respective peer groups and determined a median for each peer group.

To calculate the administrative cost medians, the Department adjusted, as appropriate, the total audited actual resident days for each cost report to a minimum 90% occupancy in accordance with 55 Pa. Code § 1187.23 (relating to nursing facility incentives and adjustments). The Department then divided the audited allowable administrative cost for each cost report by the total audited actual resident days, adjusted to 90% occupancy, if applicable, to obtain the administrative cost per diem for the cost report year. The Department calculated the 3-year arithmetic mean of the administrative cost for each nursing facility to obtain the average administrative cost per diem of each nursing facility. The Department arrayed the average administrative cost per diem for each nursing facility within the respective peer groups to determine a median for each peer group.

After the medians were determined for each peer group, the Department set prices using the medians. To set peer group prices, the Department multiplied the resident care cost median of each peer group by 1.17 to obtain the resident care cost peer group price; multiplied the other resident related cost median of each peer group by 1.12 to obtain the other resident related peer group price; and multiplied the administrative cost median of each peer group by 1.04 to obtain the administrative cost peer group price.

The peer groups, peer group medians and peer group prices of general and county nursing facilities, hospital-based and special rehabilitation nursing facilities for Year 9 are listed in Annex A.

A Medical Assistance nursing facility provider that has not submitted a signed Certification and Settlement Agreement for Year 9 may file an administrative appeal if the provider believes that the Department made any errors, or the provider otherwise disagrees with the Year 9 peer group prices that the Department established for its peer group. A provider's appeal must be sent in writing to the Department's Bureau of Hearings and Appeals, P. O. Box 2675, Harrisburg, PA 17102, and received by the Bureau of Hearings and Appeals within 30 days of the date of this notice. If a provider chooses to appeal, the provider will be afforded the opportunity for a de novo hearing before the Bureau of Hearings and Appeals. The peer group prices applied in setting the provider's rates may be changed as a result of the final adjudication of the provider's peer group price appeal. Providers should refer to 55 Pa. Code § 1187.141 (relating to nursing facility's right to appeal and to a hearing) for more detail regarding their appeal rights and the requirements related to their written appeals.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department at the following address: Gail Weidman, Chief, Program Analysis and Review Section, Department of Public Welfare, Bureau of Long Term Care Programs, P. O. Box 2675, Harrisburg, PA 17105.

Persons with a disability who require an auxiliary aid or service may submit comments using the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-403; (1) General Fund; (2) Implementing Year 2003-04 is \$15,924,000; (3) 1st Succeeding Year 2004-05 is \$17,372,000; 2nd Succeeding Year 2005-06 is \$17,372,000; 3rd Succeeding Year 2006-07 is

\$17,372,000; 4th Succeeding Year 2007-08 is \$17,372,000; 5th Succeeding Year 2008-09 is \$17,372,000; (4) 2002-03 Program—\$777,084,000; 2001-02 Program—\$761,877,000; 2000-01 Program—\$722,565,000; (7) Medical Assist-

ance—Long Term Care; (8) Funding for 2003-04 is included in Act 9-A of 2003. Funding for 2004-05 is included in Act 7-A of 2004.

Annex A
TITLE 55. PUBLIC WELFARE
PART III. MEDICAL ASSISTANCE MANUAL
CHAPTER 1187. NURSING FACILITY SERVICES
Subchapter G. RATE SETTING
Appendix B

MEDIANS AND PRICES FOR 2003-2004

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
1	BROOMALL REHAB AND NURSING CENTER	12/31/2000	12/31/1999	12/31/1998
1	CARE PAVILION OF WALNUT PARK, INC	6/30/2001	6/30/2000	6/30/1999
1	FAIR ACRES GERIATRIC CENTER	12/31/2000	12/31/1999	12/31/1998
1	FRIENDSHIP RIDGE	12/31/2000	12/31/1999	12/31/1998
1	IMMACULATE MARY HOME	6/30/2001	6/30/2000	6/30/1999
1	JOHN J KANE REGIONAL CENTER—GLEN HAZEL	12/31/2000	12/31/1999	12/31/1998
1	JOHN J KANE REGIONAL CENTER—MCKEESPORT	12/31/2000	12/31/1999	12/31/1998
1	JOHN J KANE REGIONAL CENTER—ROSS TOWNSHIP	12/31/2000	12/31/1999	12/31/1998
1	JOHN J KANE REGIONAL CENTER—SCOTT TOWNSHIP	12/31/2000	12/31/1999	12/31/1998
1	MONTGOMERY COUNTY GERIATRIC & REHAB CTR	12/31/2000	12/31/1999	12/31/1998
1	NESHAMINY MANOR HOME	12/31/2000	12/31/1999	12/31/1998
1	PHILADELPHIA NURSING HOME	12/31/2000	12/31/1999	12/31/1998
1	POCOPSON HOME	12/31/2000	12/31/1999	12/31/1998
1	SAINT FRANCIS COUNTRY HOUSE	6/30/2001	6/30/2000	6/30/1999
1	SAINT JOSEPH'S MANOR	6/30/2001	6/30/2000	6/30/1999
1	ST JOHN SPECIALTY CARE CENTER	6/30/2001	6/30/2000	6/30/1999
1	WASHINGTON COUNTY HEALTH CENTER	12/31/2000	12/31/1999	12/31/1998
1	WESTMORELAND MANOR	12/31/2000	12/31/1999	12/31/1998
PG1	Resident Care Median	Other Resident Rltd Median		Administrative Median
	\$89.15	\$46.12		\$13.84
PG1	Resident Care Price	Other Resident Rltd Price		Administrative Price
	\$104.31	\$51.65		\$14.39

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	ANDORRA WOODS HEALTHCARE CENTER	12/31/2000	12/31/1999	12/31/1998
2	ASBURY HEALTH CENTER	12/31/2000	12/31/1999	12/31/1998
2	ASHTON HALL NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	ATTLEBORO NURSING AND REHAB CENTER	12/31/2000	12/31/1999	12/31/1998
2	BALA NURSING AND RETIREMENT CENTER	6/30/2001	6/30/2000	6/30/1999
2	BALDOCK HEALTH CARE CENTER	6/30/2001	6/30/2000	6/30/1999
2	BALDWIN HEALTH CENTER, INC	6/30/2001	6/30/2000	6/30/1999
2	BAPTIST HOMES NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
2	BEAVER VALLEY NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	BELMONT AND PARKSIDE GERIATRIC CENTER	6/30/2000	6/30/1999	6/30/1998
2	BEVERLY HEALTHCARE—LANSDALE	12/31/2000	12/31/1999	12/31/1998
2	BEVERLY HEALTHCARE—MONROEVILLE	12/31/2000	12/31/1999	12/31/1998
2	BEVERLY HEALTHCARE—MOUNT LEBANON MANOR	12/31/2000	12/31/1999	12/31/1998
2	BEVERLY HEALTHCARE—MURRYSVILLE	12/31/2000	12/31/1999	12/31/1998
2	BEVERLY HEALTHCARE—PHOENIXVILLE	12/31/2000	12/31/1999	12/31/1998
2	BEVERLY HEALTHCARE—UNIONTOWN	12/31/2000	12/31/1999	12/31/1998
2	BRANDYWINE HALL	6/30/2001	6/30/2000	6/30/1999
2	BRIARCLIFF PAVILION FOR SPECIALIZED CARE	12/31/2000	12/31/1999	12/31/1998

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	BRIARLEAF NURSING AND CONVAL CENTER	6/30/2001	6/30/2000	6/30/1999
2	BROOKSIDE HEALTHCARE AND REHAB CENTER	6/30/2000	6/30/1998	6/30/1997
2	BROOMALL PRESBYTERIAN VILLAGE	12/31/2000	12/31/1999	12/31/1998
2	BUCKINGHAM VALLEY REHAB AND NURSING CTR	6/30/2001	6/30/2000	6/30/1999
2	CATHEDRAL VILLAGE	6/30/2001	6/30/2000	6/30/1999
2	CHAPEL MANOR	12/31/2001	12/31/2000	12/31/1999
2	CHARLES M. MORRIS NURSING AND REHAB CTR	6/30/2001	6/30/2000	6/30/1999
2	CHATEAU SENIOR CARE LLC	12/31/2000	12/31/1999	12/31/1998
2	CHATHAM ACRES, INC	6/30/2001	6/30/2000	6/30/1999
2	CHELTENHAM NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	CHELTENHAM YORK ROAD NSG & REHAB CENTER	6/30/2001	6/30/1999	6/30/1998
2	CHERRY TREE NURSING CENTER	12/31/2000	12/31/1999	12/31/1998
2	CHURCH LANE SENIOR CARE LLC	12/31/2000	12/31/1999	12/31/1998
2	CLIVEDEN CONVALESCENT CENTER	6/30/2001	6/30/2000	6/30/1999
2	CONCORDIA LUTHERAN MINISTRIES	6/30/2001	6/30/2000	6/30/1999
2	COUNTRY MEADOWS OF SOUTH HILLS	12/31/2000	12/31/1999	12/31/1998
2	CRANBERRY PLACE	6/30/2001	6/30/2000	6/30/1998
2	CRESTVIEW CENTER	6/30/2001	6/30/2000	6/30/1999
2	DEER MEADOWS RETIREMENT COMMUNITY	6/30/2001	6/30/2000	6/30/1999
2	DOYLESTOWN MANOR	12/31/2000	12/31/1999	12/31/1998
2	ELKINS CREST HEALTH AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	EVANGELICAL MANOR	12/31/2000	12/31/1999	12/31/1998
2	FAIRVIEW CARE CENTER OF BETHLEHEM PIKE	6/30/2001	6/30/2000	6/30/1999
2	FAIRVIEW CARE CENTER OF PAPERMILL ROAD	6/30/2001	6/30/2000	6/30/1999
2	FORBES ROAD NURSING AND REHAB CENTER	6/30/2000	6/30/1999	6/30/1998
2	GARDEN SPRING CENTER	6/30/2001	6/30/2000	6/30/1999
2	GERMANTOWN HOME	6/30/2001	6/30/2000	6/30/1999
2	GOLDEN SLIPPER CLUB UPTOWN HOME FOR AGED	6/30/2001	6/30/2000	6/30/1999
2	GREEN ACRES—IVY HILL NURSING HOME	6/30/2001	6/30/2000	6/30/1999
2	GREENERY SPECIALTY CARE CENTER	6/30/2001	6/30/2000	6/30/1999
2	GREENLEAF NURSING HOME AND CONVAL CENTER	6/30/2001	6/30/2000	6/30/1999
2	GREENSBURG CARE CENTER	12/31/1999	12/31/1998	12/31/1997
2	GWYNEDD SQUARE CTR FOR NSG & CONVAL CARE	6/30/2001	6/30/2000	6/30/1999
2	HARMAR VILLAGE CARE CENTER	12/31/2000	12/31/1999	12/31/1998
2	HARSTON HALL	12/31/2001	12/31/2000	12/31/1999
2	HEARTLAND HEALTH CARE CENTER	6/30/2001	6/30/2000	6/30/1999
2	HEMPFIELD MANOR	12/31/2001	12/31/2000	12/31/1999
2	HERITAGE SHADYSIDE, THE	6/30/2001	6/30/2000	6/30/1999
2	HIGHLAND PARK CARE CENTER	6/30/2001	6/30/2000	6/30/1999
2	HILLCREST CENTER	6/30/2001	6/30/2000	6/30/1999
2	HUMBERT LANE HEALTH CARE CENTER	6/30/2001	6/30/2000	6/30/1999
2	IHS OF CHESTNUT HILL	12/31/2000	12/31/1999	12/31/1998
2	IHS OF GREATER PITTSBURGH	12/31/2000	12/31/1999	12/31/1998
2	LAFAYETTE REDEEMER, THE	6/30/2001	6/30/2000	6/30/1999
2	LANGHORNE GARDENS REHAB AND NURSING CTR	6/30/2001	6/30/2000	6/30/1999
2	LEMINGTON CENTER	6/30/2001	6/30/2000	6/30/1999
2	LGAR HEALTH AND REHABILITATION CENTER	12/31/2000	12/31/1999	12/31/1998
2	LIBERTY COURT, GENESIS ELDERCARE NETWORK	6/30/2001	6/30/2000	6/30/1999
2	LIFEQUEST NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
2	LITTLE FLOWER MANOR	6/30/2001	6/30/2000	6/30/1999
2	LUTHER WOODS CONVALESCENT CENTER	12/31/2000	12/31/1999	12/31/1998
2	MAIN LINE NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	MAJESTIC OAKS	6/30/2001	6/30/2000	6/30/1998
2	MANATAWNY MANOR INC	6/30/2001	6/30/2000	6/30/1998
2	MANORCARE HEALTH SVCS—BETHEL PARK	12/31/2000	12/31/1999	12/31/1998
2	MANORCARE HEALTH SVCS—GREEN TREE	12/31/2000	12/31/1999	12/31/1998
2	MANORCARE HEALTH SVCS—HUNTINGDON VALLEY	12/31/2000	12/31/1999	12/31/1998

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	MANORCARE HEALTH SVCS—KING OF PRUSSIA	12/31/2000	12/31/1999	12/31/1998
2	MANORCARE HEALTH SVCS—LANSDALE	12/31/2000	12/31/1999	12/31/1998
2	MANORCARE HEALTH SVCS—MCMURRAY	12/31/2000	12/31/1999	12/31/1998
2	MANORCARE HEALTH SVCS—MERCY FITZGERALD	6/30/2001	6/30/2000	6/30/1999
2	MANORCARE HEALTH SVCS—MONROEVILLE	12/31/2000	12/31/1999	12/31/1998
2	MANORCARE HEALTH SVCS—NORTH HILLS	12/31/2000	12/31/1999	12/31/1998
2	MANORCARE HEALTH SVCS—POTTSTOWN	12/31/2000	12/31/1999	12/31/1998
2	MANORCARE HEALTH SVCS—WHITEHALL BOROUGH	12/31/2000		
2	MANORCARE HEALTH SVCS—YARDLEY	12/31/2000	12/31/1999	12/31/1998
2	MANORCARE HEALTH SVCS—YEADON	12/31/2000	12/31/1999	12/31/1998
2	MAPLEWOOD MANOR CENTER	6/30/2001	6/30/2000	6/30/1999
2	MARIAN MANOR CORPORATION	6/30/2001	6/30/2000	6/30/1999
2	MARINER HEALTH CARE OF WEST HILLS	6/30/2001	6/30/2000	6/30/1999
2	MASONIC VILLAGE AT SEWICKLEY	12/31/2000	6/30/1998	6/30/1997
2	METHODIST HOSPITAL NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
2	MOUNT MACRINA MANOR NURSING HOME	6/30/2001	6/30/2000	6/30/1999
2	MOUNTAINVIEW SPECIALTY CARE CENTER	12/31/2000	12/31/1999	12/31/1998
2	OXFORD HEALTH CENTER	12/31/2000	12/31/1999	12/31/1998
2	PARK PLEASANT HEALTH CARE FACILITY	6/30/2001	6/30/2000	6/30/1999
2	PASSAVANT RETIREMENT AND HEALTH CENTER	6/30/2001	6/30/2000	6/30/1999
2	PAUL'S RUN	12/31/2000	12/31/1999	12/31/1998
2	PEMBROOKE HEALTH AND REHAB RESIDENCE	6/30/2001	6/30/2000	6/30/1999
2	PENN CENTER FOR REHABILITATION AND CARE	6/30/2001	6/30/2000	6/30/1999
2	PENNSBURG MANOR	12/31/2001	12/31/2000	12/31/1999
2	PHOEBE RICHLAND HCC	6/30/2001	6/30/2000	6/30/1999
2	PINE RUN HEALTH CENTER	6/30/2001	6/30/2000	6/30/1999
2	PLYMOUTH HOUSE HEALTH CARE CENTER INC	12/31/2000	12/31/1999	12/31/1998
2	PROSPECT PARK HEALTH AND REHAB RESIDENCE	6/30/2001	6/30/2000	6/30/1999
2	PROVIDENCE CARE CENTER	12/31/2000	12/31/1999	12/31/1998
2	QUAKERTOWN CENTER	12/31/2001	12/31/2000	12/31/1999
2	REGINA COMMUNITY NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
2	RIDGE CREST NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	RITTENHOUSE PINE CENTER	6/30/2001	6/30/2000	6/30/1999
2	RIVER'S EDGE NURSING AND REHAB CENTER	12/31/2000	12/31/1999	12/31/1998
2	RIVERSIDE CARE CENTER	12/31/2000	12/31/1999	12/31/1998
2	ROCHESTER MANOR	12/31/2000	12/31/1999	12/31/1998
2	RONALD REAGAN ATRIUM I NURSING AND REHAB	12/31/2000	12/31/1999	12/31/1998
2	RYDAL PARK OF PHILADELPHIA PRSBYTR HOMES	12/31/2000	12/31/1999	12/31/1998
2	SACRED HEART MANOR	6/30/2001	6/30/2000	6/30/1999
2	SAINT ANNE HOME	6/30/2001	6/30/2000	6/30/1999
2	SAINT IGNATIUS NURSING HOME	6/30/2001	6/30/2000	6/30/1999
2	SAINT JOHN NEUMANN NURSING HOME	6/30/2001	6/30/2000	6/30/1999
2	SAINT MARTHA MANOR	6/30/2001	6/30/2000	6/30/1999
2	SAINT MARY'S MANOR	6/30/2001	6/30/2000	6/30/1999
2	SANATOGA CENTER	6/30/2001	6/30/2000	6/30/1999
2	SAUNDERS HOUSE	6/30/2001	6/30/2000	6/30/1999
2	SENECA PLACE	6/30/2001	6/30/2000	6/30/1999
2	SHADYSIDE NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	SILVER LAKE CENTER	6/30/2001	6/30/2000	6/30/1999
2	SILVER STREAM CENTER	6/30/2001	6/30/2000	6/30/1999
2	SIMPSON HOUSE, INC	12/31/2000	12/31/1999	12/31/1998
2	SOMERTON CENTER	6/30/2001	6/30/2000	6/30/1999
2	SOUTHMONT OF PRESBYTERIAN SENIORCARE	12/31/2001	12/31/2000	12/31/1999
2	SPRINGS AT THE FOUNTAINS, THE	6/30/2001	6/30/2000	12/31/1998
2	ST. BARNABAS, INC	6/30/2001	6/30/2000	6/30/1999
2	STAPELEY IN GERMANTOWN	6/30/2001	6/30/2000	6/30/1999
2	STERLING HEALTH CARE AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	SUBURBAN WOODS HEALTH AND REHAB CENTER	12/31/2001	12/31/2000	12/31/1999
2	SUNNYVIEW HOME—BUTLER COUNTY HOME	12/31/2000	12/31/1999	12/31/1998

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
2	SYCAMORE CREEK NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
2	TANDEM HEALTH CARE OF CHESWICK	6/30/2001	6/30/2000	6/30/1999
2	TEL HAI RETIREMENT COMMUNITY	6/30/2001	6/30/2000	6/30/1999
2	THE BELVEDERE, GENESIS ELDERCARE NETWORK	12/31/2001	12/31/2000	12/31/1999
2	TOWNE MANOR EAST	12/31/2000	12/31/1999	12/31/1998
2	TUCKER HOUSE	6/30/2001	6/30/2000	6/30/1999
2	VALLEY MANOR NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	VILLA SAINT JOSEPH OF BADEN INC.	6/30/2001	6/30/2000	6/30/1999
2	VINCENTIAN HOME	6/30/2001	6/30/1999	6/30/1998
2	VINCENTIAN REGENCY	6/30/2001	6/30/1999	6/30/1998
2	WALLINGFORD NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
2	WEST HAVEN NURSING HOME	6/30/2001	6/30/2000	6/30/1999
2	WESTWOOD NURSING AND REHAB CENTER	12/31/2000	12/31/1999	12/31/1998
2	WEXFORD HOUSE	6/30/2001	6/30/2000	6/30/1999
2	WIGHTMAN CENTER FOR NURSING AND REHAB	12/31/2000	12/31/1999	12/31/1998
2	WILLOW RIDGE CENTER	12/31/2001	12/31/2000	12/31/1999
2	WILLOW TERRACE	6/30/2001		
2	WILLOWS OF PRESBYTERIAN SENIORCARE, THE	12/31/2001	12/31/2000	12/31/1999
2	WOODHAVEN CARE CENTER	12/31/2000	12/31/1999	12/31/1998

PG2	Resident Care Median \$77.40	Other Resident Rltd Median \$31.85	Administrative Median \$15.98
PG2	Resident Care Price \$90.56	Other Resident Rltd Price \$35.67	Administrative Price \$16.62

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	58TH STREET PRESBYTERIAN HOME, THE	12/31/2000	12/31/1999	12/31/1998
3	AMBLER REST CENTER	6/30/2001	6/30/2000	6/30/1999
3	ARTMAN LUTHERAN HOME	6/30/2001	6/30/2000	6/30/1999
3	AUTUMN GROVE CARE CENTER	6/30/2001	6/30/2000	6/30/1999
3	BARCLAY FRIENDS	12/31/2000	12/31/1999	
3	BEAVER ELDER CARE AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
3	BELAIR HEALTH AND REHABILITATION CENTER	6/30/2001	6/30/2000	6/30/1999
3	BELLE HAVEN	12/31/2000	12/31/1999	12/31/1998
3	BETHLEN HM OF THE HUNGARIAN RFRMD FED	12/31/2000	12/31/1999	12/31/1998
3	BEVERLY HEALTHCARE—CANONSBURG	12/31/2000	12/31/1999	12/31/1998
3	BEVERLY HEALTHCARE—OAKMONT	12/31/2000	12/31/1999	12/31/1998
3	BEVERLY HEALTHCARE—ROSEMONT	12/31/2000	12/31/1999	12/31/1998
3	BEVERLY HEALTHCARE—STENTON	12/31/2000	12/31/1999	12/31/1998
3	BRINTON MANOR	12/31/2001	12/31/2000	12/31/1999
3	CANTERBURY PLACE	12/31/2000	12/31/1999	12/31/1998
3	CARE CENTER AT MARTINS RUN, THE	12/31/2000	12/31/1999	12/31/1998
3	CEDARS OF MONROEVILLE, THE	12/31/2000	12/31/1999	
3	CHANDLER HALL HEALTH SERVICES INC	12/31/2000	12/31/1999	12/31/1998
3	CHICORA MEDICAL CENTER	6/30/2001	6/30/1999	6/30/1998
3	CHRIST'S HOME RETIREMENT CENTER	6/30/2001	6/30/2000	6/30/1999
3	COLLINS HEALTH CENTER	12/31/2000	12/31/1999	12/31/1998
3	CONNER—WILLIAMS NURSING HOME	6/30/2001	6/30/2000	6/30/1999
3	CONTINUING CARE NURSING AND REHAB CORP	6/30/2001	6/30/2000	6/30/1999
3	COVENTRY MANOR NURSING HOME	12/31/2000	6/30/1999	6/30/1998
3	DOCK TERRACE	6/30/2001	6/30/2000	6/30/1999
3	DRESHER HILL HEALTH AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
3	EDGEHILL NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
3	EDGEWOOD NURSING CENTER	6/30/2001	6/30/1999	6/30/1998
3	ELDERCREST NURSING CENTER	6/30/2001	6/30/1999	6/30/1998
3	ELM TERRACE GARDENS	6/30/2001	6/30/2000	6/30/1999
3	EVERGREEN NURSING CENTER	12/31/2000	12/31/1999	12/31/1998
3	FAIR WINDS MANOR	6/30/2001	6/30/2000	6/30/1999
3	FOX SUBACUTE CENTER	12/31/2000	12/31/1999	12/31/1998
3	FREDERICK MENNONITE COMMUNITY	12/31/2000	12/31/1999	12/31/1998

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<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
3	FRIENDSHIP VILLAGE OF SOUTH HILLS	12/31/2000	12/31/1999	12/31/1998
3	HARMON HOUSE CARE CENTER	12/31/2000	12/31/1999	12/31/1998
3	HAVENCREST NURSING CENTER	6/30/2001	6/30/1999	6/30/1998
3	HAVERFORD NURSING & REHABILITATION CTR	6/30/2001	6/30/2000	6/30/1999
3	HENRY CLAY VILLA	12/31/2001	12/31/2000	12/31/1999
3	HERITAGE TOWERS	12/31/2000	12/31/1999	12/31/1998
3	HICKORY HOUSE NURSING HOME	12/31/2000	12/31/1999	12/31/1998
3	HIGHLAND CENTER, GENESIS ELDERCARE NTRWK	6/30/2001	6/30/2000	6/30/1999
3	HOLY FAMILY HOME	12/31/2001	12/31/2000	12/31/1999
3	HOPKINS CENTER	12/31/2001	12/31/2000	12/31/1999
3	HORIZON SENIOR CARE	6/30/2001	6/30/2000	6/30/1999
3	JEFFERSON HILLS MANOR	12/31/2000	6/30/1999	6/30/1998
3	KADE NURSING HOME	12/31/2000	12/31/1999	12/31/1998
3	KEARSLEY LONG TERM CARE CENTER	6/30/2001	6/30/2000	6/30/1999
3	LAFAYETTE MANOR, INC	12/31/2000	12/31/1999	12/31/1998
3	LAUREL RIDGE CENTER	6/30/2001	6/30/2000	6/30/1999
3	LAWSON NURSING HOME, INC.	12/31/2000	12/31/1999	12/31/1998
3	LITTLE SISTERS OF THE POOR	12/31/2000	12/31/1999	12/31/1998
3	LOYALHANNA CARE CENTER	12/31/2000	12/31/1999	12/31/1998
3	LUTHERAN COMM AT TELFORD HLTHCRE CTR INC	6/30/2001	6/30/2000	6/30/1999
3	MARINER HEALTH CARE OF NORTH HILLS	6/30/2001	6/30/2000	6/30/1999
3	MARWOOD REST HOME, INC	6/30/2001	6/30/2000	6/30/1999
3	MARY J DREXEL HOME	12/31/2000	12/31/1999	12/31/1998
3	MASONIC EASTERN STAR HOME EAST	12/31/2000	12/31/1999	
3	MASONIC VILLAGE AT LAFAYETTE HILL	12/31/2000	12/31/1999	12/31/1998
3	MCMURRAY HILLS MANOR	6/30/2001	6/30/2000	6/30/1999
3	MEADOWCREST NURSING CENTER	6/30/2001	6/30/1999	6/30/1998
3	NAAMANS CREEK COUNTRY MANOR	6/30/2001	6/30/2000	6/30/1999
3	OAK HILL NURSING AND REHAB CENTER	6/30/2001	6/30/1999	6/30/1998
3	PENNYPACK CENTER	12/31/2001	12/31/2000	12/31/1999
3	PETER BECKER COMMUNITY	6/30/2001	6/30/2000	6/30/1999
3	PHILADELPHIA PROTESTANT HOME	12/31/2000	12/31/1999	12/31/1998
3	PICKERING MANOR HOME	6/30/2001	6/30/2000	6/30/1999
3	REDSTONE HIGHLANDS HEALTH CARE CENTER	6/30/2001	6/30/2000	6/30/1999
3	REFORMED PRESBYTERIAN HOME	12/31/2000	12/31/1999	12/31/1998
3	RICHBORO CARE CENTER	6/30/2001	6/30/2000	6/30/1999
3	ROCKHILL MENNONITE COMMUNITY	6/30/2001	6/30/2000	6/30/1999
3	SAINT JOSEPH VILLA	6/30/2001	6/30/2000	6/30/1999
3	SAXONY HEALTH CENTER	12/31/2000	12/31/1998	12/31/1997
3	SCOTTDALE MANOR REHABILITATION CENTER	12/31/1999	12/31/1998	
3	SHERWOOD OAKS	6/30/2001	6/30/2000	6/30/1999
3	SKY VUE TERRACE	6/30/2001	6/30/2000	6/30/1999
3	SOUDERTON MENNONITE HOMES	6/30/2001	6/30/2000	6/30/1999
3	SOUTH FAYETTE NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
3	SOUTHWESTERN NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
3	STATESMAN HEALTH AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
3	TOWNE MANOR WEST	12/31/2000	12/31/1999	12/31/1998
3	UNITARIAN UNIVERSALIST HOUSE	12/31/2000	12/31/1999	12/31/1998
3	VALENCIA WOODS NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
3	VINCENTIAN DE MARILLAC	6/30/2001	6/30/1999	6/30/1998
3	WASHINGTON HOSP TRANSITIONAL CARE UNIT	6/30/2001	6/30/2000	6/30/1999
3	WAYNE CENTER	6/30/2001	6/30/2000	6/30/1999
3	WILLIAM PENN CARE CENTER	12/31/2000	12/31/1999	12/31/1998
3	WILLOWBROOKE COURT AT BRITTANY POINTE	12/31/2000	12/31/1999	12/31/1998
3	WYNCOTE CHURCH HOME	6/30/2001	6/30/2000	6/30/1999

PG3	Resident Care Median \$76.19	Other Resident Rltd Median \$33.91	Administrative Median \$16.08
PG3	Resident Care Price \$89.14	Other Resident Rltd Price \$37.98	Administrative Price \$16.72

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
4	ALLIED SERVICES SKILLED NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
4	BERKS HEIM	12/31/2000	12/31/1999	12/31/1998
4	BRETHREN HOME COMMUNITY, THE	6/30/2001	6/30/2000	6/30/1999
4	CAMBRIA COUNTY HOME—LAUREL CREST REHAB	12/31/2000	12/31/1999	12/31/1998
4	CEDAR HAVEN	12/31/2000	12/31/1999	12/31/1998
4	CEDARBROOK NURSING HOMES	12/31/2000	12/31/1999	12/31/1998
4	CLAREMONT NRC OF CUMBERLAND COUNTY	12/31/2000	12/31/1999	12/31/1998
4	COLONIAL MANOR NURSING HOME	12/31/2000	12/31/1999	12/31/1998
4	CONESTOGA VIEW	12/31/2000	12/31/1999	12/31/1998
4	GRACEDALE—NORTHAMPTON COUNTY HOME	12/31/2000	12/31/1999	12/31/1998
4	GRANDVIEW HEALTH HOMES, INC	6/30/2001	6/30/2000	6/30/1999
4	LACKAWANNA COUNTY HEALTH CARE CENTER	12/31/2000	12/31/1999	12/31/1998
4	MASONIC HOMES	12/31/2000	12/31/1999	12/31/1998
4	MOUNTAIN CITY NURSING AND REHAB CENTER	12/31/2001	12/31/2000	6/30/1998
4	MOUNTAIN VIEW MANOR NRSG AND REHAB CTR	12/31/2000	12/31/1999	12/31/1998
4	PHOEBE HOME, INC	6/30/2001	6/30/2000	6/30/1999
4	PLEASANT RIDGE MANOR EAST/WEST	12/31/2000	12/31/1999	12/31/1998
4	SPRING CREEK REHAB AND HEALTH CARE CTR	12/31/2000	12/31/1999	12/31/1998
4	VALLEY CREST NURSING HOME	12/31/2000	12/31/1999	12/31/1998
4	WEST SHORE HEALTH AND REHAB CENTER	12/31/2000	12/31/1999	12/31/1998
4	YORK COUNTY NURSING HOME	12/31/2000	12/31/1999	12/31/1998

PG4	Resident Care Median \$90.78	Other Resident Rltd Median \$39.30	Administrative Median \$14.49
PG4	Resident Care Price \$106.21	Other Resident Rltd Price \$44.02	Administrative Price \$15.07

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	ABINGTON MANOR	12/31/2001	12/31/2000	12/31/1999
5	BERKSHIRE CENTER	6/30/2001	6/30/2000	6/30/1999
5	BERWICK RETIREMENT VILLAGE NRSNG CTR II	6/30/2001	6/30/2000	6/30/1998
5	BEVERLY HEALTHCARE—EAST MOUNTAIN	12/31/2000	12/31/1999	12/31/1998
5	BEVERLY HEALTHCARE—READING	12/31/2000	12/31/1999	12/31/1998
5	BEVERLY HEALTHCARE—SCRANTON	12/31/2000	12/31/1999	12/31/1998
5	BEVERLY HEALTHCARE—TUNKHANNOCK	12/31/2000	12/31/1999	12/31/1998
5	BEVERLY HEALTHCARE—WESTERN RESERVE	12/31/2000	12/31/1999	12/31/1998
5	BEVERLY MANOR OF LANCASTER	12/31/2000	12/31/1999	12/31/1998
5	BIRCHWOOD NURSING AND REHAB CENTER	12/31/2000	12/31/1999	12/31/1998
5	BLOOMSBURG HEALTH CARE CENTER	6/30/2001	6/30/2000	12/31/1998
5	BRETHREN VILLAGE	6/30/2001	6/30/2000	6/30/1999
5	CORNWALL MANOR	12/31/2000	12/31/1999	12/31/1998
5	CORRY MANOR	12/31/2001	12/31/2000	12/31/1999
5	DUNMORE HEALTH CARE CENTER	6/30/2000	6/30/1999	6/30/1998
5	EASTON NURSING CENTER	12/31/2000	6/30/1999	6/30/1998
5	ECC RETIREMENT VILLAGE—ALBRIGHT CAMPUS	12/31/2000	12/31/1999	12/31/1998
5	EDINBORO MANOR	12/31/2001	12/31/2000	12/31/1999
5	EPHRATA MANOR	12/31/2000	12/31/1999	12/31/1998
5	FAIRMOUNT HOMES	6/30/2001	6/30/2000	6/30/1999
5	FAIRVIEW MANOR	12/31/2001	12/31/2000	12/31/1999
5	FELLOWSHIP MANOR	6/30/2001	6/30/2000	6/30/1999
5	FREY VILLAGE	12/31/2000	12/31/1999	12/31/1998
5	HAMILTON ARMS CENTER	6/30/2001	6/30/2000	6/30/1999
5	HANOVER HALL	12/31/2000	12/31/1999	12/31/1998
5	HARRISON HOUSE	12/31/2000	12/31/1999	12/31/1998
5	HEATHERBANK	12/31/2000	12/31/1999	12/31/1998
5	HIGHLAND MANOR NURSING AND CONVAL CENTER	6/30/2001	6/30/2000	6/30/1998
5	HOLY FAMILY MANOR, INC	12/31/2000	12/31/1999	12/31/1998
5	HOMWOOD AT PLUM CREEK	12/31/2000	12/31/1999	12/31/1998
5	IHS OF ERIE AT BAYSIDE	12/31/2000	12/31/1999	12/31/1998

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
5	IHS OF HERSHEY AT WOODLANDS	12/31/2000	12/31/1999	12/31/1998
5	JEWISH HOME OF EASTERN PENNSYLVANIA	12/31/2000	12/31/1999	12/31/1998
5	JEWISH HOME OF GREATER HARRISBURG	6/30/2001	6/30/2000	6/30/1999
5	KINGSTON COMMONS	12/31/2000	12/31/1999	12/31/1998
5	KUTZTOWN MANOR	6/30/2001	6/30/2000	6/30/1999
5	LANCASHIRE HALL	12/31/2000	12/31/1999	12/31/1998
5	LAUREL CENTER	12/31/2001	12/31/2000	12/31/1999
5	LEBANON VALLEY BRETHERN HOME	12/31/2000	12/31/1999	12/31/1998
5	LEHIGH CENTER	6/30/2001	6/30/2000	6/30/1999
5	LIBERTY NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
5	LITTLE FLOWER MANOR OF DIOCESE SCRANTON	12/31/2000	12/31/1999	12/31/1998
5	LUTHERAN HOME AT TOPTON	12/31/2000	12/31/1999	12/31/1998
5	MAHONING VALLEY NURSING AND REHAB CENTER	12/31/2001	12/31/2000	12/31/1999
5	MANORCARE HEALTH SVCS—ALLENTOWN	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—BETHLEHEM I	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—BETHLEHEM II	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—CAMP HILL	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—CARLISLE	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—DALLASTOWN	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—EASTON	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—HARRISBURG	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—KINGSTON	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—KINGSTON COURT	6/30/2001	6/30/2000	6/30/1999
5	MANORCARE HEALTH SVCS—LANCASTER	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—LAURELDALE	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—LEBANON	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—SINKING SPRING	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—WEST READING NORTH	12/31/2000	12/31/1999	12/31/1998
5	MANORCARE HEALTH SVCS—YORK NORTH	6/30/2001	6/30/2000	6/30/1999
5	MANORCARE HEALTH SVCS—YORK SOUTH	6/30/2001	6/30/2000	6/30/1999
5	MAPLE FARM NURSING CENTER	6/30/2000	6/30/1999	12/31/1996
5	MEADOWS NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
5	MENNONITE HOME, THE	6/30/2001	6/30/2000	6/30/1999
5	MESSIAH VILLAGE	6/30/2001	6/30/2000	6/30/1999
5	MIFFLIN CENTER	12/31/2001	12/31/2000	12/31/1999
5	MORAVIAN MANOR	12/31/2000	12/31/1999	12/31/1998
5	MOUNTAIN VIEW CARE CENTER	6/30/2001	6/30/2000	6/30/1999
5	ORANGEVILLE NURSING AND REHAB CENTER	12/31/2000	6/30/1999	6/30/1998
5	PERRY VILLAGE	12/31/2000	12/31/1999	12/31/1998
5	PHOEBE BERKS HEALTH CARE CENTER, INC	6/30/2001	6/30/2000	6/30/1999
5	PHOEBE SLATE BELT NURSING AND REHAB CTR	6/30/2001	6/30/2000	6/30/1999
5	PLEASANT VIEW RETIREMENT COMMUNITY	12/31/2000	12/31/1999	12/31/1998
5	QUARRYVILLE PRESBYTERIAN HOME	6/30/2001	6/30/2000	6/30/1999
5	REST HAVEN—YORK	6/30/2001	6/30/2000	6/30/1999
5	RIVERSTREET MANOR	12/31/2001	12/31/2000	12/31/1999
5	SAINT ANNE'S HOME	6/30/2001	6/30/2000	6/30/1999
5	SAINT LUKE PAVILION	12/31/2000	12/31/1999	12/31/1998
5	SAINT MARY'S EAST	12/31/2000	12/31/1999	12/31/1998
5	SHIPPENSBURG HEALTH CARE CENTER	12/31/2000	12/31/1999	12/31/1998
5	SPRUCE MANOR NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
5	SUMMIT HEALTH CARE CENTER, INC	12/31/2000	12/31/1999	12/31/1998
5	SUSQUEHANNA LUTHERAN VILLAGE	12/31/2000	12/31/1999	12/31/1998
5	TAYLOR NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
5	TWINBROOK MEDICAL CENTER	6/30/2001	6/30/2000	6/30/1999
5	VILLA TERESA	12/31/2000	12/31/1999	12/31/1998
5	WEATHERWOOD—CARBON COUNTY NH & REHAB CTR	12/31/2000	12/31/1999	12/31/1998
5	WESLEY VILLAGE	12/31/2000	12/31/1999	12/31/1998
5	WOODLAND CENTER FOR NURSING	6/30/2001	6/30/2000	6/30/1999

NOTICES

PG5	Resident Care Median \$73.59	Other Resident Rltd Median \$29.73	Administrative Median \$14.17
PG5	Resident Care Price \$86.10	Other Resident Rltd Price \$33.30	Administrative Price \$14.74

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	ABINGTON CREST NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
6	AUDUBON VILLA	12/31/2000	6/30/1999	6/30/1998
6	BALANCED CARE BLOOMSBURG	6/30/2001	6/30/2000	6/30/1999
6	BALL PAVILION, THE	6/30/2001	6/30/2000	6/30/1999
6	BARBARA J. EGAN NURSING AND REHAB CENTER	12/31/2000	12/31/1999	12/31/1998
6	BEAR CREEK HEALTH CARE CENTER INC	6/30/2001	6/30/2000	6/30/1999
6	BETHANY VILLAGE RETIREMENT CENTER	12/31/2000	12/31/1999	12/31/1998
6	BEVERLY HEALTHCARE—BLUE RIDGE MOUNTAIN	12/31/2000	12/31/1999	12/31/1998
6	BEVERLY HEALTHCARE—CAMP HILL	12/31/2000	12/31/1999	12/31/1998
6	BEVERLY HEALTHCARE—ERIE	12/31/2000	12/31/1999	12/31/1998
6	BONHAM NURSING CENTER	12/31/2000	12/31/1999	12/31/1998
6	BUTLER VALLEY MANOR	12/31/2000	6/30/1999	6/30/1998
6	CALVARY FELLOWSHIP HOMES, INC	6/30/2001	6/30/2000	6/30/1999
6	CARBONDALE NURSING HOME	12/31/2000	12/31/1999	12/31/1997
6	CHAPEL POINTE AT CARLISLE	12/31/2000	12/31/1999	12/31/1998
6	CHURCH OF GOD HOME, INC	12/31/2000	12/31/1999	12/31/1998
6	COUNTRY MEADOWS NURSING CENTER—BETHLEHEM	12/31/2000	12/31/1999	
6	CUMBERLAND CROSSINGS RETIREMENT COMM	6/30/2001	6/30/2000	6/30/1999
6	DAVIS MANOR	6/30/2001	6/30/2000	6/30/1999
6	DENVER NURSING HOME	12/31/2000	6/30/1999	6/30/1998
6	ECC RETIREMENT VILLAGE—STONERIDGE CAMPUS	12/31/1999	12/31/1998	12/31/1997
6	FOREST PARK HEALTH CENTER	12/31/2000	12/31/1999	12/31/1998
6	FOREST VIEW	6/30/2001	6/30/2000	6/30/1999
6	GREEN RIDGE NURSING HOME	12/31/2000	6/30/1999	6/30/1998
6	GUARDIAN ELDER CARE CENTER	12/31/2000	12/31/1999	12/31/1998
6	HAMPTON HOUSE	6/30/2001	6/30/2000	6/30/1999
6	HERITAGE HOUSE	6/30/2001	6/30/2000	6/30/1999
6	HOLY FAMILY RESIDENCE	12/31/2000	12/31/1999	12/31/1998
6	HOMELAND CENTER	6/30/2001	6/30/2000	6/30/1999
6	HOMESTEAD VILLAGE, INC	6/30/2001	6/30/2000	6/30/1999
6	KEPLER HOME, INC, THE	12/31/2000	12/31/1999	12/31/1998
6	KINKORA PYTHIAN HOME	6/30/2001	6/30/2000	6/30/1999
6	LAKESIDE NURSING CENTER	12/31/2000	6/30/1999	6/30/1998
6	LANDIS HOMES	6/30/2001	6/30/2000	6/30/1999
6	LAURELS HEALTH AND REHAB AT KINGSTON	6/30/2001	6/30/2000	6/30/1999
6	LAURELS HEALTH AND REHAB AT MID VALLEY	6/30/2001	6/30/2000	6/30/1999
6	LEBANON VALLEY HOME, THE	12/31/2000	12/31/1999	12/31/1998
6	LUTHER ACRES MANOR	12/31/2000	12/31/1999	12/31/1998
6	LUTHER CREST NURSING FACILITY	12/31/2000	12/31/1999	12/31/1998
6	LUTHERAN NRSG AND REHAB CTR—SPRENKLE DR	12/31/2000	12/31/1999	12/31/1998
6	MANCHESTER PRESBYTERIAN LODGE	12/31/2000	12/31/1999	12/31/1998
6	MANORCARE HEALTH SVCS—ELIZABETHTOWN	12/31/2000	12/31/1999	12/31/1998
6	MARY ELLEN CONVALESCENT HOME, INC	6/30/2001	6/30/2000	6/30/1999
6	MERCY CENTER NURSING UNIT, INC	12/31/2000	12/31/1999	12/31/1998
6	MIDDLETOWN HOME, THE	12/31/2001	12/31/2000	12/31/1999
6	MILFORD SENIOR CARE AND REHAB CENTER	12/31/2000	12/31/1999	12/31/1998
6	MILLCREEK MANOR	6/30/2001	6/30/2000	6/30/1999
6	MILLVILLE HEALTH CENTER	12/31/2000	6/30/1999	6/30/1998
6	MISERICORDIA CONVALESCENT HOME	12/31/2000	12/31/1999	12/31/1998
6	MOSSER NURSING HOME	6/30/2001	6/30/2000	6/30/1999
6	MOUNT HOPE DUNKARD BRETHERN CHURCH HOME	6/30/2001	6/30/2000	6/30/1999
6	MOUNTAIN REST NURSING HOME	6/30/2001	6/30/2000	6/30/1999
6	NIPPLE CONVALESCENT HOME	12/31/2000	12/31/1999	12/31/1998

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
6	NORMANDIE RIDGE	12/31/2000	12/31/1999	12/31/1998
6	OSPREY RIDGE HEALTHCARE AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
6	PALMYRA NURSING HOME	12/31/2000	6/30/1999	6/30/1998
6	PINNACLE HEALTH ECF	6/30/2001	6/30/2000	6/30/1999
6	PRAXIS ALZHEIMER'S FACILITY	12/31/2000	6/30/1999	6/30/1998
6	PRESBYTERIAN LODGE	12/31/2000	12/31/1999	12/31/1998
6	RHEEMS NURSING AND REHABILITATION CENTER	12/31/2000	12/31/1999	12/31/1998
6	SAINT LUKE MANOR	12/31/2000	12/31/1999	12/31/1998
6	SAINT MARY'S VILLA NURSING HOME, INC	12/31/2000	12/31/1999	12/31/1998
6	SARAH A REED RETIREMENT CENTER, THE	6/30/2001	6/30/2000	6/30/1999
6	SARAH A TODD MEMORIAL HOME	12/31/2000	12/31/1999	12/31/1998
6	SMITH HEALTH CARE, LTD	6/30/2001	6/30/2000	6/30/1999
6	SPANG CREST MANOR	12/31/2000	12/31/1999	12/31/1998
6	STONEBRIDGE HEALTH AND REHAB CENTER	12/31/2001	12/31/2000	12/31/1999
6	SWAIM HEALTH CENTER	12/31/2000	12/31/1999	12/31/1998
6	THAELER HEALTH CARE CENTER	6/30/2001	6/30/2000	6/30/1999
6	THORNWALD HOME	12/31/2000	12/31/1999	12/31/1998
6	TWIN OAKS NURSING HOME	12/31/2000	6/30/1999	6/30/1998
6	UNITED CHRISTIAN CHURCH HOME	12/31/2000	12/31/1999	12/31/1998
6	UNITED ZION RETIREMENT COMMUNITY	12/31/2000	12/31/1999	12/31/1998
6	VILLAGE AT LUTHER SQUARE	12/31/2000	12/31/1999	12/31/1998
6	VILLAGE VISTA MANOR	12/31/2000	12/31/1998	12/31/1997
6	WESTMINSTER VILLAGE	12/31/2000	12/31/1999	12/31/1998
6	WYOMISSING NURSING AND REHAB CENTER	12/31/2000	12/31/1999	12/31/1998
6	ZERBE SISTERS NURSING CENTER, INC.	6/30/2001	6/30/2000	6/30/1999

PG6	Resident Care Median	Other Resident Rltd Median	Administrative Median
	\$70.63	\$32.29	\$14.60
	\$82.64	\$36.16	\$15.18

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
8	ALTOONA CENTER FOR NURSING CARE	12/31/2000	12/31/1999	12/31/1998
8	ARBUTUS PARK MANOR	6/30/2001	6/30/2000	6/30/1999
8	BEVERLY HEALTHCARE—HILLVIEW	12/31/2000	12/31/1999	12/31/1998
8	CENTRE CREST HOME	12/31/2000	12/31/1999	12/31/1998
8	CHURCH OF THE BRETHERN HOME	6/30/2001	6/30/2000	6/30/1999
8	GARVEY MANOR	12/31/2000	12/31/1999	12/31/1998
8	HOMEWOOD AT MARTINSBURG PA, INC	12/31/2000	12/31/1999	12/31/1998
8	LAUREL WOOD CARE CENTER	12/31/2000	12/31/1999	12/31/1998
8	MANORCARE HEALTH SVCS—JERSEY SHORE	12/31/2000	12/31/1999	12/31/1998
8	MANORCARE HEALTH SVCS—WILLIAMSPORT NORTH	12/31/2000	12/31/1999	12/31/1998
8	MEADOW VIEW NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
8	MORRISONS COVE HOME	12/31/2001	12/31/2000	12/31/1999
8	ORCHARD MANOR, INC	6/30/2001	6/30/2000	6/30/1999
8	ROSE VIEW CENTER	6/30/2001	6/30/2000	6/30/1999
8	SAINT PAUL HOMES	12/31/2000	12/31/1999	12/31/1998
8	SIEMONS' LAKEVIEW MANOR ESTATE	6/30/2001	6/30/2000	6/30/1999
8	SYCAMORE MANOR HEALTH CENTER	12/31/2000	12/31/1999	12/31/1998
8	UNIVERSITY PARK NURSING CENTER	12/31/2001	12/31/1999	12/31/1998
8	VALLEY VIEW HOME	12/31/2000	12/31/1999	12/31/1998
8	VALLEY VIEW NURSING CENTER	12/31/2000	12/31/1999	12/31/1998
8	WHITE CLIFF NURSING HOME	12/31/2000	12/31/1999	12/31/1998
8	WILLIAMSPORT HOME, THE	12/31/2000	12/31/1999	12/31/1998
8	WINDY HILL VILLAGE OF PRESBYTERIAN HOMES	12/31/2001	12/31/2000	12/31/1999
8	WOODLAND PLACE	12/31/2000	12/31/1999	12/31/1998

PG8	Resident Care Median \$70.03	Other Resident Rltd Median \$33.40	Administrative Median \$13.36
PG8	Resident Care Price \$81.94	Other Resident Rltd Price \$37.41	Administrative Price \$13.89

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
9	BEVERLY HEALTHCARE—HAIDA	12/31/2000	12/31/1999	12/31/1998
9	BEVERLY HEALTHCARE—MEYERSDALE	12/31/2000	12/31/1999	12/31/1998
9	BEVERLY HEALTHCARE—RICHLAND	12/31/2000	12/31/1999	12/31/1998
9	CLEPPER MANOR	12/31/2000	12/31/1999	12/31/1998
9	COUNTRYSIDE CONVAL HOME LTD PARTNERSHIP	6/30/2001	6/30/2000	6/30/1999
9	EPWORTH MANOR	12/31/2000	12/31/1999	12/31/1998
9	GOOD SAMARITAN NSG CARE CTR—JOHNSTOWN	6/30/2001	6/30/2000	6/30/1999
9	GROVE MANOR	6/30/2001	6/30/2000	6/30/1999
9	HOSPITALITY CARE CENTER OF HERMITAGE INC	12/31/2000	12/31/1999	12/31/1998
9	JOHN XXIII HOME	12/31/2000	12/31/1999	12/31/1998
9	LAUREL VIEW VILLAGE	6/30/2001	6/30/2000	6/30/1999
9	LUTHERAN HOME AT HOLLIDAYSBURG, THE	12/31/2000	12/31/1999	12/31/1998
9	LUTHERAN HOME AT JOHNSTOWN, THE	12/31/2000	12/31/1999	12/31/1998
9	MANORCARE HEALTH SVCS—WILLIAMSPORT SOUTH	12/31/2000	12/31/1999	12/31/1998
9	MORAN'S HOME, INC	12/31/2000	12/31/1999	12/31/1998
9	NUGENT CONVALESCENT HOME	12/31/2000	12/31/1999	12/31/1998
9	PRESBYTERIAN HOME OF GREATER JOHNSTOWN	12/31/2000	12/31/1999	12/31/1998
9	PRESBYTERIAN HOMES-PRESBYTERY—HUNTINGDON	12/31/2000	12/31/1999	12/31/1998
9	THE PATRIOT, A CHOICE COMMUNITY	12/31/2000	12/31/1999	12/31/1998
9	TRINITY LIVING CENTER	6/30/2000	6/30/1999	6/30/1998

PG9	Resident Care Median \$59.30	Other Resident Rltd Median \$28.72	Administrative Median \$12.78
PG9	Resident Care Price \$69.38	Other Resident Rltd Price \$32.17	Administrative Price \$13.29

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	ARMSTRONG COUNTY HEALTH CENTER	12/31/2000	12/31/1999	12/31/1998
11	BEACON RIDGE, A CHOICE COMMUNITY	12/31/2000	12/31/1999	12/31/1998
11	BEVERLY HEALTHCARE—SHIPPENVILLE	12/31/2000	12/31/1999	12/31/1998
11	BEVERLY HEALTHCARE—STROUD	12/31/2000	12/31/1999	12/31/1998
11	BEVERLY HEALTHCARE—WILLIAM PENN	12/31/2000	12/31/1999	12/31/1998
11	BRADFORD COUNTY MANOR	12/31/2000	12/31/1999	12/31/1998
11	BRADFORD MANOR	12/31/2001	12/31/2000	12/31/1999
11	BROAD ACRES HEALTH AND REHAB CENTER	12/31/2001	12/31/2000	12/31/1999
11	BROAD MOUNTAIN NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
11	CHRIST THE KING MANOR	6/30/2001	6/30/2000	6/30/1999
11	CLARVIEW NURSING AND REHAB CENTER	12/31/2001	12/31/2000	12/31/1999
11	COMMUNITIES AT INDIAN HAVEN	12/31/2000	12/31/1999	12/31/1998
11	CRAWFORD COUNTY CARE CENTER	12/31/2000	12/31/1999	12/31/1998
11	DUBOIS NURSING HOME	6/30/2001	6/30/2000	6/30/1999
11	ELK HAVEN NURSING HOME	6/30/2001	6/30/2000	6/30/1999
11	ELLEN MEMORIAL HEALTH CARE CENTER	6/30/2001	6/30/2000	6/30/1999
11	FALLING SPRING NURSING AND REHAB CENTER	12/31/2000	12/31/1999	12/31/1998
11	FOREST CITY NURSING AND REHAB CENTER	6/30/2001	6/30/2000	6/30/1999
11	GOLDEN HILL NURSING HOME, INC	6/30/2001	6/30/2000	6/30/1999
11	GREEN ACRES—ADAMS COUNTY NSG & REHAB CTR	12/31/2000	12/31/1999	12/31/1998
11	GREEN HOME, INC, THE	6/30/2001	6/30/2000	6/30/1999
11	HERITAGE NURSING HOME, INC	6/30/2001	6/30/2000	6/30/1999
11	HIGHLANDS CARE CENTER, THE	12/31/1999	12/31/1997	12/31/1996
11	HILLVIEW MANOR—LAWRENCE COUNTY HOME	12/31/2000	12/31/1999	12/31/1998

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
11	HOMETOWN NURSING AND REHAB CENTER	12/31/1999	12/31/1998	12/31/1997
11	INDIAN CREEK NURSING CENTER	6/30/2001	6/30/2000	6/30/1999
11	JEFFERSON MANOR HEALTH CENTER	6/30/2001	6/30/2000	6/30/1999
11	JULIA POUND CARE CENTER	12/31/2000	12/31/1999	12/31/1998
11	JULIA RIBAUDO SENIOR CARE LLC	12/31/2000	12/31/1999	12/31/1998
11	KITTANNING CARE CENTER	12/31/2000	12/31/1999	12/31/1998
11	KRAMM HEALTHCARE CENTER, INC	6/30/2001	6/30/2000	6/30/1999
11	KRAMM NURSING HOME, INC	6/30/2001	6/30/2000	6/30/1999
11	MANORCARE HEALTH SVCS—CHAMBERSBURG	12/31/2000	12/31/1999	12/31/1998
11	MANORCARE HEALTH SVCS—POTTSVILLE	12/31/2000	12/31/1999	12/31/1998
11	MANORCARE HEALTH SVCS—SUNBURY	12/31/2000	12/31/1999	12/31/1998
11	MENNO-HAVEN, INC.	12/31/2000	12/31/1999	12/31/1998
11	MOUNT CARMEL NURSING AND REHAB CENTER	12/31/1999	12/31/1998	12/31/1997
11	MOUNTAIN LAUREL NRC	6/30/2001	6/30/2000	6/30/1999
11	NOTTINGHAM VILLAGE	12/31/2000	12/31/1999	12/31/1998
11	OHESON MANOR	12/31/2000	12/31/1999	12/31/1998
11	OIL CITY PRESBYTERIAN HOME	12/31/2000	12/31/1999	12/31/1998
11	ORWIGSBURG CENTER	6/30/2001	6/30/2000	6/30/1999
11	PENN LUTHERAN VILLAGE	12/31/2000	12/31/1999	12/31/1998
11	PENNNOLL VILLAGE NURSING HOME	12/31/2000	12/31/1999	12/31/1998
11	PLEASANT VALLEY MANOR, INC	12/31/2000	12/31/1999	12/31/1998
11	QUINCY UNITED METHODIST HOME	12/31/2000	12/31/1999	12/31/1998
11	REST HAVEN	12/31/2000	12/31/1999	12/31/1998
11	RIDGEVIEW ELDER CARE REHAB CENTER	12/31/1998	12/31/1997	12/31/1996
11	RIVERWOODS	12/31/2000	12/31/1999	12/31/1998
11	ROLLING FIELDS, INC	12/31/2000	12/31/1999	12/31/1998
11	ROLLING MEADOWS	6/30/2001	6/30/2000	6/30/1999
11	ROUSE WARREN COUNTY HOME	12/31/2000	12/31/1999	12/31/1998
11	SCHUYLKILL CENTER	6/30/2001	6/30/2000	6/30/1999
11	SENA-KEAN MANOR	12/31/2000	12/31/1999	12/31/1998
11	SETON MANOR INC	6/30/2001	6/30/2000	
11	SHENANDOAH MANOR NURSING CENTER	12/31/2001	12/31/1999	12/31/1998
11	SUGAR CREEK STATION SKILLED NSG & REHAB	12/31/2000	12/31/1999	12/31/1998
11	SUSQUE VIEW HOME, INC	12/31/2000	12/31/1999	12/31/1998
11	SWEDEN VALLEY MANOR	12/31/2001	12/31/2000	12/31/1999
11	TREMONT HEALTH AND REHABILITATION CENTER	6/30/2001	6/30/2000	6/30/1999
11	VALLEY VIEW HAVEN, INC	12/31/2000	12/31/1999	12/31/1998
11	WARREN MANOR	12/31/2001	12/31/2000	12/31/1999
11	WAYNE WOODLANDS MANOR	6/30/2001	6/30/2000	6/30/1999
11	WESBURY UNITED METHODIST COMMUNITY	12/31/2000	12/31/1999	12/31/1998
11	WOODLAND RETIREMENT CENTER	12/31/2000	12/31/1999	12/31/1998

PG11	Resident Care Median \$65.62	Other Resident Rltd Median \$29.89	Administrative Median \$12.73
PG11	Resident Care Price \$76.78	Other Resident Rltd Price \$33.48	Administrative Price \$13.24

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	AVALON NURSING CENTER	6/30/2000	6/30/1999	6/30/1998
12	BEVERLY HEALTHCARE—CAMBRIDGE SPRINGS	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—CLARION	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—FAYETTEVILLE	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—GETTYSBURG	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—KINZUA VALLEY	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—MEADVILLE	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—MOUNTAIN VIEW	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—OIL CITY	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—TITUSVILLE	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—WARREN	12/31/2000	12/31/1999	12/31/1998
12	BEVERLY HEALTHCARE—WAYNESBURG	12/31/2000	12/31/1999	12/31/1998

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
12	BEVERLY HEALTHCARE—YORK TERRACE	12/31/2000	12/31/1999	12/31/1998
12	BRADFORD ECUMENICAL HOME, INC	12/31/2000	12/31/1999	12/31/1998
12	BRADFORD NURSING PAVILION	6/30/2001	6/30/2000	6/30/1999
12	BROOKLINE MANOR	12/31/2000	12/31/1999	12/31/1997
12	BROOKMONT HEALTHCARE CENTER LLC	6/30/2001	6/30/2000	6/30/1999
12	BUFFALO VALLEY LUTHERAN VILLAGE	12/31/2000	12/31/1999	12/31/1998
12	CARING PLACE, THE	6/30/2001	6/30/2000	6/30/1999
12	CARLETON SENIOR CARE AND REHAB CENTER	12/31/1999	12/31/1998	6/30/1996
12	DAR WAY NURSING HOME, INC	6/30/2001	6/30/2000	6/30/1999
12	DONAHOE MANOR	6/30/2001	6/30/2000	6/30/1999
12	DR ARTHUR CLIFTON MCKINLEY HEALTH CENTER	6/30/2001	6/30/2000	6/30/1999
12	EMMANUEL CENTER FOR NURSING AND REHAB	12/31/2000	12/31/1999	12/31/1998
12	FRIENDLY NURSING HOME—PITMAN	6/30/2001	6/30/2000	6/30/1999
12	GETTYSBURG LUTHERAN NURSING REHAB	12/31/2000	12/31/1999	12/31/1998
12	GUY AND MARY FELT MANOR, INC	6/30/2001	6/30/2000	6/30/1999
12	HAVEN CONVALESCENT HOME, INC	12/31/2000	12/31/1999	12/31/1998
12	HIGHLAND VIEW	6/30/2001	6/30/2000	6/30/1999
12	HUNTINGDON MANOR	6/30/2001	6/30/2000	6/30/1999
12	JAMESON CARE CENTER	12/31/2000	12/31/1999	
12	LAKEVIEW SENIOR CARE AND LIVING CENTER	12/31/1999	12/31/1998	12/31/1997
12	LAUREL CARE NURSING AND REHAB CENTER	6/30/2000	6/30/1999	6/30/1998
12	LAUREL MANOR	6/30/2001	6/30/2000	6/30/1999
12	LOCUST GROVE RETIREMENT VILLAGE	12/31/2000	12/31/1999	12/31/1998
12	LOVING CARE NURSING CENTER INC	12/31/2000	6/30/1998	6/30/1997
12	LUTHERAN HOME AT KANE, THE	12/31/2000	12/31/1999	12/31/1998
12	MALTA HOME	12/31/2000	12/31/1999	12/31/1998
12	MANSION NURSING AND CONVALESCENT HOME	12/31/2000	12/31/1999	12/31/1998
12	MEADOW VIEW SENIOR LIVING CENTER	12/31/1998	12/31/1996	12/31/1995
12	MEDA NIPPLE CONVALESCENT HOME	12/31/2000	12/31/1999	12/31/1998
12	MENNO-HAVEN PENN HALL, INC	12/31/2000	12/31/1999	12/31/1998
12	MULBERRY SQUARE	12/31/1998	12/31/1997	12/31/1996
12	OVERLOOK MEDICAL CLINIC INC	12/31/2000	12/31/1999	12/31/1998
12	ROLLING HILLS MANOR	6/30/2001	6/30/2000	6/30/1999
12	SAYRE HOUSE, INC	6/30/2001	6/30/2000	6/30/1999
12	SCENERY HILL MANOR	12/31/2000	12/31/1999	12/31/1998
12	SHENANGO PRESBYTERIAN HOME	12/31/2001	12/31/2000	12/31/1999
12	SHEPHERD'S CHOICE OF GETTYSBURG, THE	12/31/2000	12/31/1999	12/31/1998
12	SHOOK HOME, THE	12/31/2000	12/31/1999	12/31/1998
12	SILVER OAKS NURSING CENTER	12/31/2000	12/31/1999	12/31/1998
12	SNYDER MEMORIAL HEALTH CARE CENTER	12/31/2000	12/31/1999	12/31/1998
12	SUGAR CREEK REST	6/30/2001	6/30/2000	6/30/1999
12	TRINITY MISSION HEALTH AND REHAB	12/31/2000	12/31/1999	12/31/1998
12	WESTMINSTER WOODS AT HUNTINGDON	12/31/2001	12/31/2000	12/31/1999
12	ZENDT HOME, THE	6/30/2001	6/30/2000	6/30/1999

PG12	Resident Care Median \$62.12	Other Resident Rltd Median \$29.27	Administrative Median \$12.15
PG12	Resident Care Price \$72.68	Other Resident Rltd Price \$32.78	Administrative Price \$12.64

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
13	GOOD SHEPHERD HOME LTC FACILITY, INC	6/30/2001	6/30/2000	6/30/1999
13	GOOD SHEPHERD HOME—BETHLEHEM	6/30/2001		
13	INGLIS HOUSE	6/30/2001	6/30/2000	6/30/1999
13	MARGARET E. MOUL HOME	6/30/2001	6/30/2000	6/30/1999

PG13	Resident Care Median \$122.86	Other Resident Rltd Median \$64.61	Administrative Median \$32.89
PG13	Resident Care Price \$143.75	Other Resident Rltd Price \$72.36	Administrative Price \$34.21

<i>Median Peer Group</i>	<i>Current Provider Name</i>	<i>Most Recent Cost Report End Date</i>	<i>Second Most Recent Cost Report End Date</i>	<i>Third Most Recent Cost Report End Date</i>
14	ASHLAND REGIONAL LONG TERM CARE CENTER	6/30/2000	6/30/1999	6/30/1998
14	BARNES-KASSON COUNTY HOSPITAL SNF	6/30/2001	6/30/2000	6/30/1999
14	BERWICK RETIREMENT VILLAGE NRSNG CTR I	6/30/2001	6/30/2000	6/30/1998
14	BUCKTAIL MEDICAL CENTER	6/30/2001	6/30/2000	6/30/1999
14	CHARLES COLE MEMORIAL HOSPITAL ECF	6/30/2001	6/30/2000	6/30/1999
14	FULTON COUNTY MEDICAL CENTER LTCU	6/30/2001	6/30/2000	6/30/1999
14	GNADEN HUETTEN NURSING AND CONVAL CENTER	6/30/2001	6/30/2000	6/30/1999
14	GRAND VIEW HOSPITAL SKILLED NURSING FAC	6/30/2001	6/30/2000	6/30/1999
14	JAMESON HOSPITAL TCU—SOUTH	6/30/2000	6/30/1999	6/30/1998
14	LOCK HAVEN HOSPITAL E.C.U.	6/30/2001	6/30/2000	6/30/1999
14	MEMORIAL HOSPITAL INC SNU	6/30/2001	6/30/2000	6/30/1999
14	MOSES TAYLOR HOSPITAL S.N.F.	6/30/2001	6/30/2000	6/30/1999
14	MUNCY VALLEY HOSPITAL SNU	6/30/2001	6/30/2000	6/30/1999
14	PINECREST MANOR	6/30/2001	6/30/2000	6/30/1999
14	PINNACLE HEALTH ECF HB	6/30/2001	6/30/2000	6/30/1999
14	PINNACLE HEALTH SNU—SEIDLE	6/30/2001	6/30/2000	6/30/1999
14	SOMERSET HOSPITAL CENTER FOR HEALTH	6/30/2001	6/30/2000	6/30/1999
14	ST LUKE'S MINERS MEMORIAL GERIATRIC CTR	6/30/2001	6/30/2000	6/30/1999
14	SUNBURY COMMUNITY HOSPITAL SNF	6/30/2001	6/30/2000	6/30/1999
14	WILLOWCREST	6/30/2000	6/30/1999	6/30/1998

PG14	Resident Care Median \$86.14	Other Resident Rltd Median \$48.40	Administrative Median \$19.78
PG14	Resident Care Price \$100.78	Other Resident Rltd Price \$54.21	Administrative Price \$20.57

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DEPARTMENT OF TRANSPORTATION

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

The Department of Transportation (Department), Bureau of Motor Vehicles, under the authority of 75 Pa.C.S. § 3368 (relating to speed timing devices), published at 33 Pa.B. 6469 (December 27, 2003) a notice of approved speed-timing devices and maintenance and calibration stations for use until the next comprehensive list is published.

Correction of Station Number

As an addendum to the listing of approved Official Maintenance and Calibration Stations, the Department hereby gives notice of the following correction of station number for the following station:

YIS/Cowden Group, Inc, 1049 North Hartley Street, York, York County, PA 17404. The station number as published at 34 Pa.B. 3467 (July 3, 2004), R10, was incorrect. The station number is hereby corrected to R12.

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 34 Pa.B. 1295 (February 28, 2004) and 34 Pa.B. 2140 (April 17, 2004).

ALLEN D. BIEHLER, P. E.
Secretary

[Pa.B. Doc. No. 04-2289. Filed for public inspection December 23, 2004, 9:00 a.m.]

Application Receipt for Section 5310 Program

The Department of Transportation, Bureau of Public Transportation, under the authority contained in section 5310 of the Federal Transit Laws (49 U.S.C.A. § 5310), gives notice that it will receive applications for the State-administered Section 5310 Program (formerly known as the Section 16 Program). Under this program, private nonprofit organizations and designated public bodies may apply for Federal capital assistance to pay up to 80% of the purchase cost of new wheelchair accessible small transit vehicles and other equipment used to provide needed transportation services for senior citizens and persons with disabilities who cannot be reasonably accommodated by existing transportation providers. A Guidelines and Procedures package containing all application forms can be obtained by calling Ben Brosius of the Bureau of Public Transportation at (717) 787-1211. The filing deadline for the Program is January 31, 2005. Questions, comments or suggestions should be directed to

Ben Brosius, Section 5310 Program Manager, P. O. Box 3151, Harrisburg, PA 17105-3151.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 04-2290. Filed for public inspection December 23, 2004, 9:00 a.m.]

Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles (Bureau), under the authority of 75 Pa.C.S. § 3368 (relating to speed timing devices) has approved for use, until the next comprehensive list is published, subject to interim amendment, the following electronic speed-timing devices (radar); electronic speed-timing devices (nonradar), which measure elapsed time between measured road surface points by using two sensors; and electronic speed timing devices (nonradar), which calculate average speed between any two points.

Under 75 Pa.C.S. § 3368(c)(2), the Department has approved, for use only by members of the State Police, the following electronic speed-timing devices (radar) when used in the stationary mode only:

(1) Falcon Radar (identified on the radar housing as FALCON). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(2) H.A.W.K. Traffic Safety Radar System (identified on the radar housing as H.A.W.K.). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(3) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(4) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214.

(5) KR-10SP, Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215.

(6) KR-10SP, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, Kansas 66214.

(7) Model 100, Decatur RA-GUN (identified on the radar housing as RA-GUN). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.

(8) Genesis-I. Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.

(9) Genesis Handheld (GHS). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, Illinois 62522.

(10) Stalker Dual, Manufactured by Applied Concepts, Incorporated, 730 F, Avenue, Suite 200, Plano, Texas 75074

(11) Stalker Dual SL. Manufactured by Applied Concepts, Incorporated, 730 F, Avenue, Suite 200, Plano, Texas 75074

(12) Stalker Dual DSR, Manufactured by Applied Concepts, Incorporated, 730 F, Avenue, Suite 200, Plano, Texas 75074

(13) TS-3. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

(14) Vindicator, (VH-1), (Identified on the radar housing as Vindicator). Manufactured by MPH Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

(15) MPH Model K-15. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, Kentucky 42303.

(16) Stalker. Manufactured by Applied Concepts, Incorporated, 730 F, Avenue, Suite 200, Plano, Texas 75074.

(17) Eagle Plus. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, Kansas 66215-3347.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which measure elapsed time between measured road surface points by using two sensors:

(1) Electrical Speed Timing System. Manufactured by Richard Hageman, 98 South Penn Dixie Road, Nazareth, Pennsylvania 18064.

(2) Model TK 100, Excessive Speed Preventor. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Pennsylvania 18822.

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, Pennsylvania 17756.

(4) Speed Chek (identified on the housing as Speed Chek model one, Mfd. for: The Union Agency, Unionville, Pa. 19375). Manufactured by Sterner Lighting Systems, Incorporated, 351 Lewis Avenue, Winsted, Minnesota 55395.

(5) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Pennsylvania 18822.

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, Pennsylvania 17756.

(7) Enradd, Model EJU-91. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, Pennsylvania 17404.

(8) Enradd, Model EJU-91 with Non-Contact Road Switch System. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, Pennsylvania 17404.

(9) Enradd, Model EJU-91 Wireless System. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, PA 17404

Under 75 Pa.C.S. § 3368(c)(1) and (3), the Department has approved the use of electronic and mechanical stopwatches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code Chapter 105 (relating to mechanical, electrical and electronic speed-timing devices). The Department issues an approved speed-timing device certificate for the device, as required by § 105.72 (relating to equipment approval procedure). The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the

certificate of stopwatch accuracy, which was issued within 60 days of the citation, and an approved speed-timing device certificate issued by the Bureau.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing device (nonradar) which calculates average speed between any two points:

(1) VASCAR-plus. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, Virginia 23230.

(2) VASCAR-plus II. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, Virginia 23230.

(3) VASCAR-plus III. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated 3206 Lanvale Avenue, Richmond, Virginia 23230.

(4) V-SPEC-Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, Pennsylvania, 17404

(5) Tracker by Patco. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm Lenexa, Kansas 66215

The Department of Transportation, under 75 Pa.C.S. § 3368(d) has appointed the following stations for calibrating and testing speed-timing devices until the next comprehensive list is published, subject to interim amendment.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for radar devices, which may only be used by members of the State Police:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969 (Appointed: 12/22/01, Station R8).

Guth Laboratories, Incorporated, 590 North 67th Street, Harrisburg, Dauphin County, PA 17111-4511 (Appointed: 01/27/97, Station R2).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063 (Appointed: 08/15/03, Station R11).

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, PA 18103 (Appointed: 09/19/96, Station R9).

Thomas Associates R & E Inc., 65 S. Mountain Boulevard, Mountain Top, Luzerne County, PA 18707 (Appointed: 03/28/83, Station R7)

Wisco Calibration Services, Inc. 1002 Mckee Road, Oakdale, Allegheny County, PA 15071 (Appointed: 07/14/99, Station R10).

YIS Inc., 1049 North Hartley Street, York, York County, PA 17402 (Appointed: 01/14/75, Station R3).

YIS/Cowden Group, Inc., 1049 North Hartley Street, York, York County, PA 17404. (Appointed 8/20/04 Station number R12).

The Department has appointed, under 75 Pa.C.S. § 3368(b), the following Official Speedometer Testing Stations:

Auto Electric & Speedometer Service, 7019 Beaver Dam Road, Levittown, Bucks County, PA 19057 (Appointed: 03/14/74, Station S54).

Auto Technology-Vocational Technical School Laboratory, 540 North Harrison Road, Pleasant Gap, Centre County, PA 16823 (Appointed: 02/10/69, Station S22).

Bob's Speedometer Service, Incorporated, 1920 West Marshall Street, Norristown, Montgomery County, PA 19403 (Appointed: 11/15/77, Station S79).

Briggs-Hagenlocher, 1110 Chestnut Street, Erie, Erie County, PA 16501 (Appointed: 03/25/93, Station S39).

James M. Coulston, Incorporated, 2915 Swede Road, Norristown, Montgomery County, PA 19401 (Appointed: 02/11/75, Station S49).

Dave's Service Center, 3617 Nicholas Street, Easton, Northampton County, PA 18045 (Appointed: 10/29/76, Station S33).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 11/25/63, Station S19).

Gabe's Speedometer Service, 2635 West Passyunk Avenue, Philadelphia, Philadelphia County, PA 19145 (Appointed: 06/03/97, Station S85).

Humenicks Auto Electric, 646 East Diamond Avenue, Hazleton, Luzerne County, PA 18201 (Appointed: 11/13/67, Station S74).

Izer Garage, 4616 Buchanan Trail East, Zullinger, Franklin County, PA 17272 (Appointed: 02/23/53, Station S106).

George's Garage, 868 Providence Road, Scranton, Lackawanna County, PA 18508 (Appointed: 04/15/98, Station S8).

K & M Automotive Electric Service, 1004-24th Street, Beaver Falls, Beaver County, PA 15010 (Appointed: 11/13/67, Station S23).

Mack Enterprises of Reading, 4226 Pottsville Pike, Reading, Berks County, PA 19605 (Appointed: 05/15/79, Station S1).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317 (Appointed: 01/03/84, Station S7).

Melody Lakes Tire & Auto Care, Incorporated, 1113 North West End Boulevard, Quakertown, Bucks County, PA 18951 (Appointed: 09/15/71, Station S38).

North Boro Speedometer Service, 547 California Avenue, Pittsburgh, Allegheny County, PA 15202 (Appointed: 11/02/78, Station S69).

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, PA 17601—Also authorized to use mobile units (Appointed: 06/09/97, Station S82).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 06/29/62, Station S67).

S & D Calibration Services, 1963 Route 837, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/22/83, Station S35).

Stewart's Speedometer & Auto Parts, 112 South Third Street, Youngwood, Westmoreland County, PA 15601 (Appointed: 03/20/80, Station S58).

Thoman Auto Electric, Incorporated, 227 Valley Street, Lewistown, Mifflin County, PA 17044 (Appointed: 10/03/78, Station S104).

Thomas Auto Electric, 109 North 9th Street, Stroudsburg, Monroe County, PA 18360 (Appointed: 07/24/89, Station S105).

Y.I.S./Cowden Group Inc., 1049 North Hartley Street, York, York County, PA 17404. (Appointed 8/20/04, Station S9).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices, which measure elapsed time between measured road surface points by using two sensors:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 04/07/93, Station EL3).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EL22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/14/02, Station EL1).

S & D Calibration Services, 115 Walnut Drive, Eighty Four, Washington County, PA 15330—Also authorized to use mobile units (Appointed: 09/14/82, Station EL11).

Speed Enforcement, Incorporated, R. D. 1, Box 32, Randolph Road, Great Bend, Susquehanna County, PA 18821—Also authorized to use mobile units (Appointed: 03/26/85, Station EL14).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, PA 18822—Also authorized to use mobile units (Appointed: 12/01/78, Station EL2).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21).

Mahramus Specialty Auto Service, 285 Muse Bishop Road, Cannonsburg, Washington County, PA 15317 (Appointed: 07/31/97, Station EL18)

YIS/Cowden Group, 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed: 02/20/80, Station EL7).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Stations:

Beerbower Incorporated, 1546 East Pleasant Valley Boulevard, Altoona, Blair County, PA 16602 (Appointed: 09/02/77, Station W14).

George L. Cogley, 1222 Liberty Avenue, Natrona Heights, Allegheny County, PA 15065 (Appointed: 09/27/77, Station W9).

Department of General Services Metrology, Room B-124, Transportation and Safety Building, Harrisburg, Dauphin County, PA 17120 (Appointed: 03/09/79, Station W18).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 10/28/77, Station W29).

Green Jewelers, Route 819, Armbrust, Westmoreland County, PA 15616 (Appointed: 06/23/78, Station W41).

Hostetter's Jewelers, 2 Hill Street, Shrewsbury, York County, PA 17361 (Appointed: 11/18/77, Station W30).

Leitzel's Jewelry, 422 East, Myerstown, Lebanon County, PA 17067 (Appointed: 09/01/87, Station W58).

Leitzel's Jewelry Store, 296 Center Street, Millersburg, Dauphin County, PA 19061 (Appointed: 07/28/77, Station W7).

Mountz Jewelers, 153 North Hanover Street, Carlisle, Cumberland County, PA 17013 (Appointed: 09/21/87, Station W59).

Precision Watch Repair Company, 1015 Chestnut Street, Room 1010, Philadelphia, Philadelphia County, PA 19107 (Appointed: 09/24/80, Station W54).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 09/15/86, Station W56).

R & R Timing, 529 Freeport Road, New Kensington, Westmoreland County, PA 15068. (Appointed 6/16/04 Station W10).

Oscar Roth Jewelers, 659 Memorial Highway, Dallas, Luzerne County, PA 18612 (Appointed: 09/22/78, Station W47).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/14/02, Station W1).

S & D Calibration, 115 Walnut Drive, Eighty Four, Washington County, PA 15330—Also authorized to use mobile units (Appointed: 10/10/89, Station W61).

Servinsky Jewelers, 610 Second Street, Cresson, Cambria County, PA 16630 (Appointed: 05/18/78, Station W40).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, PA 18822—Also authorized to use mobile units (Appointed: 04/22/91, Station W63).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station W64).

Wolf's Jewelry, 314 Market Street, Lewisburg, Union County, PA 17837 (Appointed: 10/06/77, Station W22).

YIS/Cowden Group, 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed: 08/30/89, Station W60).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices which calculates average speed between any two points:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 02/11/93, Station EM23).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EM22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/14/02, Station EM1).

S & D Calibration, 115 Walnut Drive, Eighty Four, Washington County, PA 15330—Also authorized to use mobile units (Appointed: 09/14/82, Station EM6).

Speed Enforcement, Incorporated, R. D. 1, Box 32, Randolph Road, Great Bend, Susquehanna County, PA 18821—Also authorized to use mobile units (Appointed: 02/27/85, Station EM13).

Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, Susquehanna County, PA 18822—Also authorized to use mobile units (Appointed: 10/02/80, Station EM2).

Mahramus Specialty Auto Service, 285 Muse Bishop Road, Canonsburg, Washington County, PA 15317 (Appointed: 08/13/97, Station EM12)

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EM21).

YIS/Cowden Group, 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed: 12/20/80, Station EM5).

Comments, suggestions or questions may be directed to Peter Gertz, Manager, Administrative and Technical Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 783-5842.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 04-2291. Filed for public inspection December 23, 2004, 9:00 a.m.]

INSURANCE DEPARTMENT

Conseco Senior Health Insurance Company; Rate Increase Filing for Long Term Care Policy 10955; Rate Filing

Conseco Senior Health Insurance Company is requesting approval to increase the premium 11% for the long term care policy 10955 and the associated riders. The Transport Life Insurance Company originally issued this form. The average premium will increase from \$1,496 to \$1,701 and will affect 874 policyholders in this Commonwealth.

Unless formal administrative action is taken prior to March 10, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next, scroll down to "General Information" located in the middle of the page and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

Pennsylvania Laws and Regulations

31 Pa. Code Chapter 116 (relating to discounting workers' compensation loss reserves)

31 Pa. Code Chapter 118 (relating to discounting medical malpractice loss reserves)

31 Pa. Code Chapter 84a (relating to minimum reserve standards for individual and group health and accident insurance contracts)

31 Pa. Code § 73.138 (relating to reserves for credit life, accident and health insurance)

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-2292. Filed for public inspection December 23, 2004, 9:00 a.m.]

Disclosure of Departures From Statutory Accounting Principles; No. 2004-11

This document supersedes the notice published at 33 Pa.B. 5888 (November 29, 2003) and shall remain in effect until a subsequent notice is published in the *Pennsylvania Bulletin*.

The National Association of Insurance Commissioners (NAIC) adopted codified statutory accounting principles in March 1998. By Insurance Department Notice Nos. 1998-04 and 2000-02, all types of domestic insurers were advised of the requirement to adhere to the NAIC's codified *Accounting Practices and Procedures Manual* (Manual) in preparing financial statements to be filed with the Pennsylvania Insurance Department (Department) beginning with quarterly financial statements filed as of March 31, 2001. The Manual is not intended to preempt the legislative and regulatory authority of the states. It is intended to establish a comprehensive basis of accounting to be recognized and adhered to if not in conflict with the statutes or regulations of an insurer's domiciliary state (such as, state laws relating to permissible investments) or when the domiciliary state's statutes and regulations are silent.

This notice is to advise all domestic insurers that the Department has identified the following Pennsylvania laws and regulations relating to statutory financial statement presentation that may require disclosure as a departure from the Manual in the notes to financial statements and CPA audit reports¹:

NAIC Statements of Statutory Accounting Principles (SSAP) and Appendices

SSAP No. 55 Unpaid Claims, Losses and Loss Adjustment Expenses and SSAP No. 65 Property and Casualty Contracts

SSAP No. 55 Unpaid Claims, Losses and Loss Adjustment Expenses and SSAP No. 65 Property and Casualty Contracts

SSAP No. 54 Individual and Group Accident and Health Contracts and Appendix A-010 Minimum Reserve Standards for Individual and Group Health Insurance Contracts

SSAP No. 59 Credit Life and Accident and Health Insurance Contracts

Pennsylvania Laws and Regulations

31 Pa. Code § 89.a.116 (relating to long-term care insurance)

Sections 714—716 of The Insurance Company Law of 1921 (40 P. S. §§ 910-14—910-16) (relating to unearned premium reserves of title insurance companies)

Section 661 of The Insurance Company Law of 1921 (40 P. S. § 832) (relating to surety companies)

Section 1008 of The Insurance Company Law of 1921 (40 P. S. § 968) (relating to reserves of reciprocal and inter-insurance exchanges)

31 Pa. Code Chapter 161.8 (relating to credit for reinsurance ceded to alien nonaffiliated insurers which write no primary coverages in the United States)

31 Pa. Code Chapter 161.6 (relating to revocation of reinsurer qualification)

31 Pa. Code Chapter 84b (relating to actuarial opinion and memorandum)

NAIC Statements of Statutory Accounting Principles (SSAP) and Appendices

Appendix A-641 Long-Term Care Insurance

SSAP No. 57 Title Insurance and Appendix A-628 Title Insurance

SSAP No. 55 Unpaid Claims, Losses and Loss Adjustment Expenses and SSAP No. 65 Property and Casualty Contracts

SSAP No. 53 Property Casualty Contracts—Premiums

SSAP No. 62 Property and Casualty Reinsurance

Appendix A-785 Credit for Reinsurance (9.e.)

Appendix A-822 Asset Adequacy Analysis Requirements (effective 09/11/2002)

The laws and regulations referenced in this notice are not intended to be an all-inclusive list. This notice is intended only to provide general guidance in the review of Pennsylvania laws and regulations for purposes of required disclosures in financial statements and CPA audit reports. Questions concerning this notice may be directed to Stephen J. Johnson, CPA, Deputy Insurance Commissioner, Office of Corporate and Financial Regulation, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2142, fax (717) 787-8557 and stjohanson@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-2293. Filed for public inspection December 23, 2004, 9:00 a.m.]

Financial Regulation Updates; No. 2004-10

This notice is being issued to inform all Pennsylvania domestic insurers of the following recent developments relating to regulatory requirements:

Legislative Changes—Act 216 of 2004

Senate Bill 1096 (Printer's No. 1970) was enacted on November 30, 2004, and became Act No. 216 of 2004. The act includes the following Insurance Department initiatives:

- *New Surplus Note Law*—A new section 322.2 has replaced sections 322.1 and 809 of The Insurance Company Law (40 P. S. §§ 445.1 and 919). The new statute applies to all types of licensed insurers and is consistent with the *Accounting Practices and Procedures Manual* (SSAP No. 41 Surplus Notes) adopted by the National Association of Insurance Commissioners (NAIC). Therefore, Pennsylvania's surplus note law is no longer considered a law relating to statutory financial statement presentation that may require disclosure in the notes to financial statements and CPA audit reports as a departure from the NAIC Manual. An important change in the

new law is the elimination of outdated requirements relating to interest rates and the forfeiture of interest earned on surplus notes. The new law became effective November 30, 2004.

- *Investment Limitations*—The life and property/casualty investment laws (40 P. S. §§ 504.2(15)(ii)(C) and 653c(a)(11)(ii)(C)) have been amended to increase the permissible limit in investments in agreements for the lending of securities, repurchase or reverse repurchase agreements with any one business entity from 2% to 5% of admitted assets. This change also reflects current national standards adopted in the NAIC Model Investment Law (Defined Limits) and became effective November 30, 2004.

- *Standard Nonforfeiture Law for Individual Deferred Annuities*—The nonforfeiture law for deferred annuities has been amended to revise the expense charges and interest rates used in determining minimum nonforfeiture amounts. The interest rates shall be based on the Five-Year Constant Maturity Treasury Rate. In addition, the interest rate used in determining minimum nonforfeiture amounts for an equity-indexed benefit may be reduced by up to 100 basis points depending on the value of the equity index benefit. The amendment is effective for contracts issued on or after January 1, 2006, or before January 1, 2006, if an insurer files with the Insurance Department a notice of election of the amendment. An interest rate of 1.5% is used in determining minimum nonforfeiture amounts for contracts issued on or after July 1, 2002, and before January 1, 2006, except if the insurer has elected to apply the amendment prior to January 1, 2006.

Pennsylvania Regulatory Requirements for Annual Audits and the Sarbanes-Oxley Act of 2002

31 Pa. Code Chapter 147, Annual Audited Insurers' Financial Report Required, applies to all domestic insurers. If significant deficiencies in internal controls are identified in an annual audit, § 147.10 of this regulation requires notice to the Department, as follows:

¹ See SSAP No. 1, Disclosure of Accounting Policies, Risks & Uncertainties, and Other Disclosures in the NAIC Manual.

§ 147.10. Report on significant deficiencies in internal controls.

(a) Concurrently with the filing of the annual audited financial reports, each insurer shall furnish the Commissioner with a written report prepared by the independent certified public accountant describing significant deficiencies in the insurer's internal control structure noted by the independent certified public accountant during the audit. The Statement of Auditing Standard No. 60, Communication of Internal Control Structure Matters Noted in an Audit (AU Section 325 of the Professional Standards of the American Institute of Certified Public Accountants, Inc.) requires an independent certified public accountant to communicate significant deficiencies, known as "reportable conditions," noted during a financial statement audit to the appropriate parties within an entity. A report should not be issued if the independent certified public accountant does not identify significant deficiencies.

(b) The insurer is required to provide, within 60 days of the date of the independent certified public accountant's report on significant deficiencies, a description of remedial actions taken or proposed to correct significant deficiencies, if the actions are not described in the independent certified public accountant's report.

The Sarbanes-Oxley Act of 2002 applies to companies that are required to register with the U.S. Securities and Exchange Commission. Section 404, Management Assessment of Internal Controls, of Sarbanes-Oxley requires companies that file annual reports under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78m or 78o(d)) to include an internal control report that contains (1) a statement of management's responsibility for establishing and maintaining an adequate internal control structure and procedures for financial reporting and (2) management's assessment of the effectiveness of the company's internal control structure and procedures for financial reporting. The company's auditor is required to attest to and report on the management's assessment.

As a point of clarification relating to the interrelationship of these state and federal requirements, please be advised that compliance with 31 Pa. Code § 147.10 is required if an auditor's review conducted under section 404 of Sarbanes-Oxley results in the identification of significant deficiencies in internal controls that affect statutory financial reporting, as described in 31 Pa. Code § 147.10.

Coordination of Multistate Licensing

The Department is involved in NAIC efforts to coordinate and streamline multistate licensing of insurers. To facilitate these efforts, the Department requires notice of efforts by domestic insurers to transact business in other states, including applications to:

- become licensed or expand licensing authority
- obtain approval to transact surplus lines or reinsurance business.

Therefore, domestic insurers should notify the Department of these types of activities no later than the date the applications are filed. Notice should be e-mailed to: stjohanson@state.pa.us.

Questions concerning this notice may be directed to Stephen J. Johnson, CPA, Deputy Insurance Commissioner, Office of Corporate and Financial Regulation, 1345

Strawberry Square, Harrisburg, PA 17120, (717) 783-2142, fax (717) 787-8557 and stjohanson@state.pa.us

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-2294. Filed for public inspection December 23, 2004, 9:00 a.m.]

Highmark Inc. d/b/a Highmark Blue Shield; Filing No. 200418, Application for Approval of Revised Base Rates for Community Group Medigap Medical Surgical Products—Blue Cross of Northeastern PA and Independence Blue Cross Plan Areas; Rate Filing

Highmark Inc. has filed for approval of increased rates for Community Group Medigap Medical Surgical Northeastern PA service area plan 38065 A (65 Special) and Independence BC service area plans 38065 A (65 Special), 5450 (Plan A), 5415 (Plan B), 5452 (Plan C) and 5453 (Plan H). The filing requests an aggregate increase of 22.1% for the Northeastern PA service area and an aggregate 30.3% for the Independence BC service area. The rate increase will impact about 8,759 policyholders in this Commonwealth and produce additional annual premium income of approximately \$2.1 million. The requested effective date of the increased rates is April 1, 2005. The most recent prior rate increase for these plans took effect on October 1, 2001.

Unless formal administrative action is taken prior to March 2, 2005, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-2295. Filed for public inspection December 23, 2004, 9:00 a.m.]

Moreye Nusbaum, M.D.; Prehearing

Appeal of Moreye Nusbaum, M.D., under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM04-11-027

On or before January 6, 2005, the appellant shall file a concise statement setting forth the factual and/or legal basis for his disagreement with MCARE'S October 27, 2004, determination. The statement may be in narrative form or in numbered paragraphs, but in either event

shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for January 19, 2005, at 11 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before December 22, 2004. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before January 10, 2005, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before January 14, 2005.

Persons with a disability, who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-2296. Filed for public inspection December 23, 2004, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has 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 hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 N. Seventh Street, Harrisburg, PA 17102.

Appeal of William B. Conlew; file no. 04-265-80395; USAA Casualty Insurance Company; doc. no. P04-12-004; January 10, 2005, 10 a.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 an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Jeffrey Wallace, Agency Coordinator, (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 04-2297. Filed for public inspection December 23, 2004, 9:00 a.m.]

OFFICE OF THE BUDGET

Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P. L. 160, No. 39) as amended by Section 2 of the act of October 19, 1995 (P. L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12 month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by Section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 17, 2004, that the salaries covered by that law shall be increased by 5.2% effective January 1, 2005. The following chart lists the position, the salary prior to the adjustment, the percentage increase of the adjustment, and the new salary:

Cola Adjustment for Elected and Appointed Officials Receiving Salaries Contained in Act 1995-51**COLA Adjustment is Based on the Percent Change in the CPI-U FOR PA-DE-NJ-MD, CMSA,
for the 12 Month Period Ending October 2004**

<i>Position</i>	<i>Salary Prior To 1/1/2005</i>	<i>Cola Adjustment</i>	<i>Salary Effective 1/1/2005</i>
Governor	\$147,882	5.2%	\$155,572
Lieutenant Governor	\$124,220	5.2%	\$130,679
State Treasurer	\$123,038	5.2%	\$129,436
Auditor General	\$123,038	5.2%	\$129,436
Attorney General	\$123,038	5.2%	\$129,436
Large Agency Head	\$118,306	5.2%	\$124,458
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Public Welfare			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$112,390	5.2%	\$118,234
Secretary of Aging			
Secretary of Community & Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$106,476	5.2%	\$112,013
Adjutant General			
Secretary of Agriculture			
Secretary of Banking			
Secretary of the Commonwealth			
Insurance Commissioner			
Liquor Control Board			
Chairman	\$60,099	5.2%	\$63,224
Member	\$57,732	5.2%	\$60,734
Civil Service Commission****			
Chairman	\$67,625	5.2%	\$71,142
Member	\$65,024	5.2%	\$68,405
State Tax Equalization Board			
Chairman	\$20,704	5.2%	\$21,781
Member	\$19,224	5.2%	\$20,224
Milk Marketing Board			
Chairman	\$19,224	5.2%	\$20,224
Member	\$18,485	5.2%	\$19,446
Securities Commission***			
Chairman	\$32,346	5.2%	\$34,028
Member	\$29,510	5.2%	\$31,045
Athletic Commission			
Chairman	\$15,530	5.2%	\$16,338
Member	\$14,788	5.2%	\$15,557
Board of Pardons			
Member	\$13,605	5.2%	\$14,312
Public Utility Commission			
Chairman	\$114,890	**	\$120,734
Member	\$112,390	5.2%	\$118,234
Environmental Hearing Board*			
Chairman	\$114,890	*	\$120,734
Member	\$112,390	*	\$118,234
Board of Claims*****			
Chairman	\$109,223	5.2%	\$114,903
Member	\$103,474	5.2%	\$108,855

*: The Environmental Hearing Board is not listed in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

** : Act 1995-51 requires that the PUC Chairman shall receive \$2,500/yr. more than PUC Members.

<i>Position</i>	<i>Salary Prior To 1/1/2005</i>	<i>Cola Adjustment</i>	<i>Salary Effective 1/1/2005</i>
***: Per Act 1998-51.			
****: Per Act 2002-140 effective November 27, 2002.			
*****: Per Act 2002-118, effective October 2, 2002.			

MICHAEL J. MASCH,
Secretary

[Pa.B. Doc. No. 04-2298. Filed for public inspection December 23, 2004, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-310752F7002. The United Telephone Company of Pennsylvania d/b/a Sprint and MCImetro Access Transmission Services, L.L.C. Joint petition of The United Telephone Company of Pennsylvania d/b/a Sprint and MCImetro Access Transmission Services, L.L.C. for approval of a master interconnection, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania d/b/a Sprint and MCImetro Access Transmission Services, L.L.C., by its counsel, filed on November 15, 2004, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a master interconnection, collocation and resale 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 The United Telephone Company of Pennsylvania d/b/a Sprint and MCImetro Access Transmission Services, L.L.C. 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. 04-2299. Filed for public inspection December 23, 2004, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Bureau of Professional and Occupational Affairs v. Raymond Mills, III; Doc. No. 1578-60-2004; File No. 2004-60-08945

On October 4, 2004, the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) suspended the vehicle salesperson license, No. MV-029508-L, of Raymond Mills, III for failing to pay a previously imposed civil penalty.

Persons may obtain a copy of the adjudication by writing to Thomas A. Blackburn, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court 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.

EDWIN K. GALBREATH, Jr.
Chairperson

[Pa.B. Doc. No. 04-2300. Filed for public inspection December 23, 2004, 9:00 a.m.]