

PENNSYLVANIA BULLETIN

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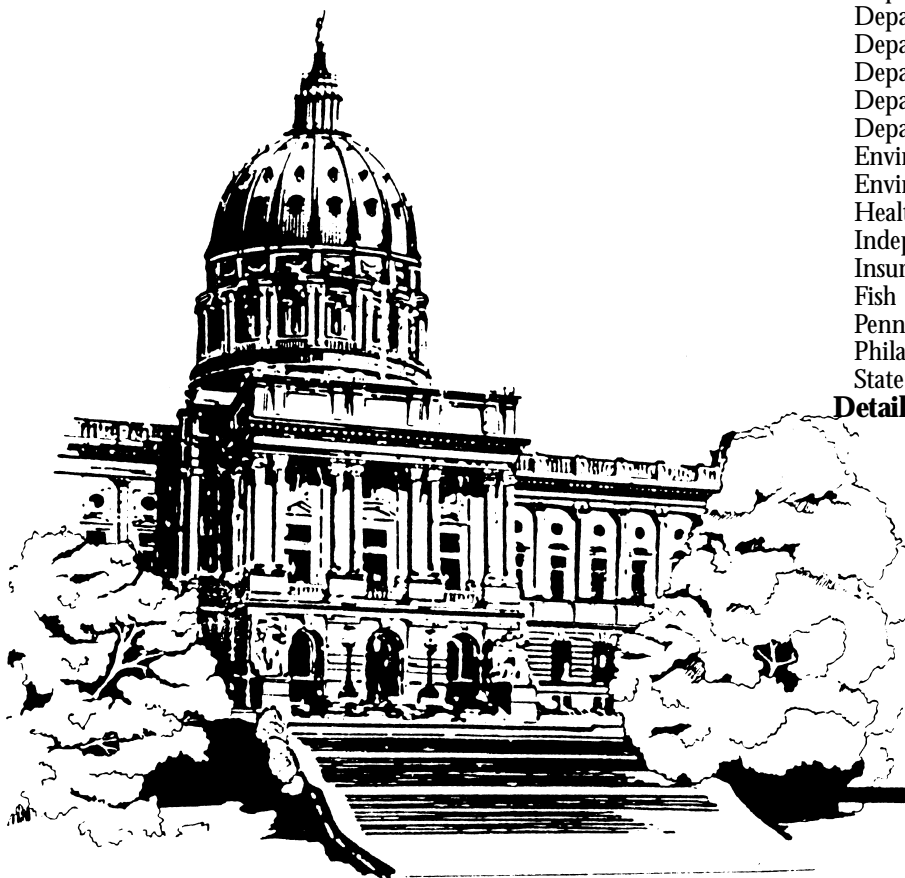
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Pennsylvania Public Utility Commission
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State Board of Nursing

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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 384, November 2006

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

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GENERAL ASSEMBLY

Recent Actions during the 2006 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2006 Regular Session.

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2006 General Acts of Regular Session Enacted—Act 117 through 119					
117	Oct 4	HB2498	PN4457	60 days	Vehicle Code (75 Pa.C.S.)—Gold Star Family registration plate
118	Oct 4	SB1055	PN1992	Immediately	Conveyance—Commonwealth property in Penn Township, Westmoreland County; Cresson Township, Cambria County and Cities of Allentown and Bethlehem, Lehigh County
119	Oct 18	SB0993	PN1893	Immediately	Tax Reform Code of 1971—omnibus amendments

* denotes an effective date with

Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$20.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, accompanied by a check or money order in the sum of \$20, payable to the "Commonwealth of Pennsylvania."

ROBERT ZECH,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 06-2146. Filed for public inspection November 3, 2006, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART II. INTERNAL OPERATING PROCEDURES [210 PA. CODE CH. 67]

Amendment to Guidelines for the Photographing, Recording and Broadcasting of Commonwealth Court Proceedings by the Pennsylvania Cable Network (PCN)

Annex A

TITLE 210. APPELLATE PROCEDURE

PART II. INTERNAL OPERATING PROCEDURES

CHAPTER 67. COMMONWEALTH COURT

Subchapter B. GUIDELINES FOR THE PHOTOGRAPHING, RECORDING AND BROADCASTING OF COMMONWEALTH COURT PROCEEDINGS

§ 67.101. Guidelines for the Photographing, Recording and Broadcasting of Commonwealth Court Proceedings by the Pennsylvania Cable Network (PCN).

* * * * *

(c) *Equipment and Personnel.*

(1) Only two television cameras, with one operator per camera, and one small robotic camera, will be permitted in the courtroom. The Executive Administrator, or designee, shall identify the location in the courtroom for the camera equipment and operators.

* * * * *

[Pa.B. Doc. No. 06-2147. Filed for public inspection November 3, 2006, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Order Amending Rule 1910.16-6; No. 464 Civil Procedural Rules; Doc. No. 5

Order

Per Curiam:

And Now, this 17th day of October, 2006, Rule 1910.16-6 of the Pennsylvania Rules of Civil Procedure is amended as follows.

This order shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective immediately.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.16-6. Support Guidelines. Adjustments to the Basic Support Obligation. **Allocation of Additional Expenses.**

Additional expenses permitted pursuant to this Rule 1910.16-6 may be allocated between the parties even if the parties' incomes do not justify an order of basic support.

(a) *Child care expenses.* Reasonable child care expenses paid by either parent, if necessary to maintain employment or appropriate education in pursuit of income, shall be allocated between the parties in proportion to their net incomes and added to his and her basic support obligation. When a parent is receiving a child care subsidy through the Department of Public Welfare, the expenses to be allocated between the parties shall be the full unsubsidized cost of the child care, not just the amount actually paid by the parent receiving the subsidy. However, if allocation of the unsubsidized amount would result in a support order that is overly burdensome to the obligor, deviation pursuant to Rule 1910.16-5 may be warranted.

* * * * *

(c) *Unreimbursed Medical Expenses.* Unreimbursed medical expenses of the obligee or the children shall be allocated between the parties in proportion to their respective net incomes. Notwithstanding the prior sentence, there shall be no apportionment of unreimbursed medical expenses incurred by a party who is not owed a statutory duty of support by the other party. The court may direct that the obligor's share be added to his or her basic support obligation, or paid directly to the obligee or to the health care provider.

* * * * *

(3) Annual expenses pursuant to this subdivision (c), shall be calculated on a calendar year basis. In the year in which the initial support order is entered, the \$250 threshold shall be pro-rated. **Documentation of unreimbursed medical expenses that either party seeks to have allocated between the parties shall be provided to the other party not later than March 31 of the year following the calendar year in which the final bill was received by the party seeking allocation. Allocation of unreimbursed medical expenses for which documentation is not timely provided shall be within the discretion of the court.**

* * * * *

(e) *Mortgage Payment.* The guidelines assume that the spouse occupying the marital residence will be solely responsible for the mortgage payment, real estate taxes, and homeowners' insurance. Similarly, the court will assume that the party occupying the marital residence will be paying the items listed unless the recommendation specifically provides otherwise. If the obligee is living in the marital residence and the mortgage payment exceeds 25% of the obligee's net income (including amounts of spousal support, alimony pendente lite and child support), the court may direct the obligor to assume up to 50% of the excess amount as part of the total

support award. **If the obligor is occupying the marital residence and the mortgage payment exceeds 25% of the obligor's monthly net income (less any amount of spousal support, alimony pendente lite or child support the obligor is paying), the court may make an appropriate downward adjustment in the obligor's support obligation.** For purposes of this subdivision, the term "mortgage" shall include first mortgages, real estate taxes and homeowners' insurance and may include any subsequent mortgages, home equity loans and any other obligations incurred during the marriage which are secured by the marital residence.

* * * * *

Explanatory Comment—2006

A new introductory sentence in Rule 1910.16-6 clarifies that additional expenses contemplated in the rule may be allocated between the parties even if the parties' respective incomes do not warrant an award of basic support. Thus, even if application of the formula at Rule 1910.16-4 results in a basic support obligation of zero, the court may enter a support order allocating between the parties any or all of the additional expenses addressed in this rule.

The amendment to subdivision (e) recognizes that the obligor may be occupying the marital residence and that, in particular circumstances, justice and fairness may warrant an adjustment in his or her support obligation.

[Pa.B. Doc. No. 06-2148. Filed for public inspection November 3, 2006, 9:00 a.m.]

Title 252—ALLEGHENY COUNTY RULES

Rules of the Court of Common Pleas; No. 1 of 2006; Rules Docket

Order of Court

And Now, to-wit, this 17th day of October, 2006, by vote of the Board of Judges on October 4, 2006, it is hereby *Ordered* and *Decreed* that all existing Allegheny County Civil and Family Court Rules are rescinded and the following Civil and Family Court Rules are adopted.

This *Order* is promulgated in accordance with Pa.R.C.P. No. 239 and shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. This Order shall be filed with the Prothonotary of Allegheny County in the Rules Docket, and copies submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Civil and Family Court Procedural Rules Committee.

JOSEPH M. JAMES,
President Judge

ALLEGHENY COUNTY CIVIL AND FAMILY COURT RULES

Local Rule 1 Structure of the Court of Common Pleas of Allegheny County.

(1) The Court of Common Pleas of Allegheny County consists of the following divisions:

(a) Civil Division: which includes General Docket ("GD"), Arbitration ("AR"), Landlord-Tenant ("LT") and Property Assessments ("BV").

(b) Family Division, which includes the Adult and Juvenile Court sections;

(c) Orphans' Court Division; and

(d) Criminal Division.

(2) Each Division of the Court is managed by an Administrative Judge, who is appointed by the Supreme Court of Pennsylvania.

(3) The Office of the Clerk of the Court of Common Pleas (as defined at 42 Pa.C.S. § 2701 *et seq.*) includes three county officials:

(a) Prothonotary, who serves the Civil Division (which is divided into sections for General Docket and Arbitration matters) and the Family Division;

(b) Register of Wills, who is also the Clerk of Court of the Orphans' Court Division; and

(c) Clerk of Court of the Criminal Division.

Local Rule 2 Notice by Publication.

(1) In all actions where notice is required to be given by advertisement in a newspaper, proof of publication shall be made by the affidavit of the owner, publisher or the designated agent thereof and filed of record before the entering of any final order, decree or judgment.

(2) The *Pittsburgh Legal Journal* is designated as the newspaper of this Court for the publication of legal notices. All notices which are required to be advertised in a newspaper shall also be advertised in the *Pittsburgh Legal Journal*.

Local Rule 3 Money Deposited in Court.

(1) Any officer or person distributing money in proceedings in this Court shall have the docket in the proper office receipted, or shall have received an acknowledged receipt and release for such sums paid.

(2) Except as hereinafter provided, all money deposited with the Prothonotary shall be deposited by the Prothonotary in an institution insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. All deposits with the Prothonotary in excess of Five Thousand Dollars (\$5,000.00) shall be deposited by the Prothonotary in interest-bearing accounts, or may be invested in United States Government obligations or United States Government guaranteed obligations.

(3) All interest accrued on deposits, other than deposits of costs, made for a period of three (3) months or more in excess of Five Thousand Dollars (\$5,000.00) shall be paid to the party or parties ultimately determined to be entitled to the fund.

(4) All accrued interest not distributed pursuant to subdivision (3) of this local rule shall be paid to the county treasurer.

(5) The Prothonotary shall charge for the benefit of the county a commission equal to one-half of one percent (0.5%) on all deposits of less than One Thousand Dollars (\$1,000.00) and one-fourth of one percent (0.25%) on all deposits and interest accrued on deposits of One Thousand Dollars (\$1,000.00) or more.

(6) The Prothonotary shall maintain a record of all moneys deposited, and paid out, setting forth the names of the parties from whom the money was received and to

whom the money was paid, and the commissions charged pursuant to subdivision (5) of this rule.

Local Rule 76 Definitions.

“**Board of Judges**” shall mean all members of the Court, excluding Senior Judges.

“**Court**” shall mean all divisions of the Court of Common Pleas of Allegheny County.

“**Local Rule**” shall mean any rule regulating practice or procedure promulgated by the Court of Common Pleas of Allegheny County pursuant to Section 323 of the Judicial Code (42 Pa.C.S. § 323).

Local Rule 105 Bonds.

(1) **Bonds—Property.**

All bonds, bail and security except those of approved surety companies, shall have endorsed or attached an affidavit showing the value of the property given as surety, and the liens upon it. The affidavit shall state whether the same property has been used as security for any other purpose and, if so, all details. The person liable for the debt shall not be qualified to act as surety for himself or herself.

(2) **Bonds—Corporate Surety.**

No corporation may act as sole surety or guarantor on bonds or undertakings in this Court unless it has been approved by the Orphans’ Court Division of this Court.

(3) **Bonds—Prohibited Sureties.**

No attorney, Sheriff, Prothonotary, their deputies or Court personnel shall be admitted as surety in any action.

Local Rule 198 Actions Between Family Members.

(1) All cases between spouses, former spouses, or persons living as spouses shall be filed in the Family Division. Cases between other family members shall be filed in the Civil Division.

(2) The Administrative Judge of the Division in which a case is filed has the authority, in consultation with the other Administrative Judge, to transfer a case to the other Division.

Local Rule 200 Representation by an Attorney.

(1) Individuals may represent themselves or be represented by an attorney.

(2) Except as otherwise provided by subdivision (3), a corporation, partnership and unincorporated association must be represented by an attorney.

(3) A corporation, partnership or unincorporated association may be represented by an officer or by a partner in the following actions:

(a) a civil action brought in or appealed to this Court in which the relief sought is monetary damages which do not exceed the jurisdictional limit for an action before a Magisterial District Judge.

(b) an appeal from a judgment entered in a Magisterial District Judge Court in an action for the recovery of the possession of real property.

Note: A corporation must be represented by an attorney regardless of the amount in controversy if the lawsuit involves a dispute between shareholders or officers of the same corporation.

Note: See the opinion of Strassburger, J. in *Hammond Press, Inc. v. Verzinskie*, AR02-000702 (C.P. Allegheny 5/6/03).

Local Rule 205.4 Electronic Filing and Service of Legal Papers in Allegheny County.

(1) Except as otherwise provided by subsection (2) of this rule, parties may file legal papers, including original process, with the Prothonotary by means of electronic filing in any civil action or proceeding at law or in equity brought in or appealed to the court, including any action pursuant to the Eminent Domain Code of 1964 or the Municipal Claims Act of 1923. Parties may also file with the Prothonotary by means of electronic filing the following matters:

Allegheny County Bar Association
 Fee Dispute Judgment
 Annual Audit
 Appeal from Compulsory Arbitration Board
 Assurance of Voluntary Compliance
 Bond of Tax Collector
 Cemetery Report
 Commercial Broker Lien
 Commonwealth Tax Lien
 Condominium Lien
 Declaration of Covenant Lien
 Environmental Resources Lien
 Federal Judgment Lien
 Foreign Execution
 Foreign Judgment
 Foreign Judgment/Execution
 Foreign State Tax Lien
 Health Department Judgment
 Housing Court Judgment
 Judgment Roll
 Liens/Scire Facias
 Magisterial District Judge Transcript
 Mechanics’ Lien
 Municipal Lien
 No Lien Agreement
 Oath of Office
 Orphans’ Court Judgment
 Pennsylvania Agency Judgment
 Pension Benefit Lien
 PHEAA Judgment
 Planned Community Lien
 Scire Facias sur Municipal Lien
 Scire Facias sur Tax Lien
 Tax Collector Report
 Unemployment Compensation Lien
 Workers’ Compensation Judgment

Note: A “legal paper” within the meaning of the first sentence of subsection (1) means a pleading or other paper filed in any civil action or proceeding at law or in equity.

Note: For electronic filing of legal papers relating to any action governed by Pa.R.C.P. 1901–1940.9, Family Law and Domestic Relations Matters, see Local Rule 1930.1.

(2) The following legal papers may not be filed with the Prothonotary by means of electronic filing:

(a) A notice of appeal or other legal paper, the filing of which is prescribed by the Rules of Civil Procedure Governing Actions and Proceedings before Magisterial District Judges.

Note: The legal papers described in subsection (2)(a) cannot be filed through electronic filing. See Pa.R.C.P. 205.4(a)(2).

(b) In General Docket cases, (i) preliminary objections, (ii) motions for judgment on the pleadings, or (iii) motions for summary judgment.

Note: The matters described in subsection (2)(b) are excluded from electronic filing because at this time it is not feasible to alter the existing procedure under which these matters are presented to the Chief Motions Clerk or Calendar Control for scheduling prior to filing in the Office of the Prothonotary.

(c) In compulsory arbitration cases, (i) preliminary objections, (ii) petitions, or (iii) motions.

Note: The matters described in subsection (2)(c) are excluded from electronic filing because of the practice of furnishing an argument date to the party filing the matter at the time of the filing.

(d) The following matters:

Amicable Ejectments
Confession of Judgments
Exemplification of Records
Petition for Name Change

Note: At this time, it is not feasible for the Prothonotary to receive through electronic filing the matters described in subsection (2)(d).

(3) The filing party shall maintain the original hard copy of any legal paper that is electronically filed.

(4) The Prothonotary shall provide electronic access at all times. The time and date of the filing and receipt shall be that registered by the Prothonotary's computer system.

(5) The web site address of the Prothonotary is as follows: prothonotary.county.allegheny.pa.us (no www. and no .com).

(6) Access to the web site shall be available to an attorney by use of the attorney's Supreme Court identification number issued by the Court Administrator of Pennsylvania. Access is also available to any other user by the user selecting any numbers or letters that the user wishes to use as an identification number.

(7) The Prothonotary shall maintain an electronic and a hard copy file for the legal papers described in the first sentence of section (1). The Prothonotary is not required to maintain a hard copy file for the legal papers described in the second sentence of section (1).

(8) The procedures for payment of the fees and costs of the Prothonotary shall be set forth on the Prothonotary's website.

(9) The Prothonotary shall provide a filing status message to the filing party setting forth the date of and time of acceptance of the filing or the fact that the filing has not been accepted. A legal paper is not considered filed if the Prothonotary responds to the filing by notifying the filing party that the filing party has not (i) maintained sufficient funds to pay the fees and costs described in subsection (8) or (ii) authorized payment by credit or debit card of these fees and costs.

Note: A filing party accepts the risk that a document filed by means of electronic filing may not be properly or timely filed with the Prothonotary. See Pa.R.C.P. 205.4(e)(2). One of the risks is that the Prothonotary either correctly or incorrectly determines that the filing party has not met its obligation for payment of the necessary fees and costs.

Local Rule 212.1 Pre-Trial Procedure for All Actions in the Civil Division of the Court of Common Pleas of Allegheny County. Notice of Earliest Trial Date. Time for Completing Discovery and Filing Pre-Trial Statement.

(1) Pa.R.C.P. 212.1 through 212.3 and Local Rules 212.1 through 212.3 apply to all civil actions, both jury

and non-jury, to be tried in the Civil Division, with the exception of appeals from Compulsory Arbitration.

(2) Definitions.

In these rules, the following words shall have the following meanings:

(a) **"pre-trial conference"**—a conference scheduled by the Court in accordance with Pa.R.C.P. 212.3 in which, in addition to matters set forth in Pa.R.C.P. 212.3, the Court shall:

(i) determine whether the parties have complied with this local rule; and

(ii) attempt an amicable settlement of the case.

(b) **"Conciliating Judge"**—the Judge assigned to conduct the pre-trial conference.

(3) Notice of Earliest Trial Date. Time for Completing Discovery and Filing Pre-Trial Statement.

Notices required by Pa.R.C.P. 212.1 shall be given by publication in the *Pittsburgh Legal Journal*, and notice shall be provided to unrepresented parties and to those out-of-county counsel identified in paragraph 6 of the Praecepte to Place the Case at Issue (see FORM 214, Local Rule 214(1)(b)).

Note: As soon as there is a published trial list, trial dates appear as docket entries in each individual case on the trial list. Docket entries are available online at: prothonotary.county.allegheny.pa.us (www. and no .com). Additionally, published trial lists are also available on the Civil Division's website at: www.alleghenycourts.us.

Local Rule 212.2 Pre-Trial Statement.

Each party shall file and serve upon all other parties a written pre-trial statement in conformity with the requirements of Pa.R.C.P. 212.2.

Note: The deadline for each party to file and serve its pre-trial statement is published with the trial list in the *Pittsburgh Legal Journal*. Generally, Plaintiffs are required to fulfill the requirements of Pa.R.C.P. 212.2 forty-five (45) days prior to the commencement of the trial term in which the case is listed, and all other parties are required to fulfill the requirements of Pa.R.C.P. 212.2 thirty (30) days prior to the commencement of the trial term in which the case is listed.

Local Rule 212.3 Conduct of Pre-Trial Conference.

(1) The conduct of the pre-trial conference shall be in conformity with Pa.R.C.P. 212.3.

(2) Notice of the time, date and Conciliating Judge for the pre-trial conference shall be provided by publication in the *Pittsburgh Legal Journal*, and notice shall be provided to unrepresented parties and to those out-of-county counsel who submitted notice of their address to the Calendar Control section of the Civil Division at the time the case was placed at issue.

Note: The dates and times of pre-trial conciliations are also available on the Civil Division's website at: www.alleghenycourts.us.

(3) Any application for rescheduling a pre-trial conference shall be addressed to the Conciliating Judge before whom the pre-trial conference is scheduled.

Note: See Local Rule 214(5)(f) regarding petitions to continue the trial of cases on the General Docket.

(4) Unless excused by the Conciliating Judge, each party with a financial interest and each non-party with a financial interest (such as insurers) shall be present with

full authority to settle the case. However, parties without a financial interest need not attend.

(5) The Judge presiding at the pre-trial conference may impose such sanctions as are deemed appropriate against counsel and/or the party(ies) for failure to comply with this rule.

Note: Pre-trial conferences and other pre-trial procedures in cases assigned for trial to a particular Judge may be conducted according to the procedures directed by that Judge.

Local Rule 213 Petitions for Consolidation. Survival Actions.

(1) Petitions for Consolidation shall bear the captions of each case as to which consolidation is requested, including all issue numbers.

(2) At the time of presentation of a petition for consolidation of cases, counsel shall bring sufficient copies of the petition, so that there will be one copy of the petition for the Court file of every case as to which consolidation is requested.

(3) Transfer and consolidation of survival actions and related wrongful death actions are governed by Pa.R.C.P. 213.

Note: As to settlement of survival actions, see Local Rule 2206 and Orphans' Court Local Rule 12.16F.

Local Rule 214 Issue Docket, Trial Lists and Trials.

(1) Issue Docket—General Docket (“GD”) Cases.

(a) After the expiration of sixty (60) days from the date of service of the original complaint upon each defendant, and after all of the pleadings in a case are closed, any of the parties may file a praecipe to place the case at issue, thereby signifying that the case is ready to be listed for trial. The Praecipe to Place the Case at Issue shall be in the same form as FORM 214 (see subsection (b) below). Cases placed at issue receive consecutive numbers (“issue numbers”) which are used to track the placement of cases on a trial list. After an issue number is assigned to a case, it shall be included on the caption and cover sheet of all subsequent filings. The Prothonotary shall keep an issue docket of cases placed at issue. The Calendar Control Office of the Court of Common Pleas shall create the civil trial lists from those cases which have been placed at issue.

Note: The Court has provided a mandatory form of Praecipe to Place Case at Issue, FORM 214 (see subsection (b) below), which requires that counsel provide the Court with certain information regarding the case, to facilitate the orderly assembly of trial lists.

Note: See Local Rule 4003.5(7)(a) regarding priority on trial lists for professional liability and product liability cases which meet certain criteria. The form to be used to obtain priority placement on trial lists for such cases is found at FORM 4003.5D at Local Rule 4003.5(10)(d). This form is filed, at the appropriate time, in addition to the Praecipe To Place Case At Issue.

(b)

FORM 214 Form of Praecipe to Place Case at Issue

[CASE CAPTION, INCLUDING DOCKET NUMBER]

PRAECIPE TO PLACE CASE AT ISSUE

The undersigned party hereby certifies the accuracy of the following information to the Court, and requests that

the Prothonotary assign an issue number to this case, list this case on the issue docket, and place it in order on the next available trial list:

1. At least sixty days have passed since the service of the original complaint on all defendants.

2. All pleadings have been filed.

3. All preliminary motions and objections have been disposed of.

4. There are ____ plaintiffs and ____ defendants remaining in the case. Plaintiffs remaining in the case, and their counsel, are: [list the parties and their counsel]. Defendants who have actually been served and who remain in the case, and their counsel, are: [list the parties and their counsel].

5. According to documents filed in the case, the following parties are not presently represented by counsel and should be provided with notice of earliest trial date pursuant to Local Rule 212.1(3) at the following addresses: [list unrepresented parties and their mailing addresses].

Alternative 5. According to documents filed in the case, there are no unrepresented parties in this case at this time.

6. According to documents filed in the case, the following parties are presently represented only by out-of-county counsel. Such counsel should be provided with notice of earliest trial date pursuant to Local Rule 212.1(3): [list party, their out-of-county counsel, and counsel's mailing address].

Alternative 6. According to documents filed in the case, there are no parties in this case who are represented only by out-of-county counsel.

7. I estimate that the following number of days will be required for the trial of this case, including the time required for jury selection, closing arguments and charge:

- No more than 1 trial day
- 2 to 3 trial days
- 4 to 6 trial days
- 7 to 10 trial days
- 11 to 15 trial days
- More than 15 trial days

8. A jury trial has/has not [circle one] been requested in this case.

9. If this is a civil action that raises only claims for equitable relief, see Local Rule 1001 and FORM 1001 at Local Rule 1001(3).

Respectfully submitted,

Dated: ____ By: _____
[Identification of *pro se* party or counsel]

[Address and telephone number of *pro se* party or counsel]

(2) Exceptions to Issue Docket.

The following types of cases need not be placed at issue or otherwise certified ready for trial:

(a) cases pending on the Compulsory Arbitration docket (AR) and (LT);

(b) appeals from Compulsory Arbitration;

(c) cases originally filed in the general docket (GD) and transferred to Compulsory Arbitration; and

(d) cases in which a new trial has been granted by either the court of original or appellate jurisdiction.

Note: In cases in which a new trial has been granted, prompt written notice of the granting of such relief should be given by plaintiff to the Calendar Control Office of the Civil Division.

(3) **Removal From The Issue Docket.**

Cases which have been stricken from the issue docket shall receive new issue numbers after full compliance with this local rule and the filing of a subsequent Praecepto to Place Case at Issue.

(4) **Trial Terms.**

Civil Division trial terms are generally scheduled for five or six week periods commencing each January, March, May, September and November.

(5) **Trial Lists. Call of The List. Date of Trial.**

(a) **Initial Publication of Trial Lists.** The trial dates for each term and the cases scheduled to be tried during that term are published approximately one hundred and twenty (120) days prior to the beginning of each of the trial terms in the *Pittsburgh Legal Journal*. It shall be the responsibility of in-county counsel to monitor the *Pittsburgh Legal Journal* for the initial listing of a case on a trial list. Publication of trial lists in the *Pittsburgh Legal Journal* is the only form of notice given to in-county counsel of the listing of a case for trial. Unrepresented parties and out-of-county counsel who submit notice of their address to the Calendar Control Office of the Civil Division (see Local Rule 212.1(3)) are mailed a notice of earliest trial date.

Note: As soon as there is a published trial list, trial dates appear as docket entries in each individual case on the trial list. Docket entries are available online at: prothonotary.county.allegheny.pa.us (no www. and no .com). Additionally, published trial lists are also available on the Civil Division's website at: www.alleghenycourts.us.

(b) **Pre-trial Discovery Deadlines.** Deadlines for the completion of discovery are published with the trial list in the *Pittsburgh Legal Journal*. Any party initiating discovery must do so within such time as to permit the responding party the full time allowed for response by the Pennsylvania Rules of Civil Procedure, so that the response may be served on or before the date set for completion of discovery.

Note: Generally, discovery is required to be completed sixty (60) days prior to the commencement of the trial term in which the case is listed for trial.

(c) **Call of the List.** Each day during the trial term at 9:00 a.m., the Calendar Control Judge calls the daily trial list. Counsel for each party in each case listed for the first time on that date shall appear at said time, personally or through a representative, and shall advise the Court, when the case is called:

- whether counsel for each party is ready for trial (each party, in turn, advises the court);
- the expected time required to try the case; and/or
- of any settlements which have occurred.

Counsel shall be prepared to commence trial on and after the date of the Call of the List. Counsel shall be prepared to engage in conciliation immediately after the Call of the List, or at such other time as the Court may thereafter direct. Cases not commenced on the date listed will be called again the following day and each day

thereafter, until the case is commenced, removed from the list by motion or settlement, or the trial term ends. Cases not commenced during the trial term are placed on a future trial list.

(d) **Daily Publication of Updated Trial List.** During each trial term, daily trial lists, updated to reflect settlements, continuances, cases called for trial, or other dispositions of cases, are published daily in the *Pittsburgh Legal Journal*. It is the responsibility of all parties to monitor the status of their cases on the updated trial list. Written notice of updates will not be sent.

Note: Updated trial lists are also available on the Civil Division website at: www.alleghenycourts.us.

(e) **Date of Trial.** The dates for which cases are listed for trial are intended to serve as close estimates as to when each case will be reached for trial.

(f) **Trial Policy.**

(i) When the list of cases is first published, trial counsel must ascertain the readiness of their cases as to bills, reports, etc. and the availability of witnesses, doctors, experts, etc. involved in the case.

(ii) When it is ascertained that any person necessary for the trial of the case may not be available during the trial term, the deposition of that person for use at trial must be taken forthwith.

(iii) Requests for continuances or adjustments of the trial date should be made as soon as possible after the initial publication of the trial list. Last-minute requests for continuances ordinarily will not be granted to accommodate counsel, clients or witnesses for business trips, vacations or any absence during trial terms or for failure to comply with any of the trial policy rules.

(iv) Counsel, as listed for the case, must be available and ready to try the case at the time it is called.

(v) If listed counsel are not available, absent compelling reasons, substitute counsel must be available.

(vi) A law firm not having sufficient trial counsel may be required to obtain substitute trial counsel.

(vii) If listed counsel is not available and no substitute counsel is provided, the case will proceed without counsel.

(viii) When called to select a jury, unless excused by the Court, counsel must appear within fifteen (15) minutes; if not present when so called, a clerk will select the jury and the case will be ordered to trial notwithstanding the absence of counsel.

(ix) The trial policy rules will be applied regardless of the directions or desires of clients.

Note: As to motions relating to cases appearing on a published trial list, see Local Rule 208.3(a)(3) regarding the Calendar Control Judge. As to pre-trial statements, see Local Rule 212.2.

(6) **Exception to Trial Lists.** Cases which have been assigned to an individual judge do not appear on a trial list; rather, such cases proceed to trial as ordered by the individual assigned judge. Local Rule 220.1 Voir Dire.

Local Rule 220.1 Voir Dire

In all civil actions to be tried before a jury, the following questions (except those which all parties shall agree in advance to strike as inappropriate for the type of case involved) shall be propounded by an Assignment Room Clerk, in the presence of all counsel, to the members of the panel:

(a) TO BE ADDRESSED TO THE GROUP:

1) The attorneys in this lawsuit and their law firms are

_____	_____
ATTORNEY FOR PLAINTIFF	LAW FIRM

_____	_____
ATTORNEY FOR DEFENDANT	LAW FIRM

Have you had any social, business or professional contact with any of these attorneys or their law firms?

2) The parties in this lawsuit are _____ vs. _____ .

Do any of you know or have you had any social, business or professional contact or employment with any of the parties, or are any of you stockholders in _____ [name of company(ies)]?

3) This lawsuit concerns _____ .

(description which clues the jury panel to the type of case—products liability, medical, fall down, construction, contract, etc.—along with a time period or date and a place if applicable).

Does anyone know anything about this case?

4) Have you or any members of your family ever worked for, been served by, treated by or had any professional or social association with the following:

(Name all party professionals and experts)

(b) TO BE ASKED INDIVIDUALLY

We will begin interrogation. Juror #1, will you please step forward.

5) State your name please.

6) Are you known by any other name?

7) What area are you from?

8) What is the date and place of your birth?

9) What occupations and employers have you had during your adult life? (If unemployed or retired, what was your previous occupation?)

10) What is the extent of your formal education? If college—do you have a degree/in what field?

11) Are you single, married, divorced, separated or widowed?

a) (If married) What is your spouse's name?

b) What occupations and employers has your spouse had?

12) Do you have children? If so,

a) How many and what are their ages?

b) (If any child over 18) What occupation(s) and employers have your children had?

13) Does anyone else live with you at your home? If so,

a) What are their names?

b) What occupation(s) and employers has such person had? (If any one of them is unemployed or retired, what was their prior occupation?)

14) Do you have brothers and sisters? If so, what occupations and employers have they had?

15) Have you or any member of your family ever been involved as a party or a witness in a lawsuit or court action? If so,

a) Who was involved?

b) What was the nature of the lawsuit?

c) Were you or your family member the plaintiff or defendant?

d) What was the outcome?

16) Have you ever been a defendant or a witness in a criminal case?

a) How so?

b) What was the outcome of the case?

17) Do either you, any member of your immediate family or anyone with whom you reside have a business relationship, friendship or association with any person who is a law enforcement officer, a judge, a lawyer or a person who works or is affiliated with the Court system?

a) If so, please explain.

b) Will that influence your judgment in this case so that you may not be able to be fair and impartial?

18) Have either you, your spouse or your parents, children, brothers or sisters ever worked in the insurance industry or have any of you owned stock in an insurance company?

a) If so, please explain.

b) Will that influence your judgment in this case so that you may not be able to be fair and impartial?

19) Are you a licensed driver of a motor vehicle?

20) Do you have any physical or mental condition that might affect your ability to serve as a juror? If so, please explain.

21) Based on anything you may have heard or read, do you have a belief or opinion about civil damage lawsuit?

a) If so, what is that opinion or belief?

b) Will that influence your judgment in this case so that you may not be able to be fair and impartial?

22) This case involves a claim for money damages and is the type commonly called a _____ (products liability; medical malpractice; auto accident; breach of contract; etc.) lawsuit.

a) Do you have an opinion or a belief for or against this type of case, the people who file this type of case, or the persons who are sued in this type of case?

b) If so, what is that opinion or belief?

c) Will that influence your judgment in this case so that you may not be able to be fair and impartial?

23) Is there any reason why you feel you cannot serve as a fair and impartial juror in this case?

(c) Parties may submit up to three (3) proposed additional voir dire questions. If all parties agree to the questions, they shall be submitted to the Calendar Control Judge for approval or disapproval. If all parties cannot agree, then proposed voir dire questions shall be submitted to all other parties three (3) days prior to submitting them to the Calendar Control Judge for approval or disapproval.

Local Rule 227.1 Post-Trial Motions. Filing of Appeals. Request for Transcript, Certification and Waiver Forms.**(1) Post-Trial Motions.**

(a) Post-Trial Motions shall be filed in the Office of the Prothonotary and a copy shall be delivered to the Trial Judge. Argument shall be scheduled by the Trial Judge without praecipe.

(b) On all Motions for Post-Trial Relief, only those portions of the testimony relating to the questions raised need be transcribed. If counsel cannot agree on the evidence to be transcribed, the matter may be submitted to the Trial Judge. The reporter shall arrange the transcript so that omitted portions may be inserted in the event this becomes necessary. A moving party desiring to rely wholly or in part on a transcript of the testimony or on the charge of the Court shall file in the Office of the Prothonotary a certificate from the court reporter, stating that the testimony relied upon or the charge has been ordered and is being transcribed. Such certificate shall be filed within a period of ten days from the filing of the Motion for Post-Trial Relief. Upon failure to file such certificate within the time prescribed, it shall be conclusively presumed a transcript of said testimony is not necessary and is waived.

(c) Unless accompanied by an affidavit stating the names of all witnesses expected to testify, and the substance of the testimony they are expected to offer, no Motion for a New Trial will be entertained on the grounds of after-discovered evidence.

(d) Upon the filing of any Motion for Post-Trial Relief, the Court may, on its own motion or on the motion of any interested party, hold a post-trial hearing and/or conciliation.

Note: See Pa.R.C.P. 106 regarding computation of time and Local Rule 252 regarding video records.

(2) Appeals.

When filing documents necessary to effectuate an appeal of a Civil Division matter in accordance with the Pennsylvania Rules of Appellate Procedure and specifically Pa.R.A.P. 905 and 906, filings with this Court are made in the appropriate office of the Clerk of Court of Common Pleas as follows:

- If appeal is being taken from a matter which is pending in the Civil Division, including General Docket ("GD") or Arbitration ("AR"), documents are filed with the Prothonotary;
- If appeal is being taken from a matter which is pending in the Family Division, documents are filed with the Prothonotary; and
- If appeal is being taken from a matter which is pending in the Orphan's Court Division, documents are filed with the Register of Wills.

(a) Filing and Request for Transcript, Certification and Waiver Form.

(i) At the time of filing a Notice of Appeal in the Court of Common Pleas, and pursuant to Pa.R.A.P. 906, whether or not a transcript or waiver has already been filed, the appellant shall attach to all copies of the Notice of Appeal a copy of the completed and acknowledged Request for Transcript, Certification and Waiver, FORM 227.1A (see subsection (d)(i) below) (which is available at the office of the Manager of Court Reporters).

(ii) The Request for Transcript, Certification and Waiver must be completed by the party placing the order, signed by a Judge, if required by Pa.R.A.P. 1922(b), and delivered to the Manager of the Court Reporters to place an order for a transcript for any purpose.

(iii) FORM 227.1A also shall be prepared and filed to demonstrate waiver of a transcript or portion thereof in connection with an appeal.

(iv) The Manager of Court Reporters shall insert the date the Request form is received and shall acknowledge said receipt by signature.

(v) A copy of the form, as acknowledged by the Manager of Court Reporters, shall be satisfactory proof of a transcript order or waiver.

(vi) When a transcript is ordered, the Manager of Court Reporters shall obtain the signature of the court reporter and distribute copies of the Request form to the designated persons.

(b) Notice of Proof of Filing or Delivery of the Transcript.

(i) The Notice of Proof of Filing or Delivery of the Transcript (FORM 227.1B) (see subsection (d)(ii) below) shall be filed with the Prothonotary, a copy faxed to the judge's chambers, and distributed to the designated persons by the Manager of the Court Reporters.

(ii) If a requisite transcript or portion thereof has already been filed with the Prothonotary, a photocopy of the Request for Transcript, Certification and Waiver (FORM 227.1A) and the Notice of Proof of Filing or Delivery of the Transcript (FORM 227.1B) may be attached to the Notice of Appeal.

(c) Transcripts of testimony may not be photocopied.

(d) Forms

(i)

FORM 227.1A Request for Transcript, Certification and Waiver

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

_____ Civil Division
_____ Case No.: _____

Request for Transcript, Certification and Waiver

Plaintiff Nature of Proceeding: _____
v. Date: _____
_____ Court Reporter: _____
_____ Judge: _____

Order Waive

_____	Complete Proceeding	___	___
Defendant	Defendant	___	___
	Plaintiff's Case	___	___
	Defendant's Case	___	___
	Charge	___	___
Requested by:	Closing Argument	___	___
	Other	___	___

Telephone: _____

Signature of Judge if
less than entire
transcript is ordered
Pa.R.A.P. 1922(b)

Copies: Judge/Prothonotary/Manager of Court Reporters/
Attorney/Other

DEPOSIT RECEIVED _____

CASH _____ CHECK # _____ AMOUNT _____

(ii)

**FORM 227.1B Notice of Proof of Filing or Delivery
of the Transcript**

IN THE COURT OF COMMON PLEAS OF ALLEGHENY
COUNTY, PENNSYLVANIA

_____ Civil Division

_____ Case No.: _____

**NOTICE OF PROOF OF FILING OR DELIVERY OF
THE TRANSCRIPT**

Proceeding: _____ Complete Case _____

Plaintiff's Case _____

Date: _____ Defendant's Case _____

Charge _____

Judge: _____ Closing Argument _____

Other _____

I hereby certify that I have filed and/or delivered the
above-described transcript with/to the following:

Date _____ Signature _____

Prothonotary _____

Attorney _____

Court Reporter

If no objections are made to the text of the transcript
within five (5) days after such notice, the transcript will
become part of the record.

Copies: Judge/Prothonotary/Manager of Court Re-
porters/Attorney/Other

Note: See Local Rule 252 regarding video records.

Local Rule 234.1 Subpoena.

(1) The copy of any subpoena (the original of which
issued from this Court) left with a witness who has been
subpoenaed shall have endorsed on said copy the caption,
the number and term of the case, and the name, office
address and telephone number of the attorney causing
the subpoena to be issued and served.

(2) The original subpoena shall be filed in the Protho-
notary's office with return of service.

(3) Subpoenas requiring production of hospital records
shall not be deemed to apply to x-rays or other data not
strictly a part of a hospital record unless they are
specifically requested in the subpoena.

Local Rule 237.1 Entry of Default Judgment, Military Service.

In all cases in which a party to an action has appeared
but subsequently defaults, before any decree or judgment
shall be entered, the opposing party shall file an affidavit
stating that the defaulting party is not in the military

service of the United States, or if the information is not
available, the affidavit shall state what efforts have been
made to obtain the facts.

Note: This local rule is mandated by the
"Servicemembers Civil Relief Act," Title 50 App. U.S.C.
Section 501 *et seq.*

Local Rule 239 Local Rules.

(1) Adoption of Local Rules.

(a) In the absence of special circumstances, the Admin-
istrative Judge of the Civil Division shall notify the
Allegheny County Bar Association Court Rules Committee
of any proposed local rule change, to solicit comments and
input regarding the proposed local rule change.

(b) No local rule shall be adopted, amended or repealed
except by a majority vote of the members of the Court
present at a regular or special meeting of the Board of
Judges. Action on proposed local rule changes may be
taken by the Board of Judges only if the members of the
Board of Judges have received at least seventy-two hours'
notice of the proposed rule change.

(c) Every local rule shall be promulgated in accordance
with these procedures.

(2) Construction of Local Rules.

All rules of construction adopted by the Supreme Court
of Pennsylvania shall apply to local rules adopted by the
Court of Common Pleas of Allegheny County, Pennsylva-
nia. Without limiting the generality of the foregoing,
definitions contained in Pa.R.C.P. 76 shall apply to all
local rules heretofore and hereafter adopted which govern
procedure in the Civil Division and in the Family Divi-
sion.

(3) Citation to Local Rules.

These Rules may be known as the "Allegheny County
Local Rules." Citations to these rules shall be: "Allegheny
County Local Rule _____."

Local Rule 240 In Forma Pauperis.

(1) A party seeking in forma pauperis status shall
apply to the Court for such status. The application shall
include as an attachment the party's affidavit demon-
strating inability to pay the costs of litigation.

Note: See affidavit form in Pa.R.C.P. 240. Application
forms for pro se litigants are available in the office of the
Prothonotary.

Note: For presentation to the Court, see Local Rule
208.3(a)(4).

Note: For indigent divorce cases, see Local Rule
1920.62.

(2) Counsel employed by or affiliated with Neighbor-
hood Legal Services are authorized to file a praecipe for
in forma pauperis status.

(3) The Prothonotary shall accept for filing by a party,
a praecipe as provided by Pa.R.C.P. 240, or an application
under this rule, without charge to the party.

**Local Rule 249 Special Assignments Among Judges.
Complex Case Judge. Asbestos Judge. Class Ac-
tion Judge. Elections Judge. Real Estate Tax
Appeals Judge. Zoning.**

(1) Complex Case Judge.

(a) Applications for designation of cases as complex,
other than class actions and asbestos cases, shall be
presented to the Complex Case Judge.

(b) A case may be considered complex when the case cannot be tried within ten days, when there are complex questions of law and fact or when the orderly administration of justice requires that the case be assigned to a single judge.

(c) Asbestos cases shall always be assigned to the Asbestos Judge and may not be designated as complex. If a complex case is also a class action, in the absence of an order from the Administrative Judge to the contrary, it shall be assigned to the Class Action Judge.

(2) Asbestos Judge.

Actions for personal injury or property damage caused by asbestos, upon filing shall be assigned to the Asbestos Judge, prior to the case being assigned to a general trial list.

(3) Class Action Judge.

Class action cases, upon filing, shall be assigned to the Class Action Judge in accordance with Pa.R.C.P. 1701 *et seq.*

(4) Elections Judge.

Except with respect to matters of an emergency nature arising on an election day, actions relating to elections, upon filing, shall be assigned to the Elections Judge.

Note: See Local Rule 501 regarding Election Day Judges.

(5) Real Estate Tax Appeals Judge.

Real estate tax assessment appeals and real estate tax exemption appeals shall be assigned to the Real Estate Tax Appeals Judge.

(6) Zoning.

Zoning appeals shall be assigned to the Zoning Appeals Judge.

(7) Assignment of Certain Actions Seeking Equitable Relief to Individual Judge.

The placing of a case at issue involving only claims for equitable relief, Quiet Title, Quo Warranto and Mandamus results in assignment to an individual judge.

(8) Discretionary Assignment of Cases to An Individual Judge.

At the discretion of the Administrative Judge or the Calendar Control Judge, in the interests of efficiency and justice, the Court may assign cases to individual judges for any purpose, including pre-trial proceedings and trial.

Local Rule 252 Rule Authorizing and Providing for the Use of Video Records.

(1) Use by Court.

(a) **Authorization:** The Judges of the Court of Common Pleas shall be authorized to use a Video Recording System to provide for the preservation of the official proceedings.

(b) **Responsibilities:** Any Judge using a Video Recording System shall designate operational and functional responsibilities of the system to members of that Judge's staff. Policies and procedures for using the system shall be developed and adopted by the Court and shall provide for the integrity of the video record.

(c) **Parties:** Parties taking part in proceedings where a Video Recording System is being used shall adhere to the policies and procedures authorized in section (1)(b) of this local rule and adopted by the Court.

(2) Video Records.

(a) **Scope:** The provisions of this local rule shall apply to any proceedings presided over by a Court of Common Pleas Judge in which the official record is the video of the proceedings. The official video shall be produced, retained and distributed pursuant to the following sections:

(i) **Video Recordings:** Two video recordings shall be made of each Court proceedings unless otherwise directed by the Court. The records shall be made simultaneously, and the videos resulting from the records shall serve as the official record of the Court proceedings. These tapes shall be labeled and hereinafter referred to as the "A" and "B" recordings.

(ii) **Custody of Videos:** Both the "A" and "B" recordings shall be deemed the property of the Court and shall be retained in accordance with adopted storage guidelines. The "A" recording shall be filed with the Prothonotary of the Court of Common Pleas and maintained as the official record. The "B" recording shall be retained by Court staff designated with such responsibility and shall be used in the production of transcripts as set forth in "Transcription of the Video Record" section below.

(iii) **Identification:** For identification purposes, personnel assigned video responsibilities within the courtroom shall designate on each of the two video recordings the Judicial District, Judge's name, the case file number and caption, the date of the recording, a number that uniquely identifies the recording and either the letter "A" if the video is recorded from the first video recording deck or the letter "B" if recorded from the second video deck.

In the event several short matters related to different cases are recorded on one video, Court personnel may modify this requirement according to procedures developed in consultation with the Prothonotary. A label designed and printed by the Administrative Office of the Allegheny County Courts for use with videos shall be used for tape identification purposes.

The tape recorded in the "A" recording deck shall be the tape on file with the Prothonotary. The tape recorded in the "B" recording deck shall be maintained by the Court.

(iv) **Additional Original Recordings:** Two additional videos, designated "C" and "D," shall be made at the time the official recordings of all evidentiary proceedings are made, labeled as copies and certified by the operator to be true and complete copies of the official record. These tapes shall be available for purchase by parties to the case. Requesting parties shall be charged a fee to be established by Court policy for each tape purchased, except in cases where the requesting party has been declared indigent. All payments for certified copies of video records must be made prior to obtaining the videos.

If the "C" and "D" tapes have not been requested within thirty days of the recorded proceeding, the tapes shall be erased by the Court and subsequently used to make original "A" and "B" video records. In the event such occurs, parties may still obtain a reproduction of the original. Court personnel will reproduce the requested material using the "A" or "B" copies.

(v) **Official Log:** Court personnel assigned video responsibility in the courtroom shall keep a written trial log or assure the video system produces an automatic trial log for all proceedings where the video is the official record. A manual trial log form shall be developed and authorized by the Court. One copy of the log shall be retained by the Court and one copy shall accompany the

video filed with the Prothonotary. A copy of the trial log shall also be provided with each duplicated video made for requesting parties.

(vi) **Certification:** As soon as practicable after the close of each day's Court proceedings, the Court shall certify that each "A" and "B" recording is the official record of the Court proceedings. Original recordings labeled "C" and "D" shall also be certified as true copies of the original record, or portions thereof.

(b) **Transcription of the Video Record:** The following provisions govern the production and use of typewritten transcripts made from videos of Court proceedings:

(i) **Tape Reference:** All transcripts produced from a video shall include, at the top or bottom of each typewritten page, a tape reference which includes a tape identification number, date, and hour, minute and second corresponding to the beginning or end of each page. For example, TAPE NO. 001; 1/2/94; 10:15:45.

(ii) **Requests for Transcripts:** Parties requesting transcripts of proceedings where video recording is the official record shall complete a Transcript Request Form as developed and authorized by the Court and forward it to the Court's designee. Upon receipt of the transcript request, an estimated cost of transcription shall be determined and provided to the requesting party. All costs must be paid prior to the transcription of the record.

(iii) **Authorized Transcription Services:** The Court shall establish an authorized transcription agency to provide the official transcripts of video proceedings, and upon completion of same, shall certify the transcript as a true and correct copy of the video record. Agencies must have and maintain the necessary equipment consistent with the Court's video system to produce transcripts upon demand. Parties choosing to produce the transcript without using the Court's authorized agency will not have the transcript certified.

Note: Local Rule 252 is intended to prescribe the general practice for requesting and securing the transcripts from the Video Record. The designated transcription service must have and maintain the proper transcription equipment compatible with the Court's system to produce daily, expedited, ordinary and hourly copies upon demand.

(3) **Post-Trial Relief. Transcript of Testimony.**

Parties filing Post-Trial Motions shall complete a Transcript Request Form setting forth the relevant portions of the record. If no portion is indicated, transcription of the record shall be deemed unnecessary to the disposition of the record.

(4) **Transcription of the Record on Appeal.**

(a) **Record on Appeal:** Transcripts of proceedings in which the Video Recording System is used as the official record shall be filed and served in the same manner as other transcripts as required by the Pennsylvania Rules of Appellate Procedure relating to the provisions of the record.

(b) **Transcripts:** All transcripts required to be part of the record on appeal where a video recording is the official record shall be provided pursuant to Local Rule 252(2)(b).

Local Rule 253 Taxation of Costs.

(1) **Costs After Judgment.**

Costs shall be taxed by the Prothonotary. Objections shall be presented to the Motions Judge or, if the case was tried, to the Trial Judge.

(2) **Costs After Settlement.**

In Civil Division cases, absent an agreement to the contrary at the time of a settlement requiring the payment of monetary damages, the paying party or parties shall reimburse the recipient the record costs incurred by that party. Where there are multiple payors, the reimbursement of record costs shall be prorated.

Local Rule 301 Formal Requirements.

Any request for issuance of a writ of habeas corpus shall be in writing by petition and in accordance with the following:

(1) The caption shall contain the name of the Commonwealth at the relation of the petitioner in whose behalf the relief is requested, and name as respondent the person who exercises the alleged unlawful restraint, as well as the capacity in which such restraint is asserted, if any.

(2) The petition shall contain allegations of fact and shall be signed and verified by petitioner. If petitioner is unable to sign and verify the petition, the reason shall be set forth.

(3) When the person restrained is an incapacitated person or a minor, the petition shall be brought on behalf of the person restrained by that person's next friend, parent or guardian.

(4) Where the restraint arises out of arrest and incarceration, for any summary or criminal offense, a notice of presentation and a copy of the petition for habeas corpus shall be given forthwith to the District Attorney of Allegheny County.

(5) A proposed preliminary order shall be attached to the petition.

(6) Petitions alleging restraint by law enforcement authorities shall be filed in the Criminal Division; petitions alleging restraint pursuant to an order of Court shall be filed in the Division of Court which issued the order; other petitions shall be filed in the appropriate division of the court.

Local Rule 302 Contents of Petition.

The petition for the issuance of the writ of habeas corpus shall contain allegations of fact as follows:

(1) The basis for the jurisdiction and venue of the Court shall be set forth, as well as the place of confinement or restraint. If the place of confinement or restraint is unknown, this shall be alleged.

(2) Facts must be alleged that show precisely the alleged illegal restraint and the identity of the person in whose custody the person is restrained.

(3) (a) Any prior or pending legal proceeding pertaining to the restraint shall be referred to specifically. Any basis or authority for the restraint shall be specifically set forth. If the basis or authority for the restraint is unknown, this shall be alleged.

(b) When the restraint is a result of a commitment by an issuing authority, a statement of the proceedings before the issuing authority shall be attached.

(4) The facts upon which the right to relief is based must be alleged and a succinct statement of the reasons why the restraint is unlawful shall be set forth without extended argument.

Local Rule 303 Procedure.

The procedure for issuance of a writ of habeas corpus shall be as follows:

(1) The petition shall be presented with an appropriate order. The order signed at the time application for relief is made may deny the requested relief, set a hearing date, grant a rule or grant any other appropriate relief.

(2) When the Court directs the release of a relator upon any conditions of bail pending hearing on the petition, the order shall contain the amount and type of bail and the office in which bail shall be posted.

(3) Upon the direction of the Court that a writ be issued, the order shall be filed with the Prothonotary, and a proper writ of habeas corpus shall be procured from the Prothonotary and served on the respondent as the Court may direct.

Note: It is expected that where the petitioner proceeds upon petition and rule that the order of Court granting the rule shall also provide a direction of notice to the appropriate parties.

Local Rule 440 Certificate of Service.

(1) Copies of all legal papers other than original process that are required to be served on each party to the action pursuant to Pa.R.C.P. 440, shall include a Certificate of Service, which sets forth the date and manner of service.

(2) The Certificate of Service shall set forth the name of an attorney of record for each of the parties that is represented by counsel and the address at which service was made.

Note: The mere statement "Service upon all counsel of record" is not acceptable.

(3) If any parties are not represented by counsel, the Certificate of Service shall identify the party as being unrepresented by using a "pro se" designation and shall set forth the address at which service was made.

(4) The address listed in the Certificate of Service may be an e-mail address or telephone number used for a facsimile transmission where service was made in this fashion provided that such service is authorized under the Pennsylvania Rules of Civil Procedure.

Local Rule 501 Election Day Overseers and Judges.

(1) **Election Overseers.** Applications for the appointment of election overseers shall be presented to the Court at least three days before any primary or election, and reasonable notice shall be given of the proposed appointment to other political parties.

(2) **Judges on Election Days.** In advance of each election day, the President Judge shall enter an administrative order designating which judges of the Court shall be available in the Assignment Room throughout the day to handle matters of an emergency nature relating to the election.

Note: See Local Rule 249(4) regarding Elections Judge for non-emergency matters relating to elections.

Local Rule 502 Appeals From Decisions of the Board of Property Assessment Appeals and Review.

(1) Tax assessment appeals from decisions of the Board of Property Assessment Appeals and Review shall be governed by Local Rule 503.

(2) Tax exemption appeals from decisions of the Board of Property Assessment Appeals and Review shall be governed by Local Rule 504.

Note: Under the former Local Rule 502, there was some confusion regarding whether Local Rule 502 applied

both to tax assessment appeals and to tax exemption appeals from the Board of Property Assessment Appeals and Review. New Local Rules 503 and 504 have been adopted to address the different procedures that apply to tax assessment and tax exemption appeals. New Local Rule 502 incorporates Local Rules 503 and 504 and sets forth the procedures that apply when both a tax assessment appeal and a tax exemption appeal will be or have been filed with respect to the same subject property.

(3) When the Board of Property Assessment Appeals and Review has decided both the tax exempt status and the assessed value of the subject property, a party or parties may appeal both of these decisions to the Court of Common Pleas by filing two separate appeals. The tax assessment appeal shall refer to the separately filed tax exemption appeal and shall be governed by Local Rule 503. The tax exemption appeal shall refer to the separately filed tax assessment appeal and shall be governed by Local Rule 504. The tax assessment appeal shall be stayed until such time as the Court has entered a final order with respect to the tax exemption appeal.

Local Rule 503 Appeals From Real Estate Tax Assessment.

The following provisions shall govern all tax assessment appeals from decisions of the Board of Property Assessment Appeals and Review:

Note: Under the former Local Rule 502, there was some confusion regarding whether Local Rule 502 applied both to tax assessment appeals and to tax exemption appeals from the Board of Property Assessment Appeals and Review. New Local Rule 503 applies only to tax assessment appeals. For procedure governing tax exemption appeals, see Local Rule 504.

(1) Parties.

(a) The following parties must be listed in the caption of the appeal:

- (i) owner(s) of the real estate and/or taxable property;
 - (ii) the municipality in which the property is located;
 - (iii) the school district in which the property is located;
- and
- (iv) the County of Allegheny.

(b) Any entity other than those set forth in subsection (1)(a) of this local rule must file a Petition to Intervene with the Real Estate Tax Appeals Judge in accordance with the Pennsylvania Rules of Civil Procedure to become a party.

(2) Caption.

(a) The party filing the appeal shall be designated as the appellant. All other parties shall be designated as appellees or interested parties.

(b) The caption and cover sheet shall clearly state whether the appeal involves commercial or residential property.

(3) Time For and Content of Appeals.

(a) An appeal from the decision of the Board of Property Assessment Appeals and Review must be verified pursuant to Pa.R.C.P. 206.3 and filed with the Prothonotary within thirty days of the date of mailing of the notice by the Board.

(b) An appeal shall be in substantially similar form as set forth in Petition for Assessment Appeal (FORM 503(3)) (see subsection (19)(a) below) and shall contain the following:

- (i) names of the parties;
 - (ii) identification of the property by address, deed book volume and page, lot and block number and whether the property is residential or commercial;
 - (iii) a concise statement of the reasons for the appeal; and
 - (iv) a copy of the decision of the Board of Property Assessment Appeals and Review.
- (c) No Order of Court is required to file a timely appeal.

(4) Notice.

Appellant shall give notice of the appeal by first class mail, postage prepaid, to all parties and the Board of Property Assessment Appeals and Review, within seven (7) days for the filing of the appeal and shall file proof of service thereof.

(5) Filing of Appeals.

The filing of an appeal by any party shall act as an appeal by all parties.

(6) Withdrawal of Appeals.

No appeal may be withdrawn without the consent of all other parties or leave of court. Any party who fails to appear at the conciliation without prior notice to the Board of Viewers shall be deemed to have consented to the withdrawal of the appeal.

(7) Motions.

All motions in real estate tax assessment appeals shall be presented to the Real Estate Tax Appeals Judge.

(8) Board of Viewers.

All tax assessment appeals from decisions of the Board of Property Assessment Appeals and Review shall be assigned to a Board of Viewers appointed by the Administrative Judge of the Civil Division pursuant to 72 P. S. § 5020-518.1.

(9) Discovery.

(a) In all cases involving non-residential property, the taxing bodies may serve a copy of Tax Assessment Appeal Discovery Requests, (FORM 503(9)) (see subsection (19)(b) below) hereto, on the taxpayer. The taxpayer shall furnish the information sought in the Discovery Requests within forty-five (45) days after receipt thereof.

(b) No party may seek additional discovery through Interrogatories, Request for Production of Documents or otherwise until discovery has been sought through the Tax Assessment Appeal Discovery Requests. Parties seeking additional discovery or any discovery in cases involving residential property must petition the Real Estate Tax Appeal Judge for discovery, who may refer the petition to the Administrative Chair of the Board of Viewers for recommendation.

(c) Any discovery disputes, including without limitation any Motion(s) for Protective Order or Motion(s) to Compel, shall be presented upon proper notice to the Real Estate Tax Appeal Judge.

(d) Discovery shall conclude sixty-five (65) days prior to the date scheduled for conciliation.

(10) Conciliation.

(a) All appeals shall be conciliated before a hearing by a panel of the Board of Viewers assigned thereto.

(b) At the time of conciliation, all parties or their counsel shall be present with full authority to effectuate a settlement of the appeal.

Note: Parties and counsel are advised to pay particular attention to the notice of conciliation. In appropriate cases, the conciliation and hearing may be scheduled on the same day. In such instances, the parties must appear at the conciliation ready to move directly into a hearing if the conciliation does not result in settlement.

(c) If any party fails to comply with the provisions of this local rule, the Board of Viewers may include in their report a recommendation for the imposition of appropriate sanctions, including but not limited to, attorneys' fees and costs against the party or parties failing to comply.

(11) Pre-Trial Statement in Non-Residential Tax Assessment Appeal.

(a) Sixty (60) days prior to the date scheduled for conciliation of a non-residential tax assessment appeal, the appellant shall distribute to all counsel of record, or if counsel have not entered an appearance on the party(ies), and to the panel of the Board of Viewers assigned to the case a pre-trial statement. The pre-trial statement shall incorporate the following information or documents:

(i) a description of the user of the real estate and the nature of the real estate;

(ii) a list of all persons who will give testimony in the trial of this appeal;

(iii) a list of all exhibits which the party intends to use at trial;

(iv) any report, including without limitation an expert report or appraisal, of any person or entity who has been retained, employed, or consulted by the parties, who will give testimony in the trial of this appeal.

Note: Former Local Rule 502 required only the owner of non-residential property to file a conciliation statement. Local Rule 503 has been redrafted to require, in an appeal of non-residential property, both the taxpayer and the taxing bodies to file pre-trial statements. In conjunction with the change from a "conciliation" statement to a "pre-trial" statement, new Local Rule 503 shifts the focus of the parties' anticipated evidence at trial and eliminates the need to list information that will not be part of the party's case at trial. Local Rule 503 also requires parties to include in the pre-trial statement any expert reports and/or appraisals. By its terms, section (11) does not apply to residential tax assessment appeals.

(b) Twenty (20) days prior to the date scheduled for conciliation of a non-residential tax assessment appeal, the appellee(s) shall distribute to all counsel of record, or if counsel have not entered an appearance on the party(ies), and to the panel of the Board of Viewers assigned to the case a pre-trial statement. The pre-trial statement shall incorporate the following information or documents:

(i) a description of the use of the real estate and the nature of the real estate;

(ii) a list of all persons who will give testimony in the trial of this appeal;

(iii) a list of all exhibits which the party intends to use at trial;

(iv) any report, including without limitation an expert report or appraisal, of any person or entity who has been retained, employed, or consulted by the parties, who will give testimony in the trial of this appeal.

(c) All interested parties whose interests are aligned with the appellant shall distribute their Pre-Trial Statement in accordance with subsection (11)(a) of this local rule. All interested parties whose interests are aligned with the appellee(s) shall distribute their Pre-Trial Statement in accordance with subsection (11)(b) of this local rule.

(d) The failure to comply with subsections (11)(a), (11)(b) and (11)(c) of this local rule shall result in appropriate relief, which may include the exclusion or limitation at trial of testimony or evidence which was not provided in the pre-trial statement or a recommendation for the imposition of attorneys' fees and costs against the party or parties failing to comply.

(12) Hearing.

(a) The Board of Viewers shall schedule a hearing and shall provide notice of the hearing to all parties and/or counsel of record.

Note: Parties and counsel are advised to pay particular attention to the notice of hearing. In appropriate cases, the conciliation and hearing may be scheduled on the same day. In such instances, the parties must appear at the conciliation ready to move directly into a hearing if the conciliation does not result in settlement.

(b) The hearing shall be recorded by a court reporter.

(c) The Board of Viewers, at its discretion, may continue the hearing.

(13) Report.

Following the hearing, the Board of Viewers shall file its written Report and Recommendation with the Court. The Court, after review, may accept the Report by filing an Interim Order, or reject the Report and remand for further proceedings.

(14) Objections.

If the Court accepts the Board of Viewers' Report and Recommendation, the parties may file objections to the Report and Recommendation within ten (10) days of receipt of the Court's Interim Order. Objections must be accompanied by a certification of counsel that the trial transcript, or necessary portions thereof, have been ordered from the court reporter. Copies of the objections and certification shall be served on all counsel of record or if counsel have not entered their appearance on the party(ies), the Board of Viewers and the Court.

(15) Briefs on Objections.

Within twenty (20) days of the date on which the transcript is filed of record, the moving party shall file a Brief in Support of Objections and shall serve a copy on all counsel of record or if counsel have not entered their appearance on the party(ies) and the court. The Brief in Support of Objections shall refer to transcript page numbers where possible. The moving party's failure to file a Brief in Support of Objections shall constitute a waiver of all issues which could have been raised therein.

(16) Opposing Briefs.

Within twenty (20) days after the moving party has filed its Brief in Support of Objections, responding parties shall file their Briefs in Opposition to Objections and serve a copy on all counsel of record or if counsel have not entered their appearance on the party(ies), and the Court.

(17) Oral Argument.

After the date set for Briefs in Opposition to Objections has passed, the moving party shall notify the Court that

the matter is ripe for argument by filing a Notice That Matter is Ripe for Oral Argument (FORM 503(17)) (see subsection (19)(c) (below)). The moving party shall serve a copy of this Notice on all counsel of record or if counsel have not entered their appearance on the party(ies). Upon the filing of this Notice, the Court shall schedule oral argument.

(18) Final Order.

In the event that none of the parties file Objections as described above, the Report and Recommendation shall become the final Order of Court.

(19) Forms

(a)

FORM 503(3) Petition for Assessment Appeal

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

(Name), CIVIL DIVISION
Appellant, No. BV _____

v.

(Name or Names), COMMERCIAL/
RESIDENTIAL (choose
one)
Appellees. REAL ESTATE INVOLVED

INTERESTED PARTIES (if applicable):

(Names)

PETITION FOR ASSESSMENT APPEAL FROM ADJUDICATION OF THE BOARD OF PROPERTY ASSESSMENT APPEALS AND REVIEW

AND NOW, comes (name) and files the within Petition for Assessment Appeal from Adjudication of the Board of Property Assessment Appeals and Review, and in support thereof states as follows:

1. Appellant is the owner of commercial/residential real estate and/or taxable property known as (name of business and address) (the "Property"). The Property is recorded at (deed book volume and page) and has been assigned lot and block number (fill in).

2. The County of Allegheny, the (town) and the (school district) are the taxing bodies interested in the taxable status of the Property.

3.—6. (see below)

or

1. Appellant is a political subdivision of the Commonwealth of Pennsylvania and is a taxing body having a cognizable interest in the taxable status of the property which is the subject of this appeal. (Other taxing bodies) also have a cognizable interest in the taxable status of the property which is the subject of this appeal.

2. (Name) is the owner of the commercial/residential real estate and/or taxable property which is the subject of this appeal (the "Property"). The Property is located at (address). The Property is recorded at (deed book volume and page) and has been assigned lot and block number (fill in).

3. The Board of Property Assessment Appeals and Review of Allegheny County (the "Board") is authorized to assess and value real property for the purpose of taxation and to hear appeals from these assessments by aggrieved parties.

4. The Board made an assessment of the Property. (Name) appealed from this assessment to the Board asking that the assessment be reduced/raised.

5. Following a hearing, the Board disposed of the appeal by not changing/reducing/raising the assessment. A copy of the Board's adjudication notice is attached hereto and incorporated herein as Exhibit A.

6. Appellant is aggrieved by the Board's adjudication. Specially, Appellant avers, on information and belief, that the assessment is unfair, unreasonable and excessive/too low. Appellant further avers as follows (list all that apply):

a. The assessment is not equal or uniform with other properties similarly located in the County of Allegheny.

b. The ratio between the market value and the assessment value of the Property is substantially higher than numerous other similar properties located in the County of Allegheny.

c. There is a complete lack of uniformity in the assessment of real estate within the County of Allegheny which makes the Property assessment unjust, unreasonable and discriminatory.

d. (Any other now known reason.)

e. Other such reasons as will be developed at the time of hearing.

WHEREFORE, Appellant requests this Honorable Court to increase/decrease the assessment to such amount as may be right and proper.

Date: _____ (Signature)

(b)

FORM 503(9) Tax Assessment Appeal Discovery Requests

[CASE CAPTION, INCLUDING DOCKET NUMBER]

AND NOW, comes (name) and serves the within Tax Assessment Appeal Discovery Requests upon (name). Pursuant to Local Rule 503(9), all applicable responses to these Requests must be furnished within forty-five days after the receipt of these Requests.

REQUESTS FOR DOCUMENTS

Please produce a copy of the following:

1. Any and all surveys (land, structural, environmental, etc.), building plans and site plans showing design construction and location of the subject property.

2. Any and all mortgages, promissory notes, deeds, and agreements of sale made or assumed on the subject property within the last three years and the corresponding closing statements.

3. Any and all appraisals or evaluations on the subject property which have been made during the last three years.

4. Any and all loan applications of any kind involving or relating to the subject property which have been signed or submitted within the past three years.

5. Any and all leases, land leases, agreements, licenses, occupancy schedules, rent schedules (or rolls) relating to the subject property for the last three years.

6. Any and all written listing agreements, offers to purchase or offers to sell the subject property made within the last three years.

7. Any and all soil tests or mineral evaluations, permit requests, permits, requests relative to zoning variance, or similar applications or requests to any governmental body within the past three years concerning the subject property and the result of any such applications or requests.

8. Any and all federal and state Income Tax Returns and audited financial statements with respect to the subject property within the last three years.

9. Any and all corporate or partnership prospectus or private placement memorandum that contain any reference to the value of the subject property within the last three years.

10. Any and all insurance policies and/or binders covering the subject property, its building contents, buildings or any business located thereon from the last three years.

11. Any and all documents which describe in whole or in part any physical improvements to the subject property (whether by the owner or by a tenant) within the last three years.

12. Any and all documents listing or describing capital improvement(s) made to the subject property over the past three years including the costs of the capital improvements and the completion date(s).

13. Any and all documents relating to leasing commissions paid with respect to the subject property over the last three years including the corresponding tenant space, the commission paid, and the date.

INTERROGATORIES

Please provide the following information:

1. The name, address and telephone number of the person to contact regarding conducting an inspection of the subject property.

Date: _____ (Signature)

(c)

FORM 503(17) Notice That Matter Is Ripe for Oral Argument

[CASE CAPTION, INCLUDING DOCKET NUMBER]

NOTICE THAT MATTER IS RIPE FOR ORAL ARGUMENT

AND NOW, comes (name) and notifies this Honorable Court pursuant to Local Rule 503(17) that this matter is ripe for oral argument and requests that this Honorable Court schedule oral argument at its convenience.

Date: _____ (Signature)

Local Rule 504 Appeals From Real Estate Tax Exemption.

The following provisions shall govern tax exemption appeals from decisions of the Board of Property Assessment Appeals and Review:

Note: Under the former Local Rule 502, there was some confusion regarding whether Local Rule 502 applied both to tax assessment appeals and to tax exemption appeals from the Board of Property Assessment Appeals and Review. Local Rule 504 has been added to specifically address procedures governing tax exemption appeals. For procedure governing tax assessment appeals, see Local Rule 503.

(1) Parties.

(a) The following parties must be listed in the caption of the appeal:

- (i) owner(s) of the real estate and/or taxable property;
- (ii) the municipality in which the property is located;
- (iii) the school district in which the property is located; and
- (iv) the County of Allegheny.

(b) Any entity other than those set forth in subsection (1)(a) of this local rule must file a Petition to Intervene with the Real Estate Tax Appeal Judge in accordance with the Pennsylvania Rules of Civil Procedure to become a party.

(2) Caption.

(a) The party filing the appeal shall be designated as the appellant. All other parties shall be designated as appellees or interested parties.

(b) The caption and cover sheet shall clearly state that it is a tax exemption appeal.

(3) Time For and Content of Appeals.

(a) An appeal from the decision of the Board of Property Assessment Appeals and Review must be verified pursuant to Pa.R.C.P. 206.3 and filed as a General Docket case with the Prothonotary within thirty (30) days of the date of mailing of the notice by the Board.

(b) An appeal shall contain the following:

- (i) names of the parties;
- (ii) identification of the property by address, deed book volume and page, and lot and block numbers;
- (iii) a concise statement of the reasons for the appeal; and
- (iv) a copy of the decision of the Board of Property Assessment Appeals and Review.

(c) No Order of Court is required to file a timely appeal.

(4) Notice.

Appellant shall give notice of the appeal by first class mail, postage prepaid, to all parties and the Board of Property Assessment Appeals and Review, within seven days of the filing of the appeal and shall file proof of service thereof.

(5) Filing of Appeals.

The filing of an appeal by any party shall act as an appeal by all parties.

(6) Withdrawal of Appeals.

No appeal may be withdrawn without the consent of all other parties or leave of court.

(7) In all other respects, tax exemption appeals from decisions of the Board of Property Assessment Appeals and Review shall be governed by the Pennsylvania Rules of Civil Procedure and the Allegheny County Local Rules governing civil actions assigned to an individual judge.

Local Rule 505 Change of Name of a Natural Person.

(1) All proceedings for a change of name pursuant to 54 Pa.C.S. §§ 701—705 shall be brought in the Civil Division, except where an adoption proceeding is commenced in the Orphans' Court Division, in which case the Orphans' Court Division shall adjudicate any change of

name ancillary to that proceeding. In cases where an adoption has been concluded in any other court and the only judicial relief sought in Allegheny County is a change of name, the Petition shall be filed in the Civil Division.

Note: See 23 Pa.C.S. § 2904. See also Supreme Court Orphans' Court Rule 15.5(e) where the adopted person has attained majority.

(2) All Petitions (FORM 505A) (see subsection (3)(a) below) shall be filed on the General Docket (GD).

(3) Requirements for Filing a Petition.

(a) The Petition shall contain two proposed Orders designated as follows:

(i) Either

(A) Order Scheduling Hearing on Name Change (used if Petition is brought by a person(s) of full legal age) (FORM 505B(i)) (see subsection (3)(b)(i) below), or

(B) Order Scheduling Hearing on Name Change (used if Petition is brought on behalf of a minor) (FORM 505B(ii)) (see subsection (3)(b)(ii) below); and

(ii) Decree for Change of Name (FORM 505C) (see subsection (3)(c) below).

(b) The following is required by the Prothonotary:

(i) Petition and one (1) extra copy. If Petitioner's safety would be in jeopardy by reason of the publication of the name change, Petitioner may describe why under paragraph 6, reason for name change.

(ii) A completed fingerprint card (if applicable—children 12 or under are not required to have fingerprints taken) (obtained from either a state or local police department). "Name Change" should be written in red across the top of the completed card.

(iii) A stamped 8-1/2" x 11" envelope addressed to:

PA State Police
Central Repository
1800 Elmerton Avenue
Harrisburg, PA 17110

(iv) A stamped letter size envelope addressed to:

Prothonotary of Allegheny County
First Floor City-County Building
414 Grant Street
Pittsburgh, PA 15219
ATTENTION: Second Deputy

(v) A stamped letter size envelope to the attorney for the filing party, or the pro se party.

(vi) The filing fee applicable to a Petition for a name change.

Note: A current listing of the fees charged by the Prothonotary can be found on the Prothonotary's web site: prothonotary.county.allegheny.pa.us (no www and no com).

(c) After Petitioner has been notified that the fingerprinting process has been completed, the petitioner shall take the Petition in the Prothonotary's file to the Chief Motions Clerk.

Note: The Chief Motions Clerk will be in the Courtroom of the Motions Judge. See "Civil Division" on the Website of the Common Pleas Court of Allegheny County (www.alleghenycourts.us) for the name and Courtroom of the judge who is sitting as the Motions Judge.

(d) The Motions Judge shall schedule the time and date for a hearing.

(e) Where the Petitioner has a prior conviction of a felony but is not barred by 54 Pa.C.S. § 702(c) from obtaining a judicial change of name, the Petitioner shall provide the Court with an envelopes affixed with sufficient postage and pre-addressed to the following so that copies of the Order Scheduling Hearing on Name Change may be sent:

(i) The District Attorney of Allegheny County
Allegheny County Courthouse
436 Grant Street
Pittsburgh, PA 15219

(ii) to any other District Attorney of any county in which Petitioner was convicted of a felony.

(iii) Office of the Attorney General
Commonwealth of Pennsylvania
1600 Strawberry Square
Harrisburg, PA 17120

(f) In those cases where the Petitioner is seeking to change the name of a minor and a parent files an objection to the Petition or appears to oppose the Petition, the case shall immediately be transferred to the Family Division using FORM 505D (see subsection (3)(d) below) for all further proceedings with respect to the minor's Petition.

(3) FORMS:

(a)

FORM 505A Petition for a Name Change

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA CIVIL DIVISION

In Re the Petition of: DOCKET No. GD _____

_____ (Print Your Current Name)

For a Name Change to: _____
_____ (Print Your New Name)

VERIFIED PETITION FOR A NAME CHANGE

And now comes Petitioner(s), _____

by _____

this Petition, and upon being duly sworn, respectfully represents and shows this Court:

1. That the Petitioner(s) is of full legal age and is a bona fide resident of the County of Allegheny, Commonwealth of Pennsylvania, whose residence address is _____

Petitioner(s) has been a bona fide resident of Allegheny County, Commonwealth of Pennsylvania for _____ year(s) immediately prior to filing this Petition. Petitioner(s)

was born on the _____ day of _____, _____ in the County of _____, State of _____, and Country of _____.

2. Petitioner's(s') present name is _____.

3. Petitioner(s) is not married or is married to _____.

4. Petitioner(s) is the Father and/or Mother of the following minor children: None

Name	Date of Birth	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. Petitioner(s) has resided at the following address(es) over the last five (5) years:

6. Petitioner(s) requests the change of name for the following reasons (describe in detail):

7. The proposed change in the Petitioner(s) name, if granted, will not be detrimental to the interests of any other person and is not against the public interest.

8. This Petition is not filed to defraud creditors.

Wherefore, the Petitioner(s), intending to change his/her name, requests that by an Order of this Court, made and entered herein, the Petitioner's(s') name be changed to and decreed to be:

Respectfully submitted,

(Sign Your Current Name)

Address: _____

City, State, Zip: _____

Telephone: _____

[New Page] VERIFICATION

I, (_____), verify that the statements made (Print Your Current Name) in the foregoing Petition are true and correct to the best of my knowledge or information and belief.

I understand that this verification is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn fabrication to authorities, which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Date: _____
(Sign Your Current Name)

(b) (i)

FORM 505B(i) Order Scheduling Hearing on Name Change

(used if Petition is brought by a person(s) of full legal age)

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

In Re: Petition of _____ CIVIL DIVISION
_____ GD No. _____

Petitioner(s).

ORDER SCHEDULING HEARING ON NAME CHANGE

AND NOW, this ____ day of ____, 20 __, upon hearing of the within motion of _____ Esquire/pro se, attorney for the Petitioner(s) above named, it is ORDERED and DECREED that the within Petition be heard on the ____ day of ____, 20 __ at ____ before the Motions Judge. Petitioner(s) shall obtain a judgment search from all counties in which he/she has resided during the last five (5) years. It is further Ordered, that the Petitioner(s) shall advertise once in the Pittsburgh Legal Journal, and once in a newspaper of general circulation in Allegheny County.

BY THE COURT,

_____, J.

(b) (ii)

FORM 505B(ii) Order Scheduling Hearing on Name Change

(used if Petition is brought on behalf of a Minor(s))

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

In Re: Petition of _____ CIVIL DIVISION
_____ GD No. _____

Petitioner(s).

ORDER SCHEDULING HEARING ON NAME CHANGE

AND NOW, this ____ day of ____, 20 __, upon hearing of the within motion of _____, Esquire/pro se, attorney for the Petitioner(s) above named, it is ORDERED and DECREED that the within Petition be heard on the ____ day of ____, 20 __ at ____ before the Motions Judge. Petitioner(s) shall obtain a judgment search from all counties in which he/she has resided during the last five (5) years.

IT IS FURTHER ORDERED, that Petitioner(s) shall obtain an affidavit of consent from the non-petitioning parent and/or serve a copy of this scheduling order by certified and regular mail forthwith.

IT IS FURTHER ORDERED, that the Petitioner(s) shall advertise once in the Pittsburgh Legal Journal, and once in a newspaper of general circulation in Allegheny County.

BY THE COURT,

_____, J.

(c)

FORM 505C Decree for Change of Name

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

In Re: Petition of _____ CIVIL DIVISION
_____ GD No. _____

Petitioner(s).

DECREE FOR CHANGE OF NAME

AND NOW, this ____ day of ____, 20 __, upon hearing on the within Petition and upon motion of _____, Esquire/pro se, attorney for Petitioner(s), with proof of publication and proof that there are no judgments or decrees of record or any other matter of like effect against Petitioner(s), and it appearing that there are no legal objections to the granting of the prayer of the Petition, it is ORDERED and DECREED that the name(s) of the Petitioner(s) be and are, from and after this date changed to

BY THE COURT,

_____, J.

(d)

FORM 505D Case Transfer Order

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

In Re: Petition for Change of Name
_____ GD No. _____
_____ FD No. _____

(a) minor(s)

Petitioner(s): _____

CASE TRANSFER ORDER

AND NOW, the ____ day of ____, 20 __, the Court makes the following findings:

1. The subject of the Petition for a Change of Name is

_____ who (is a) (are) minors.

2. The non-petitioning parent has filed an objection to the proposed Petition for Change of Name or has appeared before the Court and opposes the Petition.

It is therefore ORDERED, ADJUDGED and DECREED as follows:

1. Pursuant to Local Rule 505(3)(f) this matter is hereby transferred to the Family Division for all further proceedings with respect to the Petition for Change of Name.

2. The Prothonotary shall conduct a search of its records to determine if the family involved in this con-

tested name change has an existing Family Division docket number. If there is an existing Family Division docket number, this Petition shall be matched to the existing file and transferred to the Family Division. If there is no existing Family Division docket number, the Prothonotary shall assign a Family Division docket number and open a case file. In either event, the above-referenced General Division docket number shall be cross-referenced with the Family Division docket number.

3. The party who filed the Petition for Change in Name shall be responsible for serving the Family Division scheduling order on the opposing party in a manner consistent with the Rules of Civil Procedure.

4. The party who filed the Petition for Change of Name shall provide the following information:

A. Name(s), Address(es) and Date(s) of Birth of the minor(s) involved:

Name	Address	Date of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Name of the father of the minor child(ren) _____

Address and telephone number of the father _____

Date of Birth of the father _____

C. Name of the mother of the minor child(ren) _____

Address and telephone number of the mother _____

Date of Birth of the mother _____

D. List any prior Family Court involvement and case numbers: (Examples of these cases include: Protection from Abuse, Child Support, Child Custody, and Divorce.) _____

BY THE COURT,
_____, J.

Local Rule 600 Eminent Domain. Scope.

The rules of this chapter shall be construed consistent with the provisions of the Eminent Domain Code, 26 P. S. § 1-101 *et seq.*, and shall apply to all eminent domain and assessment of benefits proceedings, including but not limited to:

- (1) All preliminary objections to a declaration of taking, including the objection that there was an earlier de facto taking;
- (2) Petitions for the appointment of viewers on claims for compensation where no declaration of taking property has been filed;
- (3) Preliminary objections to a petition for the appointment of viewers;

(4) Petitions for the appointment of viewers to ascertain just compensation, including special damages;

(5) Petitions for the appointment of viewers to assess benefits or to assess benefits and ascertain just compensation where statutes permit municipalities to assess the properties benefited for the costs, damages and expenses of public improvements; and

(6) Appeals from Board of Viewers' awards of damages or assessments of benefits whether or not objections other than or in addition to the amount of the award are raised by the appeal.

Local Rule 601 Definitions.

(1) Appeal—an action contesting the decision, report or recommendation of the Viewers, which is filed with the Prothonotary and a courtesy copy delivered to the Board of Viewers.

(2) Applicable trial term—the first term assigned by the Court of Common Pleas during which the trial is scheduled to be conducted.

(3) Board of Viewers—the administrative body designated by the Court of Common Pleas to hear eminent domain and assessment of benefits proceedings.

(4) Hearing—the mechanism by which the Viewers shall hear testimony and receive evidence.

(5) Hearing date—the first date scheduled by the Viewers for a hearing, without regard to any request for a continuance, unless otherwise ordered by the Viewers.

(6) Trial—the mechanism by which the Court of Common Pleas shall hear testimony and receive evidence in an appeal.

(7) View—the date and time scheduled for the parties and the Viewers to inspect the subject property.

(8) Viewers—the panel of the Board of Viewers which shall preside at the View and Hearing and shall issue the decision, report or recommendation of the Board of Viewers.

(9) Viewers' Plans—the plan or any supplemental plan required under Section 1-509 of the Eminent Domain Code.

Local Rule 602 Administrator.

(1) The Administrative Judge shall appoint one (1) of the members of the Board of Viewers to serve as Administrator for a term of two (2) years. The Administrator may be reappointed.

(2) The Administrator shall be primarily responsible to the Court for the efficient and prompt administration and disposition of the matters before the Board of Viewers. The Administrator shall keep records and submit such data to the Court as may be required.

Local Rule 603 Preliminary Objections.

Preliminary objections to a declaration of taking or to a petition for the appointment of viewers shall not be subject to any other local rules and shall be governed by the following procedures:

- (1) No brief shall be required upon the filing of the preliminary objections.
- (2) The filing of preliminary objections shall stay all other proceedings as to only the parcel or parcels that are the subject of the preliminary objections.
- (3) Preliminary objections shall be filed with the Prothonotary upon which the Prothonotary shall stamp the date and time on which the preliminary objections were

filed. The party filing the preliminary objections immediately shall take the stamped preliminary objections and the Prothonotary's file to the Administrative Judge.

(4) Upon receiving the stamped preliminary objections and the Prothonotary's file for the captioned matter, the Administrative Judge shall either hear the preliminary objections or designate another judge to hear the preliminary objections.

(5) The judge assigned to hear the preliminary objections shall schedule a status conference, which shall take place as soon as practicable after the date stamped on the preliminary objections. At the status conference, the judge shall determine whether the parties shall submit evidence in support of or in opposition to the preliminary objections by deposition, by hearing, or by a combination thereof, and shall schedule a date and time for the submission of all evidence and for the submission of briefs. The judge may consider such other issues as are raised by the parties.

(6) Unless mutually extended by the parties or otherwise ordered by the presiding judge for good cause shown, all discovery relating to the preliminary objections, including all depositions, must be completed no later than sixty (60) days after the date stamped on the preliminary objections.

(7) Pursuant to Section 1-406 of the Eminent Domain Code, the parties must present in one pleading, and the Court shall consider, all preliminary objections at one time.

(8) A party, either by filed consent of all parties or by leave of court for good cause shown, may amend that party's preliminary objections.

(9) After the submission of evidence, the presiding judge shall promptly decide all preliminary objections.

(10) The parties shall not file post-trial motions. The order of court ruling upon the preliminary objections is the final order from which an appeal may be taken.

Note: This rule recognizes Pa.R.A.P. 311(e), which provides for an appeal as of right following a court order ruling upon preliminary objections in eminent domain cases.

Local Rule 604 Petitions for the Appointment of Viewers. Notices of Special Damages. Claims Before Board of Viewers.

(1) Each petition for the appointment of viewers, whether filed by a condemnee or by the condemnor and whether including one or more than one property, shall be assigned a new docket number.

(2) Where a declaration of taking has been filed, a petition for the appointment of viewers shall include in the caption as a "Sur No." a reference to the docket number at which the declaration of taking was filed, as follows:

No. _____ 20 ____
 Sur No. _____ 20 ____

(3) A petition for the appointment of viewers shall include all information required to be set forth by Section 1-502 of the Eminent Domain Code.

(4) A condemnee who desires to claim special damages shall set forth the type of special damages sought either in the petition for appointment of viewers or in a written notice to be served upon all other parties and the Board of Viewers at least forty days before the hearing date.

(a) If any petitioner is seeking the determination of any damages or benefits payable under Article VIA of the Eminent Code, the petition for appointment of viewers must clearly set forth which of those damages or benefits are to be litigated before the Viewers. If the petitioner fails to comply with the terms of this paragraph, any damages or benefits payable under Article VIA of the Eminent Domain Code shall not be litigated before the Viewers.

(b) Documents in support of or in opposition to damages or benefits payable under Article VIA of the Eminent Domain Code which properly have been designated under subsection (1) of this local rule as issues to be litigated before the Viewers shall be admitted into evidence at the Viewers' Hearing without the necessity of calling a witness to authenticate the document or to testify about the document's contents, provided that at least twenty (20) days' notice of the intention to offer such documents was given to every other party accompanied by a copy of each document to be offered.

(5) Before presentation of a petition for the appointment of viewers to the Administrative Judge, or such other Judge as the Administrative Judge may designate, the petitioner shall file a copy of the petition with the Chief Clerk of the Board of Viewers. The Chief Clerk shall thereupon designate the particular members of the Board of Viewers to serve in the case by completing Appointment of Viewers (FORM 604) (see subsection (8) below).

(6) A copy of any petition filed by a condemnee shall be sent promptly by registered or certified mail, return receipt requested, postage prepaid to the adverse party or parties as required by Section 1-502(f) of the Eminent Domain Code and to all other condemnees known to the condemnee filing the petition to have an interest in the property.

(7) A copy of any petition filed by a condemnor shall be sent promptly by registered or certified mail, return receipt requested, postage prepaid to all condemnees known to the condemnor to have an interest in the property.

(8)

FORM 604 Appointment of Views

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN THE MATTER OF: CIVIL DIVISION
 CONDEMNATION OF No. GD _____

 Plaintiff,
 vs.

 Defendant.

ORDER OF COURT

AND NOW, this ____ day of _____, 20 __, the within Petition having been presented in open court in consideration thereof, it is ORDERED THAT

are appointed as Viewers as provided by law to view the property and to ascertain such damages as they may find

to have been caused to Plaintiff's property by reason of the condemnation and taking by Defendant as set forth in the within Petition.

_____, J.

BOARD OF VIEWERS

Administrative Chair

Date of View _____

Date and Time of Exceptions Hearing _____

Local Rule 605 Viewers' Plans.

(1) The condemnor, in cases where a declaration of taking has been filed, or the municipality (including a municipal authority), in cases of municipal improvement assessment proceedings, shall furnish Viewers' Plans to the Viewers and to the condemnees or to the abutting property owners within thirty (30) days after being served with the petition for the appointment of viewers or within thirty (30) days of filing the petition if the condemnor or municipality is the petitioner or within thirty (30) days following receipt of a written request from a condemnee or an abutting owner.

(2) If no declaration of taking has been filed, the condemnor shall furnish Viewers' Plans to the Viewers and to the condemnees within sixty (60) days of an adjudication that there has been a taking or that the condemnor is liable for consequential damages in cases where the condemnor contests its liability or within sixty (60) days of service upon it of a petition for the appointment of viewers where it does not file preliminary objections to the petition.

(3) If the condemnor or the municipality fails to furnish Viewers' Plans within the time specified, the Administrative Judge or such other Judge as the Administrative Judge may designate, upon petition of the condemnee or abutting owner, may permit the condemnee or abutting owner to have Viewers' Plans made and order that the cost thereof be charged to the condemnor or municipality. In such a case, the Viewers shall determine and award reasonable amounts for professional engineering services and related costs.

(4) Viewers' Plans shall indicate the entire property involved, the improvements thereon, the extent and nature of the condemnation and such other physical data, including grades, as any may be necessary for the proper determination of just compensation.

(5) Plans of municipal improvements shall indicate the location and names of owners of affected properties. Each property shall be identified by a Viewers' number beginning with "V-1" and running consecutively. Street improvement plans shall also show the cuts and fills resulting from change of grade in the center line as well as at the property lines on each side of stations fifty feet apart. Sewer improvement plans shall show frontal and depth dimensions of affected property, and where the whole of any property cannot be served by the sewer, the drainage line shall be shown on the plan.

(6) If, in the opinion of the Viewers, the plans are insufficient, the Viewers may require revisions or the submission of supplemental plans. If the condemnor or the municipality fails to furnish adequate Viewers' Plans within the time specified by the Viewers, the provisions of subdivision (3) of this Rule may be invoked.

Local Rule 606 Notices of View. Directions to Viewers and Access to Property.

(1) The Viewers shall schedule a view and shall give notice of the view as required by Section 1-504, 1-505 and 1-506 of the Eminent Domain Code.

(2) At least three (3) days before the scheduled View of the property involved, the petitioner shall provide the Viewers and all parties with written directions to the property.

(3) At the time of the View, the persons in possession of the property shall provide access to the interior of all buildings on the property.

Local Rule 607 Notices of Additional Condemnees and Mortgagees.

Within twenty (20) days after service of a petition for the appointment of viewers, each condemnee shall furnish to the Viewers and to the condemnor a notice containing the information required by Sections 1-502(a)(4) and 1-506(a) of the Eminent Domain Code regarding the names, addresses and type of interest of all mortgagees and all other known condemnees who have an interest in the property and have not been identified in the petition.

Note: "All other known condemnees" may include, but is not limited to, tenants or other occupants of the property as of the date of condemnation. Family members of the owner generally need not be listed. "Type of interest" may include, but is not limited to, such things as whether an occupancy was under an oral or written lease, whether the lease contains clause(s) intended to terminate the leasehold in the event of condemnation, and whether there is an easement or right of way.

Local Rule 608 Discovery Prior to Hearing Before Board of Viewers.

(1) All discovery disputes shall be presented upon proper notice to the Administrative Judge, or to such other Judge as the Administrative Judge may designate to preside over the case.

(2) Discovery shall close ten (10) days prior to the Hearing unless otherwise mutually agreed by the parties or ordered by the Court.

Local Rule 609 Hearings and Continuances. Notice.

(1) The Viewers shall schedule a Hearing and shall give notice of the Hearing date as required by Sections 1-504, 1-505 and 1-506 of the Eminent Domain Code.

(2) If a party who has been given reasonable notice of a scheduled hearing does not appear at the hearing, the Viewers may proceed to hear the case ex parte.

(3) Scheduled hearings shall not be continued except by order of the Viewers.

Local Rule 610 Findings of Fact and Conclusions of Law.

(1) A party may request the Viewers to specifically include in their report specific findings of fact. A party must orally make this request known to the Viewers and to opposing parties no later than the conclusion of the Hearing and shall file and serve written proposed findings of fact within ten days of the conclusion of the Hearing.

(2) The Viewers shall include in their report a written adoption or rejection of any requests for specific findings of fact made in accordance with subsection (1) of this Rule.

Local Rule 611 Settlements.

If a case is settled by the parties, notice of the settlement shall be given to the Viewers.

Local Rule 612 Exceptions Before Viewers in Municipal Improvement Assessment Proceedings.

In municipal improvement assessment proceedings, exceptions to the schedule of proposed awards and assessments shall be filed in writing with the Chief Clerk of the Board of Viewers within ten (10) days following the exhibition of the schedule. Exceptions shall be heard on the date set forth in the schedule and shall be decided by the Viewers.

Local Rule 613 Appeals to Court of Common Pleas.

(1) A party may appeal the Viewers' report to the Court of Common Pleas.

(2) An appeal shall set forth the information required by Section 1-516 of the Eminent Domain Code.

(3) No answer need be filed to an appeal.

(4) Appeals shall automatically be placed at issue upon filing.

(5) Appeals, except in municipal improvement assessment proceedings, shall be filed at the same docket number as the hearing before the Viewers and shall include in the caption as a "Sur No." a reference to the docket number at which the declaration of taking, if any, was filed in the manner set forth in Local Rule 604(2).

(6) Appeals in municipal improvement assessment proceedings shall be assigned new docket numbers. Reference to the docket number of the Viewers' Hearing shall be set forth in a separately numbered paragraph of such appeals.

(7) The caption of an appeal shall identify the condemnee or the property owner as plaintiff and the condemnor or municipality as defendant.

(8) The appealing party shall serve a copy of the appeal on all other parties and upon the Board of Viewers within five (5) days after filing. The appellant shall file proof of service of a copy of the appeal upon all parties.

(9) An appeal raising objections other than or in addition to the amount of damages shall state in the caption under the designation of the docket number the following phrase in capital letters: INVOLVES OBJECTIONS OTHER THAN OR IN ADDITION TO AMOUNT OF AWARD.

(10) A party filing an appeal raising an objection other than or in addition to the amount of damages, shall obtain at the time of filing from the Administrative Judge's Clerk, or the Clerk of any such Judge as the Administrative Judge may designate a date for argument of the legal questions raised by the appeal. The legal argument shall be heard by the Administrative Judge or such other Judge as the Administrative Judge may designate. The appealing party shall promptly serve notice of the date obtained upon all other parties.

Local Rule 614 Discovery On Appeal to Court of Common Pleas.

(1) Discovery after an appeal is taken to the Court of Common Pleas shall be governed by the Pa.R.C.P. 4001 et seq. relating to discovery.

(2) Discovery shall close twenty (20) days prior to the first day of the applicable trial term unless otherwise mutually agreed by the parties or ordered by the Court.

Local Rule 615 Pre-Trial Statements On Appeal Before Court of Common Pleas.

(1) Thirty (30) days prior to first day of the applicable trial term, the condemnor(s) and condemnee(s) shall serve the opposing party or parties with a pre-trial statement, which contains the following:

(a) A list of the names and addresses of all persons who may be called as witnesses, classifying them as liability or damage witnesses. Witnesses may be described by title or representative capacity.

(b) A list of all exhibits which the party intends to use at trial.

(c) The written report of any expert (on value or otherwise) who may be offered as a witness at trial.

Note: Expert reports may include, without limitation, appraisals, machinery, environmental and engineering reports.

(2) The exhibits listed pursuant to subsection (1) of this local rule, or copies thereof, shall be made available to the opposing party or parties.

(3) In the event of non-compliance with subdivisions (1) or (2), the trial judge may, in his or her discretion, grant appropriate relief, which may include:

(a) the preclusion or limitation of the testimony of

(i) any witness whose identity is not disclosed in the Pre-Trial Statement, or

(ii) any expert witness whose opinion have not been set forth in the report submitted with the Pre-Trial Statement or otherwise summarized in the Pre-Trial Statement as provided by subsection (1)(c) of this local rule, and

(b) the preclusion of exhibits not listed in the Pre-Trial Statement and made available.

Local Rule 616 Special Rules for Sewer Cases.

In all cases involving the construction, installation or renovation of sewers, the following additional procedures shall be followed. These local rules shall be read in par materia with the Eminent Domain Code and the Second Class Counties Code. To the extent this local rule conflicts with any portion of Local Rules 600—615, this local rule shall govern; to the extent this local rule does not conflict with any portion of Local Rules 600—615, then they shall also apply.

(1) Declaration of Taking.

The condemnor shall file a declaration of taking, which lists the affected property(ies) by name and address of owner and by Lot and Block number.

(2) Petition for Appointment of Viewers.

After a declaration of taking has been filed, the condemnor or any condemnee may file a Petition for Appointment of Viewers (FORM 616) (see subsection (13) below). Attached to any Petition filed on behalf of the condemnor shall be:

(a) a copy of the Viewers' Plan on which each property shall be identified by a viewers' number beginning with "V-1," running consecutively and corresponding to the owners' name and Lot and Block number;

(b) street improvement plans, which shall show the cuts and fills resulting from any change of grade in the center line as well as the property lines on each side of stations fifty feet apart;

(c) sewer improvement plans, which shall show frontal and depth dimensions of affected property, and where the

whole of any property cannot be served by the sewer, the sewer improvement plan shall show the drainage line; and

(d) if benefits are to be determined, a certified copy of all hard and soft construction costs.

(3) Presentation of Petition for Appointment of Viewers to Board of Viewers.

Proposed Scheduling Order. Before presenting a Petition for Appointment of Viewers (FORM 616) (see subsection (13) below) to the Administrative Judge, or such other judge as the Administrative Judge may designate, the petitioner shall file a copy of the petition with the Chief Clerk of the Board of Viewers. At the time of filing, the Chief Clerk of the Board of Viewers shall complete a proposed scheduling order which the petitioner must present to the Administrative Judge, or such other judge as the Administrative Judge may designate along with the petition for appointment of viewers. The Petition and shall state:

(a) the names of the Viewers to be appointed;

(b) the date and time of the View;

(c) the date after which the Viewers' initial report should be available in the office of the clerk of the municipality in which the property or properties are located;

(d) the last date upon which the affected parties may file written exceptions to the Viewers' initial report; and

(e) the date and time of the Exceptions Hearing.

Note: The Proposed Scheduling Order Form will be available from the Chief Clerk of the Board of Viewers.

(4) Presentation of Petition for Appointment of Viewers to Court.

After obtaining the proposed scheduling order from the Chief Clerk of the Board of Viewers, the petitioner shall present the petition for appointment of viewers, along with the proposed scheduling order, to the Administrative Judge, or such other Judge as the Administrative Judge may designate. After the Administrative Judge or such other Judge as the Administrative Judge may designate has approved the appointment of Viewers and has entered the scheduling order, the petitioner must:

(a) If the petitioner is the condemnee, the petitioner must serve a copy of the petition for appointment of viewers and the scheduling order on the condemnor by certified mail, return receipt requested postage pre-paid, by Sheriff's service, or by personal service.

(b) If the petitioner is the condemnor, the petitioner must serve a copy of the Petition for Appointment of Viewers and the scheduling order on all condemnees affected by the petition by certified mail, return receipt requested postage pre-paid, by Sheriff's service, or by personal service. In addition, the condemnor shall advertise the scheduling order in a publication of general circulation, and shall file a copy of the scheduling order in the office of the clerk of the municipality where the property(ies) is located.

(5) Condemnor's Obligations When Petition for Appointment of Viewers is Filed by Condemnee.

Within ten (10) days after receiving a copy of the scheduling order entered after presentation of a Petition for Appointment of Viewers filed on behalf of a condemnee, the condemnor shall file with the Viewers a copy of those documents which Local Rule 616(b) requires the condemnor to attach to a Petition for Appointment of

Viewers filed on behalf of a condemnor and shall serve a copy on all affected parties or their counsel of record.

(6) Certification of Notice—Petition for Appointment of Viewers and Scheduling Order.

At least ten (10) days before the date of the View, the petitioner shall certify in writing to the Viewers that the petition and scheduling order have been served, advertised, and/or posted in accordance with subsection (4) of this Rule.

(7) Viewers' Initial Report.

Within twenty (20) days after the View, the Viewers shall deliberate and determine benefits and/or damages on each V-numbered parcel set forth in the petition for appointment of viewers and shall submit an initial report containing an itemized award of benefits and/or damages. Attached to the Viewers' initial report shall be a notice, which shall contain the following:

(a) a brief and concise statement listing the Lot and Block numbers affected and informing the parties that the Viewers have issued an initial report which contains an itemized award of benefits and/or damages;

(b) a statement informing the affected parties of their right to file exceptions to the initial report;

(c) a statement informing the affected parties that they will not be heard at the scheduled exceptions hearing unless they have timely filed written exceptions; and

(d) an announcement that the full text of the initial report shall be made available by the condemnor in the office of the clerk of the municipality where the property or properties are located.

Note: All parties will have received by way of the scheduling order notice of the latest date on which the Viewers' initial report will issued. See Local Rule 616(3) and (4). Accordingly, all parties are responsible for making sure that they obtain a copy of the Viewers' initial report prior to the date on which written objections to that report must be filed.

(8) Service of Viewers' Initial Report.

The Viewers shall mail a copy of their initial report (with the notice attached) to the condemnor or its counsel of record. The condemnor shall immediately post a copy of the initial report in the office of the clerk of the municipality where the property or properties are located. Within ten (10) days of the date of the Viewers' initial report, the condemnor shall serve all affected condemnees with a copy of the Viewers' initial report and the attached notice by certified mail, return receipt requested postage pre-paid, by Sheriff's service, or by personal service.

(9) Certification of Notice—Viewers' Initial Report.

At least ten (10) days before the date of the exceptions hearing, the condemnor shall certify in writing to the Viewers that the initial report and attached notice have been served and posted in accordance with subsection (8) of this local rule.

(10) Exceptions Hearing.

An exceptions hearing shall be held on the date and time set forth in the scheduling order. Only those condemnees who have timely submitted their written objections to the Viewers' initial report shall be heard by the Viewers at the exceptions hearing. The Viewers shall consider the exceptions of the condemnees and make any adjustments the Viewers deem necessary to their initial award of damages and/or benefits.

(11) Viewers' Final Report.

Within twenty (20) days after the exceptions hearing, the Viewers shall serve a copy of their final report on all parties. Attached to the report shall be a notice advising the parties of their right to appeal the Viewers' decision to the Court of Common Pleas. Within five (5) days of the date of the Viewers' final report, the condemnor shall post the Viewers' final report with the notice attached in the office of the clerk of the municipality where the property or properties are located. Within five (5) days of the date of the Viewers' final report, the condemnor also shall make arrangements to advertise in the next available issue of a publication of general circulation a notice in the following form:

The Board of Viewers has issued its final report, which contains an itemized award of benefits and/or damages for the following Lot and Block numbers: [list]. The full text of the report may be obtained at the [municipality office and address]. Your rights as a property owner may be affected by this report.

(12) Appeals to Court of Common Pleas.

Appeals to the Court of Common Pleas shall be governed by the Eminent Domain Code, the Second Class Counties Code and Local Rules 613, 614, and 615.

(13) FORM 616 Appointment of Viewers—Sewer Cases

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN THE MATTER OF: CIVIL DIVISION
CONDEMNATION OF No. GD _____

Plaintiff,
vs.

Defendant.

ORDER OF COURT

AND NOW, this ____ day of _____, 20 __, the within Petition having been presented in open court in consideration thereof, it is ORDERED THAT

are appointed as Viewers as provided by law to view the property and to ascertain such damages as they may find to have been caused to Plaintiff's property by reason of the condemnation and taking by Defendant as set forth in the within Petition.

_____, J.

BOARD OF VIEWERS

Administrative Chair

Date of View _____
Date Initial Report Available _____
Last Date for Filing Exceptions _____
Date and Time of Exceptions Hearing _____

Local Rule 1001 Civil Actions Raising Claims for Relief Heretofore Asserted in an Action in Equity.

(1) A civil action that raises only claims for relief heretofore asserted in equity shall be assigned to an individual judge when the case has been placed at issue pursuant to Local Rule 214.

Note: A request for assignment to an individual judge may be made to Calendar Control using FORM 1001 (see subsection (3) below).

(2) A civil action that raises claims for relief heretofore asserted in an action in equity and claims for relief heretofore asserted in the action of assumpsit and/or the action in trespass will not be assigned to an individual judge prior to trial without a court order entered pursuant to a motion or by the court sua sponte.

Note: A motion for the assignment of a case to an individual judge shall be presented to the Special Motions Judge if the case is not on a published trial list and to the Calendar Control Judge if the case is on a published trial list.

(3)

FORM 1001 Request for Assignment of Equity Claims to an Individual Judge

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

(CAPTION) (CASE NUMBER)

TO: Calendar Control Clerk
734 City-County Building
414 Grant Street
Pittsburgh, PA 15219

REQUEST FOR ASSIGNMENT OF EQUITY CLAIMS
TO AN INDIVIDUAL JUDGE

This is a nonjury case that raises only claims for relief heretofore asserted in equity. A copy of this request has already been furnished to all other parties.

DATED: _____

Local Rule 1007 Conformity to Civil Action at Law. Description of Real Estate.

When an action is commenced by a praecipe for a writ of summons under Pa.R.C.P. 1007(l), the praecipe shall not constitute lis pendens as to any real estate not identified or described in the praecipe.

Note: In accordance with Local Rule 205.2(b)(2)(c)(vii), a description of the real estate involved must also be included on the cover sheet.

Local Rule 1018.1 Notice to Defend Form.

(1) The agency to be named in the notice to defend accompanying complaints filed in the Court of Common Pleas of Allegheny County, Pennsylvania shall be:

Lawyer Referral Service
Allegheny County Bar Association
11th Floor Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555

(2) The agency to be named in the notices required by Pa.R.C.P. 237.1, 237.4, 237.5, 430, 1910.25, 1910.27, 1915.12, 1915.15, 1915.16, 1920.71, 1920.73, 3146 and 3252 shall be:

Lawyer Referral Service
Allegheny County Bar Association
11th Floor Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555

Local Rule 1038 Trial Without Jury.

(1) One or more judges, as required, will be assigned to hear non-jury cases during the period scheduled for jury trials.

(2) Parties who elect to have their case tried without a jury after a demand for jury trial has been filed shall enter into and file the following written stipulation:

“The undersigned parties in the above captioned case at law hereby agree that it shall be tried by a Judge without a jury in accordance with Pa.R.C.P. 1038.”

Local Rule 1042.26(b) Medical Professional Liability Actions. Expert Reports.

In this jurisdiction, unless there is a case-specific Order to the contrary or a published trial list with contrary deadlines, the provisions of Pa.R.C.P. 1042.26 through 1042.38 apply to medical professional liability actions.

Note: If deadlines set forth in a published trial list appear to contradict deadlines otherwise calculated in these rules, the earlier deadline will prevail.

Note: See Local Rule 4003.5 as to expert reports in professional and product liability actions.

Local Rule 1301 Scope.

(1) The following civil actions shall first be submitted to and heard by a Board of Arbitrators:

(a) Civil actions, proceedings and appeals or issues therein where the demand is for \$25,000 or less (exclusive of interest and costs);

(b) Replevin without bond and replevin with bond once bond has been set by the Court;

(c) Appeals from final judgments of Magisterial District Judges; and

(d) Matters transferred to Compulsory Arbitration by the Court even though the original demand may have exceeded \$25,000.

(2) The following civil actions are not subject to Compulsory Arbitration as set forth, above:

(a) Actions seeking only an accounting;

Note: In an action seeking both money damages and an accounting, a Board of Arbitrators may award money damages but may not order an accounting.

(b) Actions seeking only equitable relief; and

Note: In an action seeking both money damages and equitable relief, a Board of Arbitrators may award money damages but may not order equitable relief.

(c) Actions in which the Commonwealth is a party defendant or an employee of the Commonwealth is a party defendant under the provisions of 42 Pa.C.S., Chapter 85B (relating to actions against Commonwealth parties).

(3) A Board of Arbitrators may not enter an award in favor of any party in excess of \$25,000 (exclusive of interest and costs).

Note: While a Board of Arbitrators may hear a lawsuit in which any party claims an amount in excess of \$25,000, the award of the Board of Arbitrators to any party may not exceed \$25,000 (exclusive of interest and costs). However, with the agreement of all parties, a Board of Arbitrators may award up to the amount agreed upon in excess of \$25,000 if all parties also agree that the arbitration award is final and cannot be appealed to Court.

(4) If a party files a counterclaim or a cross-claim seeking an award in excess of \$25,000 (exclusive of interest and costs), any party may file a petition to transfer the entire case to the General Docket. At the discretion of a judge, such a counterclaim or cross-claim may be severed and transferred to the General Docket.

Local Rule 1301.1 Discovery in Compulsory Arbitration Proceedings (Except Small Claims).

(1) For any personal injury claim filed in Compulsory Arbitration, the plaintiff may serve arbitration discovery requests (see FORM 1301.1A) (see subsection (8)(a) below) either together with the copy of the Complaint served on the defendant or thereafter.

(2) The defendant shall furnish the information sought in the discovery requests within thirty (30) days of receipt of the discovery requests.

(3) For any personal injury claim filed in Compulsory Arbitration, any defendant may serve arbitration discovery requests (see FORM 1301.1B) (see subsection (8)(b) below) either together with a copy of the Answer served on the plaintiff or thereafter.

(4) The plaintiff shall furnish the information sought in the discovery requests within thirty (30) days of receipt of the discovery requests.

(5) (a) A party may not seek additional discovery through interrogatories or requests for production of documents until that party has sought discovery through the arbitration discovery requests described herein.

(b) A party may not include any additional interrogatories or requests for production of documents in the arbitration discovery requests provided for in this local rule.

(6) This local rule applies to additional defendants.

(7) The local rule does not apply to claims that do not exceed the sum of \$3,000.00 (exclusive of interest and costs) wherein the parties' right to discovery for Small Claims shall be governed by Local Rule 1320.

Note: While this local rule does not bar additional discovery in arbitration proceedings, it is anticipated that depositions, additional interrogatories or additional requests for the production of documents will be unreasonably burdensome in most arbitration proceedings involving personal injury claims.

Note: This local rule does not affect the right to discovery provided by Pa.R.C.P. 4001—4020 for Compulsory Arbitration cases which are appealed pursuant to Pa.R.C.P. 1308—1311.

(8) (a)

FORM 1301.1A Plaintiff's Arbitration Discovery Requests for Personal Injury Claims

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA CIVIL DIVISION

_____) AR _____
Plaintiff)
)
vs.)
)
_____)
Defendant)

PLAINTIFF'S ARBITRATION DISCOVERY REQUESTS FOR PERSONAL INJURY CLAIMS

These discovery requests are directed to _____

Within thirty (30) days of service of these discovery requests, you shall provide the information sought in these discovery requests to every other party to this lawsuit.

IDENTITY OF DEFENDANT(S)

1. Set forth you full name and address. _____

INSURANCE

2. (a) Is there any insurance agreement that may provide coverage to you for this incident?

Yes _____ No _____

(b) If so, list the name of each company and the amount of protection that may be available.

WITNESSES

3. List the names, present addresses, and telephone numbers (if known) of any persons who witnessed the incident (including related events before and after the incident) and any relationship between the witness and you.

STATEMENTS AND OTHER WRITINGS

4. (a) Do you have any written or oral statements from any witness, including any plaintiff?

Yes _____ No _____

(b) If you answered yes, attached any written statements signed, adopted or approved by any witness, attach a written summary of any other statements (including oral statements), and identify any witness from whom you obtained a stenographic, mechanical, electrical or other recording that has not been transcribed. (This request does not cover a statement by a party to that party's attorney.)

I have _____ have not _____ fully complied with request 4(b).

(c) Do you have any photographs, maps, drawings, diagrams, etc. that you may seek to introduce at trial or that may otherwise pertain to this lawsuit?

Yes _____ No _____

(d) If you answered yes, attach each of these writings.

I have _____ have not _____ fully complied with request 4(c).

MEDICAL DOCUMENTS

5. (a) Do you have any medical documents relating to the plaintiff?

Yes _____ No _____

(b) If you answered yes, attach each of these documents.

I have _____ have not _____ fully complied with request 4(b).

CRIMINAL CHARGES

6. (a) Were any felony or misdemeanor criminal charges filed against you or any of your agents as a result of the incident that is the subject of this lawsuit?

Yes _____ No _____

(b) If you answered yes, list each felony or misdemeanor charge that is pending and each felony or misdemeanor conviction.

Defendant verifies that the statements made herein are true and correct. Defendant understands that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsifications to authorities.

Date: _____

Defendant

(b)

FORM 1301.1B Defendant's Arbitration Discovery Requests for Personal Injury Claims

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA CIVIL DIVISION

_____) AR _____
Plaintiff)
)
vs.)
)
_____))
Defendant)

DEFENDANT'S ARBITRATION DISCOVERY REQUESTS FOR PERSONAL INJURY CLAIMS

These discovery requests are directed to _____

Within thirty (30) days of service of these discovery requests, you shall provide the information sought in these discovery requests to every other party to this lawsuit.

IDENTITY OF PLAINTIFF(S)

1. Set forth you full name and address, age, employer and type of employment.

WITNESSES

2. List the names, present addresses, and telephone numbers (if known) of any persons who witnessed the incident (including related events before and after the incident) and any relationship between the witness and you.

STATEMENTS AND OTHER WRITINGS

3. (a) Do you have any written or oral statements from any witnesses, including any defendant?

Yes ____ No ____

(b) If you answered yes, attach any written statements signed, adopted or approved by any witness, attach a written summary of any other statements (including oral statements), and identify any witness from whom you obtained a stenographic, mechanical, electrical or other recording that has not been transcribed. (This request does not cover a statement by a party to that party's attorney.)

I have ____ have not ____ fully complied with request 3(b).

(c) Do you have any photographs, maps, drawings, diagrams, etc. that you may seek to introduce at trial?

Yes ____ No ____

(d) If you answered yes, attach each of these documents.

I have ____ have not ____ fully complied with request 3(c).

MEDICAL INFORMATION CONCERNING PERSONAL INJURY CLAIM

4. (a) Have you received inpatient or outpatient treatment from any hospital for any injuries or other medical conditions for which you seek damages in this lawsuit?

Yes ____ No ____

(b) If you answered yes, list the name of the hospitals, the names and addresses of the attending physicians, and the dates of the hospitalizations.

(c) Have you received any chiropractic treatment for any injuries or other medical conditions for which you seek damages in this lawsuit?

Yes ____ No ____

(d) If you answered yes, list the names and addresses of each chiropractor and the dates of treatment.

(e) Have you received any other medical treatment for any injuries or other medical conditions for which you seek damages in this lawsuit?

Yes ____ No ____

(f) If you answered yes, list the name and address of each physician or other treatment provider and the dates of the treatment.

(g) Attach complete hospital and office records covering the injuries or other medical conditions for which you seek damages for each hospital, chiropractor, and other medical provider identified in 4(b), 4(d), and 4(f) or authorizations for these records.

I have ____ have not ____ fully complied with request 4(g).

OTHER MEDICAL INFORMATION

5. (a) List the name and address of your family physician for the period from five years prior to the incident to the present date. _____

(b) Have you received inpatient or outpatient treatment for injuries or physical problems that are not part of your claim in this lawsuit from any hospital within the period from five years prior to the incident to the present date?

Yes ____ No ____

(c) If you answered yes, attach a separate sheet which lists the name of the hospital, the date of each treatment, the reason for the treatment, and the length of the hospitalization.

(d) Have you received chiropractic treatment for injuries or physical problems that are not part of you claim in this lawsuit within the period from five years prior to the incident to the present date?

Yes ____ No ____

(e) If you answered yes, attach a separate sheet which lists the dates of the treatment, the reasons for the treatment, and the chiropractor's name and address.

(f) Within the period of from five years prior to the incident to the present date, have you received any other medical treatment for injuries that are not part of your claim in this lawsuit?

Yes ____ No ____

(g) If you answered yes, attach a separate sheet which lists the dates of the treatment, the reasons for the treatment, and the name and address of the treatment provider.

I have ____ have not ____ fully complied with request 5(b), 5(c), and 5(f).

WORK LOSS

6. (a) Have you sustained any injuries which resulted in work loss within the period from five (5) years prior to the incident to the present date?

Yes ____ No ____

(b) If you answered yes, for each injury list the date of the injury, the nature of the injury, and the dates of the lost work.

7. If a claim is being made for lost income, state the name and address of your employer at the time of the incident, the name and address of your immediate supervisor at the time of the incident, your rate of pay, the dates of work loss due to the injuries from this accident and the total amount of your work loss claim.

REQUESTS 8 AND 9 APPLY ONLY TO PERSONAL INJURY CLAIMS ARISING OUT OF A MOTOR VEHICLE ACCIDENT.

8. (a) If you are raising a claim for medical benefits or lost income, have you received or are you eligible to receive benefits from Workmen's Compensation or any program, group contract, or other arrangement for payment of benefits as defined by 75 P. S. § 1719(b)?

(b) If you answered yes, set forth the type and amount of these benefits.

INSURANCE INFORMATION

9. (a) Are you subject to the "Limited Tort Option" or "Full Tort Option" as defined in 75 P.S. § 1705(a) and (b)?

_____ Limited Tort Option (no claim made for non-monetary damages)
 Limited Tort Option (claim is made for non-monetary damages because the injuries fall within the definition of serious injury or because one of the exceptions set forth in 75 P.S. § 1705(d)(I)–(3) applies)

_____ Full Tort Option

(b) (Applicable only if you checked "Full Tort Option.") Describe each vehicle (make, model, and year) in your household.

(c) (Applicable only if you checked "Full Tort Option.") Attach a copy of the Declaration Sheet for the automobile insurance policy covering each automobile in your household.

I have _____ have not _____ fully complied with request 9(c).

Plaintiff verifies that the statements made herein are true and correct. Plaintiff understands that false statements herein are made subject to the penalties of Pa. C. S. § 4904 relating to unsworn falsifications to authorities.

Date: _____ Plaintiff

Local Rule 1302 List of Arbitrators. Appointments to Board. Oath.

(1) Subject to approval by the Special Motions Judge or the Calendar Control Judge of the Civil Division of the Court, lawyers who are actively engaged in the practice of law in Allegheny County shall be appointed to serve as arbitrators.

(2) Only lawyers who are "active" on the rolls of The Disciplinary Board of the Supreme Court of Pennsylvania are to be treated as lawyers "actively engaged in the practice of law" for purposes of subsection (1).

(3) An Arbitration Clerk shall appoint to each Board of Arbitrators three (3) lawyers summoned from the list of approved lawyers, according to the directions of the Special Motions Judge of the Civil Division.

Local Rule 1303 Arbitration Hearing. Notice.

(1) The Prothonotary shall affix the date, time and place of hearing before a Board of Arbitrators by placing said information on the Complaint which is filed and on the copies of the Complaint which are to be served upon all other parties.

(2) Every Complaint (except for Small Claims - see Local Rule 1320(2)) filed in Compulsory Arbitration, whether filed by a plaintiff against a defendant or by a defendant against an additional defendant, shall contain a Notice of Hearing Date, Notice to Defend and Notice of Duty to Appear at Arbitration Hearing (FORM 1303) (see subsection (4) below). The Notice of Hearing Date and Notice of Duty to Appear shall immediately follow the Notice (to Defend) which is required by Pa.R.C.P. 1018.1(b).

(3) Immediately before the time set for hearing, an Arbitration Clerk shall assign cases to each Board of Arbitrators and shall designate the room in which the

cases are to be heard. An Arbitration Clerk shall designate the order in which cases shall be heard from those listed in the published daily Arbitration List, in addition to cases listed specially by a Judge.

(4)

FORM 1303 Notice of Hearing Date, Notice to Defend and Notice of Duty to Appear at Arbitration Hearing

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA CIVIL DIVISION

_____ ARBITRATION DOCKET

_____ NO. _____

Plaintiff,

vs. HEARING DATE _____

_____ Defendant.

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within TWENTY (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE,
 The Allegheny County Bar Association
 11th Floor Koppers Building, 436 Seventh Avenue
 Pittsburgh, Pennsylvania 15219
 Telephone: (412) 261-5555

HEARING NOTICE

YOU HAVE BEEN SUED IN COURT. The above Notice to Defend explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing before a board of arbitrators will take place in Room 523 of the Allegheny County Courthouse, 436 Grant Street, Pittsburgh, Pennsylvania, on _____, _____ at 9:00 A.M. **IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING.**

DUTY TO APPEAR AT ARBITRATION HEARING

If one or more of the parties is not present at the hearing, THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

NOTICE: You must respond to this complaint within twenty (20) days or a judgment for the amount claimed may be entered against you before the hearing.

If one or more of the parties is not present at the hearing, the matter may be heard immediately before a judge without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge.

Local Rule 1303(a)(2) Failure to Appear for Hearing.

(1) If a party fails to appear for a scheduled arbitration hearing, the matter may, if all present parties agree, be transferred immediately to a Judge of the Court of Common Pleas for an *ex parte* hearing on the merits and entry of a non-jury verdict, from which there shall be no right to a trial *de novo* on appeal.

Note: This local rule results in the loss of the right to a trial *de novo* on appeal, as described in the local rule. A dismissal or judgment which results from this local rule will be treated as any other final judgment in a civil action, subject to Pa.R.C.P. 227.1.

(2) A non-jury verdict entered at a hearing held pursuant to Local Rule 1303(a)(2)(1) shall not exceed \$25,000 (exclusive of interest and costs) to any party.

Local Rule 1306 Award. Delay Damages.

Any party seeking damages under Pa.R.C.P. 238 (relating to award of damages for delay in an action for bodily injury, death or property damage) shall submit a photocopy of any written offer of settlement made by a party against whom damages are demanded or set forth in writing the fact that no written offer has been made and shall seal the photocopy of the written offer or the written statement that no offer has been made in an envelope bearing the caption and number of the case being arbitrated and shall deliver the same to the arbitrators and opposing counsel at the conclusion of the hearing. The arbitrators shall not open said envelope until they have reached their basic award. The envelope and the writing contained therein shall be filed with the papers in the case.

Local Rule 1308 Appeal. Arbitrators' Compensation. Notice.

(1) In addition to satisfying the requirements of Pa.R.C.P. 1308(a), a party appealing an award shall also pay to the Prothonotary any fee required for filing the appeal.

(2) A member of a Board of Arbitration who has signed an award or filed a minority report in each of the cases heard before that Board shall receive compensation of

\$150 per diem after the filing of that member's reports/awards. In cases requiring hearings of unusual duration or involving questions of unusual complexity, the Special Motions Judge of the Civil Division, on petition of the members of the Board and for cause shown, may allow additional compensation.

Local Rule 1320 Small Claims Procedure.

The following procedure shall govern Small Claims, which include appeals from Magisterial District Judges where the damages claimed do not exceed the sum of \$3,000 (exclusive of interest and costs), and civil actions where the damages claimed do not exceed the sum of \$3,000 (exclusive of interest and costs).

(1) The Complaint may be simplified to contain only the names and addresses of the parties, a statement indicating concisely the nature and amount of the claim, the signature of the plaintiff or the plaintiff's attorney (Pa.R.C.P. 1023), an endorsement (Pa.R.C.P. 1025), a Notice of Hearing Date and three copies of a Notice of Intention to Appear as set forth in subparagraph (3) hereof.

(2) Every Complaint filed in Compulsory Arbitration as a Small Claim, whether filed by a plaintiff against a defendant or by a defendant against an additional defendant, shall contain a Notice of Hearing Date, Notice to Defend, and Notice of Duty to Appear at Arbitration Hearing (FORM 1320A) (see subsection (9)(a) below). The Notice of Hearing Date and Notice of Duty to Appear shall immediately follow the Notice (to Defend) which is required by Pa.R.C.P. 1018.1(b).

(3) The filed Notice of Intention to Appear shall be a sufficient answer to the Complaint (FORM 1320B) (see subsection (9)(b) below).

(4) A counterclaim which qualifies as a "Small Claim" as defined herein may be set forth in either the filed Notice of Intention to Appear or a separate pleading, by a statement indicating concisely the nature and amount of same. The counterclaim filed as a separate pleading shall be in substantially the same form as the Complaint, without the Notice of Hearing or Notice of Intention to Appear.

(5) No reply to a counterclaim shall be required. If one is filed, it may be limited to a general denial.

(6) The provisions of Local Rules 212.1, 212.2 and 212.3 shall not apply to actions involving only Small Claims as defined herein.

(7) Except as otherwise provided by order of the Special Motions Judge upon good cause shown, in Small Claims proceedings, there shall be no discovery by deposition upon oral examination or upon written interrogatories under Pa.R.C.P. 4005 and 4007 or requests for admissions under Pa.R.C.P. 4014.

(8) The Prothonotary, on praecipe of the plaintiff accompanied by a certificate as required by Pa.R.C.P. 237.1(a)(2), shall enter judgment against the defendant for failure to file either a responsive pleading or a copy of the Notice of Intention to Appear within twenty (20) days from service thereof, with damages to be assessed in the manner provided by the rules.

(9) (a)

FORM 1320A Notice of Hearing Date, Notice to Defend and Notice of Duty to Appear at Arbitration Hearing

IN THE COURT OF COMMON PLEASE OF ALLEGHENY COUNTY, PENNSYLVANIA CIVIL DIVISION

_____ ARBITRATION DOCKET NO. _____
Plaintiff,
vs. HEARING DATE _____
_____ Defendant.

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the attached copy of the suit papers, YOU MUST complete and detach two of the copies of the attached "Notice of Intention To Appear." One completed copy of the "Notice of Intention to Appear" must be filed or mailed to the Prothonotary's Office, First Floor, City-County Building, 414 Grant Street, Pittsburgh, PA 15219 and the other completed copy must be mailed to:

___ within TWENTY (20) days from the date these papers were mailed. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lost money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE, The Allegheny County Bar Association
11th Floor Koppers Building, 436 Seventh Avenue
Pittsburgh, Pennsylvania 15219
Telephone: (412) 261-5555

HEARING NOTICE

YOU HAVE BEEN SUED IN COURT. The above Notice to Defend explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing before a board of arbitrators will take place in Room 523 of the Allegheny County Courthouse, 436 Grant Street, Pittsburgh, Pennsylvania, on _____, _____ **[Insert date and year]** at 9:00 A.M. IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING.

DUTY TO APPEAR AT ARBITRATION HEARING

If one or more of the parties is not present at the hearing, THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

NOTICE: You must respond to this complaint within twenty (20) days or a judgment for the amount claimed may be entered against you before the hearing.

If one or more of the parties is not present at the hearing, the matter may be heard immediately before a judge without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge.

(b)

FORM 1320B Notice of Intention to Appear NOTICE OF INTENTION TO APPEAR

(Three copies required)

To the Plaintiff or the Case Caption _____
Plaintiff's Attorney Hearing Date _____

I intend to appear at the hearing scheduled for the above date and defend against the claim made against me.

I do not owe this claim for the following reasons:

I certify that I have mailed a copy of this Notice to the Plaintiff or the Plaintiff's attorney.

Date: _____ Sign here: _____
Address: _____

Local Rule 1331 Consumer Credit Transaction.

The agency to be named in any notice required by Pa.R.C.P. 1328(b) and 1329(3)(2) shall be:

Lawyer Referral Service
Allegheny County Bar Association
11th Floor Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555

Local Rule 1915.15(a)(1) Form of Complaint. Caption. Order.

i. The agency to be named in the order of court accompanying the complaint shall be:

Lawyer Referral Service
Allegheny County Bar Association
11th Floor Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555

Local Rule 1915.16(c) Form of Order and Notice, Joinder, Intervention.

i. The agency to be named in the order of court and notice under this rule shall be:

Lawyer Referral Service
Allegheny County Bar Association
11th Floor Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555

Local Rule 2039 Compromise, Settlement, Discontinuance and Distribution.**(1) Contents of Petition.**

A petition under Pa.R.C.P. 2039 shall be verified by the guardian of the minor, and shall contain a statement of the nature of the evidence relied upon to show liability, the elements of damage, the injuries sustained, and the list of expenses incurred or to be incurred. The petition shall be accompanied by the following exhibits:

(a) A statement of counsel's professional opinion regarding the desirability of the settlement and reasons therefor, including a discussion with specific references to the factual circumstances as to both the liability and damages aspects of the case; a description of the services rendered; a description and the amount of reimbursable expenses requested; and the amount of fees requested, which, except in extraordinary circumstances, shall not exceed 33-1/3% of the present value of a structured settlement or 33-1/3% of the gross recovery of any other settlement.

Note: If settlement proceeds are to be split between a minor and another party(ies) to the litigation, the injuries to this other party(ies) must also be described.

(b) A statement by the attending physician as to the injuries sustained by the minor, treatment administered and the prognosis.

(c) In property damage claims, a statement by the party who made the repairs or appraised the loss.

(2) Deposit of Funds by Order of Court.

(a) All petitions under Pa.R.C.P. 2039, where the proceeds of settlement are to be deposited in a savings account or in a certificate of deposit, shall have attached to the petition an order including the following:

It is hereby ordered and decreed that the amount of \$ _____ shall be deposited only in the name of _____, a minor, by attorney _____,

_____ , counsel of record, in a savings account or certificate of deposit in a federally insured bank, savings and loan association or credit union. The savings account or certificate of deposit shall be marked "NOT TO BE WITHDRAWN UNTIL THE MINOR REACHES THE AGE OF MAJORITY OR BY FURTHER ORDER OF COURT."

(b) Proof of deposit is to be filed with the Clerk of the Orphans' Court within thirty (30) days by attorney _____, counsel of record.

(3) Presentation of Petition.

All petitions under Pa.R.C.P. 2039 shall be first delivered for signature to the Administrative Judge of the Orphans' Court Division who will then deliver the petition to the Calendar Control Judge for signature.

(4) Annuity Contracts.

(a) Where the terms of settlement of a minor's claim include an annuity contract, the annuity contract shall provide that the policy will not be transferred or assigned to another company without the prior approval of the Orphans' Court Division of this Court.

(b) A copy of this local rule shall be served upon the company issuing the annuity contract and proof of service thereof shall be filed with the Clerk of the Orphans' Court Division of this Court.

(c) Proof of purchase of any annuity contract is to be filed with the Clerk of the Orphans' Court within thirty (30) days by attorney _____, counsel of record.

Note: For approval of a settlement of a minor's claim where no action has been instituted, see Orphans' Court Local Rule 12.16G.

Local Rule 2064 Compromise, Settlement, Discontinuance and Distribution.**(1) Contents of Petition.**

A petition under Pa.R.C.P. 2064 shall be verified by the guardian or guardian ad litem of the incapacitated person, and shall contain a statement of the nature of the evidence relied upon to show liability, the elements of damage, the injuries sustained, and the list of expenses incurred or to be incurred. The petition shall be accompanied by the following exhibits:

(a) A statement of counsel's professional opinion regarding the desirability of the settlement and reasons therefor, including a discussion with specific references to the factual circumstances as to both the liability and damages aspects of the case; a description of the services rendered; a description and the amount of reimbursable expenses requested; and the amount of fees requested, which, except in extraordinary circumstances, shall not exceed 33-1/3% of the present value of a structured settlement or 33-1/3% of the gross recovery of any other settlement.

(b) A statement by the attending physician as to the injuries sustained by the incapacitated person, treatment administered and the prognosis.

(c) In property damage claims, a statement by the party who made the repairs or appraised the loss.

(2) Deposit of Funds by Order of Court.

(a) All petitions under Pa.R.C.P. 2064 shall have attached to the petition an order including the following:

It is hereby ordered and decreed that the amount of \$ _____ shall be paid to _____, the guardian of the estate. [If the guardian of the estate is an individual, include the following sentence.] A surety bond shall be posted in the same net amount as stated above.

(b) Proof of surety bond is to be filed with the Clerk of the Orphans' Court within thirty (30) days by _____, guardian of the estate.

Note: If no guardian has been appointed, see Pa.R.C.P. 2064.

(3) Presentation of Petition.

All petitions under Pa.R.C.P. 2064 shall be first delivered for signature to the Administrative Judge of the Orphans' Court Division and thereafter presented to the Calendar Control Judge.

(4) Annuity Contracts.

(a) Where the terms of settlement of an incapacitated person's claim include an annuity contract, the annuity contract shall provide that the policy will not be transferred or assigned to another company without the prior approval of the Orphans' Court Division of this Court.

(b) A copy of this local rule shall be served upon the company issuing the annuity contract and proof of service thereof shall be filed with the Clerk of the Orphans' Court Division of this Court.

Note: For approval of a settlement of an incapacitated person's claim where no action has been instituted, see analogous procedures at Orphans' Court Local Rule 12.16G.

Local Rule 2205 Service of Notice to Persons Entitled to Damages.

Service under this rule shall be made by personal service by any competent adult as provided in Pa.R.C.P. 402 or by registered mail pursuant to Pa.R.C.P. 403.

Local Rule 2206 Settlement, Compromise, Discontinuance and Judgment.

Petitions of any party in interest pursuant to Pa.R.C.P. 2206, where a civil action has been instituted and where no minor and no incapacitated person has an interest, shall be presented to the Calendar Control Judge. Where a minor or incapacitated person has an interest, petitions shall be first delivered for signature to the Administrative Judge of the Orphans' Court Division and thereafter to the Calendar Control Judge for signature. See Local Rule 2039 where a minor has an interest and Local Rule 2064 where an incapacitated person has an interest.

Note: See 20 Pa.C.S. § 3323. The contents of a petition under this local rule are analogous to those required by Orphans' Court Local Rule 12.16F. As to settlement of survival actions where no action has been instituted, see Orphans' Court Local Rule 12.16F.

Local Rule 2232 Service of Notice to Persons Required to Be Joined.

Service under this rule shall be made by personal service by any competent adult as provided in Pa.R.C.P. 402 or by registered mail pursuant to Pa.R.C.P. 403.

Local Rule 3121 Stay of Execution. Setting Aside Execution.**(1) Notice.**

Notice shall be given to the party executing the judgment when application will be made for a stay of execution.

(2) Delivery of Copy of Order Staying Execution to Sheriff.

Orders staying execution, certified to be true and correct by the Prothonotary, an attorney or a party litigant, shall be provided to the Sheriff.

Note: When a writ of execution is stayed after the Sheriff has served or has attempted to serve the writ, poundage will be calculated based on the face amount of the writ unless the plaintiff files an affidavit within three business days the actual amount paid or to be paid to the plaintiff in cash or in kind as consideration for staying the writ or satisfying the judgment. If an affidavit is filed, the Sheriff's poundage will be calculated based on the consideration set forth in the affidavit.

Local Rule 3129.2 Notice of Sale. Real Property.**(1) Conditions of Sale in Notice.**

The following procedures and conditions of sale shall govern every Sheriff's sale of real estate, and shall be set forth in any published notice:

(a) If the successful bidder at the sale is the plaintiff in the writ of execution upon which the real estate is being sold, the successful bidder shall pay the full amount of the purchase money to the Sheriff on or before the first Monday of the following month, unless the time is extended by the Court. Upon the failure of the successful bidder to so pay the purchase money, the Sheriff shall return the writ "real estate unsold," stating in the return that the sale was held pursuant to the writ, that the plaintiff was the successful bidder at the sale, and that the plaintiff failed to pay the bid and complete the sale. The plaintiff shall thereupon forfeit all moneys advanced on the writ, which moneys shall be applied by the Sheriff first to costs on the writ and then to liens in order of their priority.

(b) If the successful bidder at the sale is not the plaintiff in the writ of execution upon which the real estate is being sold, and:

(i) If the sale is held on the first Monday of the month, and an adjourned Sheriff's sale is held within six days thereafter, the successful bidder may pay either the full amount bid at the time of the sale or ten percent (10%) of the bid in cash (but not less than seventy-five dollars (\$75.00)), and thereafter pay the balance before the time of the adjourned sale. If the successful bidder fails to pay the balance before the time of the adjourned sale, the Sheriff shall resell the real estate at the adjourned sale, and the payment made at the original sale shall be applied by the Sheriff to any deficiency in the price at which the real estate is resold; or

(ii) If the sale is held on any day other than the first Monday of the month, the successful bidder shall pay the full amount bid at the time of sale, and upon failure of the successful bidder to do so, the Sheriff shall thereupon at that time resell the real estate.

(2) Filings With the Sheriff Prior to Sale:

All writs and copies of orders certified from the record by the Prothonotary directing judicial sales of real estate must be filed with the Sheriff in accordance with the policies of the Sheriff's office.

Note: As a matter of information, counsel should know that the Sheriff's office requires that the following be filed in the Sheriff's office prior to the sale:

(a) The following must be filed with the Sheriff, along with the writs and copies of orders, not less than twenty-five days before the date of sale:

- (1) Original writ of execution
- (2) One copy of writ of execution for each defendant*
- (3) A stamped envelope addressed to each defendant*
- (4) One self-addressed stamped envelope
- (5) Affidavit of Compliance with Act 91 of 1983 or Affidavit of Inapplicability of Act 91 of 1983, as appropriate
- (6) Affidavit of last known mailing address of the Defendant
- (7) Affidavit Pursuant to Pa.R.Civ.P. 3129.1 (list of interested persons and entities)

- (8) Notice of Sheriff's Sale
- (9) Long description of the property (deed description)
- (10) Three copies of Sheriff Form 56 (short description of property for newspaper advertising)
- (11) One short description in all CAPITAL LETTERS (for preparation of handbill), which must contain the signature, address and telephone number of the person presenting the writ or order.
- (12) Sheriff's Form 14 (Directions to post property with handbill. Include property street address, borough, municipality and ward.)
- (13) If Defendant(s) are to be served—a Notice of Sheriff's Sale for each Defendant and "Instructions to Sheriff" form for each Defendant, noting Defendant's name and address.

* Not required for mortgage foreclosure or tax sale.

(b) A copy of the return of service filed in accordance with Pa.R.Civ.P. 3129.2(c)(2) must be filed with the Sheriff not less than five days prior to the sale. The return of service must have the original returned mailing cards attached, if applicable.

(c) A deposit of money for costs and expenses is required.

Note: Sheriff's Forms and sample notices can be obtained from the Sheriff's office, 436 Grant Street, First Floor, Pittsburgh, PA 15219.

(3) Dates of Sales of Real Property.

Judicial sales of real estate shall be held on the second Monday of September and the first Monday of all other months. When any of the above dates falls on a legal holiday, the Judicial sales of real estate shall be held on the Tuesday following.

(4) Notice to Internal Revenue Service.

In any case where notice is required to be given to the Internal Revenue Service, in accordance with the provisions of the Federal Tax Lien Act of 1966, 26 U.S.C. § 7425(b) and (c), a copy of such notice, certified by counsel to be a correct copy and indicating the date of service upon or delivery to the Internal Revenue Service, shall be filed with the Prothonotary prior to the date fixed for the sale.

Local Rule 3139 Notice of Sheriff's Return.

Postcard notice of the filing of the Sheriff's return shall be given by the Sheriff to the judgment debtor at the judgment debtor's last known address.

Local Rule 3146 Judgment Against Garnishee Upon Default or Admission in Answer to Interrogatories.

(1) The hearing to assess the amount of the judgment shall be scheduled before the Motions Judge. Written notice to the garnishee in the form provided by Pa.R.C.P. 3146(a)(2) shall be served in accordance with Pa.R.C.P. 440 at least twenty days prior to the scheduled hearing. The Plaintiff shall serve the garnishee with a copy to the Defendant. Service shall be evidenced by a certificate of service.

(2) The agency to be named in the notice provided by Pa.R.C.P. 3146 shall be:

Lawyer Referral Service
Allegheny County Bar Association
11th Floor Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555

Local Rule 3190 Judgment. Execution.

(1) Tax Sales.

Before objection to the adequacy of the price offered for real estate pursuant to Section 14 of Act of July 5, 1947, P. L. 1258, 53 P. S. § 26114, is filed, the objector shall deposit a certified or cashier's check with the solicitor for petitioner for ten (10) percent of the original offer, or a minimum of one hundred dollars (\$100.00), subject to forfeiture to all interested taxing authorities in the event the original offer is not raised in said amount in open Court.

The objection filed in the office of the Prothonotary shall have endorsed thereon acceptance of service and receipt for deposit by counsel for petitioner. After bidding in open Court and acceptance of successful bid by the Court, deposits shall be returned to unsuccessful bidders, provided the accepted bid exceeds by ten percent, or a minimum of one hundred dollars (\$100.00), the price offered.

(2) Delinquent Tax Liens.

(a) All orders to strike off and amend delinquent tax liens shall set forth:

- (i) original description and change of description;
- (ii) original ownership and change of ownership;
- (iii) location by political subdivision and lot and block number, if any;
- (iv) amount of taxes to be stricken in dollars and cents; and
- (v) disposition of costs of the proceedings.

(b) Counsel shall serve certified copies of all such orders of Court on the Controller's Office and the County Law Department.

(c) Counsel shall also serve certified copies of orders of Court changing ownership or description of property on the Register of Deeds Office.

Local Rule 3206 and 3207 Statement of Objection ("Goods Claim").

(See Magisterial District Justice Local Rule 420.)

Local Rule 3252 Writ of Execution. Money Judgments.

The agency to be named in the notice on writs of executions issued pursuant to Pa.R.C.P. 3252(a) shall be:

Lawyer Referral Service
Allegheny County Bar Association
11th Floor Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-5555

Local Rule 4002.1 Filing Discovery Material. Requests for Expert Reports in Professional Negligence and Product Liability Actions.

All requests for production of expert reports made in professional negligence and product liability actions in

accordance with Local Rule 4003.5 shall be filed with the Prothonotary. Expert reports furnished pursuant to Local Rule 4003.5 are discovery material that shall not be filed, except as provided by Pa.R.C.P. 4002.1.

Note: See also Local Rule 4003.5, relating to expert reports in professional negligence and product liability actions.

Local Rule 4003.5 Requests For Expert Reports in Professional Liability and Product Liability Actions.

(1) Scope of the Rule.

(a) This local rule applies to any professional negligence case or any product liability case which has been placed at issue.

(b) A professional negligence case includes any case with Code 006 (Trespass-Assault and Battery) in which it is claimed that the defendant provided medical treatment without obtaining an informed consent; any case with Code 007 (Trespass-Medical/Hospital Negligence); and any case with Code 009 (Trespass-Other) in which the defendant is an accountant, architect, attorney, engineer, hospital, physician or other professional person in which the gist of the case is that professional services failed to meet the accepted standards of the profession.

(c) A product liability case is any action, whether based on tort or contract theories, claiming damages caused by a defective product, including any case with Code 004 (Trespass-Products Liability).

Note: This local rule creates additional requirements for the pre-trial production of expert reports for cases within the scope of this rule. The parties must also meet the requirements of the Pennsylvania Rules of Civil Procedure governing discovery and the Allegheny County Local Rules for the pre-trial production of expert reports.

(2) Production of Plaintiff's Expert Reports.

(a) In any professional negligence or product liability case which has been placed at issue, any defendant against whom a claim of professional negligence or product liability has been made may serve on any plaintiff making that claim a Defendant's Request to Plaintiff for Production of Expert Reports (FORM 4003.5A) (see subsection (10)(a) below). The request shall specify the plaintiff to whom it is directed and the party making the request. The request may not be made earlier than one hundred eighty (180) days after the defendant filed its original answer to the plaintiff's complaint.

Note: An additional defendant may serve a Defendant's Request to Plaintiff for Production of Expert Reports on a plaintiff pursuant to section (2)(a) of this rule if the plaintiff is actively pursuing a claim against the additional defendant.

(b) Any plaintiff to whom a request for production of expert reports has been directed pursuant to subsection (2)(a) of this rule shall within one hundred eighty (180) days after service of the request furnish to the requesting party expert reports summarizing the expert testimony that will be offered by that plaintiff to support the claims of professional negligence or product liability made by that plaintiff against the requesting party.

(3) Production of Defendant's and Additional Defendant's Expert Reports.

(a) Any plaintiff who has furnished any defendant or additional defendant expert reports summarizing the expert testimony that will be offered by that plaintiff to support that plaintiff's claims of professional negligence

or product liability made against that defendant or additional defendant may serve on that defendant or additional defendant a Plaintiff's Request to Defendant or Additional Defendant for Production of Expert Reports (FORM 4003.5B) (see subsection (10)(b) below). The request shall specify the party to whom it is directed and the party shall specify the party to whom it is directed and the party making the request. The request may not be made earlier than one hundred eighty (180) days after the complaint was served on the party to whom the request is directed.

Note: Subsection (3)(a) of this rule applies to a plaintiff who has furnished expert reports to a defendant or additional defendant with or without a request for production of expert reports. Under subsection (3)(a) of this rule, the plaintiff must file a Plaintiff's Request to Defendant or Additional Defendant for Production of Expert Reports in order to compel a defendant to submit expert reports.

(b) Any party to whom a request for production of expert reports has been directed pursuant to subsection (3)(a) of this local rule shall within sixty (60) days after service of the request furnish to the requesting party expert reports summarizing the expert testimony that will be offered by that party to support the defenses to the requesting party's claims.

(c) If the defendant or additional defendant to whom a Plaintiff's Request to Defendant or Additional Defendant for Production of Expert Reports has been directed has raised claims against other parties pursuant to Pa.R.C.P. 2251 *et seq.* (Joinder of Additional Defendants), the expert reports shall also summarize the expert testimony that will be offered by that party in support of these claims against other parties.

(d) The defendant or additional defendant who has furnished expert reports summarizing the expert testimony offered by that party in support of claims against other parties pursuant to subsection (3)(c) of this local rule may serve a Defendant's or Additional Defendant's Request to Other Defendant or Additional Defendant for Production of Expert Reports (FORM 4003.5C) (see subsection ((10)(c) below). The request shall specify the party to whom it is directed and the party making the request. The request may not be made earlier than one hundred eighty (180) days after the complaint was served on the party to whom the request is directed.

(e) (i) Any party to whom a request for production of expert reports has been directed pursuant to subsection (e)(d) of this local rule shall within sixty (60) days after service of the request furnish to the requesting party expert reports summarizing the expert testimony that will be offered by that party supporting the defenses to the claims and any claims raised against the requesting party and any other parties joined pursuant to Pa.R.C.P. 2251 *et seq.*

(ii) If any defendant or additional defendant or any employee or other agent of any defendant or additional defendant is a professional person, this person shall furnish an expert report summarizing his or her testimony only if he or she intends to offer any expert testimony that is inconsistent with or beyond the fair scope of any testimony given in any deposition of this defendant. If this person was not deposed, this person must file an expert report if he or she intends to offer any expert testimony.

(4) Contents of the Expert Reports. Responses to Requests for Production.

An expert report required by this rule shall encompass all issues in the liability phase of the case for which expert testimony will be offered at trial, including issues of professional negligence, product defect, and causation of harm. The report shall be signed by the expert and shall fully comply with the requirements of Pa.R.C.P. 4003.5 (Discovery of Expert Testimony. Trial Preparation Material).

(5) Compelling Production of Report.

A party who has not received expert reports required to be produced under this local rule may file a motion to compel the production of a report and for sanctions pursuant to Pa.R.C.P. 4019. In ruling on a motion to compel, the Court shall give consideration to the complexity of the case, the diligence of the parties in making and responding to discovery requests, and other relevant factors. A party who has proceeded with reasonable diligence shall be given a reasonable time in which to complete necessary discovery and to file an expert report.

Note: A party cannot justify the non production of an expert report required by this local rule simply by stating that discovery has not been completed or that the party failing to provide the report has not yet identified the experts whom he or she intends to call at trial. However, a party who has acted diligently should not be required to file expert reports if discovery of significant information has not been completed because of difficulties obtaining discovery from other parties or third persons or because of the complexity of the case.

(6) Substitute/Additional/Supplemental Reports.

Any expert report required by this local rule shall reflect the best information available to the party furnishing the report at the time it is furnished. Except as provided in subsection (7) of this local rule, a party may file substitute, additional and supplemental expert reports without leave of Court. These substitute, additional and supplemental reports may introduce new theories of liability or causation or new defenses. They may be prepared by other experts.

(7) Listing Case for Trial.

(a) A plaintiff who has furnished expert reports summarizing all expert testimony that will be offered by that plaintiff to support his or her claims of professional negligence or product liability may file a praecipe requesting that the case be placed on the next available trial list (FORM 4003.5D) (see subsection (10)(d) below). The plaintiff shall serve a notice of the filing of the praecipe on all other parties (FORM 4003.5E)(see subsection (10)(e) below). This praecipe may not be filed earlier than one hundred eighty (180) days after the plaintiff served a copy of the original complaint on each defendant who continues to be a party in the case.

Note: Subsection (7)(a) is intended to give priority to those professional negligence and product liability cases that the plaintiff is ready to try. The product liability and professional negligence cases for which the plaintiff has not filed a praecipe pursuant to subsection (7)(a) of this local rule shall be listed for trial by the Court after the cases listed pursuant to this subsection have received priority.

(b) After a plaintiff has filed a praecipe requesting that the case be placed on the next available trial list, the plaintiff's right to file additional/supplemental reports is subject to the provisions of subsection (7)(d) of this local rule.

(c) After a plaintiff has filed a praecipe requesting that the case be placed on the next available trial list, each other party in the case shall file within sixty (60) days expert reports summarizing all expert testimony that will be offered by that party to support the defenses to the plaintiff's claims and to support any claims and defenses involving other parties. After sixty (60) days, each other party's right to file additional/supplemental reports is subject to the provisions of subsection (7)(d) of this local rule.

(d) (i) A party may file a supplemental expert report which responds to an opposing expert report within sixty (60) days after the opposing expert report was filed.

(ii) Except as provided in subsection (7)(d)(i), a party may not file a supplemental expert report which introduces a new theory of liability of causation or a new defense without leave of Court for good cause shown.

(iii) Except as provided in subsection (7)(d)(i), a party may not subsequently file an expert report prepared by a new expert without leave of Court for good cause shown.

(iv) Except as provided for in subsection (7)(d)(v), any party may, without leave of Court, substitute another expert for the expert identified in expert reports produced under this local rule. Reasonable notice of the substitution shall be given to all other parties. The testimony of any substituted expert may not be inconsistent with or go beyond the fair scope of the testimony in the expert reports produced under this local rule.

(v) A party may not substitute another expert for a party, employee or agent of a party who has been identified as an expert witness.

(vi) The provisions of subsections (7)(d)(ii), (iii) and (v) of this local rule apply only after a plaintiff has filed a praecipe requesting that the case be placed on the next available trial list pursuant to subsection (7)(a) of this local rule.

Note: Subsection (7)(d) applies only to additional or supplemental expert reports covering issues in the liability phase of the case for which expert testimony will be offered at trial. Subsection (7)(d) applies to additional or supplemental expert reports that are included as part of a pre-trial statement filed pursuant to Local Rule 212.2.

(8) Use of Reports/Summary Judgment.

(a) Reports provided pursuant to this local rule, responses to requests for production of expert reports, and the failure to provide expert reports when required by Court order entered pursuant to section (5) of this local rule may be used in supporting or opposing motions for summary judgment.

(b) In the absence of a Court order issued prior to the date of the argument on a motion for summary judgment, it shall not be necessary to file affidavits executed by the reporting expert in connection with summary judgment motions.

(9) Service and Filing Requirements.

All requests for the production of expert reports shall be served by the requesting party on all other parties and copies of all expert reports furnished pursuant to this local rule shall be served by the responding party on all other parties. All requests for the production of expert reports shall be filed with the Court. Expert reports furnished pursuant to this local rule are discovery material that shall not be filed except as provided by Pa.R.C.P. 4002.1

(10) Forms:

(a)

FORM 4003.5A Defendant's Request to Plaintiff for Production of Expert Reports

[CAPTION]

DEFENDANT'S REQUEST TO PLAINTIFF FOR PRODUCTION OF EXPERT REPORTS

TO: _____

FROM: _____

Pursuant to Local Rule 4003.5 you are requested within one hundred and eighty (180) days of service of this request to furnish me expert reports summarizing the expert testimony that you will offer to support the claims of professional negligence or product liability that you have made against me. You shall serve copies of all expert reports on all other parties.

DATED: _____ ATTORNEY FOR DEFENDANT

(b)

FORM 4003.5B Plaintiff's Request to Defendant or Additional Defendant for Production of Expert Reports

[CAPTION]

PLAINTIFF'S REQUEST TO DEFENDANT OR ADDITIONAL DEFENDANT FOR PRODUCTION OF EXPERT REPORTS

TO: _____

FROM: _____

I have furnished you expert reports summarizing the expert testimony that I will offer to support the claims of professional negligence or product liability that I have made against you.

Pursuant to Local Rule 4003.5, you are requested within sixty (60) days of service of this request to furnish me expert reports summarizing the expert testimony that you will offer to support your defenses to the claims of professional negligence or product liability that I have raised against you.

If you have raised claims against other parties pursuant to Pa.R.C.P. 2251 *et seq.* (Joinder of Additional Defendants), your expert reports shall also summarize the expert testimony that you will offer in support of these claims against those other parties.

You shall serve copies of all expert reports on all other parties.

DATED: _____ ATTORNEY FOR PLAINTIFF

(c)

FORM 4003.5C Defendant's or Additional Defendant's Request to Other Defendant or Additional Defendant for Production of Expert Reports

DEFENDANT'S OR ADDITIONAL DEFENDANT'S REQUEST TO OTHER DEFENDANT OR ADDITIONAL DEFENDANT FOR PRODUCTION OF EXPERT REPORTS

TO: _____

FROM: _____

I have furnished you expert reports summarizing the expert testimony that I will offer to support the claims that I have raised against you pursuant to Pa.R.C.P. 2251 *et seq.* (Joinder of Additional Parties).

Pursuant to Local Rule 4003.5, you are requested with sixty (60) days to furnish me expert reports summarizing the expert testimony that you will offer to support your defenses to my claims against you and to support any claims you have raised against me pursuant to Pa.R.C.P. 2251 *et seq.*

If you have raised claims against other parties pursuant to Pa.R.C.P. 2251 *et seq.*, your expert reports will also summarize the expert testimony that you will offer in support of your claims against these other parties.

You shall serve copies of all expert reports on all other parties.

DATED: _____ ATTORNEY FOR DEFENDANT

(d)

FORM 4003.5D Plaintiff's Praecipe Requesting that the Case be Placed on the Next Available Trial List

[CAPTION]

PLAINTIFF'S PRAECIPE REQUESTING THAT THE CASE BE PLACED ON THE NEXT AVAILABLE TRIAL LIST

This is a professional negligence or product liability case. I have furnished to the other parties expert reports summarizing all expert testimony that plaintiff will offer to support his or her claims of professional negligence or product liability. Pursuant to Local Rule 4003.5(7)(a), I request that the court list this case for trial on the next available trial list.

If it is anticipated that this case will take more than ten days to try, I have sent a letter to the Complex Case Judge (with copies to all other counsel) stating that I have requested that this case be listed for trial on the next trial list pursuant to Local Rule 4003.5(7)(a), that this case cannot be tried within ten (10) days, and that a pretrial conference should be scheduled.

DATED: _____ ATTORNEY FOR PLAINTIFF

TO BE FILED IN ROOM 734 OF THE CITY COUNTY BUILDING

(e)

FORM 4003.5E Plaintiff's Notice of Filing of Praecipe Requesting That the Case Be Placed on the Next Available Trial List

CAPTION

PLAINTIFF'S NOTICE OF FILING OF PRAECIPE REQUESTING THAT THE CASE BE PLACED ON THE NEXT AVAILABLE TRIAL LIST

I have filed a praecipe pursuant to Local Rule 4003.5(7)(a) requesting that this product liability or professional negligence case be listed on the next available trial list.

Pursuant to Local Rule 4003.5(7)(a), each other party in the case is hereby given notice that they must within sixty (60) days furnish expert reports summarizing all expert testimony that will be offered by that party to support the defenses to the plaintiff's claims and to support any claims or defenses involving other parties.

After sixty (60) days, the right to file additional/supplemental reports is subject to the provisions of Local Rule 4003.5(7)(d).

DATED: _____

 ATTORNEY FOR PLAINTIFF

Local Rule 4009.12 Authorizations.

Upon a request for production of documents, plaintiff may either produce the requested records or, if the records are of a type created and maintained by a healthcare provider, furnish written authorization to copy the records of any healthcare provider by whom plaintiff was treated for injuries or disabilities complained of, or prior injuries or disabilities, where the same may be relevant. If a plaintiff provides the records themselves, they shall be produced along with a certification as to completeness or, if not complete, an explanation of what has been deleted or removed.

Note: This procedure is affected by the following opinions: *Greynolds v. McAllister*, 130 P. L.J. 414 (1982) (Wettick, J.); *Talarico v. Montefiore Hospital*, 138 P. L.J. 210 (1990) (Wettick, J.); *Bowser v. Ryder Truck Rental, Inc.*, 141 P. L.J. 316 (1993) (Wettick, J.).

LOCAL RULES OF CONDUCT, OFFICE STANDARDS AND CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES

Local Magisterial District Judge Rule 409 Writ of Execution. Money Judgment Entered by District Justice.

The agency to be named in the Notice Accompanying Order of Execution of judgments for the payment of money rendered by a Magisterial District Judge pursuant to Pa.R.C.P.M.D.J. 409(6) shall be:

Lawyer Referral Service
 Allegheny County Bar Association
 11th Floor Koppers Building
 436 Seventh Avenue
 Pittsburgh, PA 15219
 Telephone: (412) 261-5555

Local Magisterial District Judge Rule 420 Statement of Objection ("Goods Claim").

(1) At the same time a Statement of Objection is filed which will be heard by a Board of Arbitrators, and using envelopes provided by the Prothonotary with the Prothonotary's return address, every claimant filing a Statement of Objection shall address an envelope to every party at his or her address as listed on the complaint form filed in the office of the Magisterial District Judge or as otherwise appears in the records of that office, or the attorney of record, if any; or an address as listed in the Prothonotary's records.

(2) The Prothonotary shall select an arbitration hearing date within three to four weeks and inform the claimant of that date by stamping it on a copy of the Statement of Objection.

(3) Using the envelopes addressed by the claimant filing the Statement of Objection under subsection (1) of this local rule, the Prothonotary shall mail by first-class mail to every party a copy of the Statement of Objection which has been stamped with the date, time and place of the arbitration hearings.

(4) Such first-class mailings under subsection (3) of this local rule, when indicated on the record by the Prothonotary, shall operate as service and proof of service. Any returned mail shall be noted on the Court's docket.

Local Magisterial District Judge Rule 1005 Service of Notice of Appeal and Other Papers.

(1) At the same time an appeal is filed and using envelopes provided by the Prothonotary with the Prothonotary's return address, every appellant from a judgment entered by a Magisterial District Judge:

(a) shall address an envelope to every other party at that party's address as listed on the complaint form filed in the office of the Magisterial District Judge or as otherwise appears in the records of that office, or the attorney of record, if any;

(b) shall address an envelope to the Magisterial District Judge in whose office the judgment was rendered; and

(c) shall, if the appellant was a defendant in the action before the Magisterial District Judge, (i) self-address an envelope, to the address used by the appellant for the appeal, and (ii) in addition to the envelopes required by subsection (1)(a) of this local rule, address another envelope to every other defendant, if any, at that defendant's address as it appears in the records of the Magisterial District Judge, or that defendant's attorney of record, if any.

(2) Using the envelopes addressed by the appellant under subsection (1)(a) of this local rule, the Prothonotary shall mail by first-class mail:

(a) to every party other than appellant, (i) a copy of the notice of appeal, and (ii) if any other party was a plaintiff in the action before the Magisterial District Judge, a copy of the rule pursuant to Pa.R.C.P.M.D.J. 1004B, or, if any other party was a defendant in the action before the Magisterial District Judge, a copy of the complaint, with such service and any return being noted on the Court's docket;

(b) to the Magisterial District Judge, a copy of the notice of appeal, with such service and any return being noted on the Court's docket; and

(c) if appellant was a defendant in the action before the Magisterial District Judge, to appellant and any other defendant, a copy of any complaint filed pursuant to a rule to file a complaint, with such service and any return being noted on the Court's docket.

(3) Pursuant to Pa.R.C.P.M.D.J. 1005C, such first-class mailings by the Prothonotary pursuant to this Local Magisterial District Judge Rule shall operate as service and proof of service as required by Pa.R.C.P.M.D.J. 1005A and 1005B.

Local Magisterial District Judge Rule 1008 Appeal as Supersedeas.

In the event the Prothonotary terminates the supersedeas by virtue of the failure of the appellant to make the payments into Court when and as required, the Prothonotary, upon praecipe of the party on whose behalf the Magisterial District Judge entered the judgment for possession, shall issue a Certificate of Termination of the Supersedeas which will evidence the termination of the supersedeas when received by the Magisterial District Judge.

Local Magisterial District Judge Rule 10011 Writ of Certiorari.

(1) At the same time a praecipe for a writ of certiorari is filed and using envelopes provided by the Prothonotary with the Prothonotary's return address, every party filing a praecipe:

(a) shall address an envelope to every other party to his or her address as listed on the complaint form filed in the office of the Magisterial District Judge or as otherwise appears in the records of that office, or the attorney of record, if any;

(b) shall address an envelope to the Magisterial District Judge in whose office the judgment was rendered; and

(c) shall self-address an envelope.

(2) Using the envelopes addressed by the party filing the praecipe under subsection (1) of this local rule, the Prothonotary shall mail by first class mail:

(a) to every party other than the party filing the praecipe, a copy of the writ of certiorari, and

(b) to the Magisterial District Judge to whom it is directed, a copy of the writ of certiorari.

(3) Such first-class mailings under subsection (2) of this local rule, when indicated on the record by the Prothonotary, shall operate as service and proof of service as required by Pa.R.C.P.M.D.J. 1011B and 1011C. Any returned mail shall be noted on the Court's docket.

(4) Upon receipt of the record, the Prothonotary shall notify the filing party, using the self-addressed envelope, to file its specification of errors.

(5) The party filing the praecipe is responsible for scheduling an argument date with the Arbitration Office, 536 Courthouse, 436 Grant Street, and notifying the other parties of the argument date before the Special Motion's Judge.

[Pa.B. Doc. No. 06-2149. Filed for public inspection November 3, 2006, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BEAVER COUNTY

Local Rules of Civil Procedure; No. 10130 of 2001

Order

Local Rule LR 1301A is amended by adding thereto the following subsection:

4. Cases in which the amount in controversy exceeds \$25,000.00 but does not exceed \$50,000.00 may be submitted to arbitration under these rules where all parties have consented thereto in writing and such written consent is filed.

This *Order* shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*. The Court Administrator shall transmit copies of this Order as follows:

1. Seven certified copies to the Administrative Office of Pennsylvania Courts;

2. Two certified copies and a computer diskette containing the text hereof to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

3. One certified copy to the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania;

4. One copy shall be kept continuously available by the Prothonotary of Beaver County for public inspection and copying;

5. One copy to the Law Library of Beaver County; and,

6. One copy with the *Legal Journal of Beaver County* for publication therein.

By the Court

ROBERT E. KUNSELMAN,
President Judge

[Pa.B. Doc. No. 06-2150. Filed for public inspection November 3, 2006, 9:00 a.m.]

SCHUYLKILL COUNTY

Amended Civil Rules Procedure; S-2283-6

Order of Court

And Now, this 18th day of October, 2006, the Court hereby amends Schuylkill County Rules of Civil Procedure No. 1915.7 (b) and (b)(1). The rule is amended for use in the Court of Common Pleas of Schuylkill County, Pennsylvania (21st Judicial District) and shall be effective thirty days after publication in the *Pennsylvania Bulletin*.

The Prothonotary of Schuylkill County is Ordered and Directed to do the following:

1) File ten (10) certified copies of this Order and Rule with the Administrative Office of the Pennsylvania Courts.

2) File two (2) certified copies of this Order and Rule with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* together with a diskette reflecting the text in hard copy version.

3) File one (1) certified copy of this Order and Rule with the Pennsylvania Civil Procedural Rules Committee.

4) Forward one (1) copy to the Schuylkill County Law Library for publication in the *Schuylkill Legal Record*.

5) Keep continuously available for public inspection copies of this Order and Rule.

It is further *Ordered* that said rules as they existed prior to the amendment is hereby repealed and annulled on the effective date of said rule as amended, but no right acquired thereunder shall be disturbed.

By the Court

WILLIAM E. BALDWIN,
President Judge

Rule 1915.7 Consent Order and Stipulation

(b) If the parties are able to reach an agreement after the conciliation conference, they may file a stipulation signed by the parties and counsel. The order shall be substantially in the form of the custody stipulation utilized pursuant to Sch.R.C.P. 1915.4. The Court may, in its discretion, enter an order without taking testimony.

(1) If an order for psychological and/or home evaluations has been entered, then the proposed order shall include a provision to vacate the order for psychological and/or home evaluations.

[Pa.B. Doc. No. 06-2151. Filed for public inspection November 3, 2006, 9:00 a.m.]

SUSQUEHANNA COUNTY

New Rules of the Civil Division of the Court of
Common Pleas; No. 1991-669 C.P.

Order

Now to Wit, this 23rd day of October, 2006, *It Is Ordered and Deceed* that the amended rules of the Civil Division of the Court of Common Pleas of Susquehanna County, Rule 1303, and Civil Rule 1308, Arbitrators' Compensation, be and the same is hereby promulgated herewith to become effective thirty (30) days after the publication of the rule in the *Pennsylvania Bulletin*; that seven (7) certified copies shall be filed with the Administrative Office of Pennsylvania Courts; that two (2) certified copies shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that (1) certified copy shall be filed with the Civil Procedural Rules Committee; and that one (1) copy shall be filed with the Prothonotary of the Court of Common Pleas of Susquehanna County.

By the Court

KENNETH W. SEAMANS,
President Judge

CIVIL RULE 1303. *Hearing Notice.*

Cases subject to arbitration under Susquehanna County Local Rule 1301 shall be listed therefor on a praecipe of either counsel or by agreement or reference filed with the Prothonotary. Upon receipt thereof, the Prothonotary shall appoint a board of three (3) arbitrators from the list of available arbitrators in alphabetical order.

(a) The Prothonotary shall give notice of the appointment in writing sent by ordinary mail to each member of the board of arbitrators appointed in accordance with this section.

(b) The [**chairman of the board of arbitrators**] **District Court Administrator** shall promptly fix the date, time and place of hearing and shall **by court order**

give written notice thereof sent by ordinary mail to the parties or their attorneys of record not less than thirty (30) days prior to the hearing.

(c) All continuances shall be in the sound discretion of the [**chairman of the board**] **President Judge** and shall be made to a day and time certain not more than thirty (30) days from the date originally set. [**by the chairman who shall give notices of the continued date and time to the parties or their attorneys of record at least five (5) days prior thereto by ordinary mail or telephone.**]

CIVIL RULE 1308. *Arbitrators' Compensation.*

Subject to the limitation set forth in Pa.R.C.P., Rule 1308 (a)(2), each member of the board of arbitrators, who has signed the report of the board upon conclusion of the case or filed a minority report in conjunction therewith, shall receive his compensation for services, a fee and mileage in accordance with the following schedule:

[**Chairman of the Board—\$100.00 if the case is settled, discontinued or withdrawn from arbitration—\$25.00; Associate Arbitrator—\$75.00**]

Each arbitration panel member shall receive \$150.00 per hour for the first hour of hearing and \$50.00 per hour thereafter.

Any member of the board who maintains his principle office other than in the municipality in which the hearing is held shall receive mileage at the same rate paid by the County of Susquehanna. The Court may upon petition for cause shown allow additional compensation. All compensation and mileage payments shall be paid from County funds as in the case of all other County debts. Fees paid to the arbitrators shall not be taxed as costs nor follow the award as other costs.

[Pa.B. Doc. No. 06-2152. Filed for public inspection November 3, 2006, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Referendum on Continuation of the Pennsylvania Wine Marketing and Research Program

1. This letter is written under the legal requirements of the Agriculture Commodities Marketing Act (ACMA) as enacted by the General Assembly of Pennsylvania. All marketing programs established under ACMA must be reviewed once every 5 years by referendum to determine if the producers affected by the program desire to have the program continue. It is time for a referendum to be held for the Pennsylvania Wine Marketing and Research Program.

2. *Referendum Period:* The referendum period shall be from November 18, 2006, until 4 p.m. on December 2, 2006. Completed ballots shall be returned in the enclosed postage-paid envelope to the Department of Agriculture, Bureau of Market Development, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110-9408 or hand delivered to the Office of the Secretary of Agriculture, Department of Agriculture, c/o Commodity Promotion Division, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110. Hand delivered ballots must be received by 4 p.m. on December 2, 2006. Ballots that are mailed must be postmarked no later than December 2, 2006 and received no later than December 9, 2006.

3. *Notice of Referendum:* This referendum order and an official ballot shall be mailed no later than November 13, 2006, to all affected producers whose names appear on the list of Pennsylvania wine producers maintained in the Office of the Secretary of Agriculture. Additional copies of the same materials shall be made available at the Office of the Secretary of Agriculture.

4. *Eligible Voters:* The rules governing the eligibility of a producer for voting are as follows: Names of affected, eligible producers shall be taken from the commodity wine list of producers/sellers maintained in the office of the Secretary of Agriculture. These names are supplied to the Secretary from the Liquor Control Board. Voting producers must have a Limited Winery License.

5. *Counting of Ballots:* The ballots will be canvassed and counted by a Teller Committee appointed by the Secretary of Agriculture. The counting of the ballots will begin at 10 a.m. Wednesday, December 13, 2006, in the State Agriculture Building, 2301 North Cameron Street, Harrisburg, PA. The Secretary will announce the results of the referendum within 30 days following the completion of the referendum period. The results will be published in the *Pennsylvania Bulletin* and disseminated to the news media.

6. *Reporting Irregularities:* Any irregularities or disputes concerning the referendum procedures must be reported in written form to the Secretary of Agriculture not later than 7 calendar days from the end of the referendum period.

7. *Publication:* This referendum order shall be published in the *Pennsylvania Bulletin* and the *Harrisburg Patriot*.

8. *Effective Date:* If the majority of voting wine producers/sellers approves continuation of the Pennsylvania Wine Marketing and Research Program, the program shall be continued, effective immediately.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 06-2153. Filed for public inspection November 3, 2006, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking (Department), 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 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending October 24, 2006.

BANKING INSTITUTIONS

Branch Applications

Date	Name of Bank	Location	Action
10-16-06	MoreBank Philadelphia Philadelphia County	7042-7062 Terminal Square Upper Darby Delaware County	Opened

Branch Relocations

Date	Name of Bank	Location	Action
10-16-06	Lafayette Ambassador Bank Easton Northampton County	To: 1945 Sullivan Trail Easton Forks Township Northampton County	Effective

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
		<i>From:</i> 1700 Sullivan Trail Easton Forks Township Northampton County	
10-16-06	Northwest Savings Bank Warren Warren County	<i>To:</i> 80 W. Columbus Ave. Corry Erie County	Effective
		<i>From:</i> 150 N. Center Street Corry Erie County	

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

VICTORIA A. REIDER,
Acting Secretary

The Department's internet site at www.banking.state.pa.us includes public notices for more recently filed applications.

[Pa.B. Doc. No. 06-2154. Filed for public inspection November 3, 2006, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources will hold a meeting on Wednesday, November 15, 2006, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

MICHAEL F. DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 06-2155. Filed for public inspection November 3, 2006, 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>
PA0061506 (Sewage)	Preston Country Market P. O. Box 2 Preston Park, PA 18455	Preston Township Wayne County	UNT to Shehawken Creek 01A	Y
PA0062472 (Minor Sewage)	Chestnut Ridge Mobile Home Park 175 Church Drive Palmerton, PA 18071	Carbon County Lower Towamensing Township	Aquashicola Creek 2B	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>
PA0081299 (Sew)	Model Enterprises, Inc. 630 Delp Road Lancaster, PA 17601-3035	Lancaster County Rapho Township	Chickies Creek 7-G	Y

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

<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>
PA0209457 IW	CraftMaster Manufacturing, Inc. P. O. Box 311 Towanda, PA 18848	Bradford County Wysox Township	Stormwater Channel To Lanning Creek 4D	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0228427 CAFO	Pine Hill Farm R. R. 3, Box 39 Columbia Crossroads PA 16914	Bradford County Wells Township	Mill Creek 04A	N

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

<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>
PA0103594	Windsor Mobile Home Park 12740 Wetsell Ridge Road Edinboro, PA 16412-1854	Washington Township Erie County	UNT Tributary to Little Conneautee Creek 16-A	Y
PA0023931	Cambridge Area Joint Authority 161 Carringer Street Cambridge Springs, PA 16403	Cambridge Springs Borough Crawford County	French Creek 16-A	Y
PA0091189	Slippery Rock Campground Association 1150 West Park Road Slippery Rock, PA 16057	Worth Township Butler County	Slippery Rock Creek 20-C	Y
PA0102628	Henderson Township Municipal Authority 121 Fourth Street Stump Creek, PA 15863	Henderson Township Jefferson County	Mahoning Creek 17-D	Y

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

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

NPDES Permit No. PA0034487, Industrial Waste, **Meenan Oil Company, Inc.**, 113 Main Street, Tullytown, PA 19007. This proposed facility is located in Tullytown Borough, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated stormwater from the facility into the Delaware River and a UNT to Delaware River in Watershed 2E.

NPDES Permit No. PA0056944, Industrial Waste, **Sunoco Pipeline, LP**, 4041 Market Street, Aston, PA 19014. This proposed facility is located in Upper Chichester Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge stormwater from Twin Oaks Petroleum Pump Station into a UNT to Marcus Hook Creek in Watershed 3G-Ridley.

NPDES Permit No. PA0033880, Sewage, **Boyertown Area School District**, 911 Montgomery Avenue, Boyertown, PA 19512. This proposed facility is located in New Hanover Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from The New Hanover-Upper Frederick Elementary School into a UNT to Swamp Creek in Watershed 3E-Perkiomen.

PA0056545, Industrial Waste, SIC 2673 and 2759, **Huhtamaki Flexibles, Inc.**, 2400 Continental Boulevard, Malvern, PA 19355-2326. This existing facility is located in Tredyffrin Township, **Chester County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge stormwater from asphalt loading area, roofs and parking lots to Little Valley Creek. This is an existing discharge.

The receiving stream Little Valley Creek is in the State Water Plan Watershed 3F and is classified for: exceptional value, aquatic life, water supply and recreation. The nearest downstream public water supply intake for PA American—Norristown is located on the Schuylkill River and is approximately 9 miles below the point of discharge.

The proposed effluent limits for Outfalls 001—003 are the same and are based on a design flow of an average storm event.

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

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

1. Change in Ownership.
2. Stormwater Requirements.

The EPA waiver is in effect.

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

PA#0065137, Industrial, **Blythe Township**, P. O. Box 91, Cumbola, PA 17931. This proposed facility is located in Blythe Township, **Schuylkill County**.

Description of Proposed Activity: Discharge of industrial waste consisting of leachate and sewage from a construction and demolition waste landfill.

The receiving stream, Silver Creek, is in the State Water Plan Watershed No. 3A and is classified for CWF. The nearest downstream public water supply intake for Pottstown is located on the Schuylkill River and is greater than 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.015 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
BOD			37	140
TSS			27	88
Ammonia as N			4.9	10
a-Terpineol			0.016	0.033
Benzoic Acid			0.071	0.12
p-Cresol			0.014	0.025
Phenol			0.015	0.026
Zinc			0.11	0.20
pH		6.0 to 9.0 standard units at all times		
Fecal				
(5-1 to 9-30)		200/100 ml as geometric mean		
(10-1 to 4-30)		2,000/100 ml as a geometric mean		
Total Residual Chlorine			1.2	2.8
Acetone			Monitor and Report	
Methylone Chloride			Monitor and Report	
2-Bucanone			Monitor and Report	
Carbon Disulfide MEK			Monitor and Report	
1,1 Dichloroethane			Monitor and Report	
4 Methyl 1-2 Pentanon (MIBK)			Monitor and Report	
Toluene			Monitor and Report	
Xylene Total			Monitor and Report	
Oil and Grease			Monitor and Report	
Phenolics			Monitor and Report	
TDS			Monitor and Report	
Arsenic			Monitor and Report	
Barium			Monitor and Report	
Chromium			Monitor and Report	
Iron Total			Monitor and Report	
Nickel Total			Monitor and Report	
Manganese			Monitor and Report	
Sulfate			Monitor and Report	
Aluminum			Monitor and Report	

In addition to the effluent limits, the permit contains the following major special conditions: Monitoring of untreated leachate Quantity and Quality.

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

Application No. PA 0085430, Sewage, **Robin Hill Camping Resort**, 149 Robin Hill Road, Lenhartsville, PA 19534. This facility is located in Greenwich Township, **Berks County**.

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

The receiving stream UNT to Maiden Creek is in Watershed 3-B, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for City of Reading is located on the Maiden Creek, approximately 15 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.01 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N			
(5-1 to 10-31)	2.8		5.6
(11-1 to 4-30)	8.4		17.0
Total Residual Chlorine	0.5		1.6
Total Phosphorus	1.0		2.0
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		10,000/100 ml as a geometric average	

In addition to the effluent limits, the permit contains the following: A waste load allocation of 30 pounds total phosphorus/year and 914 pounds total suspended solids/year.

Persons may make an appointment to review the Department of Environmental Protection files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0259802, Concentrated Animal Feeding Operation (CAFO), **Wen-Crest Farms, LLC**, 549 Shaeffer Road, Lebanon, PA 17042.

Wen-Crest Farms, LLC has submitted an Individual NPDES permit application for Wen-Crest Farms located in South Lebanon Township, Lebanon County. The CAFO is situated near UNTs of Hammer Creek (Watershed 7-J) and Quittapahilla Creek (Watershed 7-D), which are classified as HQ-CWF and TSF, respectively. The CAFO has a target animal population of approximately 1,376 animal equivalent units consisting of 220,640 starter and finishing turkeys and 200 steers. The existing operation includes five turkey barns and two heifer barns on two farm sites. The heifers will be changed over to steers. The application includes a proposal to construct two additional turkey barns on a third farm site. There are no liquid or semi-solid manure storage facilities on the farm, and all manure is stacked for eventual land application or is reused for bedding. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

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

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

PA236103, Industrial Waste, SIC 2816, **Ferro Color & Glass Performance Materials**, P. O. Box 519, West Wylie Avenue, Washington, PA 15301. This application is for renewal of an NPDES permit to discharge untreated stormwater from the Ferro Color & Glass Performance Materials in Canton Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, Chartiers Creek, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is West View Water, located at West View on the Ohio River, over 17 miles below the discharge point.

Outfalls 001 and 002: existing stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Oil and Grease			Monitor and Report		
Antimony			Monitor and Report		
Cadmium			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Copper			Monitor and Report		
Lead			Monitor and Report		
Nickel			Monitor and Report		
Selenium			Monitor and Report		
Zinc			Monitor and Report		
Aluminum			Monitor and Report		
Fluoride			Monitor and Report		
Iron, Total			Monitor and Report		
Total Suspended Solids			Monitor and Report		
pH			Monitor and Report		

Other Conditions: Solids disposal, floating solids, stormwater conditions.

The EPA waiver is in effect.

PA0006327, Industrial Waste, SIC 3312, **Allegheny Ludlum Corporation**, 100 River Road, Brackenridge, PA 15014. This application is for renewal of an NPDES permit to discharge treated process and untreated cooling water and stormwater from the West Leechburg Facility in West Leechburg, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters Kiskiminetas River and Elder Run classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Buffalo Township Municipal Authority on the Allegheny River, approximately 4 miles downstream.

Outfall 002: existing discharge (0.93 mgd) to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)				110	
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 005: existing discharge (1.7 mgd) to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)				110	
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		

NOTICES

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 006: existing discharge (1.41 mgd) to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)				110	
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 007: existing discharge (0.50 mgd) to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)				110	
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Internal Monitoring Point 108: existing discharge (1.93 mgd) to Outfall 008.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)				110	

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids	157.2	365.6	30	70	87.5
Oil and Grease	49.7	148.4	10	30	30
Chromium	4.3	10.8	0.4	1.0	1.25
Nickel	3.1	9.7	0.3	0.9	1.13
Tetrachloroethylene	0.013			0.15	
Napthalene		0.009			0.1
Total Residual Chlorine			0.5		1.0
pH			not less than 6.0 nor greater than 9.0		

Outfall 008: existing discharge to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH			Monitor and Report		

This outfall shall consist of sources previously monitored at Internal Monitoring Point 108 and stormwater runoff.

Outfall 009: existing discharge (0.01 mgd) to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)			110		
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 010: existing discharge (1.19 mgd) to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)			110		
BOD			Monitor and Report		

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 011: existing discharge (0.17 mgd) to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)			110		
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Internal Monitoring Point 112: existing discharge (1.21 mgd) to Outfall 012.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Suspended Solids	168.5	392.9	30	70	87.5
Oil and Grease	44.1	132.4	10	30	30
Lead	0.84	2.5	0.15	0.45	0.56
Zinc	1.1	3.4	0.1	0.3	0.37
Total Residual Chlorine					
Copper			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 012: existing discharge (1.21 mgd from Internal Monitoring Point 112 and 2.84 mgd NCCW) to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)			110		
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

This outfall shall consist of sources previously monitored at Internal Monitoring Point 112, noncontact cooling water and stormwater runoff.

Outfall 014: existing discharge (0.01 mgd) to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Temperature (F)				110	
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 017: existing discharge to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow			Monitor and Report		
Oil and Grease			Monitor and Report		
BOD			Monitor and Report		
COD			Monitor and Report		
Total Suspended Solids			Monitor and Report		
TKN			Monitor and Report		
Nitrate/Nitrite			Monitor and Report		
Phosphorus			Monitor and Report		
Chromium, Total			Monitor and Report		
Chromium, Hexavalent			Monitor and Report		
Nickel			Monitor and Report		
Aluminum			Monitor and Report		
Iron, Total			Monitor and Report		
Iron, Dissolved			Monitor and Report		
Fluoride			Monitor and Report		
Manganese			Monitor and Report		
pH			not less than 6.0 nor greater than 9.0		

Outfall 902: existing discharge to Kiskiminetas Run

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	This discharge shall consist solely of water supply emergency relief valve water. not less than 6.0 nor greater than 9.0 standard units.				

Outfall 906

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	This discharge shall consist solely of water from the French drain for water valve pit. not less than 6.0 nor greater than 9.0 standard units				

Outfall 936

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	This discharge shall consist solely of raw water pressure relief overflow. not less than 6.0 nor greater than 9.0 standard units				

Outfall 946: existing discharge to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	This discharge shall consist solely of river water intake overflow. Debris collected on the intake shall not be returned to the waterway. not less than 6.0 nor greater than 9.0				

Outfall 967: existing discharge to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH	This discharge shall consist solely of river water intake overflow. Debris collected on the intake shall not be returned to the waterway. not less than 6.0 nor greater than 9.0				

Outfalls 016, 900, 904, 906, 909, 912—916, 921, 922, 926—928, 930—932, 935, 937, 938, 940, 942, 943, 944, 947—966 and 969: existing discharges to Kiskiminetas River and Elder Run

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow					Monitor and Report
BOD					Monitor and Report
COD					Monitor and Report
Total Suspended Solids					Monitor and Report
TKN					Monitor and Report
Nitrate/Nitrite					Monitor and Report
Phosphorus					Monitor and Report
Chromium, Total					Monitor and Report
Chromium, Hexavalent					Monitor and Report
Nickel					Monitor and Report
Aluminum					Monitor and Report
Iron, Total					Monitor and Report
Iron, Dissolved					Monitor and Report
Fluoride					Monitor and Report
Manganese					Monitor and Report
pH					Monitor and Report

These outfalls shall consist solely of storm water runoff.

The EPA waiver is not in effect.

PA0217522, Sewage, **Municipal Authority of the Borough of Smithton**, P. O. Box 342, 615 Center Street, Smithton PA 15479-0342. This application is for renewal of an NPDES permit to discharge treated sewage from Smithton Borough Sewage Treatment Plant in Smithton Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of the Youghiogheny River, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the: Westmoreland County Municipal Authority-McKeesport.

Outfall 001: existing discharge, design flow of 0.066 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	3.5			7.0
(11-1 to 4-30)	10.5			21.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.6			1.3
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0239887, Sewage, **Marcell Ervig**, 328 Freeport Road, Butler, PA 16001. This proposed facility is located in Summit Township, **Butler County**.

Description of Proposed Activity: discharge of nonmunicipal sewage.

The receiving water is the UNT to Coal Run. The receiving stream is in State Water Plan 20-C and is classified for the following uses: WWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Beaver Falls Municipality Authority, is located on the Beaver River and is approximately 54.79 miles below the point of discharge.

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

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

XX—Monitor and report.

The EPA waiver is in effect.

PA0102601, Sewage, **Wick Auto Sales**, 423 Dogwood Drive, Butler, PA 16001. This proposed facility is located in Franklin Township, **Butler County**.

Description of Proposed Activity: issuance of a new permit for an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Harmony Water Company located on the Little Connoquenessing Creek and is approximately 12 miles below point of discharge.

The receiving stream, the UNT to Mulligan Run, is in Watershed 20-C and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.028 mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	XX		
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N			
(5-1 to 10-31)	2		4
(11-1 to 4-30)	6		12
Phosphorus as "P"	2		4
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
Total Residual Chlorine	0.1		0.2
Dissolved Oxygen		minimum of 6 mg/l at all times	
pH		6.0 to 9.0 standard units at all times	

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

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

WQM Permit No. 0906409, Sewerage, **Waste Management Disposal Service of PA., Inc.**, 1121 Bordentown Road, Morrisville, PA 19067. This proposed facility is located in Falls Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a effluent pump station, force main and force main appurtenances.

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

WQM Permit No. 3806406, Sewerage, **Borough of Myerstown**, 101 East Washington Avenue, Myerstown, PA 17067-1142. This proposed facility is located in Jackson Township, **Lebanon County**.

Description of Proposed Action/Activity: Application for upgrade/expansion of the ELCO Wastewater Treatment Facility.

WQM Permit No. WQG01050601, Sewerage, **Richard L. Riley**, 167 Village Road, Osterburg, PA 16667-8441. This proposed facility is located in West Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Application for construction/operation of a small flow treatment facility to serve their single family residence at 14336 Lincoln Highway.

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

WQM Permit No. 4985408, Sewerage 4952, **Upper Augusta Township**, R. R. 2 Sunbury, PA 17801. This proposed facility is located in Upper Augusta Township, **Northumberland County**.

Description of Proposed Action/Activity: The applicant is proposing to replace the existing Sewage Treatment Plant's ultraviolet disinfection system and contact tank with a tablet chlorinator and chlorine contact tank. The limits of the NPDES permit will not change.

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

WQM Permit No. 368S042-A2, Industrial Waste, **Creekside Mushrooms, LTD.**, One Moonlight Drive, Worthington, PA 16262. This proposed facility is located in West Franklin Township, **Armstrong County**.

Description of Proposed Action/Activity: Application for permit amendment.

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

WQM Permit No. 1006404, Sewerage, **Marcell Ervig**, 328 Freeport Road, Butler, PA 16001. This proposed facility is located in Summit Township, **Butler County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

WQM Permit No. 4306402, Sewerage, **City of Sharon**, 155 West Connelly Boulevard, Sharon, PA 16146. This proposed facility is located in City of Sharon, **Mercer County**.

Description of Proposed Action/Activity: This project is for the Connelly Boulevard siphon improvements and the wastewater treatment plant expansion and improvements.

WQM Permit No. 4306403, Sewerage, **Skyline Developments, Inc.**, P. O. Box 806, Indianola, PA 15051. This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for modifications and improvements to an existing treatment lagoon system serving the Summit Estates Mobile Home Park including the installation of aeration and disinfection systems.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011506080	John St. John 1140 State Road Lincoln University, PA 19352	Chester	Upper Oxford Township	East Branch Big Elk Creek (HQ-TSF-MF)
PAI011506081	Robert Bruce Homes 1223 West Chester Pike West Chester, PA 19382	Chester	East Brandywine Township	UNT East Branch Brandywine Creek (HQ-TSF-MF)
PAI011506082	Whitehorse Village, LLC 740 Springdale Avenue Exton, PA 19341	Chester	East Whiteland Township	West Branch Valley Creek (CWF) Valley Creek (EV)

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

Northampton County Conservation District: Greystone Bldg., Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10U157R	CTHL-1, Inc. 824 Eighth Ave. Bethlehem, PA 18018	Northampton	Palmer Township and Tatamy Borough	Bushkill Creek HQ-CWF

Northampton County Conservation District: Greystone Bldg., Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806025	POSH Properties 2216 Willow Park Road Bethlehem, PA 18017	Northampton	Wind Gap Borough	Little Bushkill Creek HQ-CWF, MF
PAI024806026	Ronald R. Perin 818 Grand Central Road Pen Argyl, PA 18072	Northampton	Plainfield Township	Little Bushkill Creek HQ-CWF, MF
PAI024806027	Northampton Area School District 2014 Laubach Ave. Northampton, PA 18067	Northampton	Bath Boro.	Monocacy Creek HQ-CWF

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

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041406018	David Loesch-Loesch Construction Elksview Townhomes 2101 Circleville Road State College, PA 16803	Centre	Harris Township	Spring Creek 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 should 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. 2806508, Public Water Supply

Applicant	Antrim Township Municipal Authority
Municipality	Antrim Township
County	Franklin
Responsible Official	Charles Goetz Jr., Director of Utilities 10655 Antrim Church Road P. O. Box 130 Greencastle, PA 17225
Type of Facility	Public Water Supply
Consulting Engineer	David A. Brinjac, P. E. Brinjac, Kambic & Assoc., Inc. 114 N. 2nd St. Harrisburg, PA 17101
Application Received:	9/13/2006

Description of Action	Application is for upgrades to the existing filtration facility and increase the plant capacity from 128 gpm to 390 gpm. Project will include new chlorine contact tank, control building expansion and relater appurtenances.
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Permit No. 2806509, Public Water Supply

Applicant	Bear Valley Franklin County Pennsylvania Joint Authority
Municipality	Hamilton Township, St. Thomas
County	Franklin
Responsible Official	Robert E. John, Manager 218 Schoolhouse Road P. O. Box 308 St. Thomas, PA 17252-0308
Type of Facility	Public Water Supply
Consulting Engineer	David R. Knapton, P. E. Gannett Fleming, Inc. 601 Holiday Drive Pittsburgh, PA 15220
Application Received:	9/20/2006
Description of Action	Application is for the construction of a membrane filtration facility to replace the existing filtration equipment at the Broad Run Treatment plant.

Permit No. 3406501, Public Water Supply

Applicant	McAlisterville Area Joint Authority
Municipality	Fayette Township
County	Juniata
Responsible Official	William Houdeshel, Chairperson P. O. Box 61 McAlisterville, PA 17049
Type of Facility	Public Water Supply
Consulting Engineer	Clayton E. Bubeck, P. E. Rettew Associates Inc 3020 Columbia Avenue Lancaster, PA 17603
Application Received:	9/26/2006
Description of Action	Application is for the construction of a membrane filtration facility to treat the sources of supply that have been declared "groundwater under the direct influence of surface water." Treatment will also include corrosion control.

Permit No. 0606513, Public Water Supply

Applicant	Birdsboro Municipal Authority
Municipality	Birdsboro Borough
County	Berks
Responsible Official	Dean A. Miller, Chairperson 202 E. Main Street Birdsboro, PA 19508
Type of Facility	Public Water Supply

Consulting Engineer Russell M. Smith, P. E.
Spotts Stevens and McCoy, Inc
345 North Wyomissing
Boulevard
Reading, PA 19610-0307

Application Received: 10/2/2006

Description of Action Addition of sodium permanganate for iron and manganese removal. This will formalize facilities permitted under Public Water Supply Permit No. 0606512E.

Application No. 3606511, Minor Amendment, Public Water Supply

Applicant **Elizabethtown Area School District**

Municipality Mount Joy Borough

County **Lancaster**

Responsible Official Ronald M. Nobile
Physical Plant Director
600 East High Street
Elizabethtown, PA 17022

Type of Facility Public Water Supply

Consulting Engineer Clayton E. Bubeck, P. E.
Rettew Associates Inc
3020 Columbia Avenue
Lancaster, PA 17603

Application Received: 8/23/2006

Description of Action Application is for the installation of a softening system (cation exchange) and nitrate system (anion exchange) to treat the source water for elevated levels of nitrate.

Application No. 3606613 MA, Minor Amendment, Public Water Supply

Applicant **Latte Luv Espresso**

Municipality Paradise Township

County **Lancaster**

Responsible Official Daniel Hostetler, Owner
3314 Lincoln Hwy, East
Paradise, PA 17562

Type of Facility Public Water Supply

Consulting Engineer Christian H. McKee Jr., P. E.
C.H. McKee & Associates
210 Main Street
Landisville, PA 17538

Application Received: 10/10/2006

Description of Action Application is for nitrate removal via nanofiltration (reverse osmosis) to treat the source water at the facility.

Application No. 0506502, Minor Amendment, Public Water Supply

Applicant **Jill Dhara, Inc.**

Municipality East Providence Township

County **Bedford**

Responsible Official Kal Patel, G.M.
16407 Lincoln Highway
P. O. Box 261
Breezewood, PA 15533-0261

Type of Facility Public Water Supply

Consulting Engineer Daniel J. Carbaugh, P. E.
Keller Engineers, Inc.
420 Allegheny Street
P. O. Box 261
Hollidaysburg, PA 16648

Application Received: 4/12/2006

Description of Action Installation of a nitrate treatment system to address elevated nitrate levels at the Best Western Motel and Hardees.

Application No. 2806506 MA, Minor Amendment, Public Water Supply.

Applicant **Krishna Ventures, LLC**

Municipality Antrim Township

County **Franklin**

Responsible Official Parish Kothari, Managing Member
102 West Central Avenue
Maywood, PA 07607

Type of Facility Public Water Supply

Consulting Engineer Janet R. McNally, P. E.
William F. Hill & Assoc., Inc.
207 Baltimore St.
Gettysburg, PA 17325

Application Received: 8/11/2006

Description of Action Application is for the installation of a NSF 53 filtration facility to treat the sources of supply that have been declared "groundwater under the direct influence of surface water." Treatment will also include disinfection by means of chlorination.

Application No. 3606514, Minor Amendment, Public Water Supply

Applicant **Amerada Hess Corporation-Store No. 38446**

Municipality Providence Township

County **Lancaster**

Responsible Official James J. Howard, Manager
Retail Maintenance Programs
1 Hess Plaza
Woodbridge, NJ 07095

Type of Facility Public Water Supply

Consulting Engineer G. Matthew Brown, P. E.
ARRO Consulting, Inc.
270 Granite Run Drive
Lancaster, PA 17601

Application Received: 10/12/2006

Description of Action Application is for the installation of nitrate removal by means anion exchange treatment.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office before which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

Sewage Pump Station 1 (PS-1), Mount Joy Borough, Lancaster County. ARRO Consulting, Inc., 270 Granite Run Drive, Lancaster, PA 17601, on behalf of Mount Joy Borough Authority, 21 East Main Street, Mount Joy, PA 17552-1415, submitted a Notice of Intent to Remediate site soils contaminated with leaded gasoline, diesel and fuel oil. The property was formerly used for petroleum storage and is now being used as a sewage pump station. The applicant is seeking to remediate to the Statewide Health Standard.

Fort Indiantown Gap National Guard Training Center, Union Township, Lebanon County. Weston Solutions, Inc., 1400 Weston Way, Building 4-2, West Chester, PA 19380, on behalf of Pennsylvania Army National Guard, Department of Military and Veteran Affairs—Environmental Division, Building 0-11, Fort Indiantown Gap National Guard Training Center, Annville, PA 17003, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with pesticides. The site was used to store and mix pesticides prior to building demolition; future use of the site is for a parking lot. The applicant seeks to remediate to the Statewide Health Standard.

Eli Fisher Garage, West Cocalico Township, Lancaster County. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Fishers Garage, 5 Creamery Road, Reinholds, PA 17569-9624, submitted a Notice of Intent to Remediate groundwater contaminated with heating oil. The property is commercial and the future use is commercial. The applicant seeks to remediate to the Statewide Health Standard.

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

Cory Trust Auto Image Plus Facility, City of Pittsburgh, Allegheny County. Frank W. Benacuista, P. G., KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of. Suzanne Staub, Mellon Bank NA—Trustee, 3 Mellon Center, Room 1315, Pittsburgh, PA 15259 has submitted a Notice of Intent to Remediate. Soil and groundwater sampling indicated impacts from VOCs typically associated with gasoline and petroleum products associated with the operation of the former gasoline station located on the property. The intended future use of the property is to remain as a residential, mixed-use facility.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application received, under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003, the Municipal Waste Planning, Recycling and Waste Reduction Act 53 P. S. §§ 4000.101—4000.1904 and regulations to operate Solid Waste Processing or Disposal Area or Site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.

Permit ID No.101686. Marine Rigging Ltd., Inc./ Marine Salvage Ltd., Inc., 408 Hoffman Road, Pittsburgh, PA 15212-1121. Reserve Park Transfer Station,

408 Hoffman Road, Pittsburgh, PA 15212-1121. Application to permit a municipal waste transfer station in Reserve Township, **Allegheny County**, was received in the Regional Office on October 17, 2006.

Permit ID No. PAD980552848. Newell Rubbermaid, Inc., 2707 Butterfield Road, Oak Brook, IL, 60523-1267. Palmieri Site, 141 Wagner Road, Monaca, PA 15061-2457. Application for a remedial action plan permit for a captive hazardous waste facility in Center Township, **Beaver County** was received in the Regional Office on September 18, 2006.

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 should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

PLAN APPROVALS

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

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

28-05004B: Grove US, LLC (1565 Buchanan Trail East, Shady Grove, PA 17256) for installation of two paint spray booths and a drying oven to replace an existing spray booth at the Shady Grove plant in Antrim Township, **Franklin County**.

44-05001B: Standard Steel, LLC (500 North Walnut Street, Burnham, PA 17009) for construction of a continuous wheel heat treating line with two furnaces at Burnham Borough, **Mifflin County**. The new line will replace the current wheel heat treat operation.

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

17-313-001: Sunnyside Ethanol, LLC (5000 McKnight Road, Suite 405, Pittsburgh, PA 15237) for construction of an ethanol plant and associated carbon dioxide recovery plant and waste coal-fired circulating fluidized bed boiler in Curwensville Borough, **Clearfield County**.

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

26-00563A: ST Paper, LLC (1555 Glory Road, Green Bay, WI) for proposed wastepaper pulping and tissue manufacturing facility in Uniontown, **Fayette 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.

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

46-0256: Horgan Recycling, Inc. (2188 Detwiler Road, Harleysville, PA 19348) for installation of a concrete and asphalt crusher in Upper Gwynedd Township, **Montgomery County**. This facility is a State-only facility. The facility wide PM emission limit will 2.7 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

09-0176A: Metal Improvement Co., LLC (3434 State Road, Bensalem, PA 19020) for installation of a Chromium anodizing process, Sulphuric anodizing process, Phosphoric anodizing process and four aerospace coating booths at their facility in Bensalem Township, **Bucks County**. This facility is a non-Title V facility. The Chromium anodizing process will be regulated by applying maximum achievable control technology. The Plan Approval will also contain monitoring, recordkeeping, and work practice standard conditions designed to keep the

facility operating within the allowable emission limits and all applicable air quality requirements.

09-0120A: Degussa Construction Chemicals Operations, Inc. (Route 13 and Beaver Dam Road, Bristol, PA 19007) for modifications to two existing baghouses at their facility in Bristol Township, **Bucks County**. Degussa Construction Chemicals Operations, Inc. (Degussa) modified the baghouses, which each control PM emissions from five mixers, to exhaust to the outdoor atmosphere without Department of Environmental Protection approval. The potential emissions of PM into the outdoor atmosphere figure to be approximately 24 lbs/yr. The facility is a non-Title V facility. Degussa is required to perform stack testing for the baghouses to assure the control of emissions consistent with the best available technology. Degussa is also required to operate the baghouses at all times when any of the associated mixers is/are operating. The permit will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

09-0120: Degussa Construction Chemicals Operations, Inc. (Route 13 and Beaver Dam Road, Bristol, PA 19007) for modifications to two existing baghouses at the facility in Bristol Township, **Bucks County**. Degussa Construction Chemicals Operations, Inc. (Degussa) modified the baghouses, which each control PM emissions from five mixers, to exhaust to the outdoor atmosphere without Department approval. The potential emissions of PM into the outdoor atmosphere figure to be approximately 24 lbs/yr. The facility is a non-Title V facility.

Degussa is required to perform stack testing for the baghouses to assure the control of emissions consistent with the best available technology. Degussa is also required to operate the baghouses at all times when any of the associated mixers is/are operating. The permit will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

06-05069K: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19536) for construction of a lead/acid storage battery manufacturing plant including six lead oxide mills in Richmond Township, **Berks County**. The emissions will be controlled by a series of fabric collectors with HEPA filters, mist eliminators and other miscellaneous control devices. All of the source except the formation operation are subject to 40 CFR Part 60, Subpart KK, Standards of Performance for New Stationary Sources. The approval will limit the emissions to: 11.54 tons per year of particulate/PM-10, 1.26 tons per year of lead, 12.6 tons per year of sulfuric acid and 6.25 tons of VOCs. The approval will include the facility wide limit on fuel consumption. The plan approval will include monitoring, work practices, recordkeeping, reporting and other requirements designed to keep the source operating within all applicable air quality requirements. The facility is presently coved by the Title V Operating Permit Application No. 06-05069. The plan approval will be incorporated into the permit either at the time of issuance or later by Administrative Amendment in accordance with 25 Pa. Code § 127.450.

34-03007A: Dominion Transmission, Inc.—Perulack Compressor Station (1201 Pitt Street, Pittsburgh, PA 15221) for construction of natural gas fired

4735 bhp engine driven natural gas compressors and 814 bhp auxiliary generator in Lack/Tuscarora Township, **Juniata County**. The primary emissions from the sources are NOx with potential to emit 66 tons of NOx per year. The sources are controlled with low NOx combustion system. The compressor engine will be controlled by catalytic converter. The expected VOC emission will be 20 tons including 14 tons of HAPs.

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

19-00023A: Impress USA, Inc. (6670 Low Street, Bloomsburg, PA 17815) for modification of two can side stripe coating operations in South Centre Township, **Columbia County**. The respective facility is not a major (Title V) facility for any air contaminant.

The proposed modification to the first side stripe coating operation (Fael Line No. 1) is the removal of a catalytic fume incinerator previously used to control the VOC emissions from the line due to the fact that lower VOC-content coatings will now be used on the line. Due to an increased usage of coating, however, the VOC emissions from this line, including the VOC emissions resulting from the use of cleanup solvents and lubricants on the line, will increase from a maximum of approximately 2.37 tons per year to a maximum of 3.42 tons per year (of which up to .64 ton per year are expected to also be volatile HAPs).

The proposed modifications to the second side stripe coating operation (Soudronic Line No. 2) are an increase in the amount of VOCs emitted from the line so that the emissions will exceed the 2.5 ton per year limitation which previously existed for the line and the use of VOC-containing solvent to perform cleanup activities on the line instead of water. The maximum VOCs emissions from the respective line, including the VOC emissions resulting from the use of cleanup solvents and lubricants on the line, are now expected to be 2.90 tons per year (of which up to .54 ton per year are expected to also be volatile HAPs).

Impress USA, Inc. also proposed the construction of nine videojet ink marking systems which the Department has determined are exempt from plan approval provided the VOC emissions from each of three groups of ink marking systems (systems 1—5, systems 6—8 and system 9) are less than 2.7 tons per year and the total combined volatile HAP emissions from each of the three groups are no greater than 1.0 ton per year.

The Department of Environmental Protection's (Department) review of the information provided by Impress USA, Inc. indicates that the two modified side stripe coating operations should comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best BAT requirement of 25 Pa. Code §§ 127.1 and 127.12 and the requirements of 25 Pa. Code § 129.52. Based on this finding, the Department proposes to issue plan approval for the proposed modifications.

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

1. Conditions contained in State-only Operating Permit 19-00023 remain in effect unless amended or superseded by a condition contained herein. If there is a conflict between a condition contained in State-only Operating Permit 19-00023 and a condition contained herein, the

permittee shall comply with the condition contained herein rather with the conflicting condition contained in State-only Operating Permit 19-00023.

2. The VOC/volatile HAP emissions from Fael Line No.1 do not need to be controlled by a catalytic fume incinerator.

3. The VOC and volatile HAP emissions from Fael Line No. 1, including the VOC and volatile HAP emissions resulting from the use of cleanup solvents and lubricants on the respective line, shall not exceed 3.42 and .64 ton, respectively, in any 12-consecutive month period.

4. The VOC and volatile HAP emissions from Soudronic Line No. 2, including the VOC and volatile HAP emissions resulting from the use of cleanup solvents and lubricants on the respective line, shall not exceed 2.90 and .54 tons, respectively, in any 12-consecutive month period.

5. The VOC and volatile HAP contents of the coating used on the Fael Line No. 1 and Soudronic Line No. 2 shall not exceed 1.30 and .25 pound per gallon of coating, respectively.

6. No more than a combined total of 40 gallons of cleanup solvent shall be used on Fael Line No. 1 and Soudronic Line No. 2 in any 12-consecutive month period, of which no more than 20 gallons shall contain any volatile HAPs.

7. No more than 200 gallons of lubricant shall be used on Fael Line No. 1 and Sudronic Line No. 2 in any 12-consecutive month period and no lubricant used shall contain any volatile HAPs.

8. The permittee shall maintain records of the identity, amount, VOC content, volatile HAP content, acetone content and solids content of each coating used on Fael Line No. 1 as well as the identity, amount, VOC content, volatile HAP content and acetone content of each cleanup solvent and each lubricant used on Fael Line No. 1.

9. The permittee shall maintain records of the identity, amount, VOC content, volatile HAP content, acetone content and solids content of each coating used on Soudronic Line No. 2, as well as the identity, amount, VOC content, volatile HAP content and acetone content of each cleanup solvent and each lubricant used on Soudronic Line No. 2.

10. The VOC emissions from videojet ink marking systems one—five shall not equal or exceed 2.7 tons in any 12-consecutive month period and the combined volatile HAP emissions shall not exceed 1.0 ton in any 12-consecutive month period.

11. The combined VOC emissions from videojet ink marking systems six—eight shall not equal or exceed 2.7 tons in any 12-consecutive month period and the combined volatile HAP emissions shall not exceed 1.0 ton in any 12-consecutive month period.

12. The VOC emissions from videojet ink marking system 9 shall not equal or exceed 2.7 tons in any 12-consecutive month period and the combined volatile HAP emissions shall not exceed 1.0 ton in any 12-consecutive month period.

13. The permittee shall maintain records of the identity, amount, VOC content, volatile HAP content and acetone content of each ink, make-up fluid, etc. used in each of the three groups of videojet ink marking systems identified herein (systems one—five, systems six—eight and system nine).

OPERATING PERMITS

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

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

23-00040: Laurel Pipe Line Co., LP (3398 Garnet Mine Road, Boothwyn, PA 19061-0917) for renewal of the Title V Operating Permit in Bethel Township, **Delaware County**. The initial permit was issued on 12-19-2001. The facility is a refined petroleum breakout station consisting of in-coming and out-going pipeline systems and aboveground breakout tanks. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not reflect any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

37-00243: INMETCO (245 Portersville, Ellwood City, PA 16117) for modification of a Title V Operating Permit in Ellwood City Borough, **Lawrence County**. This modification is to incorporate synthetic minor emission limits for three date eligible sources, so that the facility will fall under the Best Available Retrofit Technology applicability threshold. The combined NOx and PM10 emissions from Source ID: 101-Materials Handling, Source ID: 102-Rotary Hearth Furnace, and Source ID: 103-Submerged Electric Arc Furnace, have been limited to no more than 250 tons per year for each pollutant.

10-00023: Mercer Lime and Stone Co.—Branchton Plant (560 Branchton Road, Slippery Rock, PA 16057) for modification to incorporate synthetic minor emission limits for one date eligible source, so that the facility will fall under the Best Available Retrofit Technology applicability threshold located in the Slippery Rock Township, **Butler County**. The NOx and SOx emissions from Source ID: 111-Rotary Kiln have been limited to no more than 249 tons per year for each pollutant.

42-00004: American Refining Group, Inc. (77 North Kendall Avenue, Bradford, PA 16701) for modification of a Title V Operating Permit to incorporate synthetic minor emission limits for three date eligible sources, so that the facility will fall under the Best Available Retrofit Technology applicability threshold in the City of Bradford, **McKean County**. The combined NOx, PM10, SOx, and VOC emissions from Source ID: 033-Boiler No. 3, Source ID: 034-Boiler No. 4, and Source ID: C301-Refinery Gas Flare, have been limited to no more than 250 tons per year for each pollutant.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

46-00139: Spray Products Corporation, (1323 Conshohocken Road, Norristown, PA 19404) for a Non-Title V Facility, State-only, Natural Minor Permit in Plymouth Township, **Montgomery County**. The sources of emissions are two Propellant Gasser/Production Filler Lines. The facility has a potential to emit less than 25 tons per year of VOCs. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

01-05016: ISP Minerals, Inc. (P. O. Box O, Blue Ridge Summit, PA 17214-0914) at their Charmian facility in Hamiltonban Township, **Adams County**. This facility is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants and 40 CFR Part 60, Subpart UUU—Standards of Performance for Calciners and Dryers in Mineral Industries. The facility will restrict their operation to limit the emission of particulate matter and NO_x to less than 100 tons per year. The Synthetic Minor operating permit shall contain additional testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-03040: Wenger's Feed Mill, Inc. (101 West Harrisburg Avenue, Rheems, PA 17570) for operation of their feed mill in Mount Joy Township, **Lancaster County**. Actual emissions are expected to be one ton per year of CO, one ton per year of NO_x and two tons per year of PM. The State-only permit will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

36-05119: Signature Custom Cabinetry, Inc. (434 Springville Road, Ephrata, PA 17522) for a wood working operations at Ephrata Township, **Lancaster County**. The facilities primary sources are kitchen cabinet parts coating booths. The facility's primary emissions are VOCs. The facility VOC emissions shall be kept at less than 50 tpy. Synthetic Minor Operating Permit renewal shall contain monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

38-03017: Keystone Spikes Corp.—Lebanon Plant (255 North Lincoln Avenue, Lebanon, PA 17046-3949) a renewal of their State-only Operating Permit for operation of the Lebanon Plant in the City of Lebanon, **Lebanon County**. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

38-05020: G and H Fortyniners, Inc.—d/b/a Keystone Protein Co. (P. O. Box 37, Fredericksburg, PA 17026) for synthetic minor operating permit renewal at Bethel Township, **Lebanon County**. The facility's sources include rendering operations and boilers, and the primary emissions are NO_x and SO_x. The SO_x and NO_x emissions shall be kept at less than 100 tpy each. Synthetic Minor Operating Permit renewal shall contain monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

67-05110: New York Wire Co. (P. O. Box 1749, York, PA 17405) for operation of their weaving facility in York

City, **York County**. The facility will be limited to less than 50 tons of VOC per year. The State-only operating permit will include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

65-00858: American Video Glass Co., LLC (777 Technology Drive, Mount Pleasant, PA 15666) for operation of two boilers and heaters at their Facility in East Huntingdon Township, **Westmoreland County**. This is a State-only Operating Permit.

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

37-00011: Dairy Farmers of America, Inc. (Route 208 and Route 18, New Wilmington, PA 16142-9518) for re-issuance of a Natural Minor Operating Permit to operate a manufacturing facility that produces cheese, in Wilmington Township, **Lawrence County**. The facility's primary emission sources include three natural gas fired boilers, a dryer, two reactors, three emergency generators, a parts washer and miscellaneous natural gas combustion (space heating/make up air).

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*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

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

30841316 and NPDES Permit No. PA0213535. Consol Pennsylvania Coal Company (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). To revise the permit for the Bailey Mine and Prep Plant in Richhill Township, **Greene County** to install 6 South No. 1 Airshaft, facilities, boreholes, and NPDES discharge point. Surface Acres Proposed 8.85. Receiving stream: Kent Run, classified for the following use: TSF. Application received: September 8, 2006.

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

11060103 and NPDES No. PA0262242. Hoffman Mining, Inc. (P. O. Box 130, 118 Runway Road, Friedens, PA 15541). Commencement, operation and restoration of a bituminous surface-auger mine and a stream variance within 100 feet of UNTs to Paint Creek, along with a stream encroachment consisting of haul road and erosion and sedimentation control construction in Adams Township, **Cambria County**, affecting 182.1 acres. Receiving streams: Paint Creek and UNTs to Paint Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 10, 2006.

32010110. Alverda Enterprises, Inc. (P. O. Box 87, Alverda, PA 15710). Permit renewal for the continued operation and restoration of a bituminous surface mine in Pine Township, **Indiana County**, affecting 78.1 acres. Receiving stream: N/A. The permittee will use non-

discharge alternatives for treated water classified for the following use: N/A. There are no potable water supply intakes within 10 miles downstream. Application received: October 12, 2006.

32010111 and NPDES No. PA0249050. Alverda Enterprises, Inc. (P. O. Box 87, Alverda, PA 15710). Permit renewal for the continued operation and restoration of a bituminous surface mine in Pine Township, **Indiana County**, affecting 34.8 acres. Receiving streams: UNT to Yellow Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 12, 2006.

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, (724) 925-5500

26060106 and NPDES Permit No. PA0250988. Charles L. Swenglish & Sons Coal Co., Inc. (83 Swenglish Lane, Smithfield, PA 15478). Application for commencement, operation and reclamation of a bituminous surface mine, located in Georges and Springhill Townships, **Fayette County**, affecting 540 acres. Receiving streams: UNTs to Rubies Run and Mountain Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: October 13, 2006.

02050101 and NPDES Permit No. PA0250791. NBL Mining Co., LLC (P. O. Box 369, Atlasburg, PA 15004). Transfer application from Robert B. Goodall for continued mining and reclamation of an existing bituminous surface mine located in North Fayette Township, **Allegheny County**, affecting 75.5 acres. Receiving streams: North Branch Robinson's Run and UNTs to North Branch Robinson's Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Transfer application received: October 13, 2006.

2743202 and NPDES Permit No. PA0069736. Fayette Coal & Coke, Inc., (2611 Memorial Blvd., Conneville, PA 15425). Transfer application from Fayette Coal & Coke, LLC for continued mining and reclamation of a coal refuse reprocessing surface mine, located in Dunbar and North Union Townships, **Fayette County**, affecting 113 acres. Receiving stream: Rankin Run to Redstone Creek, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge: North Fayette Municipal Authority. Transfer application received: October 5, 2006.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

33010104 and NPDES Permit No. PA0241997. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242). Renewal of an existing bituminous surface strip operation in Clover Township, **Jefferson County** affecting 29.5 acres. Receiving streams: three UNTs to Runaway Run and Runaway Run, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: October 18, 2006.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

17060110 and NPDES No. PA0256421. Bell Resources, Inc. (1034 Hoyt Road, Curwensville, PA 16833). Commencement, operation and restoration of a bituminous surface mine in Bloom and Penn Townships, **Clearfield County**, affecting 361.9 acres. Receiving streams: UNT to Bell Run; Bell Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 27, 2006.

17850145 and NPDES No. PA0596710. SRP Coal Co., Inc. (5510 State Park Road, Penfield, PA 15849). Permit renewal for the continued operation and restoration of a bituminous surface mine in Lawrence Township, **Clearfield County**, affecting 42.1 acres. Receiving streams: unnamed tributary to Montgomery Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 29, 2006.

17060111 and NPDES No. PA0256439. Hilltop Coal Company (12 Dutchtown Road, Houtzdale, PA 16651). Commencement, operation and restoration of a bituminous surface mine in Bigler and Gulich Townships, **Clearfield County**, affecting 361.0 acres. Receiving streams: UNT Little Muddy Run and Muddy Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 4, 2006.

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

40-305-002GP12. Stockton Anthracite, LP (P. O. Box 546, Hazleton, PA 18201). Application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on an anthracite coal preparation plant operation in Hazle Township, **Luzerne County**. Application received: August 14, 2006.

40-305-003GP12. Mammoth Anthracite, LLC (P. O. Box Q, Milnesville, PA 18239). Application to operate a coal preparation plant whose pollution control equipment

is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on existing anthracite Surface Mining Permit No. 40930102 in Hazle Township, **Luzerne County**. Application received: October 10, 2006.

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 should 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(a) of the FWPCA (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-761. Louis F. Smith, Township Manager, East Goshen Township, 1580 Paoli Pike, West Chester, PA 19380, East Goshen Township, **Chester County**, ACOE Philadelphia District.

1. To construct and maintain a new pedestrian bridge across a tributary to Ridley Creek (HQ-TSF) and adjacent wetlands. The proposed crossing is 352-foot long by 8-foot wide. Crossing has clear span of 95 feet over channel and floodway. This crossing is associated with an existing trail system for recreation, located above 100-year flood plain.

2. To maintain four pedestrian crossings associated with same existing trail systems, which were constructed without Department approval.

The total wetland impact associated with the five crossings is 0.07 acre (PEM).

The site is located about 2,500 feet southeast of intersection of Paoli Pike and Line Road (Malvern-PA USGS Quadrangle N: 1.4 inches W: 5.1 inches).

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E48-367. Green and White Youth Association, 435 West Main Street, Pen Argyl, PA 18072, in Pen Argyl Borough, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in approximately 0.04 acre of PFO wetlands and to construct and maintain two stream enclosures in tributaries to Waltz Creek as follows: a 60-inch diameter R.C.P. having a length of approximately 200 feet and a 48-inch diameter R.C.P. having a length of approximately 360 feet. This work is for the proposed construction of the Green and White Youth Association athletic fields located on the south side of SR 1024 (West Main Street) (Wind Gap, PA Quadrangle N: 19.6 inches; W: 1.7 inches).

E64-261. Bruce Hartshorn, 1319 Bucheimer Road, Frederick, MD 21701, in South Canaan Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 500 foot long by 19 foot wide driveway crossing through a 0.21 acre of PSO wetland adjacent to a tributary of Middle Creek (HQ-CWS, MS). The project is located on the south side of Old Gravity Road approximately 2.5 miles northeast of Tisdell Road. (Lakeville, PA Quadrangle N: 21.5 inches; W: 13.9 inches).

E35-398. Keystone College, One College Green, La Plume, PA 18440, in LaPlume, **Lackawanna County**, United States Army Corps of Engineers, Baltimore District.

To fill a 0.10 acre man made pond for the purpose of constructing site improvements at Keystone College. Keystone College is located on the south side of College Avenue approximately 1 mile east of its intersection with Route 6. (Factoryville, PA Quadrangle N: 10.5 inches; W: 3.4 inches).

E64-262. Richard and Rita Mahler, 596 Annadale Road, Staten Island, NY 10312, in Salem Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To excavate 0.27 acre of PEM wetlands within the Wallenpaupack Creek watershed (HQ-CWS) for the purpose of constructing a pond having a surface area of approximately 4.2 acres, a volume of approximately 38 acre-feet and a depth of 10 feet. (Lakeville, PA Quadrangle N: 3.5 inches; W: 13.8 inches).

E40-533A. Wilkes-Barre/Scranton International Airport, 100 Terminal Road, Avoca, Pa 18641, in Moosic Borough, **Lackawanna County**, United States Army Corps of Engineers, Baltimore District.

To place fill in approximately 0.069 acre of PEM wetlands for the proposed 225-foot extension of Runway 22 which is necessary to comply with FAA safety regulations. The project is located at the northern end of the

airport southeast of the intersection of SR 0081 and S.R. 0502 (Avoca, PA Quadrangle N: 16.0 inches; W: 13.7 inches).

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

E36-818. Ben Stoltzfus, 2603 Lincoln Highway, East Lampeter, PA 17572 in East Lampeter Township, **Lancaster County**, ACOE Baltimore District.

To install and maintain a 24.0-foot long by 16.0-foot wide by 4.0-foot high concrete box culvert into a UNT of Mill Creek (WWF) and 825.0 square feet of emergent wetlands, and to construct and maintain an access driveway through 340.0 square feet of emergent wetlands. The project is located off of Route 30 East, past Route 896 on the left hand side, (Leola, PA Quadrangle N: 4 inches; W: 7.5 inches; Latitude: 40° 1' 27.6"; Longitude: 76° 10' 28.7") in East Lampeter Township, Lancaster County. The amount of wetland impact is considered a de minimus impact of 0.027 acre and wetland mitigation is not required.

E50-236. Little Buffalo State Park, 1579 State Park Road, Newport, PA 17074, in Juniata Township, **Perry County**, ACOE Baltimore District.

To install and maintain a dry hydrant in Holman Lake for the purpose of fire protection. The project is located along Little Buffalo Road (Newport, PA Quadrangle; North: 14.6 inches, West: 8.2 inches; Latitude: 40° 27' 18", Longitude: 77° 10' 29") in Juniata Township, Perry County.

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

E02-1549. Monterey Place, LLC, 285 East Waterfront Drive, Suite 160, Homestead, PA 15120. To construct a culvert and impact wetlands in Upper St. Clair Township, **Allegheny County**, Pittsburgh ACOE District. (Bridgeville, PA Quadrangle N: 10.95 inches; W: 10.88 inches and Latitude: 40° 18' 37"—Longitude: 80° 4' 41"). The applicant proposes to remove the existing 60-inch diameter, 90 ft. long culvert, to construct and maintain a conspan culvert having a span of 14 feet with an underclearance of 5 feet, 157 feet in length in the channel of a UNT to Brush Run (WWF) and to place and maintain fill in 0.21 acre of wetlands (PEM/PSS), associated with said crossing, to provide access to the proposed Monterey Plan of Lots located approximately 240 feet southeast from the intersection of Monterey Drive and Cortland Drive. The applicant also proposes to construct and maintain several utility lines and an outfall structure in said wetlands.

E02-1550. David W. Eichenlaub, P. O. Box 806, Indianola, PA 15051. To place fill in wetlands to expand storage area in Indiana Township, **Allegheny County**, Pittsburgh ACOE District. (Glenshaw, PA Quadrangle N: 16.5 inches; W: 0.5 inch and Latitude: 40° 35' 25"—Longitude: 79° 52' 39"). The applicant proposes to place fill in 0.095 acre of wetlands and along the right bank of Deer Creek (CWF) and the left bank of Cedar Creek (CWF) for the purpose of utilizing applicants property for storage space. The project is located just northeast from the intersection of Shafer Road and SR 910 and will impact 0.095 acre of wetlands.

E0476706 A1. Beaver County Corporation for Economic Development, 250 Insurance Street, Suite 300, Beaver, PA 15009. To construct and maintain a boat dock

in the Borough of Bridgewater, **Beaver County**, Pittsburgh ACOE District. (Beaver, PA Quadrangle N: 12.86 inches; W: 6.16 inches and Latitude: 40° 42' 30"—Longitude: 80° 17' 30"). The applicant proposes to amend permit number E0476706 to include the construction and maintenance of a boat docking facility in the channel and along the right bank of the Ohio River (WWF) located approximately 2,500 feet downstream from the Monaca-Rochester Bridge.

E04-315. Beaver County Corporation for Economic Development, 250 Insurance Street, Suite 300, Beaver, PA 15009. To construct stream bank protection in the Borough of Bridgewater, **Beaver County**, Pittsburgh ACOE District. (Beaver, PA Quadrangle N: 15.0 inches; W: 6.75 inches and Latitude: 40° 42' 27"—Longitude: 80° 17' 55"). The applicant proposes to construct and maintain a stream bank protection project along the right bank of the Beaver River (WWF) for a distance of 1,200.0 linear feet for the purpose of constructing a sidewalk along Riverside Drive. The project is located on the east side of Riverside Drive near the confluence of the Beaver River and Hamilton Run and will impact 1,200.0 linear feet of stream channel.

E65-904. Municipal Authority of Westmoreland County, P. O. Box 730, 6064 Route 30, Greensburg, PA 15601. To construct a water transmission main in Hempfield Township, **Westmoreland County**, Pittsburgh ACOE District. (Greensburg, PA Quadrangle N: 4.75 inches; W: 7.9 inches and Latitude: 40° 16' 34"—Longitude: 79° 33' 22"). The applicant proposes to construct and maintain: 1) a 48-inch diameter ductile iron water transmission main across and under the channel bed of Jack's Run (WWF), across two UNTs of Jack's Run and under the invert of an existing 36-inch pipe culvert in a UNT to Jack's Run; 2) Place approximately 1,800 linear feet of rock riprap along the bank of a UNT to Jack's Run and along T-507; 3) Place approximately 15 linear feet of gabion basket at the discharge point of the transmission line for flushing. The project is located along Western Avenue and Garden Street.

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

E25-709. Bureau of Engineering and Development, Fish and Boat Commission, 450 Robinson Lane, Bellefonte, PA 16823-9620. Corry Sate Fish hatchery Waterline, in Wayne Township and Concord Township, **Erie County**, ACOE Pittsburgh District (Corry, PA Quadrangle N: 8.8 inches; W: 10.6 inches).

The applicant proposes to install approximately 6,900 feet of 0.75-foot diameter and 1.0-foot diameter waterline to provide well water as a clean source of process water for fish rearing at the Corry Fish Culture Station involving the following stream and wetland crossings in Wayne

and Concord Township, Erie County (Corry, PA Quadrangle N: 8.75 inches; W: 10.6 inches): 1) South Branch French Creek (N 41° 55' 12.5", W 79° 40' 34"); 2) tributary South Branch French Creek (N 41° 55' 19", W 79° 40' 35"); 3) tributary South Branch French Creek (N 41° 55' 34", W 79° 40' 22"); 4) wetland crossing 1 (PSS) having a length of 25 feet; 5) wetland crossing 2 (PSS) having a length of 1,100 feet; 6) wetland crossing 3 (PSS/PFO) having a length of 2,307 feet; and 7) wetland crossing 4 (PSS/PEM) having a length of 302 feet. Project includes installation of several control pits along the waterline for venting. South Branch French Creek is a perennial stream classified as a CWF. The project proposes to temporarily impact approximately 3,734 linear feet and 1.28 acres of wetland and approximately 50 feet of stream width and 45 feet of stream length.

E25-710. Girard Township Supervisors, 10140 Ridge Road, Girard, PA 16417. T-544 Elk Park Road over Elk Creek, in Girard Township, **Erie County**, ACOE Pittsburgh District (Fairview, PA Quadrangle N: 1.1 inches; W: 14.1 inches).

The applicant proposes to remove the existing structure and to construct and maintain a single span precast, prestressed concrete I girder bridge having a clear span of 123.5 feet and an underclearance of 16.09 feet on a 90° skew across Elk Creek on T-544 (Elk Park Road) approximately 1.32 miles SW of the intersection of SR 5 and SR 18. Elk Creek is a perennial stream classified as a migratory fishery and WWF. The project proposes to impact approximately 120 feet of stream.

ENVIRONMENTAL ASSESSMENTS

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

D28-124EA. Beacon of Greene, LLC, 24 Buckingham Way, Freehold, NJ 07728. Guilford Township, **Franklin County**, ACOE Baltimore District.

Project proposes to breach and remove Beacon of Greene Dam across a tributary to Conococheague Creek (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 225 linear feet of stream channel. The dam is located approximately 4,000 feet south west of the intersection of US 30 and SR 997. The project will also involve the replacement of the dam outlet pipe with a 36-inch polyethylene pipe, and the installation of a public water and sewer line for the proposed Beacon of Greene subdivision. The additional work is eligible for authorization under GP-11 and GP-5. The culvert replacement will temporarily impact 0.00048 acre of wetlands. (Scotland, PA Quadrangle N: 3.8 inches; W: 3.6 inches).

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

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>
PA0062235	JAIMAI, Inc. d/b/a Drums Sewage Treatment Plant 1064 SR 93 Drums, PA 18222	Sugarloaf Township Luzerne County	UNT to Nescopeck Creek 5D	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>
PA0034304 (Industrial Waste)	Cambridge Lee Industries P. O. Box 14026 Reading, PA 19612-4026	Berks County Ontelaunee Township	Schuylkill River 3-C	Y
PA0084112 (Sewage)	South Eastern School District— Kennard Dale High School 377 Main Street Fawn Grove, PA 17321	York County Fawn Township	UNT Falling Branch Creek 7-I	Y
PA0081183 (Sewage)	Margaret Carbaugh The Happy Hollow Restaurant 6089 Raystown Road Hopewell, PA 16650	Bedford County Liberty Township	UNT Sugar Camp Run 11-D	Y
PA0086819 (Sewage)	Donald Collier 1534 Millers Corner Road Clearville, PA 15535	Bedford County Southampton Township	Wilson Run 11-A	Y

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

<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>
PA0113093 (Sewage)	Christ Wesleyan Church 363 Stamm Road Milton, PA 17847	Turbot Township Northumberland County	UNT to Limestone Run WWF	Y

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

<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>
PA0024252 Industrial Waste	Sunoco Partners Marketing and Terminals, LP 1735 Market Street Philadelphia, PA 19103-1699	Westmoreland County Salem Township	Thorn Run (Outfall 001) and UNT to Beaver Run (Outfall 002)	Y

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

<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>
PA0222038	Robert B. Pangallo SFTF 3111 Trails End Lane Sigel, PA 15860	Barnett Township Jefferson County	UNT to Cathers Run 17-B	Y
PA0238538	Patricia and Robert Tuznik SFTF 9028 South Creek Road Girard, PA 16417	Girard Township Erie County	UNT to Elk Creek 15-EC	Y
PA0005053	Reliant Energy, Inc.— Warren Generating Station 121 Champion Way Canonsburg, PA 15317-5817	Conewango Township Warren County	UNT to Allegheny River	Y
PA0104191	National Fuel Gas supply Corporation—Heath Compressor Station P. O. Box 2081 Erie, PA 16512-2081	Heath Township Jefferson County	UNT to Callen Run 17-B	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. PA0085448. Sewage, **East Earl Sewer Authority**, Aaron Newswanger, P. O. Box 339, Blue Ball, PA 17506. This proposed facility is located in East Earl Township, **Lancaster County**.

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

NPDES Permit No. PA0054852 Amendment No. 2, Industrial Waste, **WBLF Acquisition Company**, 256 Eagle View Road, PMB 231, Exton, PA 19341. This proposed facility is located in Cumru Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to the Schuylkill River in Watershed 3-C.

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

NPDES Permit No. PA0253341, Sewage, **Jonathan and Holly Hayman**, 1224 Dividing Ridge Road, Fairhope, PA 15538. This proposed facility is located in Brothersvalley Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a single residence small flow sewage treatment plant.

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

NPDES Permit No. PA0239879, Sewage, **Michael Wahlenmayer**, 112 Linden Street, Beaver Falls, PA 15010. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: This is a Single Residence Sewage Treatment Plant discharging to a UNT tributary to Thomas Run in Watershed 15.

NPDES Permit No. PA0026697, Sewage, **Butler Area Sewer Authority**, 100 Litman Road, Butler, PA 16001-3256. This proposed facility is located in Butler Township, **Butler County**.

Description of Proposed Action/Activity: This facility is authorized to discharge to Connoquenessing Creek and Butchers Run in Watershed 20-C.

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

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

WQM Permit No. 1506414, Sewerage, **Pennsylvania American Water Company**, 4 Wellington Boulevard, Wyomissing, PA 19610. This proposed facility is located in City of Coatesville, **Chester County**.

Description of Action/Activity: Replacement of sewer main and manholes with 8" PVC sewer main Harmony Street and upsizing to a 15" PVC main 1st Ave.

WQM Permit No. 1596411, Sewerage, **North Coventry Municipal Authority**, 1485 East Schuylkill Road, P. O. Box 833, Pottstown, PA 19464. This proposed facility is located in North Coventry Township, **Chester County**.

Description of Action/Activity: Upgrading the plant's capacity from 1.50 mgd to 2.01 mgd.

WQM Permit No. WQG02090625, Sewerage, **Bedminster Municipal Authority**, 432 Elephant Road, Perkasio, PA 18944. This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a sewer extension.

WQM Permit No. WQG02460624, Sewerage, **East Norriton Township**, 2501 Stanbridge Street, East Norriton, PA 19401-1616. This proposed facility is located in East Norriton Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a pump station and sewer extension.

WQM Permit No. WQG02230623, Sewerage, **Chadds Ford Township**, P. O. Box 181, Chadds Ford, PA 19317. This proposed facility is located in Chadds Ford Township, **Delaware County**.

Description of Action/Activity: Construction and operation of a low pressure individual pump station and sewer extension.

WQM Permit No. WQG02230626, Sewerage, **Concord Township Sewer Authority**, 664 Concord Road, Glen Mills, PA 19342. This proposed facility is located in Concord Township, **Delaware County**.

Description of Action/Activity: Construction and operation of a low pressure individual pump stations and sewer extension.

WQM Permit No. 0906406, Sewerage, **Milford-Trumbauersville Area Sewer Authority**, 1825 Rosenberger Road, Spinnerstown, PA 18968. This proposed facility is located in Milford Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a new influent pump station including screening system, emergency generator and standby pump.

WQM Permit No. 1501401, Amendment No. 3, Sewerage, **Penn Township**, 260 Lewis Road, P. O. Box 39, West Grove, PA 19390-0039. This proposed facility is located in Penn Township, **Chester County**.

Description of Action/Activity: To increase in the hydraulic and organic capacity and also increasing the flow from 0.25 mgd to 0.35 mgd.

WQM Permit No. 4603418, Amendment No. 1, Sewerage, **Whitemarsh Township**, 616 Germantown Pike, Lafayette Hill, PA 19444-1821. This proposed facility is located in Whitemarsh Township, **Montgomery County**.

Description of Action/Activity: Additions and modifications to the existing treatment plant.

WQM Permit No. 4605202, Industrial, **Cabot Corporation—Boyertown Plant**, County Line Road, Boyertown, PA 19512-2181. This proposed facility is located in Douglass Township, **Montgomery County**.

Description of Action/Activity: Construction and modifications and operation of a industrial wastewater treatment facility.

WQM Permit No. 0906405, Sewerage, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This proposed facility is located in Richland Township, **Bucks County**.

Description of Action/Activity: Replacing pumps, piping and valves to increase the capacity of the pump station.

WQM Permit No. 1506409, Sewerage, **Little Washington Wastewater Company**, 762 Lancaster Avenue, Bryn Mawr, PA 19010-3402. This proposed facility is located in Thornbury Township **Chester County**.

Description of Action/Activity: Construction and operation of a sewage treatment plant with drip irrigation disposal for 22 single family dwelling.

WQM Permit No. WQG02150613, Sewerage, **Northwestern Chester County Municipal Authority**, P. O. Box 308, Honeybrook, PA 19344-0308. This proposed facility is located in Honeybrook Township, **Chester County**.

Description of Action/Activity: Construction and operation of a pump station.

WQM Permit No. 1506411, Sewerage, **Birmingham Township**, 1040 West Street Road, West Chester, PA 19382. This proposed facility is located in Birmingham Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a sewage treatment plant.

WQM Permit No. WQG02090628, Sewerage, **Hilltown Township Water and Sewer Authority**, 316 Highland Park Drive, Sellersville, PA 18960. This proposed facility is located in Hilltown Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a low pressure individual pump station and sewer extension.

WQM Permit No. 1506408, Sewerage, **New Garden Township Sewer Authority**, 299 Starr Road, Landenberg, PA 19350. This proposed facility is located in New Garden Township, **Chester County**.

Description of Action/Activity: Installation of a new influent screen.

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

WQM Permit No. 0692205 Amendment No.T-2, Industrial Waste, **WBLF Acquisition Company, LLC**, 256 Eagle View Boulevard, Exton, PA 19341. This proposed facility is located in Cumru Township, **Berks County**.

Description of Proposed Action/Activity: Approval for the transfer of industrial facilities consisting of a pump station, industrial wastewater treatment facilities and outfall and headwall.

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

WQM Permit No. 6306405, Sewerage, **Washington-East Washington Joint Authority**, P. O. Box 510, 60 East Beau Street, Washington, PA 15301. This proposed facility is located in South Strabane Township, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of approximately 5,700 feet of 8-inch gravity sewer to serve The Foundry at South Strabane development.

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

WQM Permit No. 2506409, Sewerage, **Michael Wahlenmayer**, 112 Linden Street, Beaver Falls, PA 15010. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

WQM Permit No. WQG018504, Sewerage, **Bernard W. and Linda L. Frohne**, 5630 Gibson Hill Road, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

WQM Permit No. WQG018502, Sewerage, **Donald Tresler**, 9033 Route 89, North East, PA 16428. This proposed facility is located in North East Township, **Erie County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

WQM Permit No. WQG018494, Sewerage, **Stephen M. Bailey and Kimberly S. Eastman**, 13210 Sportsman Road, Conneaut Lake, PA 16316. This proposed facility is located in Vernon Township, **Crawford County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10D130-1	Buttercreek Builders, Inc. 2397 Camp Rockhill Road Quakertown, PA 18901	Bucks	West Rockhill Township	Butter Creek HQ-CWF
PAI011505074	Genterra Corporation 65 Dowlin Forge Road Exton, PA 19341	Chester	Honey Brook Township	UNT West Branch Brandywine Creek HQ-TSF-MF
PAI011506041	Gary Gorton 443 North Rose Lane Haverford, PA 19041	Chester	Willistown Township	Crum Creek HQ-TSF
PAI011506050	Frazer Mennonite Church 57 Maple Linden lane Frazer, PA 19355	Chester	East Whiteland Township	Valley Creek EV
PAI014604002	MacIntosh Builders 602 East Broad Street Souderton, PA 18964	Montgomery	Marlborough Township	Unami Creek HQ

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806008	Charles Chrin 400 South Greenwood Ave. Easton, PA 18045	Northampton	Bushkill Township	Bushkill Creek HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021305011	Department of Transportation Engineering District 5-0 1713 Lehigh St. Allentown, PA 18103	Carbon	Nesquehoning Borough	Nesquehoning Creek HQ-CWF
PAI025204002	Federal Highway Administration 21400 Ridge Top Circle Sterling, VA 20166	Pike	Dingman, Delaware and Lehman Townships	Toms Creek EV Conashaug HQ-CWF Ramonds Kill HQ-CWF
PAI023905037	Walt Dealtrey 2255 Avenue A Bethlehem, PA 18018	Lehigh	City of Bethlehem	Monocacy Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033605015	Stephen J. Barr Brenda Fisher 5825 Burkey Road P. O. Box 7 Gap PA 17527	Lancaster	Salisbury Township	UNT to Pequea Creek WWF UNT to Pequea Creek HQ-CWF
PAI033606005	Ivan Martin 1357 Kramer Mill Road Denver, PA 17517	Lancaster	East Earl Township and Terre Hill Borough	Black Creek HQ-WWF
PAI033106001	Huntingdon County Business & Industry, Inc. 419 14th St. Huntingdon, PA 16652	Huntingdon	Shirley Township	UNT Juniata River HQ-CWF
PAI0333105001	Bruce E. Cox 1618 Ridge Road warriors Mark, PA 16877	Huntingdon	Warriors Mark Township	Spruce Creek HQ-CWF
PAI032106003	William H. Hooke, Jr. Kurt E. Suter 320 South Hanover Street Carlisle, PA 17013-4431	Cumberland	Carlisle Borough	Letort Spring Run EV
PAI033105004	Rusty Gates 305 Penn Street Huntingdon, PA 16652	Huntingdon	Todd Township	Tatman Run HQ-CWF

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

Potter County Conservation District: 107 Market Street, Coudersport, PA 16915 (814) 274-8411, Ext. 4.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045305003	Department of Transportation Engineering District 2-0 P. O. Box 342 1924-30 Daisy Street Clearfield, PA 16830	Potter	Oswayo Township	Brizzee Hollow Run HQ-CWF

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>
Bensalem Township Bucks County	PAG2000903046-1	Bensalem Racing Association 3001 Street Road Bensalem, PA 19020-8512	Neshaminy Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Pennel Borough Bucks County	PAG2000906054	Rich McManus P. O. Box 199 Langhorne, PA 19047	Neshaminy Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bristol Borough Bucks County	PAG2000906011	Bristol Borough School District 420 Buckley Street Bristol, PA 19007-3706	Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000906134	Gold for Three Daughters 800 Haunted Lane Bensalem, PA 19020-5905	Neshaminy Creek (MF, TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bristol Borough Bucks County	PAG2000906041	Keystone Heritage Group 400 Farm Lane Doylestown, PA 18901	Delaware River (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Fallowfield Township Chester County	PAG2001506029	ONB, Inc. 1195 McDermott Drive West Chester, PA 19380	Dennis Run (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
London Grove Township Chester County	PAG2001506058	Dale Simpkins 322 Sonnydale Road Avondale, PA 19311	East Branch White Clay Creek (CWFO)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chester Township Chester County	PAG2002306045	Danbro, LP 3700 South 26th Street Philadelphia, PA 19144	Chester Creek (WWF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Whitpain Township Montgomery County	PAG2004606091	BAT-PA Associates, LLC 40 Skippack Pike Blue Bell, PA 19422	Prophecy Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Gwynedd Township Montgomery County	PAG2004606142	Deab Foods 750 Union Avenue Union, NJ 07093	UNT Towamencin Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

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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>
Upper Dublin Township Montgomery County	PAG2004606093	Prudential Insurance Co of America 213 Washington Street 1st Floor Newark, NJ 07102	UNT Pine Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Dublin Township Montgomery County	PAG2004606055	BT Limekiln, LP 2600 Philmont Avenue Suite 212 Huntingdon Valley, PA 19006	Pine Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Hanover Township Montgomery County	PAG2004605143	Hills at Perkiomen, LP 345 Main Street Harleysville, PA 19438	Pine Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Pottsgrove Township Montgomery County	PAG2004606080	Lower Pottsgrove Township 2199 Buchert Road Pottstown, PA 19464	Sanatoga Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Hanover Township Montgomery County	PAG2004606016	Heritage Building Group 2500 York Road Jamison, PA 18929	Swamp Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lansdale Borough Montgomery County	PAG2004606057	Freedom Properties, LP 725 Conshohocken State Road Bala Cynwyd, PA 19004	Neshaminy Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Hanover Township Montgomery County	PAG2004606152	Robert Pepe P. O. Box 218 3770 Lanfield Road Pennsburg, PA 18073	Macoby Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Whitemarsh Township Montgomery County	PAG2004606094	Whitemarsh Township 616 Germantown Pike Lafayette Hill, PA 19443	Spring Mill Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hatfield Township Montgomery County	PAG2004606120	North Penn Community Health Foundation P. O. Box 1094 Lansdale, PA 19446	West Branch Neshaminy Creek (TSF, MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004606119	William Coulston 3252 Schaffer Road Pottstown, PA 19464	Hartenstine Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106033	Inglis Apartments at Elmwood, LP 2600 Belmont Avenue Philadelphia, PA 19181	Delaware River (CWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106033-1	Agusta Aerospace Corporation 3076 Red Lion Road Philadelphia, PA 19114	Poquessing Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hellertown Borough Northampton County	PAG2004806038	Service Electric Co. Attn: James Kramer 201 W. Centre St. Mahanoy City, PA 17948-2505	Saucon Creek CWF	Northampton Co. Cons. Dist. (610) 746-1971
Butler Township Luzerne County	PAG2004006018	Mark Luchi (Phase II) 122 Klinger Rd. Drums, PA 18222	Nescopeck Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
South Manheim Township Schuylkill County	PAG2005406015	Edward Davis, Sr. P. E. Forino Company, LP 555 Mountain Home Rd. Sinking Spring, PA 19608	Plum Creek 1700 Ft. CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
West Brunswick Township Schuylkill County	PAG2005403003-1	Gabriel Nassar 471 Lake Front Drive Orwigsburg, PA 17961 and Dave Miller & Sons, Inc. P. O. Box 336 Orwigsburg, PA 17961	Pine Creek CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Schuylkill Township Schuylkill County	PAG2005406022	Bill Reichert Schuylkill Headwaters P. O. Box 1385 Pottsville, PA 17901	Schuylkill River 2400 Ft. CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Elizabethville Borough and Washington Township Dauphin County	PAG2002206042	Douglas Murphy Department of Transportation, District 8-0 2140 Herr St. Harrisburg, PA 17103	Wiconisco Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Lower Paxton Township Dauphin County	PAG2002206017	S & A Custom Homes 2121 Old Gatesburg Road Suite 200 State College, PA 16803	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
West Hanover Township Dauphin County	PAG2002206048	West Hanover Township Authority 7901 Jonestown Rd. Harrisburg, PA 17112	Manada Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Elizabethville Borough Dauphin County	PAG2002206059	Elizabethville Borough P. O. Box 578 Elizabethville, PA 17023	Wiconisco Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Bradford County North Towanda Township	PAG2000806007	Mark Paradise SADG-2, Inc. 100 Colliery Road Dickson City, PA 18519	Sugar Creek WWF	Bradford County Conservation District Stoll Natural Resource Center, R. R. 5, Box 5030C Towanda, PA 18848 (570) 265-5539, Ext. 6
Columbia County Bloomsburg	PAG2001906013	Bloomsburg University Colin Reitmeyer 400 East Second Street Bloomsburg, PA 17815	Nealy Run CWF	Columbia County Conservation District 702 Sawmill Road, Suite 204, Bloomsburg, PA 17815, (570) 784-1310, Ext. 102
Lycoming County Picture Rocks Borough	PAG2004106017	Department of Transportation P. O. Box 218 Montoursville, PA 17754	Muncy Creek CWF	Lycoming County Conservation District 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003
Butler County Harmony Borough and Jackson Township	PAG2001005038	TCDR Associates, LP 215 Executive Drive Suite 300 Cranberry Township, PA 16066	Connoquenessing Creek CWF	Butler Conservation District (724) 284-5270

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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>
Crawford County Meadville City	PAG2002006005	Cherry Ridge Manor Subdivision Brian Creighton, HCG Development, LLC 3285 S Main Street P. O. Box 267 Sandy Lake, PA 16145	UNT Mill Run WWF	Crawford Conservation District (814) 763-5269
Erie County Millcreek Township	PAG2002504027(1)	Greater Erie Industrial Dev. Corp. 5240 Knowledge Parkway Erie, PA 16510	Mill Creek WWF; MF	Erie Conservation District (814) 825-6403

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
York County North Codorus Township	PAR123541	Moyer Packing Company P. O. Box 64395 Souderton, PA 18964-0395	UNT South Branch Codorus Creek WWF 7-H	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County East Hempfield Township	PAR803526	Lancaster Truck Bodies 310 Richardson Drive P. O. Box 4626 Lancaster, PA 17603	UNT West Branch Little Conestoga River TSF 7-F	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Girard Township Clearfield County	PAR224820	Kovalick Lumber Company 24338 Shawville Frenchville Highway Frenchville, PA 16836	UNT to West Branch Susquehanna River	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Troy Township Bradford County	PAR224823 (Stormwater)	Oak Hill Veneer, Inc. P. O. Box 304 Troy, PA 16947	North Branch Sugar Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Middlecreek Township Snyder County	PAR224828	Bingaman & Son Lumber, Inc. P. O. Box 247 1195 Creek Mountain Road Kreamer, PA 17833	Middle Creek TSF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Clinton Township Lycoming County	PAR124811	Wenger's Feed Mill, Inc. 101 West Harrisburg Ave. Rheems, PA 17570	Turkey Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

<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>
Greene Township Beaver County	PAR606172	Zelenak's Auto Salvage 601 Leeper Road Georgetown, PA 15043	Tributary of Mill Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Cranberry Township Butler County	PAR128310	Rolling Frito-Lay Sales, LP 800 Hickory Drive Aberdeen, MD 21001	UNT to Brush Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
City of New Castle Lawrence County	PAR128309	Rolling Frito-Lay Sales, LP 7781 Service Center Drive West Chester, OH 45069	UNT tributary to the Shenango River	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bedford County West Providence Township	PAG043852	Richard L. Riley 167 Village Road Osterburg, PA 16667-8441	Raystown Branch/Juniata River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Washington Township Erie County	PAG049295	Bernard W. and Linda L. Frohne 5630 Gibson Hill Road Edinboro, PA 16412	UNT to Conneauttee Creek 16-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Springfield Township Erie County	PAG048388	Christine C. Divens 5004 Hamilton Drive Aliquippa, PA 15001	Unnamed stream to Lake Erie 15	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
North East Township Erie County	PAG049293	Donald Tresler 9033 Route 89 North East, PA 16428	UNT to Sixteen Mile Creek 15-SM	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Vernon Township Crawford County	PAG049286	Stephen M. Bailey and Kimberly S. Eastman P. O. Box 24 Conneaut Lake, PA 16316	UNT to Conneaut Outlet 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Summit Township Erie County	PAG058372	United Refining Company of Pennsylvania—Kwik Fill M-149 P. O. Box 688 Warren, PA 16365	Walnut Creek 15-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Throop Borough Lackawanna County	PAG082212	Lackawanna River Basin Sewer Authority Throop STP P. O. Box 9068 Dickson City, PA 18519	Throop STP R. R. 145 Boulevard Ave. Throop, PA 18512	NERO 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511

General Permit Type—PAG-8 (SSN)

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Jackson Township Cambria County	PAG083511 and PAG083512	Altoona City Authority 3172 Route 724 Duncansville, PA 16635	Laurel Highlands Landfill	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Burrell Township Armstrong County	PAG086101 and PAG086106	Allegheny County Sanitary Authority 3300 Preble Avenue Pittsburgh, PA	Dilick Farm	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

**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

Permit No. 0906508 , Public Water Supply.	
Applicant	Palisades School District 39 Thomas Free Drive Kintnersville, PA 18930
Township	Nockamixon
County	Bucks
Type of Facility	PWS
Consulting Engineer	Mercuri and Associates, Inc. 627 Hampton Avenue Southampton, PA 18966
Permit to Construct Issued	October 20, 2006

Permit No. 0906509 , Public Water Supply.	
Applicant	Palisades School District 39 Thomas Free Drive Kintnersville, PA 18930
Township	Nockamixon
County	Bucks
Type of Facility	PWS
Consulting Engineer	Mercuri and Associates, Inc. 627 Hampton Avenue Southampton, PA 18966
Permit to Construct Issued	October 20, 2006

Permit No. 0906510, Public Water Supply.
 Applicant **Palisades School District**
 39 Thomas Free Drive
 Kintnersville, PA 18930
 Township Nockamixon
 County **Bucks**
 Type of Facility PWS
 Consulting Engineer Mercuri and Associates, Inc
 627 Hampton Avenue
 Southampton, PA 18966
 Permit to Construct Issued October 20, 2006

Operations Permit issued to: **Audubon Water Company**, 2650 Eisenhower Drive, Norristown, PA 19403, (PWS ID 1460055) Lower Providence Township, **Montgomery County** issued October 19, 2006 for the operation of facilities approved under construction permit No. 4606502.

Operations Permit issued to: **Pottstown Borough Authority**, 100 East High Street, Pottstown, PA 19464, (PWS ID 1460037) Upper Pottsgrove Township, **Montgomery County** issued October 23, 2006 for the operation of facilities approved under construction permit No. 4605505.

Permit No. 0906511, Minor Amendment. Public Water Supply.

Applicant **Newtown Artesian Water Company**
 201 N. Lincoln Avenue
 Newtown, PA 18940
 Township Newtown
 County **Bucks**
 Type of Facility PWS
 Consulting Engineer Gannett Fleming, Inc.
 P. O. Box 80794
 Valley Forge, PA 19484
 Permit to Construct Issued October 19, 2006

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

Permit No. 4506502, Public Water Supply.
 Applicant **Mount Airy No. 1, LLC**
 Paradise Township
Monroe County
 Responsible Official Robert McNichols
 Mount Airy No. 1, LLC
 299 Main Street
 Olyphant, PA 18447-2319
 Type of Facility PWS
 Consulting Engineer James P. Palumbo, P. E.
 Quad Three Group Inc.
 37 North Washington Street
 Wilkes-Barre, PA 18711-0790
 Permit Issue Date 9/27/2006

Description of Action Construction of a replacement PWS system to provide potable water and fire protection needs of the proposed Mount Airy Lodge Resort and Casino and other future property. System to consist of two wells, treatment facilities, finished water storage and distribution.

Permit No. 4806501, Public Water Supply.
 Applicant **Nestle Waters North America, Inc.**
(Frontier Spring 2: Greenwartz B2)
 405 Nestle Way
 Breinigsville, PA 18031
 Washington Township
Northampton County
 Type of Facility Source addition to a bottling plant
 Consulting Engineer Edward E. Davis, P. E.
 Forino Company LP
 555 Mountain Home Road
 Sinking Spring, PA
 Permit to Construct Issued 9/27/06

Permit No. 5206503, Public Water Supply.
 Applicant **Aqua Pennsylvania Inc. (Woodledge Water System)**
 Palmyra Professional Center
 HCR 6, Box 6040
 Hawley, PA 18428
 Lackawaxen Township
Pike County
 Type of Facility Public Water System
 Consulting Engineer Entech Engineering, Inc.
 4 South Fourth Street
 P. O. Box 32
 Reading, PA
 Permit to Construct Issued 10/10/06

Permit Minor Amendment, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 Hamilton Township
Northampton County
 Responsible Official John Yamona
 Pennsylvania American Water Company
 100 North Pennsylvania Avenue
 Wilkes-Barre, PA 18701
 Type of Facility Public Water System
 Consulting Engineer Mark Cross, P. E.
 Pennsylvania American Water Company
 100 North Pennsylvania Avenue
 Wilkes-Barre, PA 18701
 Permit Issue Date Oct. 13, 2006

Description of Action	Change from caustic soda to soda ash for pH adjustment and replacing existing corrosion inhibitor feed pump with a model capable of flow pacing at PAWC's Stony Garden WTP.	County	Bedford
		Type of Facility	Project involves the installtion of a 541,000-gallon storage tank and 22,000-feet of Ductile iron pipe to serve the Bedford Springs area.
		Consulting Engineer	Timothy A. Cooper, P. E. Stiffler McGraw & Associates Inc 19 N. Juniata Street Hollidaysburg, PA 16648
		Permit to Construct Issued:	6/28/2006
			Permit No. 3605510 MA, Minor Amendment, Public Water Supply.
Applicant	Manheim Borough Authority	Applicant	Millersville University
Municipality	Penn Township	Municipality	Manor Township
County	Lancaster	County	Lancaster
Type of Facility	This permit is for the construction of the Sun Hill 0.5 MG elevated spheroid type storage tank. The tank is being built to service expansion within the Township.	Type of Facility	Project involves painting the interior of the existing 1.1 million gallon storage tank.
Consulting Engineer	Harry E. Bingaman, P. E. Glace Assoc., Inc. 3705 Trindle Rd. Camp Hill, PA 17011	Consulting Engineer	Vaughan Leer, P. E. Herbert Rowland Grubic 1846 Charter Lane Lancaster, PA 17605
Permit to Construct Issued:	1/23/2006	Permit to Construct Issued:	5/26/2006
			Permit No. 0706501 MA, Minor Amendment, Public Water Supply.
Applicant	Blue Ball Water Authority	Applicant	Altoona City Authority
Municipality	East Earl Township	Municipality	Antis Township
County	Lancaster	County	Blair
Type of Facility	Project involves the construction of a a 0.300 MG elevated multicolumn type storage tank.	Type of Facility	Project involves painting the interior of the Tipton Tank.
Consulting Engineer	Harry E. Bingaman, P. E. Glace Assoc., Inc. 3705 Trindle Rd. Camp Hill, PA 17011	Consulting Engineer	Michael V. Sinisi, P. E. Altoona City Authority 20 Greenwood Road Altoona, PA 16602
Permit to Construct Issued:	1/25/2006	Permit to Construct Issued:	7/5/2006
			Operations Permit issued to: Newport Water Authority , 7500022, Howe Township, Perry County on 10/17/2006 for the operation of facilities approved under Construction Permit No. 5005504.
			Operations Permit issued to: Possum Valley Municipal Authority , 7010034, Menallen Township, Adams County on 10/6/2006 for the operation of facilities approved under Construction Permit No. 0106514 MA.
			Operations Permit issued to: Bendersville Borough , 7010002, Bendersville Borough, Adams County on 10/6/2006 for the operation of facilities approved under Construction Permit No. 0106515 MA.
			<i>Northcentral Region: Water Supply Management Program Manager; 208 West Third Street, Williamsport, PA 17701.</i>
			Permit No. 264W13-T1—Operation Public Water Supply.
Applicant	Bedford Township Municipal Authority	Applicant	Gregg Township Water Authority
Municipality	Bedford Borough	Township or Borough	Gregg Township

County **Centre**
 Responsible Official Thomas J. Stitzer
 Gregg Township Water Authority
 P. O. Box 165
 Spring Mills, PA 16875
 Type of Facility Public Water Supply—operation
 Consulting Engineer N/A
 Permit Issued Date October 19, 2006
 Description of Action Transfer of the existing water system from Spring Mills Water Association to Gregg Township Water Authority. The existing system includes Fireman's Spring, a 200,000 gallon finished water storage tank, softeners, disinfection facilities and the distribution system. It is noted that the existing finished water storage tank, softeners and disinfection facilities will be abandoned upon completion of construction of the new treatment plant and storage tank.

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

Permit No. 2605504, Public Water Supply.

Applicant **Ohiopyle Borough**
 P. O. Box 83
 Ohiopyle, PA 15470
 Borough or Township Ohiopyle Borough
 County **Fayette**
 Type of Facility Innovative Technology Permit for a pressurized membrane filtration system
 Consulting Engineer Widmer Engineering
 225 West Crawford Avenue
 Connellsville, PA 15425
 Permit to Construct Issued October 19, 2006

Operations Permit issued to: Municipal Authority of the Borough of Berlin, 700 North Street, Berlin, PA 15530, (PWS ID 4560029) Brothersvalley Township, Somerset County on October 19, 2006 for the operation of facilities approved under Construction Permit No. 5604501.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Silver Spring Township	6475 Carlisle Pike Mechanicsburg, PA 17055	Cumberland

Plan Description: Approval of a revision to the Official Sewage Plan of Silver Spring Township, Cumberland County. The proposed Country Club Estates subdivision consists of a 122 lot residential subdivision. The proposed collection system includes a new sewage pump station and force main to be dedicated to the Silver Spring Township Authority, with sewage treatment at the Silver Spring Township Sewage Treatment Plant. The Department's review of the sewage facilities update revision has not identified any significant impacts resulting from this proposal.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Silver Spring Township	6475 Carlisle Pike Mechanicsburg, PA 17055	Cumberland

Plan Description: The approved plan provides for the upgrade and expansion of the Silver Spring Township Authority wastewater treatment facility to a capacity of 1.2 mgd by 2015 and acknowledges the nutrient discharge restrictions imposed by Pennsylvania's Chesapeake Bay Tributary Strategy. The Plan also provides for the following:

- Sanitary sewer extensions to serve the Village of Wertzville, Cumberland Estates/Shale Ridge, sample Bridge Estates, White Birch Farms and Willow Terrace areas.
- Construction of interceptors leading to the elimination of the Stone Creek and Lilac Pump Stations and the diversion of sewage flow from the Mechanicsburg wastewater treatment facility to the Silver Spring Township Authority system.
- Upgrade of the "Leiby's Pump Station" force main from six to ten inches
- Upgrade of the Lamb's Gap and Sporting Hill Pump Stations
- Adoption and implementation of an on-lot sewage disposal system management program

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Mechanicsburg Borough	36 West Allen Street	Cumberland

Plan Description: The approved plan provides for an expansion of the sewer service area, extending municipal sewer service to 23 existing homes currently using on-lot disposal, and one vacant lot, along Maplewood Avenue, Elmwood Avenue and Shepherdstown Road. Three connections will be by gravity. Twenty existing homes plus the vacant lot are to be served by individual grinder pumps. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Robeson Township	2689 Main St. Birdsboro, PA 19508	Berks County

Plan Description: The approved plan provides for the proposed 187 lot residential subdivision known as the Robeson Woods Subdivision (DEP code number A3-06954-196-3) located on Weaver Rd. in Robeson Township, Berks County. Each of the lots will be served a new proposed pump station and forcemain, which will be tributary to the New Morgan Borough Utilities Authority sewage treatment plant. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.5)**

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Frankford Township	660 Mohawk Rd. Newville, PA 17241	Cumberland

Plan Description: Disapproval of a revision to the Official Sewage Plan of Upper Frankford Township, Cumberland County. The proposed Michael Worthy subdivision consists of an 8 lot residential subdivision to be served by individual onlot sewage disposal systems, two lot add-ons, and the residual with existing dwelling. The plan was disapproved because marginal soil conditions were documented to exist on Lots 2, 3, 8 and 9. Complete replacement area testing, consisting of at least one soil evaluation probe and complete percolation test, was not conducted to address the long-term sewage disposal needs on these lots.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Paradise Township	82 Beaver Creek Road, Abbottstown, PA 17301	York County

Plan Description: Cherry Lane Meadows, B3-67949-173-2: The plan consists of a 23 lot single-family residential subdivision on 104 acres with total proposed sewage flows of 9,200 gpd to be treated by individual on-lot disposal systems with individual water supplies. The proposed development is located on the north side of Admire Road, the east and west sides of Cherry Lane, and the south side of Shady Dell Road in Dover and Paradise Townships, York County. The plan was disapproved because the water samples that the March 2003 Hydrogeologic Study is based on are approaching year olds (January 21, 2003). Nitrate-nitrogen concentrations in the groundwater tend to increase with time and can

very from year to year depending on nutrient activities at the site. The groundwater needs to be resampled and the calculations that determine lot sizes are to be based on these new sample results, and not historical groundwater values.

**HAZARDOUS SITES CLEAN-UP
UNDER THE ACT OF
OCTOBER 18, 1988****Notice of Settlement Under HSCA and Cercla CVS
Inc., Haverford Township, Delaware County.**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), (42 U.S.C.A. §§ 9601—9675), has entered into a Prospective Purchaser Agreement (Agreement) with Havertown CVS, Inc., One CVS Drive, Woonsocket, RI, regarding the Havertown PCP Site.

The Havertown PCP Site is a National Priority List Site under CERCLA, which is located along Eagle Road in Havertown, PA, approximately 1 mile north of Route 3 (West Chester Pike). The Site consists of soils and groundwater contamination associated with the former operation of a wood processing facility. Significant groundwater contamination at the Site has migrated under Eagle Road and beneath the former location of the Philadelphia Gum Corporation (Philadelphia Gum Property) where it enters a storm sewer draining into Naylor's Run, a water of the Commonwealth. In addition to other remedial action, the USEPA, in conjunction with the Department, has implemented a groundwater treatment system for contaminated groundwater at the Site.

Havertown CVS, Inc. intends to acquire a ground lease for a portion of the Philadelphia Gum Property and intends to construct and operate a CVS business on property at 891 Eagle Road, Havertown, PA. Other than potential liability associated with its entry into the ground lease, Havertown CVS, Inc. has asserted, and the Department has no information to indicate otherwise, that it neither caused, contributed to, nor is otherwise liable for any contamination at the Havertown PCP Site. Under the terms of the Agreement with the Department, Havertown CVS, Inc. agrees: (1) to contribute towards the Department's response costs for the Havertown PCP Site; (2) not to exacerbate any existing contamination at the Site; and (3) to provide access and right of entry to the Department for future performance of any potential response actions related to the Havertown PCP Site in exchange for a covenant not to sue and contribution protection from the Commonwealth.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). The Agreement may be examined from 8 a.m. to 4 p.m. at the Department's Offices at 2 East Main Street, Norristown, PA 19401 by contacting either George Horvat at (484) 250-5717 or Anderson Lee Hartzell at (484) 250-5866. A public comment period on the Agreement will extend for a period of 60 days from the date of publication of this Notice. Interested persons may submit written comments regarding the PPA to the Department by submitting them to George Horvat at the above address.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of 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 act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. 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.

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in the Department regional office after which the notice of receipt of plans or reports appears. If information concerning plans or reports 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:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

New Hope Motel, Soleburg Township, **Bucks County**. Toby Kessler, Gilmore and Assoc., Inc. 350 E. Butler Avenue, New Britain, PA 18901 on behalf of Goetz and Nora Drescher, 10 Rd. Fox Dr., New Hope, PA 18938 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Umbria Street Property, City of Philadelphia, **Philadelphia County**. Bill Schmidt, Pennoni Assoc, Inc., 300 Market St., Philadelphia, PA 19102 has submitted a Remedial Investigation Report/Final Report concerning remediation of site soil and groundwater contaminated with inorganics, PAH's PCE, chlorinate solvents and

metals. The report is intended to document remediation of the site to meet the Site Specific Standards.

Absco Parcel A, City of Philadelphia, **Philadelphia County**. Angelo Waters, Urban Engineers, Inc. 530 Walnut St., 14th Floor, Philadelphia, PA 19106 on behalf of Andy Karff, Absco, Inc., 1310-28 N. Second St., Philadelphia, PA 19122 has submitted Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with metals, PCB and lead. The report is intended to document remediation of the site to meet the Site Specific Standards.

Thyssenkrupp Budd Phoenix Bldg, Fac., City of Philadelphia, **Philadelphia County**. Thomas Nowlan, O'Brein & Gere Engineers, Inc., 512 Township Line Road, Two Valley Square, Suite 210 Blue Bell, PA 19422 behalf of Charles Payne, ThyssenKrupp-Budd Co., 3155 W. Big Beaver Road, Troy, MI 48084 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with diesel fuel, inorganics, leaded gasoline, lead, other organics, PAHs and unleaded gasoline. The report is intended to document remediation of the site to meet the site Specific Standards.

231 Linwood Ave, Lower Merion Township, **Montgomery County**. Sam Kucia, Env., Consulting, Inc., 500 E. Washington St., Norristown, PA 19401 has submitted a Final Report concerning remediation of site soil contaminated with unleaded gasoline, diesel fuel no. fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Absco Parcel B, City of Philadelphia, **Philadelphia County**. Angelo Waters, Urban Engineers, Inc. 530 Walnut St., 14th fl., Philadelphia, PA 19106 on behalf of Andy Karff, Absco, Inc., 1310-28 N. Second St., Philadelphia, PA 19122 submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with metals and PCB's. The report is intended to document remediation of the site to meet the Site Specific Standards.

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

Creekside Apartments, Lancaster City, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Creekside Apartments, P. O. Box 343, Mountville, PA 17554, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 fuel oil. The property is residential. The report is intended to document remediation of the site to the residential Statewide Health Standard.

Thomson Industries Site, City of Lancaster, **Lancaster County**. Blasland, Bouck & Lee, Inc., 500 North Gulph Road, Suite 401, King of Prussia, PA 19406, on behalf of Thomson Industries, 1500 Mittel Boulevard, Wood Dale, IL 60191 and ACE Rents, 720 North Prince Street, Lancaster, PA 17603, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with VOCs and lead. The report is intended to document remediation of the site to the Site-Specific Standard. The future use of the property is industrial.

Buckeye Pipeline-Tuckerton Station, Muhlenberg Township, **Berks County**. Groundwater & Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, on behalf of Buckeye Pipeline Co, LP, 5002 Buckeye Road, Emmaus, PA 18049, submitted a Remedial Investigation and Final Report concerning remediation of groundwater contaminated with benzene

and MTE. The report is intended to document remediation of the site to the Site-Specific Standard. The property is used as an active control pumping station and will be used as such in the future. A release of liability for soils was obtained in November 2005.

CNH America, LLC, Union Township, **Mifflin County**. RMT, Inc., 2025 East Beltline Avenue, Suite 402, Grand Rapids, MI 49546, on behalf of CNH America, LLC, 700 State Street, Racine, WI 53404, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with TCE. The report is intended to document remediation of the site to the Site-Specific Standard. The property has been used for industrial purposes for over 100 years, and future use will be as an industrial site.

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

Technical Coatings Company—Block 632-G, Lot 364, Borough of Oakmont, **Allegheny County**. Andrew Bonas, ENVIRON International Corporation, 214 Carnegie Center, Princeton, NJ 08540 (on behalf of Rayna Laiosa, Benjamin Moore & Co., 51 Chestnut Ridge Road, Montvale, NJ 07645) has submitted a Final Report concerning remediation of site soil contaminated with lead above the residential direct contact MSCs along with the residential and nonresidential soil to groundwater Statewide Health Standards. Remnant 55-gallon drums and paint cans were found discarded within the site. Soil and debris removal in concert with follow up sampling will show that the site will meet nonresidential Statewide Health Standards. Subsurface groundwater sampling events showed one exceedance of the Department of Environmental Protection used aquifer groundwater residential and nonresidential Statewide Health Standards. Groundwater is not used for any purpose. The site intended purpose is to remain nonresidential.

Edgewater Steel Ltd Property (Former), Borough of Oakmont, **Allegheny County**. Frank W. Benacquista, P. G., KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 (on behalf of Regional Industrial Development Corporation, 425 Sixth Avenue, Suite 500, Pittsburgh, PA 15219) has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, solvents and SVOCs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), 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:

Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790.

Slate Bowl, Washington Township, **Lehigh County**. Chris Kotch, P. G., Barry Isett & Associates, Inc., 85 South Route 100 and Kessler Lane, P. O. Box 147, Trexlertown, PA 18087 has submitted a Final Report (on behalf of his client, Harleysville National Bank and Trust, c/o Ed Cressman, P. O. Box 195, Harleysville, PA 19438) concerning the remediation of soil and groundwater found or suspected to be contaminated with constituents related to heating oil petroleum products as a result of an accidental release. The report was submitted to demonstrate attainment of the Statewide Health Standard and was approved on October 17, 2006.

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Hi-Line Storage, Systems Facility, East Rockhill Township, **Bucks County**. Douglas B. Scott, Watler B. Satterthwaite Assoc., Inc., 720 Old Fern Hill Road, West Chester, PA 19380 on behalf of Timothy Hughes, Rock Hill Assoc., LP and Rock GP, LLC has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents and lead. The Final Report demonstrated attainment of the

Statewide Health Standards and was approved by the Department on October 13, 2006.

Proposed Rite Store No. 2604, City of Philadelphia, **Philadelphia County**. Kenneth M. Yoder, P. G., BL Co., 830 Sir Thomas Court, Harrisburg, PA 17109 on behalf of Robert Lerner, Rite Aid Corp., 30 Hunter Ln., Camp Hill, PA 17001 has submitted a Remedial Investigation Report and Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Remedial Investigation Report and Final report demonstrated attainment of the Site Specific Standards and was approved by the Department on October 17, 2006.

Kinelski Residence, Towamencin Township, **Montgomery County**. Richard Trimpi, Trimpi Assoc., Inc., 1635 Old Plains Rd., Pennsburg, PA 18073 on behalf of Charles Kinelski, 2075 Creek Way, Lansdale, PA 19446 has submitted a 90 days Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The 90 day Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on October 10, 2006.

Green Street Mews, Downingtown Borough, **Chester County**. Douglas Schott, P. G., Walter B. Satterthwaite Assoc., Inc., 720 Old Fern Hill Rd., West Chester, PA 19380 on behalf of Charles Stauffer, Alimar Builders, 931 Grandview Dr., Exton, PA 19340 has submitted a Remedial Investigation Report and Cleanup Plan Report concerning the remediation of site soil contaminated with lead and other organics. The Remedial Investigation Report and Cleanup Plan Report demonstrated attainment of the Site-Specific Standards and was approved by the Department on October 17, 2006.

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

Weis Markets Property, Mifflinburg Borough, **Union County**. Mountain Research, LLC, 825 25th St., Altoona, PA 16601 on behalf of Weis Markets, 1000 South 2nd St., Sunbury, PA 17801 has submitted a Final Report concerning remediation of site soil contaminated with Lead, Benzene, Toluene, Ethylbenzene, Xylenes, Phenanthrene and Naphthalene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 18, 2006.

R W Reichart Trucking Service Diesel Fuel Spill, Worth Township, **Centre County**. Taylor GeoServices, Inc, 938 Lincoln Ave., Suite 203, Springfield, PA 19064, on behalf of Richard W. Reichart Trucking Service, 7616 State St., Quincy, IL 62305, submitted a Final Report within 90 days of release concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 18, 2006.

Clark's Moving and Storage SR 3032 Accident, Troy Township, **Bradford County**. Custard Insurance Adjusters Inc., 4895 Avalon Ridge Parkway, Norcross, GA 33071 on behalf of Clark's Moving and Storage and Vanliner Insurance Co., 4560 Northgate Ct., Sarasota, FL, 34334 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 10, 2006.

Weis Markets Inc., Milton Warehouse, Milton Borough and West Chillisquaque Township, **Northumberland County**. Whittemore and Haigh Engineering, Inc., 200 Bethlehem Drive, Suite 201, Morgantown, PA 19543

on behalf of Weis Market, Inc., 100 South Second St., Sunbury, PA 17801 has submitted a Remedial Investigation Report/Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on October 10, 2006

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

Hydril Company, Rochester Township **Beaver County**. Steve Gerritsen, SE Technologies, Inc., 98 Vanadium Road, Building D, Second Floor, Bridgeville, PA 15017 on behalf of Andrew Ricks, Hydril Company, 3300 N. Sam Houston Parkway, Houston, TX 77032 has submitted a Final Report concerning the remediation of site soil contaminated with lead, zinc and chromium. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 19, 2006.

HAZARDOUS WASTE TRANSPORTER LICENSE

Hazardous Waste Transporter License, actions taken under the Solid Waste Management (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

Eldredge, Inc., 898 Fern Hill Road, West Chester, PA 19380. License No. PA-AH0056. Effective September 19, 2006.

Wills Trucking, Inc., 3185 Columbia Road, Richfield, OH 44286. License No. PA AH0295. Effective September 26, 2006.

Envirite of Pennsylvania, Inc., 730 Vogelsong Road, York, PA 17404. License No. PA AH0549. Effective September 29, 2006.

Transwaste, Inc., 3 Barker Drive, Wallingford, CT 06492. License No. PA AH0674. Effective October 2, 2006.

DTC Environmental Services, Inc., 2567 Congo Arroyo Road, Newell, WV 26050. License No. PA AH0612. Effective October 11, 2006.

Ferrick Construction Company, Inc., 811 Ivy Hill Road, Philadelphia, PA 19150. License No. PA AH0473. Effective October 11, 2006.

R.L. Carter Trucking, Inc., 8451 S. State Road 39, Clayton, IN 46118. License No. PA AH0662. Effective October 11, 2006.

Technic, Inc., 1 Spectacle Street, Cranston, RI 02910. License No. PA AH S134. Effective October 11, 2006.

Autumn Industries, Inc., 518 Perkins-Jones Road, Warren, OH 44483. License No. PA AH0267. Effective October 12, 2006.

Stat., Inc., DBA Sparks Transportation, P. O. Box 1443, Lenoir, NC 28645. License No. PA AH0532. Effective October 13, 2006.

Heritage-Crystal Clean, LLC, 2175 Point Blvd, Suite 375, Elgin, IL 60123. License No. PA AH0672. Effective October 13, 2006.

Transport Rollex LTEE, 910 Boul Lionel-Boulet, Varennes, PQ J3X 1 P7, Canada. License No. PA AH0544. Effective October 17, 2006.

Perma-Fix of Maryland, Inc., DBA A&A Environmental, 1500 Carbon Avenue, Baltimore, MD 21226. License NO. PA AH0715. Effective October 17, 2006.

Hazardous Waste Transporter License Voluntarily Terminated

Environmental Equipment & Services, Inc., 601 West State Street, Media, PA 19063. License No.PA-AH0472. Effective September 19, 2006.

Hazardous Waste Transporter License Expired

Berner Trucking, Inc., P. O. Box 660, Dover, OH 44622. License No.PA-AH0382. Effective September 30, 2006.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Approved Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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. WMGR079D001. Glenn O. Hawbaker, Inc., 711 E. College, Ave., State College, PA 16823.

The general permit WMGR079D001 is for the processing and beneficial use of waste asphalt shingles as aggregate in the production of asphalt paving material and as a sub-base for road and driveway construction, processed at Plants Nos. 1 and 2, Pleasant Gap facility, located in Spring Township, **Centre County**. Central Office approved the determination of applicability on October 16, 2006.

Persons interested in reviewing the general permit may contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

Permit No. 603343. SYNAGRO, f/k/a Wheelabrator Clean Water Systems, Inc. 7014 East Baltimore Street, Baltimore, MD 21224, **Chester and Montgomery Counties**, Various Municipalities. All remaining individual solid waste permits for the land application of sewage sludge issued under the 603343 permit series

have been revoked. Upon this action becoming final, the bond associated with the 603343 permit will be released. The permit was revoked by the Southeast Regional Office on October 19, 2006.

AIR QUALITY

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

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

15-310-048GP: Allan A. Myers, Inc., d/b/a Independence Construction Material (638 Lancaster Avenue, Malvern, PA 19355) on August 29, 2006, to operate a portable non-metallic processor in Charlestown Township, **Chester County**.

46-301-270GP: Schumacher and Benner Funeral Home and Cremation Services (359 King Street, Pottstown, PA 19464) on October 19, 2006, to operate a human cremator in Pottstown Borough, **Montgomery County**.

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

48-310-063GP3: Brandenburg Industrial Services (1905 East Fourth Street, Bethlehem, PA 18015) on October 18, 2006, to construct and operate a portable stone crushing plant and associated air cleaning device at their facility at 2217 Spillman Drive, Bethlehem, **Northampton County**.

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

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

36-03116A: Wilbur Chocolate Co., Inc. (200 Chocolate Avenue, Mount Joy, PA 17552-2000) on October 17, 2006, to install a new roasting system at their chocolate manufacturing facility in Mount Joy Borough, **Lancaster County**.

36-05142A: Masterfoods USA—Division of Mars, Inc. (295 Brown Street, Elizabethtown, PA 17022-2127) on October 23, 2006, to install a new roasting system at their candy manufacturing facility in Elizabethtown Borough, **Lancaster County**.

67-03071A: PA State Pet Memorial At Golden Lake (210 Andersontown Road, Mechanicsburg, PA 17055-6023) on October 16, 2006, to construct an animal crematory controlled by an afterburner at their pet care facility in Monaghan Township, **York County**.

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

33-002C: Owens Brockway Glass Container Inc.—Plant No. 19 (3831 Route 219 Brockport, PA 15823) on

October 5, 2006, to modify the HEST system by in Snyder Township, **Jefferson County**. The facility is a Title V Facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

15-0078D: Centocor, Inc. (200 Great Valley Parkway, Malvern, PA 19355) on October 6, 2006, to operate an electric generator in East Whiteland Township, **Chester County**.

23-0014F: Kimberly-Clark Corp. (Front Street and Avenue of the States, Chester, PA 19103) on October 6, 2006, to operate a ventilation system in City of Chester, **Delaware County**.

46-0025C: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) on October 6, 2006, to operate a waste incinerator in Upper Merion Township, **Montgomery County**.

09-0186: Kinder Morgan Bulk Terminals, Inc. (1 Sinter Lane, Fairless Hills, PA 19030) on September 29, 2006, to operate a bulk product handling in Falls Township, **Bucks County**.

15-0027I: Johnson Matthey, Inc. (456 Devon Park Drive, Wayne, PA 19087) on September 25, 2006, to operate a new diesel catalyst production line No. 1 in Tredyffrin Township, **Chester County**.

15-0085B: Lincoln University (P. O. Box 179, Lincoln University, PA 19352) on September 14, 2006, to operate replaced boilers Nos. 1—3 in Lower Oxford Township, **Chester County**.

46-0005V: Merck and Company, Inc. (Sumneytown Pike, P. O. Box WP20, West Point, PA 19486) on October 2, 2006, to operate a biological manufacturing Building in Upper Gwynedd Township, **Montgomery County**.

46-0027A: Johnson and Johnson Pharmaceutical Research and Development, LLC (Welsh and McKean Roads, Spring House, PA 19477) on October 2, 2006, to operate a selective catalytic reduction (SCR) in Lower Gwynedd Township, **Montgomery County**.

46-0167: Parkhouse (1600 Black Rock Road, Upper Providence, PA 19468) on October 17, 2006, to operate two boilers/No. 2 fuel oil in Upper Providence Township, **Montgomery County**.

46-329-014: Department of Corrections (500 E. 4th St, Chester, PA 19013-4551) on October 17, 2006, to operate a standby diesel generator 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.

36-03160A: G/S/M Industrial, Inc. (3249 Hempland Road, Lancaster, PA 17601) on October 22, 2006, to construct a new coating booth in East Hempfield, **Lancaster County**. This plan approval was extended.

67-05007B: Adhesives Research, Inc. (P. O. Box 100, Glen Rock, PA 17327) on September 3, 2006, to install two new coating sources to be controlled together with an existing source by a new regenerative thermal oxidizer at

their coating facility in Springfield Township, **York County**. This plan approval was extended.

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

17-305-051: Parkwood Resources, Inc. (511 Railroad Avenue, Homer City, PA 15748) on October 17, 2006, to operate a coal stockpiling and truck loading operation on a temporary basis until February 14, 2007, at the Cherry Tree Mine in Burnside Township, **Clearfield County**. The plan approval has been extended.

Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.

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

42-028A: Saint Gobain Container, Inc. (1 Railroad Avenue, Port Allegany, PA 16743) on December 20, 2005, to deny to increase the production of glass from the No. 3 glass furnace, increase the emissions from the No. 3 glass furnace and to permanently shutdown the No. 2 glass furnace in **McKean County**.

Under 25 Pa. Code §§ 127.13b and 127.51, the Department of Environmental Protection (Department) hereby denies Plan Approval application submitted by Saint Gobain Container, Inc., 1 Railroad Avenue, Port Allegany, PA 16743. On December 20, 2005, the Department received a plan approval application from Saint Gobain to increase the production of glass from the No. 3 glass furnace, increase the emissions from the No. 3 glass furnace and to permanently shutdown the No. 2 glass furnace. The Department is denying the plan approval application because Saint Gobain has not supplied the requested information nor demonstrated how the proposed operating parameters as well as the monitoring and recordkeeping will ensure compliance with the proposed emission rates as required by 25 Pa. Code § 127.12(a)(2)—(4) and (a)(10).

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

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

06-03090: Western Berks Community Landfill and Recycling Center, LLC (256 Eagle View Boulevard, Exton, PA 19341) on October 19, 2006, to operate a municipal solid waste landfill controlled by an enclosed ground flare in Cumru Township, **Berks County**. This operating permit was administratively amended due to a change of ownership. This is revision No. 1.

06-03128: Royal Green, LLC (P. O. Box 9, Huller Lane, Temple, PA 19560) on October 19, 2006, to operate a ferrous metal shredding operation in Ontelaunee Township, **Berks County**. This operating permit was administratively amended due to a change of ownership. This is revision No. 1.

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

11-00433: GapVax, Inc. (575 Central Avenue, Johnstown, PA 15902) on October 18, 2006, to manufacture industrial vacuum, hydro-excavation and combination jet-vac trucks for various end uses including municipal sewer cleaning and environmental clean-up at their Johnstown Plant in Johnstown City, **Cambria County**. This is a State-only Operating Permit.

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

42-00192: IA Construction Corp.—McKean Plant (7024 Highway 59, Lewis Run, PA 16738) on October 13, 2006, to Administratively Amend the Synthetic Minor Operating Permit, to incorporate the conditions of plan approval No. 42192D in Lafayette Township, **McKean County**.

10-00130: IA Construction Corp.—Zelienople Plant (158 Lindsay Road, Zelienople, PA 16063) on October 13, 2006, to Administratively Amend the Synthetic Minor Operating Permit, to incorporate the conditions of plan approval No. 10230C in Jackson Township, **Butler County**.

25-00944: PHB, Inc. (7900 West Ridge Road, Fairview, PA 16415-1807) on October 13, 2006, to reissue a Natural Minor Operating Permit to operate their zinc and aluminum die casting facility in Fairview Township, **Erie County**. The facility's primary emission sources include a zinc casting operation, an aluminum casting operation, four zinc melt furnaces, three aluminum melt furnaces, a shot blasting process, parts washers and miscellaneous natural gas combustion. The requirements of Plan Approval 25-944A have been incorporated into the reissued permit.

37-00306: Ennstone, Inc., d/b/a Three Rivers Aggregate—Taylor Run Plant (4557 Harlansburg Road, Slippery Rock, PA 16057) on October 18, 2006, for a Natural Minor operating permit to operate a sand and gravel plant in Scott Township, **Lawrence County**.

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

S06-008: Philadelphia Baking Co. (2550 Grant Avenue Philadelphia, PA 19114) on October 23, 2006, to operate a baking facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one 5.46 mmBtu/hr oven line with catalytic oxidizer, one 8.3 mmBtu/hr Boiler, one 5.0 mmBtu/hr boiler, and two 3 mmBtu/hr air and heating units

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

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

18-00024: Excel Homes, LLC/Avis America (P. O. Box 420, Avis, PA 17721) on October 13, 2006, by means of the minor operating permit modification requirements of 25 Pa. Code § 127.462, to authorize the use of an outside-exhausting cartridge collector to control the particulate matter emissions from various pieces of wood-working equipment instead of the inside-exhausting collector previously used at a modular home manufacturing facility in Pine Creek Township, **Clinton County**.

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

65-00851: Newcomer Products, Inc. (5369 Route 982, P. O. Box 272, Latrobe, PA 15650-0272) on October 18, 2006, State-only Operating Permit, OP-65-00851 has been administratively amended to incorporate the requirements of Plan Approval PA-65-00851A. PA-65-00851A was issued on February 2, 2006, to increase the facility wide VOC emission limit from 20 tons per year to 30 tons per year at their facility in Derry Township, **Westmoreland County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); 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

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

Permit No. 4173SM6 and NPDES Permit No. PA0249980. Shade Mining Company (P. O. Box 130, Friedens, PA 15541). Renewal of NPDES Permit, Paint Township, **Somerset County**, Receiving streams: UNT to Shade Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 31, 2006. Permit Issued: October 16, 2006.

56960107. PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541). Permit renewal for reclamation only of a bituminous surface-auger mine in Jenner Township, **Somerset County**, affecting 129.9 acres. Receiving streams: UNTs to/and 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 SWI. Application received: August 11, 2006. Permit issued: October 18, 2006.

Greensburg District Mining Office: Armbrust Professional Center; 8205 Route 819, Greensburg, PA 15601, (724) 925-5500

02860201 and NPDES Permit No. PA0588407. Minerals Technology, Inc., (100 High Tower Blvd., Suite 301, Pittsburgh, PA 15205). NPDES renewal for continued mining and reclamation of a coal refuse surface mine, located in Harmar Township, **Allegheny County**, affecting 156.6 acres. Receiving stream: Guys Run. Renewal application received: June 5, 2006. Renewal permit issued: October 17, 2006.

65000102 and NPDES Permit No. PA0202797. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). NPDES renewal for continued mining and reclamation of a coal surface mine, located in Derry Township, **Westmoreland County**, affecting 80.6 acres. Receiving streams: UNTs to McGee Run to McGee Run to Conemaugh River. Renewal application received: June 23, 2005. Renewal permit issued: October 18, 2006.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

37010102 and NPDES Permit No. PA0241911. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous strip and auger operation in Wayne Township, **Lawrence County** affecting 114.8 acres. Receiving streams: UNT to Beaver River. Application received: August 31, 2006. Permit Issued: October 17, 2006.

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

54850108R4. Jett Contracting Company (P. O. Box 243, Brockton, PA 17925). Renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 56.9 acres, receiving stream: none. Application received: August 7, 2006. Renewal issued: October 17, 2006.

54890105R3 and NPDES Permit No. PA0595314. Porter Associates, Inc. (P. O. Box 478, Wilkes-Barre, PA 18703). Renewal of an existing anthracite surface mine and coal refuse disposal operation in Porter Township, **Schuylkill County** affecting 118.74 acres, receiving stream: East Branch Rausch Creek. Application received: November 16, 2004. Renewal issued: October 18, 2006.

Noncoal Permits Actions

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

37000302. I. A. Construction Corporation (158 Lindsay Road, Zelenople, PA 16063). Renewal of NPDES Permit No. PA0241831 in Wayne Township, **Lawrence County**. Receiving streams: UNT to Duck Run and Duck Run, UNT to Connoquenessing Creek. Application received: August 21, 2006. Permit Issued: October 16, 2006.

2079301. William J. and Sue A. Thompson (16521 Phelps Road, Linesville, PA 16424). Revision to an existing sand and gravel operation to change the postmining land use from approximate original contour to unmanaged water impoundment in Conneaut Township, **Crawford County**. Receiving streams: Black Jack Swamp. Application received: August 16, 2006. Permit Issued: October 16, 2006.

33060803. David J. Weaver (4149 Route 36, Punxsutawney, PA 15767). Commencement, operation and restoration of a small noncoal shale operation in Young Township, **Jefferson County** affecting 5.0 acres. Receiving streams: Sawmill Run. Application received: September 12, 2006. Permit Issued: October 16, 2006.

33060802. David J. Weaver (4149 Route 36, Punxsutawney, PA 15767). Commencement, operation and restoration of a small noncoal topsoil operation in Big Run Borough, **Jefferson County** affecting 2.0 acres. Receiving streams: Big Run. Application received: September 12, 2006. Permit Issued: October 16, 2006.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

08062807. KBK Corporation (RT 6 West, Box 741, Wyalusing, PA 18853). Transfer of an existing small

industrial minerals (Bluestone) operation located in Wilmot Township, **Bradford County** affecting 1.0 acres. Receiving streams: UNT to Sugar Run. Transfer application received: September 1, 2006. Transfer permit issued: October 10, 2006.

08062806. KBK Corporation (RT 6 West, Box 741, Wyalusing, PA 18853). Transfer of an existing small industrial minerals (Bluestone) operation located in Wilmot Township, **Bradford County** affecting 3.0 acres. Receiving streams: Wyalusing Creek to North Branch of the Susquehanna River. Transfer application received: August 10, 2006. Transfer permit issued: October 10, 2006.

08992801. Johnson Quarries, Inc. (P. O. Box 136, Leraysville, PA 18829). Transfer of an existing small industrial minerals (Bluestone) operation located in Wilmot Township, **Bradford County** affecting 4.0 acres. Receiving streams: UNT to Sugar Run Creek. Transfer application received: June 23, 2006. Transfer permit issued: September 21, 2006.

08062801. Johnson Quarries, Inc. (P. O. Box 136, Leraysville, PA 18829). Transfer of an existing small industrial minerals (Bluestone) operation located in Tuscarora Township, **Bradford County** affecting 3.0 acres. Receiving Streams: UNT to Mill Creek. Transfer application received: April 6, 2006. Transfer permit issued: September 21, 2006.

08962804. Johnson Quarries, Inc. (P. O. Box 136, Leraysville, PA 18829). Transfer of an existing small industrial minerals (Bluestone) operation located in Wilmot Township, **Bradford County** affecting 5.0 acres. Receiving stream: Susquehanna River. Transfer application received: June 23, 2006. Transfer permit issued: September 21, 2006.

08940806. Johnson Quarries, Inc. (P. O. Box 136, Leraysville, PA 18829). Transfer of an existing small industrial minerals (Flagstone/Bluestone) operation located in Stevens Township, **Bradford County** affecting 2.0 acres. Receiving streams: UNT to Wyalusing Creek. Transfer Application received: June 20, 2006. Transfer application issued: September 21, 2006.

08010803. Johnson Quarries, Inc. (P. O. Box 136, Leraysville, PA 18829). Transfer of an existing small industrial minerals (Flagstone) operation located in Wilmot Township, **Bradford County** affecting 5.0 acres. Receiving streams: Sugar Run Creek to the Susquehanna River. Transfer application received: June 20, 2006. Transfer permit issued: September 21, 2006.

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

6075SM3C6 and NPDES Permit No. PA0069744. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Union Township, **Union County**, receiving stream: Winfield Creek. Application received: August 21, 2006. Renewal issued: October 16, 2006.

60840401AC10 and NPDES Permit No. PA0614181. Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Buffalo Township, **Union County**, receiving stream: Buffalo Creek. Application received: August 21, 2006. Renewal issued: October 16, 2006.

64060804. Jack Downton (6 Downton Drive, Starucca, PA 18462). Commencement, operation and restora-

tion of a quarry operation in Starrucca Borough, **Wayne County** affecting 5.0 acres, receiving stream: none. Application received: April 19, 2006. Permit issued: October 16, 2006.

58060852. Michael A. Adams (P. O. Box 141, Lake Winola, PA 18675). Commencement, operation and restoration of a quarry operation in Dimock Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: July 3, 2006. Permit issued: October 16, 2006.

58060858. Mark Marshall (R. R. 1, Box 36-C, New Milford, PA 18834). Commencement, operation and restoration of a quarry operation in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: July 20, 2006. Permit issued: October 16, 2006.

01740401C4 and NPDES Permit No. PA0613045. Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Hamiltonban Township, **Adams County**, receiving stream: Muddy Run to Middle Creek. Application received: August 31, 2006. Renewal issued: October 23, 2006.

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

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

27064007. Highland Forest Resources, Inc. (Box 40, HC 3, Marienville, PA 16239). Blasting activity for gas and oil exploration in Barnett Township, **Forest County**. This blasting activity permit will expire on April 19, 2007. Application received: October 16, 2006. Application issued: October 19, 2006.

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

15064004. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380). Construction blasting at St. Peter's Village in Warwick Township, **Chester County** with an expiration date of September 30, 2007. Permit issued: October 16, 2006.

23064005. Explo-Craft, Inc. (P. O. Box 1332, West Chester, PA 19380). Construction blasting at Episcopal Academy in Newtown Township, **Delaware County** with an expiration date of October 31, 2007. Permit issued: October 16, 2006.

360641103. Newville Construction Services, Inc. (408 Mohawk Road, Newville, PA 17241). Construction blasting for Akron Berks PPL Poles in Earl, West Earl and Ephrata Townships, **Lancaster County** with an expiration date of October 11, 2006. Permit issued: October 16, 2006.

360641104. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for a single dwelling in Manheim Township, **Lancaster County** with an expiration date of December 30, 2006. Permit issued: October 16, 2006.

36064012. Abel Construction Company, Inc. (P. O. Box 476, Mountville, PA 17554). Construction blasting at Manor Oaks Lot 146 in Manor Township, **Lancaster County** with an expiration date of September 29, 2007. Permit issued: October 17, 2006.

09064130. Allan A. Myers, Inc. d/b/a Independence Construction Materials (P. O. Box 98, Worcester, PA 19490). Construction blasting for New Britain Corporate Lot 4 in New Britain Township, **Bucks County** with an expiration date of October 1, 2007. Permit issued: October 17, 2006.

09064131. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419). Construction blasting for Pennland Farm Sewage Treatment Plant in Bedminster Township, **Bucks County** with an expiration date of October 15, 2007. Permit issued: October 17, 2006.

360641105. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507). Construction blasting for Keystone Opportunity Zone in Lancaster City, **Lancaster County** with an expiration date of October 16, 2007. Permit issued: October 17, 2006.

360641106. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507). Construction blasting for Cedar Chase Development in West Hempfield Township and Mountville Borough in **Lancaster County** with an expiration date of October 16, 2007. Permit issued: October 17, 2006.

38064131. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507). Construction blasting for Greystone Development in Jackson Township, **Lebanon County** with an expiration date of October 16, 2007. Permit issued: October 17, 2006.

48064126. DC Guelich Explosives, Inc. (R. R. 3 Box 125A, Clearfield, PA 16830). Construction blasting for Eagle Point Estates in Moore and Bushkill Townships, **Northampton County** with an expiration date of October 15, 2007. Permit issued: October 17, 2006.

67064139. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507). Construction blasting for Buttermilk Falls subdivision in Fairview Township, **York County** with an expiration date of October 16, 2007. Permit issued: October 17, 2006.

67064136. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507). Construction blasting for KBS Trucking in Jackson Township, **York County** with an expiration date of October 5, 2007. Permit issued: October 18, 2006.

67064137. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507). Construction blasting for York Hospital in York City, **York County** with an expiration date of October 5, 2007. Permit issued: October 19, 2006.

67064138. J. Roy's, Inc. (Box 125, Bowmansville, PA 17507). Construction blasting for Donwood Drive Subdivision in Dover Township, **York County** with an expiration date of October 11, 2007. Permit issued: October 19, 2006.

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 con-

struction 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

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

E14-491. Glen K. Billett, 1177 Martins Lane, Julian, PA 16844. Family Campsite, in Boggs Township, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 18.81 inches; W: 14.98 inches).

To construct, operate and maintain: 1) a 100 foot long by 60 foot wide by 4 foot deep rock/shale camper pad at the toe of the hill at the extreme far right side of the Wallace Run 100-year floodway at the bottom of a new 220 foot driveway cut into the side of the hill for a single-family campsite; 2) a 20-foot clear span bridge across Wallace Run; 3) a 40 foot by 40 foot house on stilts above the 100-year floodway high-water mark. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E41-568. David Sweeley, 1171 Pleasant Hill Road, Williamsport, PA 17701. Small Projects Water Obstruction and Encroachment Joint Permit, in Loyalsock Township, **Lycoming County**, ACOE Susquehanna River Basin District (Cogan Station, PA Quadrangle N: 3.37 inches; W: 7.0 inches).

To maintain an existing 34-foot by 45-foot residential structure (elevated 1.5 feet above the 100-year flood elevation) in the floodway of the Lycoming Creek, all of which is located 0.15 mile east of the intersection of SR 0015 along Heshbon Road in Loyalsock Township, Lycoming County. This project does not propose to impact any wetlands. This permit was issued under Section 105.13(e) "Small Projects."

E53-411. Department of Transportation, Engineering District 2-0, 1924-30 Daisy Street, Clearfield, PA 16830. SR 0244 Bridge Replacement and SR 4025 Wetland Crossing in Oswayo Township, **Potter County**, ACOE Pittsburgh District (Oswayo, PA Quadrangle N: 9.0 inches; W: 0.9 inch).

To remove existing structures and construct, operate and maintain a single span prestressed spread box beam bridge to carry SR 0244 over Brizzee Hollow Run; and to construct, operate and maintain SR 4025 crossing a wetland associated to Brizzee Hollow Run. The single span bridge shall be constructed with a minimum clear span of 32 feet, underclearance of 6 feet, and roadway width of 28 feet. The road crossing the wetland shall be constructed with corrugated plastic culvert pipe that shall have a minimum diameter of 3 feet and a length of 80 feet. Since Brizzee Hollow Run is a wild trout stream, no construction or future repair work shall be done in or along the stream channel between October 1 and December 31 without the prior written approval of the Fish and Boat Commission. Construction of the in-stream bridge and wetland crossing appurtenances shall be conducted during stream low flow and dry work conditions by dams and pumping or diverting stream flow around work areas located north and south right-of-way of SR 0244 at the intersection of SR 4025 and SR 0244. This permit also authorizes construction, operation, maintenance and removal of temporary cofferdams, stream diversions and roadway crossings. All temporary structures shall be constructed of clean rock, which is free of fines. Upon project completion, all temporary structures shall be removed, with the disturbed areas restored to original contours and elevations.

E53-414. Department of Transportation, Engineering District 2-0, 1924-30 Daisy Street, Clearfield, PA 16830. Fish and Boat Commission Oswayo Fish Hatchery Waterline Project Crossing Brizzee Hollow Run and Associated Wetlands in Oswayo Township, **Potter County**, ACOE Pittsburgh District (Oswayo, PA Quadrangle N: 9.0 inches; W: 0.9 inch).

To modify and abandon two existing 16-inch diameter asbestos-cement pipe (ACP) lines and construct, operate and maintain two ACP lines crossing Brizzee Hollow Run, and its associated wetlands, to supply the Fish and Boat Commission's Oswayo Fish Hatchery with fish rearing water. ACP Line No. 1 and ACP Line No 2 shall be constructed with maximum diameter of 16-inches, and both ACP lines shall be constructed in dry work conditions by boring, dams and pumping or fluming stream flows around the work area. Since Brizzee Hollow Run is a wild trout stream, no construction or future repair work shall be done in or along the stream channel between October 1 and December 31 without the prior written approval of the Fish and Boat Commission. The ACP line-crossing project is located along the north and south right-of-way of SR 0244 at the intersection of SR 4025 and SR 0244. All wetland impacts authorized by this permit are temporary, as such this permit does not grant the permittee, their agent or their contractor authorization to alter wetland hydrology that may result in

permanent wetland impacts. With the exception the excavations specifically required for installation of ACP lines Nos. 1 and 2, no additional excavation is authorized in Wetland W01, Wetland W05 or Wetland W07.

E57-110. Ted Lentz, R. R. 1, Box 1012 L, Hillsgrove, PA 18619. Small Projects Water Obstruction and Encroachment Joint Permit, in Hillsgrove Township, **Sullivan County**, ACOE Susquehanna River Basin District (Hillsgrove, PA Quadrangle N: 18.6 inches; W: 9.2 inches).

To construct 1,100 cubic yards of fill (area 60' by 60' by 8' deep), south of the existing residential structure in the floodway of Elk Creek, all of which is located along SR 4001, 1.5 miles north of the intersection with SR 0087 in Hillsgrove Township, Sullivan County. This project does not propose to impact any wetlands. This permit was issued under Section 105.13(e) "Small Projects."

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

E02-1315. Millvale Borough Marina (Amendment), 501 Lincoln Avenue, Millvale, PA 15209. To construct a pedestrian bridge in Millvale Borough, **Allegheny County**, Pittsburgh ACOE District. (Pittsburgh East, PA Quadrangle N: 17.02 inches; W: 13.89 inches and Latitude: 40° 28' 07.39"—Longitude: 79° 58' 29.54"). To construct and maintain a pedestrian bridge across the Allegheny River (WWF) back channel between the Borough of Millvale and Washington's Landing in the City of Pittsburgh. This bridge will be part of the riverfront trail system. The bridge span will be approximately 220 feet. Approximately 30 feet of stream bank will be impacted.

E02-1523. Minnock Construction Company, 7202 Old McKnight Road, Pittsburgh, PA 15237. To fill in wetlands for a lot development in Hampton Township, **Allegheny County**, Pittsburgh ACOE District. (Glenshaw, PA Quadrangle N: 20.66 inches; W: 8.00 inches and Latitude: 40° 36' 49.61"—Longitude: 79° 55' 57.58"). To place and maintain fill in approximately 0.20 acres of wetland (PEM/PSS) and 470-ft. of UNT No. 2 to Crouse Run (TSF), to build Raintree Drive and for some lot development, within the Raintree Manor, Phase 2 development. The project is located between Bardoner Road and Camberly Drive. To compensate for the aforementioned environmental impacts, the permittee will construct 0.28 acre of replacement wetlands, and relocate and restore a portion of UNT No. 1 to Crouse Run (TSF) that is currently enclosed in a 42-inch RCP culvert. The relocated channel will be constructed as 360 ft. of open watercourse and 64 feet. Within a 42-inch H.D.P. E. pipe. The latter will connect with the existing culvert underneath Camberly Drive, to create an approximate 144-ft. stream enclosure. Construction of the relocated channel will impact another 0.01 acre of existing wetland.

E11-320. Cambria Somerset Authority, 344 Walnut Street, Johnstown, PA 15901. To construct a boat launch ramp in East Taylor Township, **Cambria County**, Pittsburgh ACOE District. (Vintondale, PA Quadrangle N: 1.5 inches; W: 0.7 inch and Latitude: 40° 30' 00"—Longitude: 78° 52' 47"). To construct and maintain a 68.8 foot by 25 foot concrete boat launch ramp, a 25 foot by 95 foot parking/approach area above the ramp, and a 115' long parking lot with widths varying from 15' to 45'. Both lots will have crushed stone surfaces. The facility will be located on the eastern bank of Hinckston Reservoir on Hinckston Run (WWF) west of Hinckston Run Road.

E63-588. Canonsburg Borough, 68 East Pike Street, Canonsburg, PA 15317. To place bank stabilization in

Canonsburg Borough, **Washington County**, Pittsburgh ACOE District. (Canonsburg, PA Quadrangle N: 1.41 inches; W: 10.39 inches and Latitude: 40° 15' 28"—Longitude: 80° 11' 58"). To place and maintain approximately 500 feet of bank stabilization along the right bank of Chartiers Creek (WWF) and to construct approximately 660 feet of gravel access road in the right bank flood plain of Chartiers Creek. The project is located approximately 600 feet east of the intersection of West Pike and Strabane Avenue.

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

E37-171. Lawrence County Economic Development Corporation, 100 East Reynolds Street, New Castle, PA 16101. Millennium Technology Park, Phase I, in Neshannock Township, **Lawrence County**, ACOE Pittsburgh District (Edinburg, PA Quadrangle N: 41°, 02', 10"; W: 80°, 23', 45").

To conduct the following activities associated with construction of Millennium Technology Park, Phase I, a "ready-to-build" industrial park to attract future industrial/manufacturing users and tenants located south of Kings Chapel Road between SR 60 and the Shenango River on the former Lawrence County Sportsmen's Club property:

1. Fill a total of 0.51 acre of 5 wetland areas.
2. Fill a 7.5-acre lake under a plan for remediation of lead contamination caused by the former shooting range activities
3. Impact approximately 871 feet of a tributary to Shenango River having a contributory drainage area of less than 100 acres. The tributary flows into the 7.5-acre lake.
4. To remove and restore approximately 700 feet of the existing Kings Chapel Road from the 100-year floodway of the Shenango River as part of the re-alignment of Kings Chapel Road. The project proposes the creation of 1.08 acres of replacement wetland onsite.

E62-408. KCS Energy, Inc., P. O. Box 187, Warren, PA 16365. Warren County SGL 29, in Watson Township, **Warren County**, ACOE Pittsburgh District (Warren, PA Quadrangle N: 0.1 inch; W: 14.0 inches).

The applicant proposes to install 14,930 feet of 4-inch diameter plastic natural gas pipeline to transport natural gas from well locations to a collection and transport facility in State Game Lands No. 29 in Watson Township, Warren County approximately 2.7 miles SE of the intersection of SR 3005 and Lenhart Road involving the crossing of Wildcat Run (Warren, PA Quadrangle N: 0.1 inch; W: 14.0 inches), Slater Run (Warren, PA Quadrangle N: 2.4 inches; W: 14.3 inches) and PEM wetlands on the north and south of the Wildcat Run crossing for a length of approximately 158 feet and 135 feet respectively. The project includes installation of a 2-inch diameter oil line, 2-inch electrical conduit line, and a 1.5-inch diameter natural gas line at the Wildcat Run crossing and installation of a 1.25-foot diameter plastic corrugated pipe culvert for a road crossing on a tributary to Wildcat Run with a drainage area of less than 100 acres. Wildcat Run and Slater Run are perennial streams classified as Exceptional Value. The wetlands adjacent to Wildcat Run are classified as Exceptional Value. The project proposes to directly impact approximately 40 linear feet of stream and to temporarily impact 0.05 acre of PEM wetlands.

ENVIRONMENTAL ASSESSMENTS

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

D46-023EA. Central Perkiomen Valley Park, P. O. Box 311, Norristown, PA 19404, Lower Frederick and Upper Salford Townships, **Montgomery County**, ACOE Philadelphia District.

Project proposes to breach and remove Kratz Dam across Perkiomen Creek (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will also allow for unobstructed migration of migratory and resident fishes. The project will restore approximately 1,100 feet of stream channel. The dam is located approximately 1,500 feet north of the intersection of SR 29 and Schwenksville Road (SR 4018) (Perkiomenville, PA Quadrangle N: 2.65 inches; W: 12.4 inches).

EA04-001CO. Mark A. McCormick, 940 Fairlane Blvd., New Galilee, PA 16141, Big Beaver Borough, **Beaver County**, ACOE Pittsburgh District.

Project proposes to construct, operate and maintain a non-jurisdictional dam across a tributary to Clarks Run (HQ-CWF) for the purpose of wildlife enhancement and recreation. The project will impact approximately 175 feet of stream channel and approximately 0.01 acre of wetlands. The dam is located approximately 275 feet west of the intersection of Shenango Road (SR 4017) and Friendship Road (SR 4006) (Beaver Falls, PA Quadrangle, N: 10.95", W: 17.1").

D46-343EA. Central Perkiomen Valley Park, P. O. Box 311, Norristown, PA 19404, Perkiomen Township and Borough of Schwenksville, **Montgomery County**, ACOE Philadelphia District.

Project proposes to breach and remove Schwenksville Dam across Perkiomen Creek (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will also allow for unobstructed migration of migratory and resident fishes. The project will restore approximately 750 feet of stream channel. The dam is located approximately 800 feet north of the intersection of SR 29 and Haldeman Road (SR 1022) (Perkiomenville, PA Quadrangle N: 0.60 inch; W: 12.05 inches).

D46-056EA. Central Perkiomen Valley Park, P. O. Box 311, Norristown, PA 19404, Perkiomen and Skippack Townships, **Montgomery County**, ACOE Philadelphia District.

Project proposes to breach and remove Rosman Dam across Perkiomen Creek (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will also allow for unobstructed migration of migratory and resident fishes. The project will restore approximately 2,500 feet of stream channel. The dam is located approximately 800 feet northeast of the intersection of SR 29 and Plank Road (SR 4044) (Collegeville, PA Quadrangle N: 21.2 inches; W: 11.0 inches).

SPECIAL NOTICES**Certified Emission Reduction Credits in the Commonwealth's ERC Registry**

Emission reduction credits (ERCs) are surplus, permanent, quantified and Federally enforceable emission reductions used to offset emission increases of oxides of nitrogen (NOx), volatile organic compounds (VOCs) and the following criteria pollutants: carbon monoxide (CO), lead (Pb), oxides of sulfur (SOx), particulate matter (PM), PM-10 and PM-10 precursors.

The Department of Environmental Protection (Department) maintains an ERC registry in accordance with the requirements of 25 Pa. Code § 127.209. The ERC registry system provides for the tracking of the creation, transfer and use of ERCs. Prior to registration of the credits, ERC Registry Applications are reviewed and approved by the Department to confirm that the ERCs meet the requirements of 25 Pa. Code §§ 127.206—208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. The following registered, and certified ERCs in the ERC Registry are currently available for use as follows:

- (1) To satisfy new source review (NSR) emission offset ratio requirements;
- (2) To "net-out" of NSR at ERC-generating facilities;
- (3) To sell or trade the ERCs for use as emission offsets at new or modified facilities.

The certified ERCs shown below, expressed in tons per year (tpy), satisfy the applicable ERC requirements contained in 25 Pa. Code §§ 127.206—127.208. ERCs created from the curtailment or shutdown of a source or facility expires for use as offsets 10 years after the emission reduction occurs. ERCs generated by the over control of emissions by an existing facility do not expire for use as offsets. However, credits in the registry that are not used in a plan approval will be discounted if new air quality requirements are adopted by the Department or United States Environmental Protection Agency.

For additional information concerning this listing of certified ERCs, contact the Bureau of Air Quality, Division of Permits, Department of Environmental Protection, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. This Pennsylvania ERC registry report, ERC Registry application and instructions are located at www.depweb.state.pa.us, select Air Topics, Air Quality Home, Permits, Emission Reduction Credits.

NOTICES

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
R. R. Donnelley & Sons Co. County: Lancaster Contact Person: Frederick Shaak, Jr.	VOCs	16.00		Internal Use
Kurz Hastings Inc. County: Philadelphia Contact Person: George Gornick (215) 632-2300	VOCs	137.45		Trading
Kurz Hastings Inc. County: Philadelphia Contact Person: George Gornick (215) 632-2300	NOx VOCs	8.01 64.55	Varies from 03/28/2013 to 01/9/2014	Trading
PPG Industries, Inc. Source Location: Springdale Complex County: Allegheny Contact Person: Lori Burgess (412) 274-3884	VOCs	171.82		Trading
Recipient/Holder of ERC: Coastal Aluminum Rolling Mills Inc. ERC Generating Facility: Fasson Div. of Avery Dennison Corp. ERC-generating facility location: Quakertown, Bucks Contact Person: Jesse Hackenberg (570) 323-4430	VOCs	3.62		Internal Use/ Trading
Congoleum Corporation Source Location: Marcus Hook County: Delaware Contact Person: Theresa C. Garrod (609) 584-3000	NOx	5.20		Trading
International Steel Group, Inc. Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Contact Person: Keith Nagel (330) 659-9165	VOCs	473.80	Varies from 03/28/2008 to 06/19/2008	Trading
Recipient/Holder of ERC: Lehigh Valley Industrial Park, Inc. ERC Generating Facility: International Steel Group, Inc. Source Location: Bethlehem County: Northampton Contact Person: Justin Ryan (610) 866-4600	NOx	1054.00	Varies from 03/28/2008 to 06/19/2008	Trading
Morgan Adhesives Company (MACTac) Source Location: Scranton County: Lackawanna Contact Person: Tim Owens (330) 688-1111	VOCs	75.00	06/30/2008	Trading
National Fuel Gas Supply Corporation Sources: Generators Nos. 1 and 2, Dehydrator 1 Source Location: Ellisburg Station County: Potter Contact Person: Gary A. Young (814) 871-8657	NOx VOCs	16.14 1.80	02/1/2009	Internal Use
General Electric Company Source Location: Lawrence Park County: Erie Contact Person: Scott Gowdy (814) 875-2427	VOCs	1.80	12/31/2006	Internal Use/ Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
TYK America, Inc. Source Location: Irvona Facility County: Clearfield Contact Person: David B. Orr (412) 384-4259	NOx VOCs	0.30 0.02	11/6/2008	Trading
Smithkline Beechman Pharmaceuticals Sources: Two boilers and oxidizer Source Location: Spring Garden Street Facility County: Philadelphia Contact Person: Eileen Ackler (610) 239-5239	NOx VOCs	5.72 0.10	12/31/2008	Trading
Recipient/Holder of ERC: PG&E Energy Trading-Power, L.P. ERC Generating Facility: Global Packaging, Inc. ERC-generating facility location: Oaks Plant, Montgomery County Contact Person: Sarah M. Barpoulis (301) 280-6607	VOCs	43.50		Trading
The Procter & Gamble Paper Products Company Source Location: Mehoopany Plant County: Wyoming Contact Person: John Romero (570) 833-3285	NOx VOCs PM	136.00 237.67 99.62	05/3/2009	Internal Use/Trading
Caparo Steel Company Source: EAF Furnace No. 2 and Ladle Preheater No. 2 Source Location: Farrell Plant County: Mercer County Contact Person: Richard A. Herman (724) 983-6464	NOx VOCs	36.73 12.07	08/18/2007	Trading
LTV Steel Company, Inc. Source Location: Pittsburgh Coke Plant County: Allegheny Contact Person: William L. West (216) 642-7178	NOx VOCs PM-10 SOx CO	1663.00 373.00 406.00 1238.00 671.00	02/28/2008	Trading
Newcomer Products Inc. Source Location: Latrobe County: Westmoreland Contact Person: Edward M. Nemeth (724) 694-8100	VOCs	16.00	07/14/2010	Trading
Scranton-Altoona Terminals Corporation Source Location: Monroe Township County: Cumberland County Contact Person: Thomas M. Carper (717) 939-0466	VOCs	4.84	09/30/2010	Trading
Pennzoil Wax Partner Company Source Location: Rouseville County: Venango Contact Person: David W. Dunn (713) 546-6941	NOx VOCs CO	15.47 0.68 14.86	02/26/2010	Trading
Pennzoil Wax Partner Company Source Location: Rouseville County: Venango Contact Person: David W. Dunn (713) 546-6941	NOx VOCs CO	2.82 44.34 0.57	04/1/2010	Trading
INDSPEC Chemical Corp. Source: Boiler No. 8 Source Location: Petrolia County: Butler Contact Person: Terry Melis (412) 756-2376	NOx SOx	158.68 1217.95		Trading

NOTICES

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Sun Company, Inc. Source: Wastewater Conveyance System Source Location: Marcus Hook Borough County: Delaware Contact Person: Steve Martini (610) 859-1000	VOCs	426.59		Trading/ Internal Use
Columbia Gas Transmission Corporation Source Location: Kent Station County: Indiana Contact Person: Gregory Lago (304) 357-2079	NOx VOCs	44.36 2.66	05/31/2011	Trading
Columbia Gas Transmission Corporation Source Location: Homer Station County: Indiana Contact Person: Gregory Lago (304) 357-2079	NOx VOCs	45.89 3.79	05/31/2011	Trading
ISG Steelton, Inc. Source: Rail Heat Treating and Quenching Source Location: Steelton Plant County: Dauphin Contact Person: James R. Hernjak (717) 986-2042	NOx VOCs	7.00 43.00	11/9/2009	Trading
General Electric Transportation System Source: Boiler No. 2 Source Location: E. Lake Road County: Erie Contact Person: Mark D. Restifo (814) 875-5406	NOx VOCs PM SOx CO	280.90 1.70 29.50 2006.70 111.90	12/31/2010	Trading
3M Minnesota Mining & Manufacturing Source Location: Bristol Plant County: Bucks Contact Person: Jeff Muffat (651)-778-4450	VOCs VOCs	502.00 279.00	11/30/2011 12/17/2011	Trading
Kosmos Cement Company, Cemex Inc. Source Location: Neville Road, Pittsburgh County: Allegheny Contact Person: Amarjit Gill (713) 653-8554	NOx VOCs PM10 SOx CO	910.00 26.00 61.00 442.00 44.00	04/24/2011	Trading
Edgewater Steel Ltd. Source Location: College Avenue, Oakmont County: Allegheny Contact Person: Peter M. Guzanick (412) 517-7217	NOx VOCs PM10 SOx CO	17.05 1.87 5.44 32.29 17.93	08/6/2008	Trading
JG Furniture Group, Inc. Source Location: Quakertown, Bucks County: Bucks Contact Person: Donald Boisselle (336) 410-7263	VOCs	24.40	09/1/2007	Trading
Recipient/Holder of ERC: Maple North America Development Company, LLC ERC Generating Facility: Laclede Steel Corporation Source Location: Fairless County: Bucks Contact Person: John Cooper (703) 734-0844	NOx VOCs	104.00 45.00	11/29/2011	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Recipient/Holder of ERC: Natsource Emissions Brokers ERC Generating Facility: Laclede Steel Corporation Source Location: Fairless County: Bucks Contact Person: David Oppenheimer (212) 232-5305	NOx VOCs	0.27 1.50	11/29/2011	Trading
Trinity Industries, Inc. Source Location: Greenville County: Mercer County Contact Person: Dennis Lencioni (214) 589-8141	VOCs	61.65	10/31/2010	Trading
Rohm and Haas Company Source Location: Bristol Township County: Bucks Contact Person: Lloyd Davis (215) 785-8871	VOCs VOCs	1.15 0.32	10/30/2010 01/30/2011	Trading
Recipient/Holder of ERC: Waste Management Disposal Services of Pennsylvania ERC Generating Facility: The Worthington Steel Company Source Location: Malvern, East Whiteland County: Chester Contact Person: Eli Brill (215) 269-2111	VOCs	43.00	01/31/2012	Traded
Recipient/Holder of ERC: Waste Management of Pennsylvania, Inc. ERC Generating Facility: The Worthington Steel Company Source Location: Malvern, East Whiteland County: Chester Contact Person: Eli Brill (215) 269-2111	VOCs	70.00	01/31/2012	Traded
PPL Inc. Source Location: Holtwood Station County: Lancaster Contact Person: Linda A. Boyer (610) 774-5410	NOx VOCs PM10 SOx	3521.09 9.70 105.50 13241.30	04/29/2009	Trading
North American Refractories Company Source Location: Womelsdorf County: Lebanon Contact Person: Rhonda Vete (412) 469-6122	NOx NOx VOCs PM10 SOx CO	5.11 62.57 0.25 15.60 24.85 19.45	12/15/2010 09/30/2008 09/30/2008	Trading
The Quaker Oats Company Source Location: Shiremanstown Plant County: Cumberland Contact Person: Richard C. Pitzer (717) 731-3334	NOx VOCs PM	4.00 1.68 60.49	Varies from 04/3/2010 to 07/15/2011	Trading
Glasgow, Inc. Source Location: Plymouth Meeting County: Montgomery Contact Person: Brian Chabak (215) 884-8800	NOx VOCs NOx VOCs	2.72 0.21 6.54 0.52	12/31/2010 12/31/2010 06/01/2010 06/01/2010	Trading
Scranton-Altoona Terminals Corporation Source Location: East Freedom Terminal County: Cumberland County Contact Person: Thomas M. Carper (717) 939-0466	VOCs	9.19	04/1/2009	Trading

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
SLI Lighting Inc. Source Location: Ellwood City County: Lawrence Contact Person: Tim Haubach (724) 752-6493	VOCs	5.70	06/3/2010	Trading
Harvard Industries, Inc. Plant name: Pottstown Precision Casting Inc. Source Location: West Pottsgrove Township County: Montgomery Contact Person: Allan B. Currie, Jr. (517) 740-2991 or (517) 592-3706	NOx VOCs	28.25 8.70	11/12/2011	Trading
Recipient/Holder of ERC: Morgan Stanley Capital Group Inc. ERC Generating Facility: Occidental Chemical Corp. ERC Generating Source Location: Pottsgrove Township County: Montgomery Contact Person: Trevor Woods (212) 761-8895	NOx	71.40	02/28/2007	Trading
Recipient/Holder of ERC: Kvaerner Philadelphia Shipyard, Inc. ERC Generating Facility: Occidental Chemical Corp. ERC Generating Source Location: Pottsgrove Township County: Montgomery County Contact Person: Michael Masington (215) 875-2649	NOx	50.00	02/28/2007	Trading
Alcoa, Inc. Source Location: Lebanon Township County: Lebanon Contact Person: Kevin S. Barnett (412) 553-2094	VOCs	468.43	Varies from 09/29/2010 to 05/1/2012	Trading
American Color Graphics, Inc. Formerly Flexi-Tech Graphics, Inc. Source Location: Barnhart Drive, Hanover County: York Contact Person: Glenn Shaffer (717) 792-8104	VOCs	9.60	01/15/2012	Trading
Allegro Microsystems, Inc. Source Location: Upper Moreland Township County: Montgomery Contact Person: Wendy Cooper (610) 286-7434	VOCs	42.61	03/29/2012	Trading
Williams Generation Company Source Location: Hazleton Co-Gen Facility County: Luzerne Contact Person: Terrie Blackburn (918) 573-9766	NOx PM10 SOx CO	794.60 50.40 308.40 89.50	01/31/2007	Trading
Calumet Lubricants Company Source Location: Rouseville Plant County: Venango Contact Person: Daniel R. Chapman (814) 678-4602	NOx VOCs SOx	89.80 2.38 87.70	05/21/2012	Trading
Avery Dennison Corporation Source Location: Dungan Road County: Philadelphia Contact Person: Frank J. Brandauer (626) 398-2773	VOCs	3.13	06/30/2012	

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Henry Miller Spring & Manufacturing Company Source Location: Sharpsburg County: Allegheny Contact Person: David J. Jablonowski (412) 782-7300	NOx VOCs	10.96 36.47	01/22/2010	Trading
Penco Products, Inc. Source Location: Lower Providence Township County: Montgomery Contact Person: Allan J. Goss (610) 666-0500	NOx VOCs	3.11 29.48	10/1/2011	Trading
Norfolk Southern Railway Co. Source Location: Hollidaysburg Car Shop County: Blair Contact Person: Carl Russo (814) 949-1479	NOx VOCs	4.35 69.80	07/19/2012	Trading
World Kitchen Inc. Source Location: Charleroi Plant County: Washington Contact Person: James Rowlett (724) 489-2288	NOx	251.43		Trading
PPG Industries, Inc. Source Location: Greenwood Township County: Crawford Contact Person: David J. Neal (412) 492-5507	NOx	1118.50		Trading
Sentry Paint Technologies, Inc. Source Location: Mill Street, Darby County: Delaware Contact Person: Benjamin Breskman (610) 522-1900	VOCs	3.56	04/30/2013	Trading
R. H. Sheppard Company, Inc. Source Location: Core making operation in Hanover County: York Contact Person: Julie L. Smith (717) 637-3751	VOCs	14.43	04/15/2013	Trading
International Paper Source: Bleach Plant, Erie Mill County: Erie Contact Person: Gary Morrow (814) 870-6782	VOCs	72.06		Trading
International Paper Source Location: Erie Mill County: Erie Contact Person: Gary Morrow (814) 870-6782	NOx VOCs	1235.00 943.00	09/30/2012	Trading
Corning Incorporated Source Location: College Township County: Centre Contact Person: Douglas A. Wolf (607) 974-4267	NOx	1400.01	06/23/2013	Trading
Sea Gull Lighting Products, Inc Source Location: 25th and Wharton St. County: Philadelphia Contact Person: Mark Gardiner (215) 468-7255	VOCs	12.50	03/1/2013	Trading

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Allegro Microsystems, Inc. Source Location: Upper Moreland Township County: Montgomery Contact Person: Wendy Cooper (610) 286-7434	NOx CO	2.90 1.30	10/20/2013	Trading
Recipient/Holder of ERC: First Quality Tissue, LLC ERC Generating Facility: PPL Holtwood, LLC ERC Generation Source Location: Martic Township County: Lancaster Contact Person: Mark Zeffiro (814) 231-5267	NOx	74.98	04/29/2009	Internal Use
Recipient/Holder of ERC: First Quality Tissue, LLC ERC Generating Facility: Alcoa Inc. ERC Generation Source Location: South Lebanon County: Lebanon Contact Person: Mark Zeffiro (814) 231-5267	VOCs	43.72	04/05/2012	Internal Use
Lancaster Malleable Castings Company Source Location: Manheim Township County: Lancaster Contact Person: Jeffrey L. Ressler (717) 295-8200	VOCs CO	11.71 1.30	03/31/2013	Internal Use/Trading
International Paper Source: Lock Haven Mill Source Location: Castanea Township County: Clinton Contact Person: Thomas M. Sauer (570) 740-1211	NOx VOC SOx	1287.00 27.90 6606.00	03/22/2012	Offsets/Trading
CMS Gilbreth Packaging Systems Source: Label and Packaging Network County: Bucks Contact Person: Patricia M Henry Unrath (610) 789-2277	VOC	17.40	05/31/2008	Trading
Brodart Company Source Location: Montgomery Facility County: Lycoming Contact Person: Robyn J. Dincher (570) 326-2461, Ext. 6408	VOCs	24.91	04/18/2013	Trading
Pennsylvania House White Deer Furniture Plant Source: Conveyor and Monorail lines Source Location: White Deer Plant County: Union Contact Person: Robert J. Varney (570) 523-2356	VOCs	82.90	03/15/2012	Trading
Exelon Power Source: Delaware Generating Station Source Location: Philadelphia County: Philadelphia Contact person: Kimberly Scarborough (610) 765-5883	NOx	286.5	12/16/2014	Trading
Worthington Steel Company Source Location: East Whiteland Township County: Chester Contact Person: Matt Johnson (614) 438-7960	NOx	10.00	04/01/2013	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Buckeye Pipe Line Company, LP Source Location: Reed Township County: Dauphin Contact Person: Jason Mengel (484) 232-4491	VOCs	12.00	02/28/2012	Trading
Bollman Hat Company Source Location: Willow St., Adamstown County: Lancaster Contact Person: David L. Wails (717) 484-4361	VOCs	14.34	10/03/2013	Trading
Property Investing Center (Goodville Industrial Center) Source Location: East Earl Township County: Lancaster Contact Person: Richard Stauffer (717) 738-3488	VOCs	84.09	09/13/2013	Trading
Armstrong World Industries, Inc (Lancaster Flooring) Source Location: 1067 Dillerville Road County: Lancaster Contact Person: Gene Hartzell (717) 396-3668	VOC NOx	31.79 1.9	09/01/2013 to 08/20/2014 08/20/2014	Internal Use/Trading
RUTGERS Organics Corporation Source Location: 201 Struble Road, State College County: Centre Contact Person: Mary Jo Smith (814) 231-9277	NOx NOx VOC	5.27 3.35 2.17	08/15/2013 04/16/2014 03/26/2014	Internal Use/Trading
AK Steel Corporation Source Location: Butler County: Butler Contact Person: Robert J. Hocks (724) 284-2685	NOx NOx NOx	28.55 24.82 139.45	11/06/2011 01/30/2012	Trading /Internal Use
Cabinet Industries, Inc. Source Location: Danville Borough County: Montour Contact Person: Laura Lee Spatzer (570) 275-1400, Ext 1400	VOC	7.29	09/01/2015	Trading
Honeywell-International Source Location: Emlenton Plant County: Venango Contact Person: Shane Dunn (814) 887-4081	VOC	49.82	04/30/2010	Trading
Naval Surface Warfare Center, Carderock Division Source Location: Philadelphia Naval Shipyard County: Philadelphia Contact Person: Michael Santella (215) 897-1315; DSN 443	NOx	116.50 157.50	09/30/2007 09/30/2008	Internal use
Eljer Plumbingware, Inc Source: Ford City Plant Source Location: Ford City County: Armstrong Contact Person: Bill Harasty (724) 763-6233	NOx VOC NOx VOC NOx VOC	85.68 3.22 73.06 2.64 55.48 1.40	3/15/2014 6/8/2014 10/4/2014	Trading
Reliant Energy Mid-Atlantic Power Holdings, LLC Source Location: Pennsylvania Avenue, Warren County: Warren Contact Person: Keith A. Schmidt (814) 533-8193	NOx VOCs SOx PM CO	695.76 2.99 2925.36 64.60 20.85	9/28/2012	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Arbill Safety Products Source Location: 2207 West Glenwood Avenue County: Philadelphia Contact Person: Barry Bickman (800) 523-5367	VOCs NOx SOx	20.32 0.38 0.21	01/01/2016	Trading
Dominion Transmission Inc Source Location: Big Run Compressor Station County: Jefferson Contact Person: David Testa (412) 690-1815	NOx	10.00	10/13/2013	Trading
Carmeuse Lime, Inc Source Location: Hanover Lime Plant County: Adams Contact Person: Kenneth Kauffman (717) 630-8266	NOx VOC SOx PM10 PM2.5	46.61 1.96 10.26 14.64 7.18	01/03/2016	Trading

Bureau of Air Quality

Summary of ERC Transaction

The following ERC transactions are approved by the Bureau of Air Quality, Department of Environmental Protection. The ERC transaction requirements are specified in 25 Pa. Code § 127.208.

ERC Holder/Generating Facility Information

ERC Generating Facility Name: Alcoa, Inc.
Location of Source: Lebanon Township, Lebanon County, PA
Certified ERCs (tpy): 570.43 tpy of VOCs and 48.86 tpy of NOx
Amount of ERCs traded to Purchaser/Recipient: 48.86 tpy of NOx; 63 tpy & 39 tpy of VOC
Date of ERCs Transfer: 01/25/2006; 02/10/2006; 10/19/2006
ERCs available for future use: 468.43 tpy of VOCs

Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: Alcoa Extrusions, Inc.
Location of Source: Cressona, Schuylkill County, PA
Permit Number: NA
NOx credits used: 0
NOx credits available for future use: 48.86 tpy

Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: RR Donnelley and Sons Company
Location of Source: Lancaster, Lancaster County, PA
Permit Number: 36-05027G
VOC credits used: 0
VOC credits available for future use: 63 tpy

Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: Truck Accessories Group, Inc., d/b/a Leer East
Location of Source: Milton, Northumberland County, PA
Plan Approval: 49-00020B
VOC credits used: 0
VOC credits available for future use: 39 tpy

Notice of Joint Public Hearing for Solid Waste Management Permit Application No. 101679 and Water Quality NPDES Permit Application No. PA0065137

The Commonwealth, Department of Environmental Protection (Department) will hold a joint public hearing to accept comments on Solid Waste Management Permit Application No. 101679 and Water Quality NPDES Permit Application No. PA0065137.

The Waste Management Permit Application is for the construction and operation of the proposed construction and demolition waste landfill site called Blythe Recycling and Demolition Site (BRADS) in Blythe Township, Schuylkill County, and involves the review of the environmental assessment (harms/benefits balancing analysis).

The NPDES Permit Application is for the discharge to Silver Creek of 15,000 gallons per day of treated industrial waste described as leachate and 300 gallons per day of treated sanitary waste from the BRADS site. The hearing is in response to the applications submitted to the Department by the Blythe Township Board of Supervisors. Both applications are currently under review. A draft permit has been developed for the NPDES application.

The joint public hearing will be conducted on Tuesday December 5, 2006, at 7 p.m. in the auditorium of the D.H. H. Lengel Middle School, 1541 West Laurel Boulevard, Pottsville, PA.

The Department requests that individuals wishing to testify at the hearing submit a written notice of intent to

Mark Carmon, Community Relations Coordinator, Attn: BRADS Landfill Public Hearing, Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790. The Department will accept notices up to the day of the hearing.

The written notice should include the person's name, address, telephone number and a brief statement as to the nature (oral or written) of his or her presentation. The Department requests that individuals limit their testimony to 10 minutes so that all individuals have the opportunity to testify. Written copies of oral testimony are requested. Relinquishing of time to others will not be allowed. Individuals attending the hearing will have the opportunity to testify if they so desire; however, individuals who pre-register to testify will be given priority on the agenda. Persons unable to attend the hearing may submit written statement/comments to the Department on or before December 20, 2006.

Persons with a disability who wish to testify and require an auxiliary aid, service or other accommodation should contact Christine Domashinski, (570) 826-2511 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

Both permit applications and the NPDES draft permit are available for review at the Department's Northeast Regional Office in Wilkes-Barre. Contact the Records Management Section at (570) 826-2511 to schedule an appointment to review the application.

For further information, contact Mark Carmon, Northeast Regional Office, (570) 826-2511.

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

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Babcock Creek and Paint Creek Watersheds in Somerset and Cambria Counties.

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Babcock Creek and Paint Creek watersheds in Somerset and Cambria Counties. The meeting will be held on November 8, 2006, beginning at 10 a.m. at the Cambria District Mining Office, 286 Industrial Park Road, in Cambria Township, Cambria County, PA. Individuals who wish to make a presentation should contact Miles Baird, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on November 7. The Department will consider all comments in developing the final TMDL for the Babcock Creek and Paint Creek watersheds, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Babcock Creek and Paint Creek Watersheds was established in accordance with the requirements of section 303(d) of the Clean Water Act. Several stream segments in the Babcock Creek and Paint Creek Watersheds have been identified as impaired on the 1996, 1998, 2002, and 2004 Pennsylvania 303(d) list due to depressed pH and/or high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
45223	Paint Creek	0.7
45259	UNT Paint Creek	0.5
45260	Babcock Creek	3.5
45223	Paint Creek	1.57
45259	UNT Paint Creek	0.46
45260	Babcock	3.5
45260	Babcock Creek,	1.0
	Paint Creek	
45223	Paint Creek	1.6
45223	Paint Creek	4.1
45223	Paint Creek	3.0
45223	Paint Creek	4.7
45223	Paint Creek	4.7
45223	Paint Creek	0.4
45223	Paint Creek	3.0
45223	Paint Creek	4.1
45259	UNT Paint Creek	0.5
45262	UNT Paint Creek	1.1
45263	UNT Paint Creek	0.5

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	30 day average;
		Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this mining are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria was exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Babcock Creek and Paint Creek watersheds sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected during 2002—2005 was used to develop the TMDL. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Babcock Creek and Paint Creek watersheds. Written comments must be postmarked by December 8, 2006 and sent to Miles Baird, Department of Environmental Protection, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, by fax to (814) 472-1898 or mbaird@state.pa.us.

To request a copy of the proposed TMDL and an information sheet, or to obtain directions to the meeting location, contact Miles Baird at (814) 472-1900, mbaird@state.pa.us.

The proposed TMDL for the Babcock Creek and Paint Creek watersheds can be accessed through the Department's website at www.dep.state.pa.us. (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Sulphur Creek and Otto Run Watersheds in Cambria County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Sulphur Creek and Otto Run watersheds in Cambria County. The meeting will be held on November 8, 2006, beginning at 10 a.m. at the Cambria District Mining Office, in Cambria Township, Cambria County, PA. Individuals who wish to make a presentation should contact John Conrad, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on November 7, 2006. The Department will consider all comments in developing the final TMDL for the Sulphur Creek and Otto Run watersheds, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Sulphur Creek and Otto Creek Watersheds was established in accordance with the requirements of section 303(d) of the Clean Water Act. Several stream segments in the Sulphur Creek and Otto Run Watersheds have been identified as impaired on the 1996, 1998, 2002 and 2004 Pennsylvania 303(d) list due to depressed pH and/or high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
45901	Otto Run	1.5
45902	Sulphur Creek	1.0
45901	Otto Run	1.5
45902	Sulphur Creek	2.06
45901	Otto Run	1.6
45902	Sulphur Creek	7.3
45901	Otto Run	1.6
45902	Sulphur Creek	4.0
45902	Sulphur Creek	0.6
45903	UNT 45903	0.9
	Sulphur Creek	
45904	UNT 45904	0.5
	Sulphur Creek	
45905	UNT 45905	0.5
	Sulphur Creek	
45906	UNT 45906	0.8
	Sulphur Creek	

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	30 day average;
		Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this mining are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99 percent of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria was exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Sulphur Creek and Otto Run watersheds sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected during 2001—2003 was used to develop the TMDL. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Sulphur Creek and Otto Run watersheds. Written comments must be postmarked by December 8, 2006 and sent to John Conrad, Department of Environmental Protection, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931 by fax to (814) 472-1898 or jconrad@state.pa.us.

To request a copy of the proposed TMDL and an information sheet, or to obtain directions to the meeting location, contact John Conrad at (814) 472-1900, jconrad@state.pa.us.

The proposed TMDL for the Sulphur Creek and Otto Run watersheds can be accessed through the Department's website at www.dep.state.pa.us. (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Boone Run Watershed in Somerset County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Boone Run watershed in Somerset County. The meeting will be held on November 21, 2006 beginning at 10 a.m. at the Cambria District Mining Office, in Cambria Township, Cambria County, PA. Individuals who wish to make a presentation should contact Miles Baird, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on Friday, November 17. The Department will consider all comments in developing the final TMDL for the Boone Run watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Boone Run Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. Several stream segments in the Boone Run Watershed have been identified as impaired on the 1996, 1998, 2002 and 2004 Pennsylvania 303(d) list due to depressed pH, high concentrations of metals, and/or other inorganics. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
45742	Boone Run	0.5
45742	Boone Run	0.6
45742	Boone Run	1.45
45742	Boone Run	12.3
45742	Boone Run	0.3
45742	Boone Run	5.4
	Rhoads Creek	
45742	Boone Run	1.0
45742	Boone Run	2.0
45742	Boone Run	1.4
45744	UNT 45744	2.3
	Boone Run	
45745	UNT 45745	0.2
	Boone Run	
45746	UNT 45746	0.2
	Boone Run	
45747	UNT 45747	0.2
	Boone Run	
45748	UNT 45748	0.3
	Boone Run	
45749	UNT 45749	2.5
	Boone Run	

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	30 day average; Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this mining are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99 percent of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria was exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Boone Run watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected during 2004 was used to develop the TMDL. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Boone Run watershed. Written comments must be postmarked by December 21, 2006 and sent to Miles Baird, Department of Environmental Protection, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, by fax to (814) 472-1898 or mbaird@state.pa.us.

To request a copy of the proposed TMDL and an information sheet, or to obtain directions to the meeting location, contact Miles Baird at (814) 472-1900, mbaird@state.pa.us.

The proposed TMDL for the Boone Run watershed can be accessed through the Department's website at ww.dep.state.pa.us. (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Brewer Run Watershed in Indiana County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Brewer Run watershed in Indiana County. The meeting will be held on November 21, 2006 beginning at 1:00 p.m. at the Cambria District Mining Office, in Cambria Township, Cambria County, PA. Individuals who wish to make a presentation should contact Mike Timcik, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on Friday, November 17. The Department will consider all comments in developing the final TMDL for the Brewer Run watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Brewer Run Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. Stream segments in the Brewer Run Watershed have been identified as impaired on the 1996, 1998 and 2002 and 2004 Pennsylvania 303(d) list due to high concentrations of metals. The listed segments and miles degraded is shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
47591	Brewer Run	1.7
47591	Brewer Run	1.75
47591	Brewer Run	1.8
47591	Brewer Run	1.8

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	30 day average; Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this mining are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99 percent of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria was exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Brewer Run watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data

collected during 2001—2003 was used to develop the TMDL. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Brewer Run watershed. Written comments must be postmarked by December 21, 2006 and sent to Mike Timcik, Department of Environmental Protection, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, by fax to (814) 472-1898 or mtimcik@state.pa.us.

To request a copy of the proposed TMDL and an information sheet, or to obtain directions to the meeting location, contact Mike Timcik at (814) 472-1900, mtimcik@state.pa.us.

The proposed TMDL for the Brewer Run watershed can be accessed through the Department's website at www.dep.state.pa.us. (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Lamberts Run Watershed in Somerset County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Lamberts Run watershed in Somerset County. The meeting will be held on November 21, 2006 beginning at 10 a.m. at the Cambria District Mining Office, in Cambria Township, Cambria County, PA. Individuals who wish to make a presentation should contact Tom Pongrac, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on Friday November 17. The Department will consider all comments in developing the final TMDL for the Lamberts Run watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Lamberts Run Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. Several stream segments in the Lamberts Run Watershed has been identified as impaired on the 1996, 1998 and 2002, and 2004 Pennsylvania 303(d) list due to depressed pH and/or high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
45710	Lamberts Run	3.1
45710	Lamberts Run	3.08
45710	Lamberts Run	5
45710	Lamberts Run	3.1
45711	UNT 45711	0.3
	Lamberts Run	
45712	UNT 45712	0.8
	Lamberts Run	
45713	UNT 45713	0.3
	Lamberts Run	
45714	UNT 45714	0.3
	Lamberts Run	
45715	UNT 45715	0.2
	Lamberts Run	

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	30 day average; Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this mining are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria was exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Lamberts Run watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected during 2004 was used to develop the TMDL. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Lamberts Run watershed. Written comments must be postmarked by December 21, 2006, and sent to Tom Pongrac, Department of Environmental Protection, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, by fax to (814) 472-1898 or tpongprac@state.pa.us.

To request a copy of the proposed TMDL and an information sheet, or to obtain directions to the meeting location, contact Tom Pongrac at (814) 472-1900, tpongprac@state.pa.us.

The proposed TMDL for the Lamberts Run watershed can be accessed through the Department's website at www.dep.state.pa.us. (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Richards Run Watershed in Indiana County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Richards Run watershed in Indiana County. The meeting will be held on November 21, 2006, beginning at 1 p.m. at the Cambria District Mining Office, in Cambria Township, Cambria County, PA. Individuals who wish to make a presentation should contact Mike Timcik, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on Friday, November 17. The Department will consider all comments in developing the final TMDL for the Richards Run

watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Richards Run Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. Segments in the Richards Run Watershed have been identified as impaired on the 1996, 1998 and 2004 Pennsylvania 303(d) list due to depressed pH and/or high concentrations of metals. The listed segment and miles degraded is shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
44924	Richards Run	0.5
44924	Richards Run	0.5
44924	Richards Run	1.8

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	30 day average; Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this mining are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria was exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Richards Run watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected during 2003 and 2004 was used to develop the TMDL. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Richards Run watershed. Written comments must be postmarked by December 21, 2006, and sent to Mike Timcik, Department of Environmental Protection, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, by fax to (814) 472-1898 or mtimcik@state.pa.us.

To request a copy of the proposed TMDL and an information sheet, or to obtain directions to the meeting location, contact Mike Timcik at (814) 472-1900, mtimcik@state.pa.us.

The proposed TMDL for the Richards Run watershed can be accessed through the Department's website at www.dep.state.pa.us. (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Shafer Run Watershed in Somerset County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Shafer Run watershed in Somerset County. The meeting will be held on November 21, 2006, beginning at 10 a.m. at the Cambria District Mining Office, in Cambria Township, Cambria County, PA. Individuals who wish to make a presentation should contact Tom Pongrac, Cambria District Mining Office at (814) 472-1900 no later than 4 p.m. on Friday, November 17th. The Department will consider all comments in developing the final TMDL for the Shafer Run watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Shafer Run Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. Three stream segments in the Shafer Run Watershed have been identified as impaired on the 1996, 1998 and 2002 Pennsylvania 303(d) list due to depressed pH and/or high concentrations of metals. The listed segment and miles degraded is shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
39055	Shafer Run	2.0
39055	Shafer Run	1.06
39055	Shafer Run	1.1

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	30 day average; Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was mined for coal in the 1900s. The effects of this mining are still present.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria was exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Shafer Run watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected during 2001—2003 was used to develop the TMDL. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Shafer Run watershed. Written comments must be postmarked by December 21, 2006 and sent to Tom Pongrac, Department of Environmental Protection, Cambria District Mining Office, 286 Industrial

Park Road, Ebensburg, PA 15931, by fax to (814) 472-1898 or tpongrac@state.pa.us.

To request a copy of the proposed TMDL and an information sheet, or to obtain directions to the meeting location, contact Tom Pongrac, (814) 472-1900, tpongrac@state.pa.us.

The proposed TMDL for the Shafer Run watershed can be accessed through the Department's website at www.dep.state.pa.us. (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 06-2156. Filed for public inspection November 3, 2006, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: "Technical Guidance"). The "Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. 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 2006.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

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

Changes to Technical Guidance Documents

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

Final Technical Guidance:

DEP ID: 392-0830-001. Title: Locational Data Policy for Water Allocation Program and the Water Use Data System. Description: This guidance implements the Department's Locational Data Policy (Document ID No. 013-0830-003) by establishing a consistent method for locating and documenting latitude and longitude coordinates and elevation data for water resources facilities. The intent of the policy is to ensure the uniformity, reliability and compatibility of the Department's locational data, which should meet the goal of a 10 meter/32.8 feet or better level of accuracy. Notice of availability of the draft document for public comment was published at 36 Pa.B. 4560 (August 12, 2006). The Department did not receive any comments on the draft

document during the public comment period, which concluded on September 11, 2006. No changes were made to the guidance from its draft version. Contact: Questions regarding this technical guidance document may be directed to Thomas L. Denslinger, Department of Environmental Protection, Bureau of Watershed Management, Division of Water Use Planning, Rachel Carson State Office Building, 10th Floor, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 772-5679 or tdenslinge@state.pa.us. Effective Date: November 4, 2006

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-2157. Filed for public inspection November 3, 2006, 9:00 a.m.]

Certification Program Advisory Committee; Special Meeting Notice

The Certification Program Advisory Committee will hold a special meeting on Friday, November 17, 2006, from 10 a.m. to approximately 3 p.m. The meeting will be held in the 10th floor conference room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The purpose of the meeting is to discuss the implementation of a data collection study to determine education needs necessary to create a Wastewater Operator Certification subclass for nutrient removal. An overview of revisions to 25 Pa. Code Chapter 109 (relating to safe drinking water) as they relate to the Drinking Water Operator Certification Program, will also be provided.

The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: "Public Participation/Participate"). Questions concerning the agenda or meeting materials may be directed to Cheri Sansoni at (717) 772-5158 or csansoni@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Cheri Sansoni at (717) 772-5158 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users), to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-2158. Filed for public inspection November 3, 2006, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board Meeting

The November 14, 2006, meeting of the Cleanup Standards Scientific Advisory Board has been rescheduled to Monday, December 4, 2006, at 9:30 a.m. in Room 105 of the Rachel Carson State Office, 400 Market Street, Harrisburg, PA 17105.

Questions concerning this meeting should be directed to Marilyn Wooding at (717) 783-7509 or mwooding@state.pa.us. The agenda and meeting materials for the December 4, 2006, meeting will be available on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: Public Participation, Participate).

Persons with a disability who require accommodations to attend the meeting should contact the Department at (717) 783-7509 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-2159. Filed for public inspection November 3, 2006, 9:00 a.m.]

Initiatives to Improve NPDES Post-Construction Stormwater Management Permitting; Public Comment Notice

In 2000, amendments were implemented to the Federal Clean Water Act that have, as a result, cumulatively increased the demand for stormwater permits issued by the Department of Environmental Protection (Department) over the last 6 years. These amendments, which include new permitting requirements for sites less than 5 acres but greater than 1 acre, have in 6 years nearly doubled the workload of Departmental staff responsible for processing NPDES Post-Construction Stormwater Permits. In addition to these challenges, the complexity of the applications submitted to the Department have also intensified due to the implementation of Federal post-construction stormwater requirements. These complicated and complex permit applications have unwittingly resulted in a more lengthy Department review of the permit application. To address these issues, including improving the quality of permit applications and reducing the Department's review time of NPDES Post-Construction Stormwater Management permit applications, the Department is considering four initiatives for which it is requesting public comment. These initiatives, summarized as follows, include:

Initiative 1: Encourage the Use of a Simultaneous Review Process for Erosion and Sediment Control and Post-construction Stormwater Plan Review

The Department will encourage the use of a simultaneous review process for Erosion and Sediment Control and Post Construction Stormwater Management (PCSM) Plan review. This initiative consists of a modified permit application process for the NPDES Permit for Stormwater Discharges Associated with Construction Activities, which includes review of an Erosion and Sediment Control Plan as well as the PCSM Plan. This voluntary pilot permit process begins with the owner/applicant and their "design team" meeting with the Department, county conservation district staff and municipal officials to jointly review and discuss the conceptual, or preliminary design plans. Following any edits to the plans the same group meets to discuss the application, design plans, stages of the project, and the project specifications. No final permit decisions are made in the group setting. Following the conclusion of the simultaneous review, the Department will make a permit decision based on evaluation of the application and considering comments during the public comment period within 32-calendar days.

Consultants will be required to develop and submit quality permit applications that are complete and consistent with applicable Department, county and municipal post-construction stormwater management requirements to qualify for expedited permit review.

Initiative 2: Expedited Permit Review where applicants have Municipal or County Conservation District Approval of the PCSM Plan and that the Plan has been sealed by a Professional Engineer (PE) who has attended Best Management Practices (BMP) Manual training and has demonstrated knowledge and experience in preparing PCSM Plans

The Department will provide expedited permit reviews where applicants have municipal or county conservation district approval of the PCSM Plan and that the Plan has been sealed by a PE who has attended BMP Manual training and has demonstrated knowledge of the program through the submission of a complete and quality application. When a land developer submits an administratively complete and acceptable application that includes PCSM Plans that have been approved by the municipality and the plans are sealed by a PE who has attended BMP Manual training, the Department will do a final review and make a permit decision considering comments received during the public comment period within 32-calendar days.

This same process would also be available to developers where a county conservation district has approved the plans. The Department will work with the county conservation districts to encourage them to contract for engineering services. To date only three county conservation districts have engineers on staff. Fees for this service would come from the applicants.

In the event neither a municipality or county conservation district is equipped to approve a plan but the plans are sealed by a PE who has attended BMP Manual training, the Department will conduct a review of the PCSM Plan concurrent with the county conservation district's review of the Erosion and Sediment Control Plan. The Department will make a permit decision within 66-calendar days of receipt of an administratively complete application.

Initiative 3: Development of New General Permits (GPs) and Clarification of Existing General Permits

The Department currently provides an NPDES General Permit (PAG-2) that can be used for most construction activities that require authorization under either Phase I or II. Some activities that are not eligible for coverage under the general permit include: (1) activities in special protection watersheds; (2) activities prohibited from coverage under 25 Pa Code Chapter 92 (relating to national pollutant discharge elimination system permitting, monitoring and compliance); and (3) activities otherwise listed in the PAG-2 General Permit as ineligible.

In addition to the availability of PAG-2, the Department will develop additional NPDES GPs for use in nonspecial protection water or clarify existing NPDES GPs. The Department is interested in comments regarding the types of GPs that may be necessary and useful.

Initiative 4: Third-Party Service Providers—Development of a Solicitation for Engineering Services (SFES)

The Department is required under the applicable statutes, regulations, case law and the program delegation from the Environmental Protection Agency to undertake a substantive review of applications submitted and to make an independent judgment as to the adequacy of those applications under the law. Retention of this review and ultimate decision-making authority is also critical to the Department's ability to respond to legal challenges to its decisions.

Under this initiative, the Department will solicit proposals from consultants, including conservation districts, to assist applicants in preparing NPDES Stormwater permit applications or facilitating the application development process. From this solicitation, the Department will authorize third-party service providers that demonstrate experience and ability to perform these services. These services will be available to applicants either directly or through conservation districts. Applications that reflect the full benefits of these services will qualify for expedited NPDES permit reviews by the Department.

Third-party service providers must meet minimum qualifications. Payments for services will be made by applications seeking the third-party services directly to the conservation district or third-party service provider. Payments will be based on an hourly fee schedule submitted with the service provider proposal and approved by the Department. Conservation districts may charge a plan review surcharge fee, above their normal plan review fee, to applicants who choose to use either of the third-party service provider services to offset the costs of the services and ensure an expedited review process.

The Department will accept comments to improve NPDES Post-Construction Stormwater Management Permitting, including suggestions in addition to the initiatives summarized in this notice, until December 4, 2006. Written comments should be sent to Ken Murin, Chief, Division of Waterways, Wetlands and Stormwater Management, P. O. Box 8775, Harrisburg, PA 17105-8775; ep-stormwaterinitiative@state.pa.us. Comments received will be used by the Department to finalize implementation strategies to improve NPDES Post-Construction Stormwater Management Permitting. A notice concerning the finalization of these strategies, including a schedule for implementation, will be published in a future edition of the *Pennsylvania Bulletin*.

A White Paper, describing in detail the initiatives summarized in this notice, is available for public review. Copies of the White Paper may be obtained by contacting Claudia Merwin, Bureau of Watershed Management, at (717) 787-6827, cmerwin@state.pa.us. Persons with a disability may obtain this document by contacting the AT&T Relay Service at (800) 654-5984 (TDD Users) or (800) 654-5988 (voice users). The White Paper is also available on the Department's website at www.depweb.state.pa.us (DEP Keywords: Stormwater).

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-2160. Filed for public inspection November 3, 2006, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Issuance of RFP for Publication of the *Pennsylvania Code*, *Pennsylvania Code Reporter* and *Pennsylvania Bulletin*

The Department of General Services has issued a Request For Proposal (RFP) for the publication of the *Pennsylvania Code*, the *Pennsylvania Code Reporter* and

the *Pennsylvania Bulletin*. The RFP is available on the Department's website at www.dgs.state.pa.us.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 06-2161. Filed for public inspection November 3, 2006, 9:00 a.m.]

Real Estate for Sale Allegheny County

The Department of General Services (Department) will accept bids for the purchase of 0.16 acre of land and residence located at 3561 Shadeland Avenue, Pittsburgh, Allegheny County. Bids are due November 13, 2006. Interested parties wishing to receive a copy of Solicitation No. 94033 should view the Department's website at www.dgs.state.pa.us or call Lisa Kettering at (717) 787-1321.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 06-2162. Filed for public inspection November 3, 2006, 9:00 a.m.]

Real Estate for Sale Union County

The Department of General Services (Department) will accept bids for the purchase of 1.8 acres of land and residence located at 18250 Old Turnpike Road, State Route 45, Hartley Township, Union County. Bids are due January 18, 2007. Interested parties wishing to receive a copy of Solicitation No. 94036 should view the Department's website at www.dgs.state.pa.us or call Victor Piro at (717) 787-5546.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 06-2163. Filed for public inspection November 3, 2006, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meeting

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Wednesday, November 15, 2006, from 9 a.m. to 4 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, Room 1010 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Kenneth

McGarvey at the previous number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 06-2164. Filed for public inspection November 3, 2006, 9:00 a.m.]

Infant Hearing Screening Advisory Committee Meeting

The Infant Hearing Screening Advisory Committee, established under the Infant Hearing Education, Assessment, Reporting and Referral Act (11 P. S. §§ 876-1—876-9), will hold a public meeting on Friday, December 8, 2006, from 9:30 a.m. to 2:30 p.m. in the 125N, Training Room A, Commonwealth Keystone Building, Commonwealth Avenue and Forster Streets, Harrisburg, PA.

For additional information, contact Arthur A. Florio, Public Health Program Administrator, Newborn Hearing Screening Program, Division of Newborn Disease Prevention and Identification at (717) 783-8143.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Newborn Hearing Screening Program at (717) 783-8143 or for speech and/or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 06-2165. Filed for public inspection November 3, 2006, 9:00 a.m.]

Integrated Human Immunodeficiency Virus (HIV) Integrated Council; Public Meeting

The Statewide Integrated HIV Planning Council, established by the Department of Health under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, November 14, 2006, from 10:30 a.m. to 3 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Joseph Pease, Department of Health, Bureau of Communicable Diseases, Room 1010 Health and Welfare Building, Harrisburg, PA 17120 (717) 783-0572.

Persons with a disability who desire to attend the meeting and require an auxiliary aid service or other accommodation to do so should also contact Joseph Pease at the previous number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 06-2166. Filed for public inspection November 3, 2006, 9:00 a.m.]

Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.17 (relating to location).

Sunbury Community Hospital Skilled Nursing Facility
350 North Eleventh Street
P. O. Box 737
Sunbury, PA 17801-0737
FAC ID 450302

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

Green Acres
595 Biglerville Road
Gettysburg, PA 17325
FAC ID 071702

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.24(a) (relating to dining room).

Stapeley In Germantown
6300 Greene Street
Philadelphia, PA 19144

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.28(b) (relating to nurses' station).

Jameson Memorial Hospital Transitional Care Unit
1211 Wilmington Avenue
New Castle, PA 16105

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 211.12(b) (relating to nursing services).

Skilled Nursing Unit, Armstrong County Memorial Hospital
One Nolte Drive
Kittanning, PA 16201

Mercy Jeannette Hospital Skilled Nursing Center
600 Jefferson Avenue
Jeannette, PA 15644
FAC ID 100302

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@state.pa.us

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

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

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aide, service or other accommodation to do so should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 06-2167. Filed for public inspection November 3, 2006, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Mercer County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Deputy Secretary for Highway Administration as delegated by the Secretary of Transportation makes the following written finding:

The Federal Highway Administration and the Department of Transportation are planning to replace the State Street Bridge, which carries SR 0718 over the Shenango River in the City of Sharon, Mercer County.

The bridge is a contributing element to the Downtown Sharon Historic District, which is eligible for listing on the National Register of Historic Places. Therefore, the bridge qualifies as a Section 4(f)/Section 2002 resource.

Based upon studies, there is no feasible and prudent alternative to the proposed action. Mitigation measures will be taken to minimize harm as stipulated in the CEE, the Nationwide/Programmatic Section 4(f)/Section 2002 Evaluation (Net Benefit) checklist and the associated Memorandum of Agreement.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effects.

RICHARD H. HOGG, P. E.,
*Deputy Secretary for
Highway Administration*

[Pa.B. Doc. No. 06-2168. Filed for public inspection November 3, 2006, 9:00 a.m.]

2007 Disadvantaged Business Enterprise Methodology and Goal for Federal Highway Administration Funded Contracts

Under the authority contained in the Transportation Act for the 21st Century, act of June 9, 1998, Pub. L. No 105-178, 112 Stat. 113 (23 U.S.C.A. § 101), and in keeping with the requirements of 49 CFR Part 26 (relating to participation by disadvantaged business enterprises in Department of Transportation financial assistance programs), the Department of Transportation (Department) provided public notice at 36 Pa.B. 4801 (July 29, 2006) of its proposed 2007 overall goal for

participation by Disadvantaged Business Enterprises (DBEs) in its Federally assisted contracts.

In accordance with the public participation requirement of 49 CFR 26.45 (relating to how do recipients set overall goals), the Department completed the 45 day comment period regarding its methodology and goal. Based on public comment and the use of the most current data available, the Department made minor changes to the methodology and goal calculations. The methodology reflects an overall goal of 9.49% (5.37% race conscious and 4.12% race neutral) for DBE participation in Department contracts with Federal highway funds. The methodology and goal may be viewed online at pasdc.hbg.psu.edu/pasdc/dot/ or by contacting the Bureau of Equal Opportunity, Commonwealth Keystone Building, 5th Floor, 400 North Street, Harrisburg, PA 17120, (717) 787-5891 or (800) 468-4201.

ALLEN D. BIEHLER, P. E.
Secretary

[Pa.B. Doc. No. 06-2169. Filed for public inspection November 3, 2006, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Brady Township v. DEP; EHB Doc. No. 2006-220-MG

Brady Township has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Brady Township for a facility in Brady Township, Lycoming County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 06-2170. Filed for public inspection November 3, 2006, 9:00 a.m.]

West Penn Power Company v. DEP; EHB Doc. No. 2006-227-L

West Penn Power Company has appealed the issuance by the Department of Environmental Protection of NPDES permit to same for a facility in Frazer Township, Allegheny County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Environmental Hearing Board (Board) through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention. Copies of the Board's rules of practice and procedure are available upon request from the Board.

MICHAEL L. KRANCER,
Chairperson

[Pa.B. Doc. No. 06-2171. Filed for public inspection November 3, 2006, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Environmental Quality Board Meeting Cancellation

The November 21, 2006, meeting of the Environmental Quality Board (Board) is cancelled. The next meeting of the Board is scheduled for Tuesday, December 19, 2006, at 9 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. An agenda and meeting materials for the December 19, 2006, meeting will be available on the Department of Environmental Protection's website at www.depweb.state.pa.us (DEP Keywords: EQB).

Questions concerning the Board's next scheduled meeting may be directed to Natasha Harley at (717) 783-8727, nharley@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 06-2172. Filed for public inspection November 3, 2006, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Scheduled

The Health Care Cost Containment Council has scheduled the following meetings: Wednesday, November 8, 2006, Data Systems Committee meeting—10 a.m., Education Committee meeting—1 p.m.; Thursday, November 9, 2006, Council meeting—10 a.m. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost Containment

Council, 225 Market Street, Harrisburg, PA 17101 or call (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 06-2173. Filed for public inspection November 3, 2006, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, October 19, 2006, and announced the following:

Regulation Deemed Approved under section 5(g) of the Regulatory Review Act—Effective October 18, 2006

State Board of Cosmetology #16A-4513: Removal of the Term "Manager (amends 49 Pa. Code Chapter 7)

Action Taken—Regulations Approved

Liquor Control Board #54-61: Revisions to Codify Practices and Procedures Resulting from Legislative Amendments (amends 40 Pa. Code Chapters 5, 11, 13 and 17)

Department of Public Welfare #14-488: Medical Assistance Provider Appeal Procedure (adds 55 Pa. Code Chapter 41)

State Board of Social Workers, Marriage and Family Therapists and Professional Counselors #16A-6910: Child Abuse Reporting Requirements (amends 49 Pa. Code § 47.52 and adds §§ 48.51—48.57 and 49.51—49.57)

State Board of Osteopathic Medicine #16A-5317: Respiratory Therapists (amends 49 Pa. Code Chapter 25)

State Board of Medicine #16A-4916: Physician Assistants (amends 49 Pa. Code Chapters 16 and 18)

Approval Order

Public Meeting held
October 19, 2006

Commissioners Voting: Alvin C. Bush, Chairperson; David M. Barasch, Esq.; Arthur Coccodrilli; David J. DeVries, Esq.

Liquor Control Board—Revisions to Codify Practices and Procedures Resulting from Legislative Amendments; Regulation No. 54-61

On March 17, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Liquor Control Board (Board). This rulemaking amends 40 Pa. Code Chapters 5, 11, 13 and 17. The proposed regulation was published in the April 9, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 8, 2006.

This regulation contains a varied group of amendments including supervision of minors in licensed premises that primarily serve food; prohibition of minors from purchasing or redeeming the Board's gift cards; requirements for Board participation in wine events; practices regarding point-of-sale incentive programs for malt or brewed beverage

ages; and the procedure for intervention by interested parties where a municipality has requested leave to enforce its own noise ordinance in lieu of the Board's regulations on amplified music.

We have determined this regulation is consistent with the statutory authority of the Board (47 P. S. § 2-207(i)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission

This regulation is approved.

Approval Order

Public Meeting held
October 19, 2006

Commissioners Voting: Alvin C. Bush, Chairperson; David M. Barasch, Esq.; Arthur Coccodrilli; David J. DeVries, Esq.

Department of Public Welfare—Medical Assistance Provider Appeal Procedure; Regulation No. 14-488

On August 4, 2004, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Public Welfare (Department). This rulemaking adds 55 Pa. Code Chapter 41. The proposed regulation was published in the August 14, 2004 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 13, 2006.

This regulation implements Act 142 of 2002 by creating a new chapter that establishes the procedures, rules and standards for the Medical Assistance provider appeal process.

We have determined this regulation is consistent with the statutory authority of the Department (67 Pa.C.S.A. § 1106) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission

This regulation is approved.

Approval Order

Public Meeting held
October 19, 2006

Commissioners Voting: Alvin C. Bush, Chairperson; David M. Barasch, Esq.; Arthur Coccodrilli; David J. DeVries, Esq.

State Board of Social Workers, Marriage and Family Therapists and Professional Counselors—Child Abuse Reporting Requirements; Regulation No. 16A-6910

On September 26, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board). This rulemaking amends 49 Pa. Code § 47.52 and adds §§ 48.51—48.57 and 49.51—49.57. The proposed regulation was published in the October 8, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 15, 2006.

This regulation establishes child abuse reporting requirements for marriage and family therapists and professional counselors.

We have determined this regulation is consistent with the statutory authority of the Board (23 Pa.C.S.A. § 6383(b)(2) and 63 P. S. § 1906(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission

This regulation is approved.

Approval Order

Public Meeting held
October 19, 2006

Commissioners Voting: Alvin C. Bush, Chairperson; David M. Barasch, Esq.; Arthur Coccodrilli; David J. DeVries, Esq.

State Board of Osteopathic Medicine—Respiratory Therapists Regulation No. 16A-5317

On September 26, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Osteopathic Medicine (Board). This rulemaking amends 49 Pa. Code Chapter 25. The proposed regulation was published in the October 8, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 15, 2006.

This final-form regulation implements the provisions of Act 56 of 2004, which requires the Board to institute continuing education requirements for certified respiratory therapists.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 271.10b(f)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission

This regulation is approved.

Approval Order

Public Meeting held
October 19, 2006

Commissioners Voting: Alvin C. Bush, Chairperson; David M. Barasch, Esq.; Arthur Coccodrilli; David J. DeVries, Esq.

State Board of Medicine—Physician Assistants Regulation No. 16A-4916

On October 26, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code Chapters 16 and 18. The proposed regulation was published in the November 5, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 15, 2006.

This regulation reduces restrictions in existing regulations governing the relationship between physician assistants and supervising physicians.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 422.13) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission

This regulation is approved.

ALVIN C. BUSH,
Chairperson

[Pa.B. Doc. No. 06-2174. Filed for public inspection November 3, 2006, 9:00 a.m.]

Notice of Comment Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Comment Period</i>	<i>IRRC Comments Issued</i>
31-6	State Employees' Retirement Board Appeal Board 36 Pa.B. 4732 (August 26, 2006)	9/25/06	10/25/06

**State Employees' Retirement Board Regulation
#31-6
(IRRC #2558)**

**Appeal Period
October 25, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the August 26, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Employees' Retirement Board (SERB) to respond to all comments received from us or any other source.

1. Section 250.2. Appeal Period from decisions of administrative staff.—Clarity. This section states: "Decisions of administrative staff under authority delegated by the [State Employees' Retirement] Board may be appealed to the Board by filing a formal appeal within 30 days after service of notice of the administrative decision . . ." The General Rules of Administrative Practice and Procedure provides for only a 10-day appeal period (1 Pa. Code § 35.20). In order to reduce the likelihood of confusion and also to provide consistency with the format

in Subchapter B, the SERB should include a paragraph (b) which clarifies that this section supersedes 1 Pa. Code § 35.20.

ALVIN C. BUSH,
Chairperson

[Pa.B. Doc. No. 06-2175. Filed for public inspection November 3, 2006, 9:00 a.m.]

Notice of Filing of Final Rulemaking

[Correction]

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market St., 14th Floor, in Harrisburg at 10:30 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, IRRC will provide a copy. This schedule is tentative. Contact the Commission at (717) 783-5417 or check the Commission's website at www.irrc.state.pa.us for updates.

CORRECTED DATES

Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
15-440	Department of Revenue Organ and Bone Marrow Donor Tax Credit	10/18/06	11/16/06

ALVIN C. BUSH,
Chairperson

[Pa.B. Doc. No. 06-2176. Filed for public inspection November 3, 2006, 9:00 a.m.]

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market St., 14th Floor, in Harrisburg at 10:30 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, IRRC will provide a copy. This schedule is tentative. Contact the Commission at (717) 783-5417 or check the Commission's website at www.irrc.state.pa.us for updates.

Final-Omit

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
12-75	Department of Labor and Industry Training and Certification Requirements for Code Administrators Administration; Elevators and Other Lifting Devices	10/20/06	11/30/06

ALVIN C. BUSH,
Chairperson

[Pa.B. Doc. No. 06-2177. Filed for public inspection November 3, 2006, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Daily Underwriters of America, Inc.; Doc. No. SC06-10-021

Notice is given of the Order to Show Cause issued on October 23, 2006, by the Deputy Insurance Commissioner in the previously referenced matter. Violation of the following is alleged: 40 P.S. §§ 991.1401, 991.1404, 991.1406, 991.1407 and 991.1410 and 31 Pa. Code Chapter 25 (relating to rules and procedural requirements for insurance holding company systems).

Respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part I (relating to the General Rules of Administrative Practice and Procedure), 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

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, please contact Kathy Culbertson, Agency ADA Coordinator at (717) 787-4298.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-2178. Filed for public inspection November 3, 2006, 9:00 a.m.]

Application for Voluntary Surrender of Certificate of Authority

Ion Health, Inc., a domestic health maintenance organization, has submitted an application for approval to surrender its Insurance Department Certificate of Authority. Persons wishing to comment on the grounds of public or private interest concerning the surrender are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Chief, Company Licensing Division, Room 1311 Strawberry Square, Harrisburg, PA 17120, by fax to (717) 787-8557, rbrackbill@state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-2179. Filed for public inspection November 3, 2006, 9:00 a.m.]

Geisinger Health Plan; Large Group Base Rate Filing

On October 19, 2006, the Insurance Department received from Geisinger Health Plan a filing requesting to increase the large group (groups with 100 or more employees) rates by 6.7%. With this filing, Geisinger is introducing separate large and small group rating pools.

The proposed effective date is April 1, 2007. The filing will impact approximately 78,441 members and generate additional revenue of \$14,724,853 annually.

Unless formal administrative action is taken prior to January 17, 2006, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's 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 Insurance Department's Harrisburg office.

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

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-2180. Filed for public inspection November 3, 2006, 9:00 a.m.]

Geisinger Health Plan; Small Group Base Rate Filing

On October 19, 2006, the Insurance Department received from Geisinger Health Plan a filing requesting to increase the small group (groups with less than 100 employees) rates by 6%.

The proposed effective date is April 1, 2007. The filing will impact approximately 40,626 members and generate additional revenue of \$6,861,584 annually.

Unless formal administrative action is taken prior to January 17, 2006, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's 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 Insurance Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square,

Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 06-2181. Filed for public inspection November 3, 2006, 9:00 a.m.]

Medical Care Availability and Reduction of Error Fund; Notice of and Amount of Assessment Action; Notice No. 2006-10

[Correction]

The Insurance Department (Department), Medical Care Availability and Reduction of Error Fund, by Peter J. Adams, Deputy Insurance Commissioner, under section 712 of the Medical Care Availability and Reduction of Error (MCARE) Act (act) (40 P.S. § 1303.712), has determined that the annual assessment to be levied for calendar year 2007 shall be 23% applied to the prevailing primary premium for each participating health care provider.

The act defines "prevailing primary premium" as the schedule of occurrence rates approved by the Insurance Commissioner for the Joint Underwriting Association (JUA). For purposes of the 2007 annual assessment, the rates shall be those currently approved for use by the JUA.

Participating health care providers having approved self-insurance plans shall be assessed an amount equal to the assessment imposed on a participating health care provider of like class, size, risk and kind as determined by the Department.

This action is subject to 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

PETER J. ADAMS,
Deputy Insurance Commissioner

[Pa.B. Doc. No. 06-06-2134. Filed for public inspection October 27, 2006, 9:00 a.m.]

FISH AND BOAT COMMISSION

Walnut Creek Marina, Erie County

Notice is hereby given that under § 53.12a(1) (relating to access areas and marinas), the Fish and Boat Commission has increased the fee for seasonal slips at the Walnut Creek Marina, Erie County, from \$575 to \$725, effective January 1, 2007.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 06-2182. Filed for public inspection November 3, 2006, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by November 27, 2006. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.

A-00123222. KC Limousines, LLC (960 Broad Street, Washington, Washington County, PA 15301) a limited liability company of this Commonwealth—persons in limousine service, between points in Pennsylvania, including service between points in Allegheny County, which is to be a transfer of all the rights authorized under the certificate issued at A-00110720, F.2 to Jack M. Pavella, t/a Jack Pavella's Lamplighter Limousine Service, subject to the same limitations and conditions.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. BSPTWMHM, Inc.; Doc. No. A-00116039C0601

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That BSPTWMHM, Inc., respondent, maintains a principal place of business at 207 West Sheldon Street, Philadelphia, PA 19120.
2. That respondent was issued a Certificate of Public Convenience by this Commission on September 21, 1999, at Application Docket No. A-00116039.
3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.

4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00116039, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement Division
Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. Acord certificates of insurance are unacceptable as evidence of insurance.

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Brian Kerrigan & Joseph McGoff, t/a Northeastern Pennsylvania Courier; Doc. No. A-00117304C0601

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Brian Kerrigan & Joseph McGoff, t/a Northeastern Pennsylvania Courier Services, respondent, maintains a principal place of business at 526 Emmett Street, Scranton, Lackawanna County, PA 18505.

2. That respondent was issued a Certificate of Public Convenience by this Commission on January 17, 2001, at Application Docket No. A-00117304, F.2.

3. That respondent has failed to maintain evidence of cargo liability insurance and bodily injury and property damage liability insurance on file with this Commission.

4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public

Convenience held by respondent at Docket No. A-00117304, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement Division
Bureau of Transportation and Safety

NOTICE

B. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

C. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

G. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. Acord certificates of insurance are unacceptable as evidence of insurance.

H. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

I. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

J. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Explorer Cartage, Inc.;
Doc. No. A-00119200C0601

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Explorer Cartage, Inc., respondent, maintains a principal place of business at 2 Woodland Road, 2nd Floor, Wyomissing, Berks County, PA 19610-1934.
2. That respondent was issued a Certificate of Public Convenience by this Commission on November 5, 2002, at Application Docket No. A-00119200.
3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.
4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00119200, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement Division
Bureau of Transportation and Safety

NOTICE

C. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

D. If you fail to answer this complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

K. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. Acord Certificates Of Insurance Are Unacceptable As Evidence Of Insurance.

L. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

M. If you file an answer which contests the complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional penalty set forth in Paragraph B.

N. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Donald E. Bailey, 957 Twin Leaf Ct., Bethel Park, PA 15102; Doc. No. C-20066925

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Donald E. Bailey, respondent, maintains his principal place of business at 957 Twin Leaf Court, Bethel Park, Pennsylvania 15102.

2. That on the dates of the violations alleged in this complaint, respondent did not hold a certificate of public convenience issued by this Commission.

3. That respondent transported NEP Supershooters, LP (NEP) passengers, as evidenced by NEP's billing statements from Mr. Bailey. Specifically, Mr. Bailey provided transportation from August 1, 2005 to November 30, 2005, between points in Pennsylvania for compensation ranging from \$62.50 to \$225 per trip. The billing statement indicated that Mr. Bailey had 364 trips on 115 different days over a four month period, for a total of \$23,275.50.

4. That respondent held out to provide transportation from January 1, 2006 through February 27, 2006, on ninety-three (93) occasions, by taking advanced reservations for limousine service.

5. That on January 24, 2006, respondent held out to provide transportation by facsimile, to be PUC licensed using Marco Tralongo, t/a Quality Limousine Service, Docket Number at A-00120953, without permission.

6. That respondent, in performing the acts described in Paragraphs 3, 4 and 5 of this complaint, violated the Public Utility Code, 66 Pa.C.S. § 1101, in that respondent held out, and transported, persons for compensation between points in the Commonwealth of Pennsylvania while not then holding a certificate of public convenience issued by this Commission. The penalty is \$10,000.00. Further violations may result in possible criminal prosecution with penalties up to \$10,000.00 and one year in prison.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Donald E. Bailey, the sum of ten thousand dollars (\$10,000.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement Division
Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to: James J. McNulty, Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed. In such case, to prevent the suspension of your vehicle registration(s), you must file an application with the Bureau of Transportation and Safety, P. O. Box 3265, Harrisburg, PA 17105-3265. If no application is received within the twenty (20) day time period, the Bureau of Transportation will proceed with the request for suspension of your vehicle registration(s). Your response should be directed to the Compliance Office, Bureau of Transportation and Safety, P. O. Box 3265, Harrisburg, Pennsylvania 17105-3265.

D. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue an order imposing a penalty.

E. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-2183. Filed for public inspection November 3, 2006, 9:00 a.m.]

Telecommunications

A-311317F7000. Verizon Pennsylvania, Inc. and NEON Connect, Inc. Joint petition of Verizon Pennsylvania, Inc. and NEON Connect, Inc. for approval of an interconnection agreement under section 252(e) of The Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and NEON Connect, Inc., by its counsel, filed on October 17, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and NEON Connect, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-2184. Filed for public inspection November 3, 2006, 9:00 a.m.]

Telecommunications

A-310325F7000. Verizon Pennsylvania, Inc. and Windstream Communications, Inc. Joint petition of Verizon Pennsylvania, Inc. and Windstream Communications, Inc. for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Windstream Communications, Inc., by its counsel, filed on October 18, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Windstream Communications, Inc. joint petition are on file with the Commission and are available for public inspection.

Contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 06-2185. Filed for public inspection November 3, 2006, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project #06-164.1, Fast Acting Doors at Tioga Marine Terminal until 2 p.m. on Wednesday, November 22, 2006. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available October 31, 2006. Additional information and project listings may be found at www.philaport.com. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal opportunity laws and regulations. Bidders must provide to the Procurement Department in writing, the names of individuals that will be attending prebid meetings. This information is needed 24 hours prior to the meeting. Fax to (215) 426-6800, Attn: Procurement Department.

A mandatory prebid job site meeting will be held November 9, 2006, 11 a.m. at Delaware Ave. and Tioga Street (inside gate entrance), Philadelphia, PA 19134.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 06-2186. Filed for public inspection November 3, 2006, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Erik James Blair, R.N.; Doc. No. 1083-51-06

On July 6, 2006, the State Board of Nursing (Board) automatically suspended the license to practice professional nursing of Erik James Blair, license no. RN552812, of Monongahela, Washington County, based on findings he pleaded guilty to one count of possession of a controlled substance, a misdemeanor, in violation of the Controlled Substance Drug, Device and Cosmetic Act (Drug Act).

Erik James Blair was automatically suspended based on findings he pleaded guilty to one count of possession of a controlled substance, a misdemeanor, in violation of the Drug Act.

Individuals may obtain a copy of the order by writing to Carole L. Clarke, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

JOANNE L. SORENSEN, R.N., MS,
Chairperson

[Pa.B. Doc. No. 06-2187. Filed for public inspection November 3, 2006, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Letty A. Love a/k/a Letty A. Burkett, R.N.; Doc. No. 1138-51-06

On September 28, 2006, Letty A. Love a/k/a Letty A. Burkett, license no. RN-542205-L, of Corsica, Jefferson County, was suspended for no less than 3 years, retroactive to July 14, 2006, based on findings that she is unable to practice nursing with reasonable skill and safety to patients by reason of addiction to alcohol or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the adjudication by writing to Carmen L. Rivera, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of the petition for review. The Board contact for receiving service of appeals is the previously named Board counsel.

JOANNE L. SORENSEN, R. N., MS,
Chairperson

[Pa.B. Doc. No. 06-2188. Filed for public inspection November 3, 2006, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". The penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter.


Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:
 The payment date specified in the contract.
 30 days after the later of the receipt of a proper invoice or receipt of goods or services.
 The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center
 PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide



Legal Services & Consultation

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services Location: Harrisburg, Pa. Duration: 12/1/93-12/30/93 Contact: Procurement Division 787-0000	———— ③ Contract Information ———— ④ Department ———— ⑤ Location ———— ⑥ Duration
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⑦ (For Commodities: Contact: Vendor Services Section
 717-787-2199 or 717-787-4705)

REQUIRED DATA DESCRIPTIONS

① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.

② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.

③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.

④ Department: State Department or Agency initiating request for advertisement.

⑤ Location: Area where contract performance will be executed.

⑥ Duration: Time estimate for performance and/or execution of contract.

⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.
 (For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

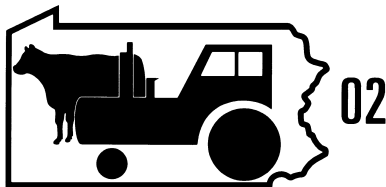
DO BUSINESS WITH STATE AGENCIES

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. The bureau is, by law, the central repository for all state contracts over \$5,000. Contract Specialists can supply you with descriptions of contracts, names of previous bidders, pricing breakdowns and other information. They can also direct you to the appropriate person and agency looking for your product or service. Copies of state contracts are also available. (Duplicating and mailing costs may apply). For more information, visit us online at www.patreasury.org.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania Treasury Department
 201 Finance Building
 Harrisburg, PA 17120
 Phone: (717) 787-2990 or 1-800-252-4700
 Fax: (717) 772-0977

ROBERT P. CASEY, Jr.,
State Treasurer

SERVICES



02

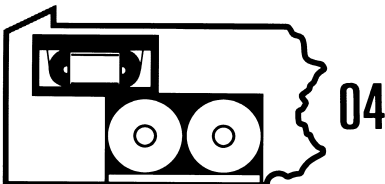
Agricultural Services

Dairy Barn-Bridge. Construct a Barn Bridge at the PDA Dairy Barn.

Department: Agriculture
Location: Within 1/2 mile of 2301 North Cameron Street, Harrisburg, PA 17110
Duration: Bid Opening Date October 30, 2006
Contact: Sheila Strubhar, 717-787-1467

6/3. Provide fish food used in a statewide fish culture program during the period January 01-March 31, 2007. Fish food products purchased in bulk and bagged quantities and delivered to various state fish hatcheries located throughout the Commonwealth. Bid Opening Date and Time-November 10, 2006, 2:30 pm.

Department: Fish and Boat Commission
Location: Various State fish hatcheries located throughout the Commonwealth.
Duration: January 01-March 31, 2007
Contact: Debbie Rose, 814-359-5141

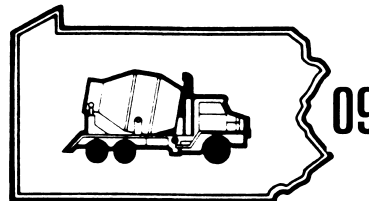


04

Audio/Video

CN00023330. FURNISH AND INSTALL AN INTERNET BASED APPLICATION FOR PROVIDING A LEASED IN-STORE DIGITAL MUSIC AND MESSAGING SYSTEM TO APPROXIMATELY FIFTY (50) RETAIL WINE & SPIRITS STORES LOCATED THROUGHOUT THE COMMONWEALTH OF PENNSYLVANIA. BIDS DUE NOVEMBER 08, 2006 AT 1:00 PM.

Department: Liquor Control Board
Location: FIFTY (50) RETAIL WINE & SPIRITS STORES THROUGHOUT THE COMMONWEALTH OF PENNSYLVANIA.
Duration: JANUARY 1, 2007-DECEMBER 31, 2009 WITH TWO (2) ADDITIONAL ONE (1) YEAR OPTIONS.
Contact: MAGGIE BOYER, 717-787-6323

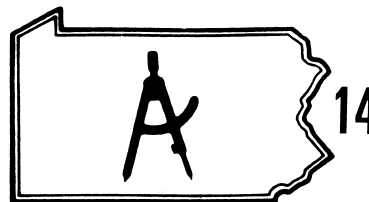


09

Construction & Construction Maintenance

CN00023392. REBID. This contract will provide manpower and equipment necessary to complete all mowing on Interstate 80 and its interchanges in Clearfield County. All requests for bid packages must be requested via email. Completed bids must be received by November 15, 2006 at 2:30 PM.

Department: Transportation
Location: Interstate 80, Clearfield County
Duration: one-year contract with the possibility of two (2) one-year renewals
Contact: Christie A. Wice, (814) 765-0524, ext. 207

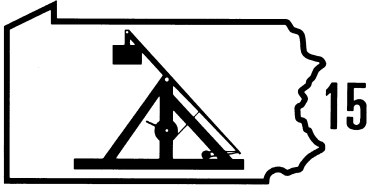


14

Engineering Services

OSM PA (DES-06). Request for Proposals: Bid No. OSM PA (DES-06) Notice is given that the Department of Environmental Protection is issuing a Request for Proposal (RFP) to retain up to five (5) firms to provide professional design services, feasibility studies, and other technical services as required, for the reclamation of abandoned mine lands including surface mine reclamation, surface and underground mine fires, mine subsidence control, closure of mine openings, abatement or treatment of acid mine drainage (AMD) water pollution, evaluation and/or rehabilitation of existing passive and active AMD treatment systems, and water supply replacement. The contracts will be financed in part by the Federal Government. The projects will be located in the bituminous coalfields of western and the anthracite coalfields of northeastern Pennsylvania. RFPs may be requested by mail, fax, or e-mail. Letters shall be sent to David J. Fromell, Project Coordinator, Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Division of Acid Mine Drainage Abatement, P.O. Box 8476, Harrisburg, PA 17105-8476. Faxed requests will be accepted at 717-783-0470. Email requests (entitle subject line "OSM PA(DES-06) RFP request") should be submitted to dfromell@state.pa.us Proposals in response to the RFP must be received by 2:00 p.m., November 28, 2006. Electronic versions of the RFP are available upon request.

Department: Environmental Protection
Contact: David Fombell 717-783-5646



Environmental Maintenance Service

OSM 10(0674) 101.1. Abandoned Mine Land Reclamation Project, Slippery Rock South. The principal items of work and approximate quantities include Clearing and Grubbing, Dewatering Impoundments, 160,650 cubic yards of Grading, 1,210 cubic yards of Ditch Excavation, 2,035 square yards of High Velocity Erosion Control Mulch Blanket, 760 square yards of Rock Lining with Filter Material and 21 acres of Seeding. This project issues on November 3, 2006 and bids will be opened on December 5, 2006 at 2:00 p.m. Bid documents cost \$10.00 per set and will not be mailed until payment has been received. This project is financed by the Federal Government under the authority given it by P.L. 95-87 dated August 3, 1977, "The Surface Mining Control Act of 1977," and is subject to that Law, and to the Federal Grant for this project.

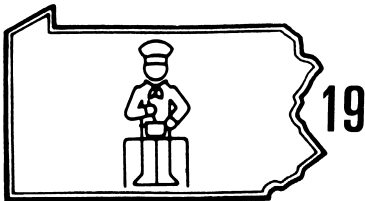
Department: Environmental Protection
Location: Slippery Rock Township & Slippery Rock Borough, Butler County
Duration: 270 calendar days after the official starting date.
Contact: Construction Contracts Section, 717-787-7820



Financial and Insurance Consulting

2006-RFQ-DEM. This Request for Qualification is to be used in compiling a list of pre-qualified vendors to perform actuarial and/or investment banking consulting services relating to any mutual-to-stock conversions which may be filed with this Department. The Department must receive all responses to this Request for Qualification by 4:30 P.M. on December 1, 2006. Only fully completed responses will be considered. Five copies are to be sent to: Pennsylvania Insurance Department, 1326 Strawberry Square, Harrisburg, Pennsylvania 17120, Attention: Lynn Baillie, Chief, Division of Budget and Office Management. For a copy of the RFP, please send an e-mail to lbaille@state.pa.us. This is a reissue.

Department: Insurance
Location: Nationwide
Duration: five years
Contact: Lynn Baillie



Food

CN 00023336. VENDOR WILL PROVIDE FOOD STUFFS INCLUDING, BUT NOT LIMITED TO: MEAT, POULTRY, SEAFOOD, BAKERY, DAIRY, MILK, FROZEN VEGETABLES AND FRUIT PRODUCTS TO THE STATE CORRECTIONAL INSTITUTION AT MAHANAY, 301 MOREA ROAD, SCHUYLKILL COUNTY, MAHANAY TOWNSHIP, FRACKVILLE, PA. BID PACKAGE TO BE REQUESTED IN WRITING TO THE PURCHASING AGENT OF THE INSTITUTION. BID DUE DATE: 11/1/06 @ 3PM

Department: Corrections
Location: STATE CORRECTIONAL INSTITUTION AT MAHANAY, 301 MOREA ROAD, FRACKVILLE, PA 17932
Duration: NOVEMBER 1, 2006 TO JANUARY 1, 2007
Contact: Dawn M. Troutman, Purchasing (570) 773-2158

6500-196. Frozen meats, egg products, waffles, vegetables and other miscellaneous frozen food products as needed for Dec 2006 and Jan 2007 delivery to the State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, Pa 18621. Bid Opening: Nov 2, 2006 at 2 PM in the Purchasing Office of the State Correctional Institution at Dallas, 1000 Follies Road, Dallas, PA 18612.

Department: Corrections
Location: State Correctional Institution at Retreat, 660 State Route 11, Hunlock Creek, Pa. 18621
Duration: Dec 1, 2006-Jan 31, 2007
Contact: Barbara Swiatek, 570-674-2717

CN00023106. State Correctional Institution Fayette will be soliciting bids for Non-Carbonated Beverages to serve to staff and inmates. This is to include installation, service/repair, cleaning and sanitizing of dispensers by the awarded bidder. The duration of this contract is 3 years. Interested Vendors may contact Melissa Walker, Purchasing Agent, to request a quote. If you are interested in bidding you MUST have a State Vendor Number to participate.

Department: Corrections
Location: State Correctional Institution Fayette, 50 Overlook Drive, LaBelle, PA 15450
Duration: November 2006-October 2009
Contact: Melissa Walker, Purchasing Agent, 724-364-2200 ext. 1030

CN00023443. The State Correctional Institution at Cambridge Springs will be soliciting bids for meat and miscellaneous frozen and specialty items for the months of January thru March 2007.

Department: Corrections
Location: SCI-Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403
Duration: October 23, 2006-November 30, 2006
Contact: Heather Taylor, 814-398-5400

CN00023453. Foodstuffs, including but not limited to meat, fish, poultry, (including turkey products), frozen vegetables, fresh eggs, frozen liquid egg products, cheeses, margarine reddsies & margarine bulk, waffles, & protein alternative products. Contract Period December 1 to 15, 2006. Bid package available from Purchasing Office at the Institution. Due date for bids-November 14, 2006, 2PM.

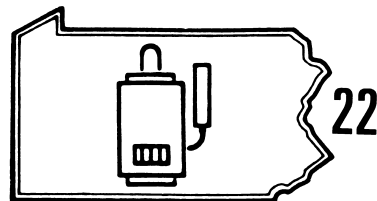
Department: Corrections
Location: STATE CORRECTIONAL INSTITUTION - FRACKVILLE 111, ALTAMONT BOULEVARD FRACKVILLE, PA 17931
Duration: DECEMBER 1 TO 15, 2006.
Contact: MARY LOU NEVEROSKY, PURCHASING AGENT, 570/773-2158, EXT. 419

Produce. Fresh Fruit & Vegetables: Apples, oranges, bananas, pears & etc. Cabbage, carrots, salad mix, potatoes, tomatoes, peppers & etc.

Department: Corrections
Location: State Correctional Institution at Smithfield, 1120 Pike Street, Huntingdon, PA 16652
Duration: 12/1/06 thru 12/31/06.
Contact: Susan Barben, Purchasing Agent, 814-643-2400 Ext. 305

CN 00023454. VENDOR WILL PROVIDE FOOD STUFFS INCLUDING, BUT NOT LIMITED TO: MEAT, POULTRY, SEAFOOD, DAIRY AND FROZEN VEGETABLES TO THE STATE CORRECTIONAL INSTITUTION AT MAHANAY, 301 MOREA ROAD, SCHUYLKILL COUNTY, MAHANAY TOWNSHIP, FRACKVILLE, PA. BID PACKAGE TO BE REQUESTED IN WRITING TO THE PURCHASING AGENT OF THE INSTITUTION. BID DUE DATE: 11/7/06 @ 3PM

Department: Corrections
Location: STATE CORRECTIONAL INSTITUTION AT MAHANAY, 301 MOREA ROAD, FRACKVILLE, PA 17932
Duration: NOVEMBER 7, 2006 TO JANUARY 7, 2007
Contact: Dawn M. Troutman, Purchasing, (570) 773-2158



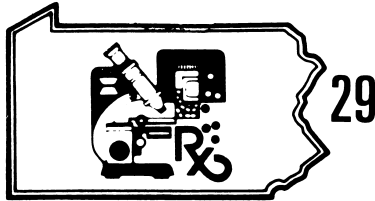
HVAC Services

FM9064. PERFORM ALL ASPECT OF REPAIR/MAINTENANCE TO THE HEATING, AIR-CONDITIONING, ELECTRICAL, UPS SYSTEMS, DIESEL GENERATOR SETS AND PLUMBING SYSTEMS AT THE PENNSYLVANIA STATE POLICE, CENTRALIZED DISPATCH CENTER, PITTSBURGH, PA. CONTRACTOR TO RESPOND TO CALL WITHIN (4) HOURS OF RECEIPT, EITHER DIRECTLY OR VIA A RECORDING DEVICE. REPLACEMENT PARTS MUST BE ORIGINALLY INSTALLED OR OF EQUAL QUALITY AND FUNCTION. THE CONTRACTOR MUST AGREE TO RED-DEEM MANUFACTURER'S WARRANTY OF PARTS, WHERE APPLICABLE, AND FURTHER AGREES TO GUARANTEE WORKMANSHIP AND REPLACEMENT PARTS PROVIDED BY THEIR FIRM FOR NINETY (90) DAYS. MATERIALS AND PARTS ARE TO BE BILLED AT COST. BIDDING TO BE DONE ON LABOR RATE PER HOUR FOR MECHANIC AND HELPER PLUS TRAVEL.

Department: State Police
Location: PSP PITTSBURGH CDC, 1400 SAUTHERS RD., PITTSBURGH, PA 15640
Duration: December 1, 2006 thru June 30, 2009 LAST DATE TO REQUEST DETAILED SCHEDULE IS 11/23/06
Contact: HELEN M. FUHRMAN, 717-705-5952

CN00023386. The State Correctional Institution at Rockview, Bellefonte, Centre County, is seeking bidders for FURNISH & INSTALL 15KVA POWER MAINS. THIS IS A REBID OF BID# CN00019772, 04/24/06. Estimated period of service: 12/01/06-06/30/07. Prospective bidders must possess a Vendor number issued by the Department of General Services Central Vendor Management Unit, 1-866-775-2868, or www.vendor-registration.state.pa.us. Interested vendors may request bid packages via e-mail jjcalland@state.pa.us, or via fax (814)355-6026. Bid opening date: 11/09/2006, 2:30 p.m.

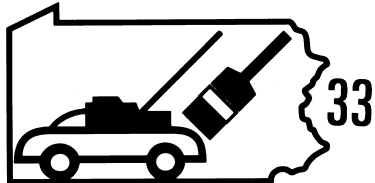
Department: Corrections
Location: State Correctional Institution at Rockview State Route 26, Box A Bellefonte, PA 16823
Duration: 12/01/06-06/30/07
Contact: JANINE E. CALLAND, Pur Agt 2, 814-355-4874, ext. 425



Medical Services

CN#00023267. The contractor shall provide Licensed Physical Therapist services to the individuals at the Hamburg Center. Minimum qualifications: Possession of a license to practice Physical Therapy issued by the Pennsylvania State Board of Physical Therapy with three (3) years of experience in Physical Therapy. To received detailed specification, submit fax request on your company's letterhead to the Hamburg Center Purchasing Office, FAX: 610/562-6025 referencing this service and CN#.

Department: Public Welfare
Location: DPW Hamburg Center, 3560 Old Route 22, Hamburg, PA 19526
Duration: The anticipated contract date is December 1, 2006 through November 30, 2010
Contact: Beverly O. Epting, PA, 10/562-6033



Property Maintenance

SSHE 401-BL-842. Work included under this project consists of the construction of the Academic Quad replacing the existing common space bounded by Bakeless, McCormick and Waller Halls on the North; Hartline, Sutliff and Centennial Halls on the South; Andruss Library on the East; and Student Services Center on the West. The scope of work includes demolition of existing improvements and vegetation, earthwork, grading, storm drainage system, water distribution, asphalt paving, concrete paving, unit pavers, retaining walls, concrete steps and ramps, miscellaneous site furnishings, landscaping, fencing, exterior lighting, and erosion and sedimentation control. To obtain a copy of the bid documents submit a \$160.00 (non-refundable) check to Derck & Edson, 33 S. Broad Street, Lititz, PA 17543, ATTN: Karen Younk, phone #717-626-2054, fax #717-626-0954. This will be a two prime contract (General-\$1,400,000-\$1,600,000; Electrical-\$300,000-\$340,000). The pre-bid conference will be held on November 15, 2006 at 10:30 am, Bloomsburg University with bids due December 6, 2006 at 1:00 pm, Bloomsburg University

Department: State System of Higher Education
Location: Bloomsburg University, 400 E. Second Street, Bloomsburg, PA 17815
Duration: Phase 1 completion August 27, 2007-phase 2 completion October 27, 2007
Contact: Karen Younk, 717-626-2054

CN00023435. SNOW PLOWING, SALT, AND CINDERING AT MANSFIELD/WELLSBORO PA NATIONAL GUARD ARMORY.FOR A COPY OF THE BID PACKAGE PLEASE FAX YOUR REQUEST TO 717-861-2932 OR EMAIL TO THE ADDRESS BELOW. BID OPENING WILL BE FRIDAY, NOVEMBER 3, 2006 AT 2:00 P.M.

Department: Military Affairs
Location: MANSFIELD/WELLSBORO ARMORY, 1810 SHUMAY HILL ROAD, WELLSBORO, PA 16901
Duration: DOA THRU 03/31/09
Contact: SHARON WESSNER, 717-861-8519

CU-010707. Cheyney University of Pennsylvania is seeking interested bidders for Preparation, Priming, and Painting of 174 rooms in Sojourner Truth Residence Hall. This work is to be bid on prevailing rates in Chester County Pennsylvania. Pre Bid conference to be held in Jones Hilton Maintenance Building, Conference Room on October Twenty Sixth Two Thousand Six @ 1:00 PM.10/26/06 Contact Info Michael A. FlanaganContract Administrator PH 610-399-2360, Mail mflanagan@cheyney.edu, Sealed Bids due 11/3/2006 on or before 1:00 PM @ the Office of Contracts, Wade Wilson Building 2nd Floor Rm 218

Department: State System of Higher Education
Location: Truth Hall Dormitory ,Cheyney University of Pennsylvania
Duration: Anticipated job Completion date 1/7/07
Contact: Michael A. Flanagan, 610-399-2360

CPC 06-103. 1. Selective disassembly of the east wall wood paneling construction. 2. Removal of deteriorated plaster backing. 3. Reconstruction of plaster veneer backing on brick construction where missing or removed. 4. Fabrication of new matching wood veneer panels. 5. Fabrication of matching wood moldings and installation. 6. Reconstruction and reinstallation of repaired wood panel construction. 7. Stripping, repair, preparation and refinishing of all wood elements within the project limits. 8. Protection of all architectural surfaces, equipment, furniture, shelving, books and printed matter below the work area and adjacent to the Work area. 9. Provision of Insurance, Warranties, and other instruments required by the Contract Documents, and paying all costs thereof. 10. Obtaining and fee payment for all required permits. 11. Coordination and cooperation with all other Department of General Services and Capitol Preservation Committee Projects and associated work. 12. Provision of all temporary staging, scaffolding, safety equipment, protection and miscellaneous construction aids. Issue for Proposals: October 30, 2006. Preproposal Walk Through: November 8, 2006. Receive Proposals: November 20, 2006

Department: PA Capitol Preservation Committee
Location: Harrisburg, PA. Forum Building, State Library
Duration: Anticipated Award of Contract: December 8, 2006. Anticipated Notice to Proceed: January 8, 2007.
Contact: David L. Craig, (717) 783-6484

CN00023421. SNOW PLOWING, SALT AND CINDERING, SNOW REMOVAL AT PA NATIONAL GUARD ARMORY. FOR A COPY OF THE BID PACKAGE PLEASE FAX YOUR REQUEST TO 717-861-2932 OR EMAIL TO THE ADDRESS BELOW. BID OPENING WILL BE FRIDAY, NOVEMBER 3, 2006 AT 2:00 PM.

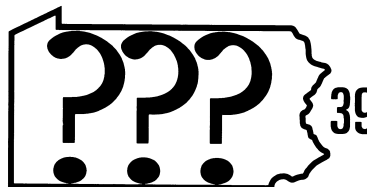
Department: Military Affairs
Location: WEST PITTSTON ARMORY, 1308 SUSQUEHANNA AVE., WEST PITTSTON, PA 18643-2733
Duration: DOA THRU 03/31/09
Contact: SHARON WESSNER, 717-861-8519

CN00023446. SNOW PLOWING, SALT, AND CINDERING AT PA NATIONAL GUARD ARMORY. FOR A COPY OF THE BID PACKAGE PLEASE FAX YOUR REQUESTS TO 717-861-2932, OR EMAIL TO THE ADDRESS BELOW. BID OPENING WILL BE FRIDAY, NOVEMBER 3, 2006 AT 2:00 P.M.

Department: Military Affairs
Location: CARBONDALE ARMORY, 1 CLIDCO DRIVE CARBONDALE, PA 05407-2251
Duration: DOA THRU 03/31/09
Contact: SHARON WESSNER, 717-861-8519

CN00023387. Provide Grounds Maintenance (mowing and landscaping, etc) for the Delaware Water Gap Welcome Center (Site F) on Interstate 80 in Smithfield Township, Monroe County, for a three (3) year period, with an additional two (2) year renewal with the mutual consent of contractor and the Department of Transportation. There will be a pre-qualifying meeting to be held at the Welcome Center site F on November 6, 2006, at 1:00 p.m., and all prospective bidders must attend. Bid due date is November 21, 2006, 10:00 a.m. Bid opening to be held at Penndot, Engineering District 5-0, Parkwood Annex, 2460 Parkwood Drive, Allentown, PA 18103, on November 21, 10:00 a.m.

Department: Transportation
Location: Interstate 80, Smithfield Township, Monroe County
Duration: 3 year purchase order, with an additional 2 year renewal with mutual consent between contractor and department.
Contact: Ron Deutsch, 610-791-6061



Miscellaneous

SSHE 401-BL-803. Work will consists of replacing all major components of the existing friction-type elevator located in the Hartline Science Center at Bloomsburg University. To obtain a copy of bid documents submit a \$45.00 (non-refundable) check to Larson Architectural Group, 1000 Commerce Park Drive, Williamsport, PA 17701, ATTN: Brent Spangler, phone #570-323-6603, fax #570-323-9902. This will a single prime contract (Elevator-\$140,000-\$157,000). The pre-bid conference will be held on November 14, 2006 at 10:30 am, Bloomsburg University will bids due November 29, 2006 at 1:00 pm, Bloomsburg University.

Department: State System of Higher Education
Location: Bloomsburg University, 400 E. Second Street, Bloomsburg, PA 17815
Duration: 150 calendar days
Contact: Brent Spangler, 570-323-6603

RFAH. Notice of Hearing-Regarding Cyber Charter School Application: Notice is hereby given that the Department of Education has scheduled a public hearing regarding the four cyber charter school applications that it received on October 2, 2006. The hearing will be held on Monday, December 4, 2006 in the Honors Suite at 333 Market Street, Harrisburg PA beginning at 10:00 am. The hearing pertains to the Career Insight Charter School of Pennsylvania, the Carolyn Walker Daniels Cyber Charter School, the IDEA Cyber Charter School and the Lighthouse Cyber Charter School, applicants seeking to operate cyber charter schools beginning in the 2007-2008 school year. The purpose of the hearing is to receive information from the applicants about the proposed cyber charter schools and to receive comments from interested persons regarding the applications: The charter applicant will have 30 minutes to present information about the proposed cyber charter school. Individuals who wish to provide comments at the hearing must send the Department and the applicant a copy of the comments on or before November 15, 2006. Failure to comply with this deadline will preclude the respective individual from providing verbal comments at the hearing. Verbal comments may be limited based on the number of individuals requesting time to provide comments, and may also be limited if the comments are duplicative or repetitive of other individual's comments. A panel of individuals who have reviewed the applications will conduct the hearing. The panel members may question the applicants regarding issues identified during their review, as well as issues raised in the written comments filed before the hearing date. Panel members may also question individuals who offer verbal comments. Commentators will not be permitted to question either the applicants or the panel members. Individuals who are unable to attend the hearing may also provide the Department and the respective applicant with written comments on or before November 27, 2006. Any written comments provided to the Department by this deadline will become part of the certified record. Comments sent to the Department should be addressed to Gregg Spadafore, Bureau of Community and Student Services, 333 Market Street, 5th Floor, Harrisburg, PA 17126-0333. An agenda will be prepared after November 27, 2006 when the Department is aware of the number of individuals who wish to provide verbal comments at the hearing. That agenda will provide the order of presentation, as well as specify the amount of time allotted to each commentator. Individuals wanting a copy of the agenda should call

Department: Education
Location: Monday, December 4, 2006 at 10:00 AM in the Honors Suite at: 333 Market Street, Harrisburg, PA
Duration: 30 DAYS DURATION UNTIL DECEMBER 4, 2006.
Contact: Gregg Spadafore, 717-705-2881

SU-06-04: Contractor to provide printing of Shippensburg University magazine four (4) issues per year, Winter, Spring, Summer and Fall-55,000 each for Winter & Spring, 56,000 each for Summer & Fall. The magazine is for Shippensburg University and the printing shall be in strict accordance with the specifications included in the solicitation package. Vendors interested in receiving a bid package must fax a request to Mona Holtry, Shippensburg University, 1871 Old Main Drive, Shippensburg, PA 17257; Fax (717) 477-1350 or email a request to mmholt@ship.edu. Bids are due 11-21-06 by 4:00 PM and the bid opening date is scheduled for 11-22-06 at 2:00 PM. All responsible bidders are invited to participate including MBE/WBE firms.

Department: State System of Higher Education
Location: Shippensburg University, 1871 Old Main Drive, Shippensburg, PA 17257
Duration: December 1, 2006 through September 30, 2007.
Contact: Mona M. Holtry, 717-477-1386

CN00023417. Printing of 115,000 Pennsylvania Fish & Boat Commission maps-2007 edition with office transportation map. This consists of a statewide map printed on the obverse side showing boating access locations and special regulation fishing areas. The reverse side includes legends and spreadsheets identifying the access areas and special regulation areas, and other supporting information. A SEALED bid due for BID opening 11/6/06.

Department: Fish and Boat Commission
Location: PA Fish & Boat Commission, 1601 Elmerton Avenue, Harrisburg, PA 17110 and others in Harrisburg area.
Contact: Gay Cartwright, 717-705-7915

CN00023318. The Pennsylvania Department of Education (PDE) is requesting information from all interested parties who have the ability and interest to provide digital fingerprinting services across the Commonwealth of Pennsylvania.

Department: Education
Location: Bureau of Management Services, Department of Education, 333 Market Street, 15th Floor, Harrisburg PA 17126-0333
Duration: For a minimum of one year
Contact: Cathy Anderson, 717-783-9792

OSM PA (AMD-06). Request for Proposals: Bid No. OSM PA (AMD-06) Notice is given that the Department of Environmental Protection is soliciting proposals for demonstration or implementation of new or innovative in-situ or ex-situ treatment or abatement technologies or enhanced metals recovery for acid mine drainage. RFPs may be requested by mail, fax, or e-mail. Letters shall be sent to David J. Fromell, Project Coordinator, Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Division of Acid Mine Drainage Abatement, P. O. Box 8476, Harrisburg, PA 17105-8476. Faxed requests will be accepted at 717-783-0470. Email requests (entitle subject line "OSM PA(AMD-06) RFP request") should be submitted to fromell@state.pa.us Proposals in response to the RFP must be received by 2:00 p.m., December 8, 2006. Electronic versions of the RFP are available upon request.

Department: Environmental Protection
Contact: David Fromell 717-783-5646

CN00023319. The Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, requires a Contractor to provide water quality sampling services. Contractor shall have experience in benthic macroinvertebrate sample processing.

Department: Environmental Protection
Location: Sampling to be conducted throughout the Commonwealth of Pennsylvania
Duration: through 6/30/07, with option to renew.
Contact: Sherry Morrow, 717-772-1216

11042005. Cheyney University of PA intends to solicit bids to qualified vendors to submit proposals for consideration to provide bus transportation for the University's Men and Women's basketball teams to and from away games. Interested bidders are asked to send a letter of interest to the following: J. Gregory Hollman, Director Business Support Services, Cheyney University of PA, 1837 University Circle, Cheyney, PA 19319, jhollman@cheyney.edu, or 610-399-2616 (fax). Please include you company's name, mailing address, phone and fax numbers, federal id number or social security number, e-mail and/or web site address, salesperson and president/owner. Bids are due in the Business Support Services office, Friday, November 3, 2006 at 10:00 AM EST

Department: State System of Higher Education
Location: Cheyney University of PA, 1837 University Circle, Cheyney, PA 19319
Duration: 4 Months
Contact: J. Gregory Hollman, 610-399-2343

2007-ACS-01. PennSERVE announces the availability of grant funding for operation of local AmeriCorps national service programs beginning Aug. 2007. Eligible applicants are community and faith-based non-profit organizations, government agencies, and educational institutions. The grants support the administration of volunteer service programs that meet local needs in the areas of education, the environment, public safety, homeland security and other human needs. A cash and in-kind match is required based on funding levels. Complete applications are due by 4:00 p.m. on Friday, December 8, 2006. The Pennsylvania AmeriCorps Application and instructions are available via the PennSERVE website located at www.pennserve.state.pa.us or by calling PennSERVE toll-free at 1-866-673-7838.

Department: Labor and Industry
Location: PennSERVE, 1306 Labor & Industry Bldg., 7th and Forster Streets, Harrisburg, PA 17121
Duration: 1 year upon award
Contact: Renee F. Johnson, 717-787-1971

CN00023315. Vendor to supply 8' ADA Heavy Duty Picnic tables as manufactured by Jamestown Advanced Products, model #11135-29, or an approved equal. Heavy duty, galvanized frame, with 2" schedule 40 pipe and #1 treated pine. Picnic table frame design to be nontip, nontrip and walk-through design. One-piece welded construction frames fabricated using continuous MIG welds for strength. All pipe and tubing to conform to ASTM A513-94, and all steel components conform to ASTM-A569. All cross braces are 1" schedule 40 pipe. Center brackets are all 1/8" thick (12 ga.) steel. Table and seat brackets are 3/16" thick (7 ga.) steel. All hardware to be included. Table top and seat lumber to be pre-drilled and have 3/8" radius rounded corners. To be ACQ pressure treated #1 pine. ADA tables to be ADA compliant with 8' tabletops and 6' seats. BID OPENING: November 2, 2006, 2pm.

Department: Conservation and Natural Resources
Location: To be delivered to: DCNR Pymatuning State Park, 2660 Williams Field Road, Jamestown, PA 16134
Duration: One time purchase
Contact: Naomi Rudisill, 717-783-0749

[Pa.B. Doc. No. 06-2189. Filed for public inspection November 3, 2006, 9:00 a.m.]

DESCRIPTION OF LEGEND

- | | |
|--|---|
| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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JAMES P. CREEDON,
Secretary

THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

[231 PA. CODE PART II]

Order Adopting Pa.O.C. Rule 1.3; Amending Pa.O.C. Rules 5.6, 6.9, 6.12, 10.1, 14.2, 14.5, 16.5 and 16.10; and Repealing Pa.O.C. Rules 5.7, 16.11 and 16.12; and Approving Comments to Pa.O.C. Rules 5.5, 5.6, 5.7, 6.9, 6.12, 10.1, 14.2, 14.5, 16.5, 16.10, 16.11 and 16.12; No. 400 Supreme Court Rules; Doc. No. 1

Order

Per Curiam:

And Now, this 16th day of October, 2006, upon the recommendation of the Orphans' Court Procedural Rules Committee, the proposal having been published for comment before adoption at 35 Pa.B. 3405 (June 18, 2005) and republished at 35 Pa.B. 6092 (November 5, 2005):

It Is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

(1) Supreme Court Orphans' Court Rule 1.3 is adopted as follows;

(2) Supreme Court Orphans' Court Rules 5.6, 6.9, 6.12, 10.1, 14.2, 14.5, 16.5 and 16.10 are amended as follows;

(3) Supreme Court Orphans' Court Rules 5.7, 16.11, and 16.12 are repealed;

(4) The Committee Comments—2006 to Supreme Court Orphans' Court Rules 5.5, 5.6, 5.7, 6.9, 6.12, 10.1, 14.2, 14.5, 16.5, 16.10, 16.11 and 16.12 are approved; and

(5) Uniform forms and an index are adopted and follow the Supreme Court Orphans' Court Rules as an Appendix.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b) and shall be effective thirty days from the date of entry of this order.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

RULE 1: JUDGES—LOCAL RULES

Rule 1.3. Forms.

The Supreme Court hereby adopts forms for practice and procedure before the Registers of Wills and Orphans' Court Divisions of this Commonwealth which shall be acceptable in all jurisdictions in addition to forms otherwise approved or mandated for use pursuant to local rules. These forms for statewide practice are set forth in an Appendix to these rules. The forms may be revised and supplemented from time to time. The forms shall also be maintained for public access at a website designated by the Supreme Court.

Committee Comment—2006: A number of forms previously recommended by the Committee for use before the Register of Wills, but not formally adopted by the Court, had appeared following Rule 10.1. Most of those forms have now been consolidated or revised and set forth in the Appendix hereto. However, certain forms have been deleted because they are properly generated by the Register of Wills rather than counsel. The forms formerly set forth in the body of Rules 5.7, 6.12, 14.5, 16.11 and 16.12, some with minor revisions, have been moved to the Appendix as well. In addition, a number of new forms for use in the Orphans' Court have been adopted by the Court. The current website for electronic access to the forms is found at <http://www.aopc.org/Index/Forms/IndexForms.asp>. The forms posted on the website are capable of on-line completion.

RULE 5: NOTICE

Rule 5.5. Charities—notice to the Attorney General.

* * * * *

Explanatory Note: This is an adaptation from rules presently in effect in a number of counties which in turn were derived from informal recommendations made by Mr. Justice McBride when he was Attorney General, published in *Fiduciary Review*, April 1958. That same article lists many non-accounting type proceedings in which notice would also be required.

* * * * *

The words "or his designated deputy" are added to conform with the wording in the initial paragraph and for further identification of the person to whom notice is usually most appropriate. The change from \$10,000 to \$25,000 avoids a nuisance for all parties in instances where the services of the Attorney General are not required.

Committee Comment—2006: See Appendix for form of notice under Rule 5.5.

Rule 5.6. Notice to Beneficiaries and Intestate Heirs.

(a) *Requirement of notice.* Within three (3) months after the grant of letters, the personal representative to whom original letters have been granted or the personal representative's counsel shall send a written notice of estate administration in the form [**set forth in Rule 5.7**] approved by the Supreme Court to:

* * * * *

(d) *Certification of notice.* Within ten (10) days after giving the notice required by subdivision (a) of this Rule, the personal representative or the personal representative's counsel shall file with the Register or Clerk a certification [**in the form set forth in Rule 5.7(b)**] that notice has been given as required by this Rule. No fee shall be charged by the Register or Clerk for filing the certification required by this subdivision.

* * * * *

(f) *Effect of notice.* This Rule shall not alter[,] or diminish [**or confer**] existing rights **or confer new rights**.

(g) *Copies of rule.* The Register shall deliver a copy of [**Rules 5.6 and 5.7**] **Rule 5.6 and the forms of notice and certification approved by the Supreme Court** to each personal representative and counsel at the time letters are granted.

[**Official**] **Explanatory Note:** It is not the intention of the Rule to require notice beyond the degree of consanguinity entitling a person to inherit under Chapter 21 of the Probate, Estates and Fiduciaries Code.

Committee Comment—2006: The form of notice and certification of notice required by Rule 5.6 and formerly set forth in Rule 5.7 have been revised and moved to the Appendix. Subparagraph (f) has been restated to correct a typographical error in the prior version of the rule.

(*Editor's Note:* As part of this order, the form following this rule has been moved to the Appendix. The form appeared in 231 Pa. Code pages 5-5 and 5-6, serial pages (252123) and (252124).)

Rule 5.7. [**Form of notice and certification of notice to beneficiaries and intestate heirs**] (Repealed).

Committee Comment—2006: The form of notice and certification of notice required by Rule 5.6 and formerly set forth in Rule 5.7 have been revised and moved to the Appendix.

(*Editor's Note:* As part of this order, this rule has been repealed. The text of this rule appeared in 231 Pa. Code pages 5-7—5-9, serial pages (252125) to (252127).)

RULE 6: ACCOUNTS AND DISTRIBUTION

Rule 6.9. Statement of proposed distribution.

* * * * *

(b) The statement of proposed distribution shall be filed at such place and time, shall be in such form and shall be accompanied by such papers, and shall be advertised or such notice thereof shall be given [**as local rules shall prescribe**], as prescribed by rules adopted by the Supreme Court or, in the absence thereof, the local Orphans' Court Division.

Committee Comment—2006: Form petitions for adjudication of a decedent's estate, trust, guardianship of an incapacitated person, guardianship of a minor and estate of a principal to be stated by an agent under a power of attorney have been adopted and appear in the Appendix.

Rule 6.12. Status report by personal representative.

* * * * *

(c) *Form of report.* The report required by this Rule shall be in substantially the [**prescribed**] form adopted by the Supreme Court.

* * * * *

(f) *Failure to file a report.* After at least ten (10) days prior notice to a delinquent personal representative and counsel, the Clerk of the Orphans' Court shall inform the Court of the failure to file the report required by this Rule with a request that the Court conduct a hearing to determine what sanctions, if any, should be imposed.

Committee Comment—2006: The form of status report has been revised and moved to the Appendix.

(*Editor's Note:* As part of this order, the form following this rule has been moved to the Appendix. The form appeared in 231 Pa. Code page 6-5, serial page (236793).)

RULE 10: REGISTER OF WILLS

Rule 10.1. Procedure and forms.

* * * * *

[**Explanatory Note:** The Committee has prepared and filed currently herewith recommended forms.]

Committee Comment—2006: The forms adopted by the Supreme Court appear in the Appendix. The forms previously recommended by the Committee, which followed Rule 10, have been revised. Certain forms previously recommended by the Committee, but which are generated by the Register of Wills instead of counsel, have been eliminated.

(*Editor's Note:* As part of this order, the forms following this rule have been moved to the Appendix. The forms appeared in 231 Pa. Code pages 10-2—10-17, serial pages (236802) to (236817).)

RULE 14. INCOMPETENTS' ESTATES

Rule 14.2. Adjudication of incapacity and appointment of a guardian of the person and/or estate of an incapacitated person.

A petition to adjudicate incapacity shall meet all requirements set forth at 20 Pa.C.S. § 5511. A citation and notice in the form [**set forth in Rule 14.5**] approved by the Supreme Court shall be attached to and served with a petition. The procedure for determination of incapacity and for appointment of a guardian shall meet all requirements set forth at 20 Pa.C.S. §§ 5512 and 5512.1.

Committee Comment—2006: The form of citation and notice formerly found in the body of Rule 14.5 has been moved to the Appendix.

Rule 14.5. Form of Citation and Notice.

The citation and notice to be attached to and served with a petition for adjudication of incapacity and appointment of guardian shall be substantially in the [**following**] form [:] approved by the Supreme Court.

(*Editor's Note:* As part of this order, the form in this rule has been moved to the Appendix. The form appeared in 231 Pa. Code pages 14-2 and 14-3, serial pages (252130) and (281641).)

[**Official Note:** Rule 14.5 prescribes the form of the uniform citation and notice to be served with a petition for adjudication of incapacity and appointment of guardian as required by Section 5511 of the Probate, Estates and Fiduciaries Code, 20 Pa.C.S. § 5511.

The rule is part of an ongoing process by which all existing subdivisions of Rule 14 are being revised to reflect current requirements.]

Committee Comment—2006: The form of citation and notice formerly found in the body of Rule 14.5 has been moved to the Appendix.

RULE 16. PROCEEDINGS PURSUANT TO SECTION 3206 OF THE ABORTION CONTROL ACT

Rule 16.5. Application. Contents. Form of Verification. Assistance in Preparation.

(a) The application shall set forth the following:

* * * * *

(3) the names and addresses of each parent, guardian or, if the petitioner is a minor whose parents are deceased and no guardian has been appointed, any other person standing in loco parentis to the applicant;

[**Official Note:** The names and addresses may be included in the separate unsworn verifications, form of which is provided by Rule 16.12, which shall be incorporated by reference in the application.]

* * * * *

(7) an unsworn verification by the applicant stating that the information therein is true and correct and that the applicant is aware that any false statements made in the application are [punishable by law. The verification may be substantially in the form prescribed by subdivision (b)] subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities; and

(8) the signature of the applicant, which may consist of the applicant's initials.

[**Official Note:** See Rule 16.11 and Rule 16.12 for a suggested form of application when the applicant is a minor.]

(b) [The verification required by subdivision (a)(7) may be substantially in the following form.

I verify that the statements made in this application are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of Section 4904 of the Crimes Code, 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

(c)] Where necessary to serve the interest of justice, the court shall refer the applicant to the appropriate personnel for assistance in preparing the application.

Committee Comment—2006: The form of unsworn verification previously found in subdivision (b) has been deleted. This unsworn verification required by subdivision (a)(7) is the standard form of verification made subject to the penalties of Section 4904 of the Crimes Code, 18 Pa.C.S. § 4904.

Forms formerly found in Rule 16.11 and 16.12 for applications and separate unsworn verifications by minors have been moved to the Appendix.

Rule 16.10. Form; Generally.

The form of application by a minor and form of separate unsworn verification shall be prepared and filed in substantial conformity with[:

(i) The forms set forth in Rules 16.11 and 16.12; or (ii)] the forms approved by the [local court—whichever the minor shall elect] Supreme Court.

[**Official**] **Explanatory Note:** Additional averments will be required for an application filed on behalf of a person who has been adjudged an incapacitated person pursuant to Chapter 55 of the Probate, Estates and Fiduciaries Code, 20 Pa.C.S. Section 5501, et seq.

Committee Comment—2006: Forms formerly found in Rules 16.11 and 16.12 for applications and verifications by minors have been moved to the Appendix.

Rule 16.11. [Form of Application by a minor] (Repealed).

Committee Comment—2006: The form formerly found in Rule 16.11 for application by a minor has been moved to the Appendix.

(**Editor's Note:** As part of this order, this rule has been repealed. The text of this rule appeared in 231 Pa. Code pages 16-5 and 16-6, serial pages (276631) and (276632).)

Rule 16.12. [Form of Separate Unsworn Verification] (Repealed).

Committee Comment—2006: The form formerly found in Rule 16.12 for unsworn verification by a minor has been moved to the Appendix.

(**Editor's Note:** As part of this order, this rule has been repealed. The text of this rule appeared in 231 Pa. Code pages 16-6—16-8, serial pages (276632) to (276634).)

INDEX TO APPENDIX

ORPHANS' COURT AND REGISTER OF WILLS FORMS ADOPTED BY SUPREME COURT PURSUANT TO Pa.O.C. Rule 1.3

Available as Fill-in Forms on Website of Administrative Office of Pennsylvania Courts <http://www.aopc.org/Index/Forms/IndexForms.asp>.

Orphans' Court and Administration Forms

A. Audit and Administration Forms

- 1. Petition for Adjudication—Decedent's Estate (Pa.O.C. Rule 6.9)..... OC-01
- 2. Petition for Adjudication—Trust Estate (Pa.O.C. Rule 6.9)..... OC-02
- 3. Petition for Adjudication—Guardian of Estate of Incapacitated Person (Pa.O.C. Rule 6.9) OC-03
- 4. Petition for Adjudication—Guardian of Estate of Minor (Pa.O.C. Rule 6.9) OC-04
- 5. Petition for Adjudication—Principal's Estate under POA (Pa.O.C. Rule 6.9) OC-05
- 6. Notice of Charitable Gift (Pa.O.C. Rule 5.5) OC-06
- 7. Notice of Claim OC-07

B. Guardianship Forms

- 1. Important Notice—Citation with Notice (Pa.O.C. Rule 14.5) G-01

- 2. Annual Report—Guardian of Estate G-02
- 3. Annual Report—Guardian of Person G-03
- 4. Guardian’s Inventory G-04
- 5. Petition for Adjudication—Guardian of Estate of Incapacitated Person OC-03*
- 6. Petition for Adjudication—Guardian of Estate of Minor OC-04**

* Form OC-3 is not reprinted here and is located under Audit and Administration Forms at No. 3.

** Form OC-4 is not reprinted here and is located under Audit and Administration Forms at No. 4.

C. Abortion Control Act Forms

- 1. Minor’s Application for Judicial Authorization of an Abortion (Pa.O.C. Rule 16.10) ACA-01
- 2. Confidential Unsworn Verification by a Minor (Pa.O.C. Rule 16.10) ACA-02

D. Register of Wills Forms

- 1. Estate Information Sheet RW-01

(Not adopted by Supreme Court; form promulgated by Department of Revenue and maintained with Register of Wills forms for convenience.)

- 2. Petition for Probate and Grant of Letters RW-02
- 3. Oath of Subscribing Witness(es) RW-03
- 4. Oath of Non-subscribing Witness(es) RW-04
- 5. Oath of Witness(es) to Will Executed by Mark . RW-05
- 6. Renunciation RW-06
- 7. Pa.O.C. Rule 5.6 Notice RW-07
- 8. Certification of Notice under Pa.O.C. Rule 5.6(a) RW-08
- 9. Estate Inventory RW-09
- 10. Pa.O.C. Rule 6.12 Status Report RW-10

DECEDENT'S ESTATE

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

ESTATE OF _____, DECEASED

No. _____

**PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 6.9**

This form may be used in all cases involving the Audit of the Account of a Decedent's Estate. If space is insufficient, riders may be attached. Attach the spouse's election, if any; the papers required under items 8-19 inclusive; and any instrument pertinent to the adjudication.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____

Supreme Court I.D. No.: _____

Name of Law Firm: _____

Address: _____

Telephone: _____

Fax: _____

Estate of _____, Deceased

1. Name(s) and address(es) of Petitioner(s):

Name: _____

Address: _____

Identify any executors or administrators who have not joined in the Petition for Adjudication and Statement of Proposed Distribution and Account and state reason:

Is this the first accounting by this fiduciary? Yes No

If not, identify prior accountings, the accounting periods covered, and the date of adjudication of the prior accounting.

2. Decedent died on _____.

Letters Testamentary *or* Letters of Administration were granted to Petitioner(s) on _____.

Date of Will (*if applicable*): _____

Date(s) of Codicil(s) (*if applicable*): _____

Date of probate (*if different from date Letters granted*): _____

Was a bond required? Yes No If yes, state amount: _____

Are proofs of advertising of the grant of Letters attached? Yes No

Dates of advertising of the grant of Letters: _____

Estate of _____, Deceased

- 3. Was decedent survived by a spouse? Yes No

If yes, name of the surviving spouse: _____

- 4. Has the surviving spouse filed to take an elective share? Yes No
(See Section 2201 et seq. of the Probate, Estates and Fiduciaries Code)

If yes, date of election: _____

- 5. In the case of an intestacy, state the names of the decedent's surviving children or surviving issue of deceased children (if none, so state):

- 6. Did decedent marry after execution of Will or Codicil(s)? Yes No

Were any children born to decedent after execution of Will or Codicil(s)? Yes No

If yes, give names and dates of birth:

<i>Name:</i>	<i>Date of Birth:</i>
_____	_____
_____	_____
_____	_____
_____	_____

- 7. If required by the Medical Assistance Estate Recovery Act, 62 P.S. § 1412, was a request for a statement of claim sent to the Department of Public Welfare? Yes No

Estate of _____, Deceased

- 8. Written notice of the Audit as required by Pa. O.C. Rules 6.3, 6.7 and 6.8 has been or will be given to all parties in interest listed in item 9 below, all unpaid creditors and all claimants listed in item 10 below. In addition, notice of any questions requiring Adjudication as discussed in item 14 below has been or will be given to all persons affected thereby.
 - A. If Notice has been given, attach a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice.
 - B. If Notice is yet to be given, a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice shall be submitted at the Audit together with a statement executed by a Petitioner or counsel certifying that such notice has been given.
 - C. If any person entitled to Notice is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Audit has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 5.2.
 - D. If any charitable interest is involved, Notice of the Audit has been or will also be given to the Attorney General as required under Pa. O.C. Rule 5.5. In addition, the Attorney General's clearance certificate (or proof of service of Notice and a copy of such Notice) must be submitted herewith or at the Audit.
- 9. List all parties (charitable and non-charitable) of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the estate as beneficiaries under the Will or Codicil(s) or as intestate heirs if there is a complete or partial intestacy:

A. State each party's relationship to the decedent and the nature of each party's interest(s):

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>

Estate of _____, Deceased

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>

B. Identify each party who is not *sui juris* (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each Guardian and how each Guardian was appointed. If no Guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

C. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed for this Audit (*see Pa. O.C. Rule 12.4*).

D. If distribution is to be made to the personal representative of a deceased party, state date of death, date and place of grant of Letters and type of Letters granted.

Estate of _____, Deceased

10. Other than the claim for the family exemption, list the names of all known claimants and the amount of their claims and state whether each claim is admitted.

<i>Name and Address of Each Claimant</i>	<i>Amount of Claim</i>	<i>Claim Admitted?</i>	<i>Will Claim Be Paid In Full?</i>
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

If the estate is insolvent, attach a schedule setting forth the order of preference under 20 Pa.C.S. § 3392 and the proposed payments.

11. Was family exemption claimed? Yes No

Was family exemption allowed? Yes No

Family exemption claimant's name and relationship:

Name: _____ Relationship: _____

Estate of _____, Deceased

- 12. The amount of Pennsylvania Transfer Inheritance Tax and additional Pennsylvania Estate Tax paid, the date(s) of payment(s), and the interest(s) upon which paid, are as follows:

<i>Date</i>	<i>Payment</i>	<i>Interest</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 13. On the date of death, was the decedent a fiduciary (personal representative, trustee, guardian, agent under power of attorney) or surety on the bond of a fiduciary? Yes No

If yes, provide the name of the estate, indicate whether an account has been filed and confirmed absolutely and all awards performed, or, in the alternative, how the decedent's estate will be discharged for the decedent's fiduciary administration of the estate.

- 14. A. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

- B. Has notice of the question requiring adjudication been given to the parties identified in Paragraph 9 above? Yes No

- 15. If Petitioner(s) has/have knowledge that a share has been assigned, renounced, disclaimed or attached, provide a copy of the assignment, renunciation, disclaimer or attachment, together with any relevant supporting documentation.

Estate of _____, Deceased

16. Had the decedent been adjudicated an incapacitated person? Yes No

If yes, attach a copy of the Order if available; otherwise state the Court, term, number, date, and name of Hearing Judge.

17. A. List or attach a separate list of additional receipts and disbursements since the closing date of the Account.

B. Has notice of the additional receipts and disbursements been given to the parties identified in Paragraph 9 above? Yes No

18. If a reserve is requested, state amount and purpose.

Amount: _____

Purpose: _____

If a reserve is requested for counsel fees, has notice of the amount of fees to be paid from the reserve been given to the parties in interest? Yes No

If so, attach a copy of the notice.

19. Is the Court being asked to direct the filing of a Schedule of Distribution? Yes No

As to real estate only? Yes No

Estate of _____, Deceased

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____
_____	_____

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____
_____	_____

Submitted By:
*(All petitioners must sign.
Add additional lines if necessary):*

Name of Petitioner:

Name of Petitioner:

Estate of _____, Deceased

Verification of Petitioner
(Verification must be by **at least one** petitioner.)

The undersigned hereby verifies * [that *he/she* _____ is *title* _____ of the above-named *name of corporation* _____ and] that the facts set forth in the foregoing Petition for Adjudication / Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature of Petitioner

** Corporate petitioners must complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication/ Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner

TRUST

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

NAME OF TRUST
(TRUST UNDER WILL OF _____
or
TRUST UNDER DEED OF _____
DATED _____)
No. _____

PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 6.9

This form may be used in all cases involving the Audit of Trust Accounts. If space is insufficient,
riders may be attached.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____
Supreme Court I.D. No.: _____
Name of Law Firm: _____
Address: _____
Telephone: _____
Fax: _____

Name of Trust: _____

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

Name: _____

Address: _____

2. Check if any of the following issues are involved in this case:

- A. Appointment of Trustee
- B. Interpretation
- C. Discharge of Trustee
- D. Transfer of Situs
- E. Appointment of *Ad Litem*
- F. Minor, Unborn or Unascertained Beneficiary(ies)
- G. Principal Distribution
- H. Partial/Full Termination of Trust
- I. Missing Beneficiary(ies)
- J. *Cy Pres*
- K. Williamson Issue*
- L. Other Issues

List:

Please note:

A detailed explanation of issues checked should be set forth at item 13 below.

* See *Williamson Estate*, 368 Pa. 343, 82 A.2d 49 (1951), if Trustee was also Executor of the settlor/decedent's estate and received commissions in such capacity.

Name of Trust: _____

3. **Testamentary Trust:**

Decedent's date of death: _____

Date of Decedent's Will: _____

Date(s) of Codicil(s): _____

Date of probate: _____

or

Inter Vivos Trust:

Date of Trust: _____

Date(s) of Amendment(s): _____

4. A. If any other Court has taken jurisdiction of any matter relating to this Trust, explain:

B. Identify all prior accountings and provide dates of adjudication.

5. A. State how each Trustee was appointed:

B. If a Petitioner is not a Trustee, explain:

Name of Trust: _____

- 6. State how and when the present fund was awarded to Trustee(s):

- 7. Period covered by accounting: _____ to _____.

- 8. Current fair market value of the Trust principal is \$ _____. (See page _____ of Account.)

- 9. State concisely the dispositive provisions of the Trust:

- 10. Explain the reason for filing this Account (if filed because of the death of a party, state name of person, relationship to Trust and date of death):

Name of Trust: _____

11. State why a Petition for Guardian/Trustee *Ad Litem* has or has not been filed for this Audit (see Pa. O.C. Rule 12.4):

12. A. State the amount of Pennsylvania Transfer Inheritance Tax and Pennsylvania Estate Tax paid (including postponed tax on remainder interests), the dates of payment and the interests upon which such amounts were paid:

<i>Date</i>	<i>Payment</i>	<i>Interest</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. If any such taxes remain unpaid or are in dispute, explain:

13. Describe any questions requiring Adjudication and state the position of Petitioner(s) and give details of any issues identified in item 2:

Name of Trust: _____

14. Written notice of the Audit as required by Pa. O.C. Rules 6.3, 6.7 and 6.8 has been or will be given to all parties in interest listed in item 15 below. In addition, notice of any questions requiring Adjudication as discussed in item 13 above has been or will be given to all persons affected thereby.
- A. If Notice has been given, attach a copy of the Notice as well as a list of the names and addresses of the parties receiving such notice.
 - B. If Notice is yet to be given, a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice shall be submitted at the Audit together with a statement executed by Petitioner(s) or counsel certifying that such Notice has been given.
 - C. If any such party in interest is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Audit has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 5.2.
 - D. If any charitable interest is involved, Notice of the Audit has been or will also be given to the Attorney General as required under Pa. O.C. Rule 5.5. In addition, the Attorney General's clearance certificate (or proof of service of Notice and a copy of such Notice) must be submitted herewith or at the Audit.

15. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the Trust, whether such interest is vested or contingent, charitable or non-charitable. This list shall:

- A. State each party's relationship to the Settlor/Decedent and the nature of each party's interest(s);

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>

Name of Trust: _____

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>

B. Identify each party who is not *sui juris* (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each Guardian and how each Guardian was appointed. If no Guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each; and

C. If distribution is to be made to the personal representative of a deceased party, state date of death, date and place of grant of Letters and type of Letters granted.

16. If Petitioner(s) has/have knowledge that a Trust share has been assigned or attached, provide a copy of the assignment or attachment, together with any relevant supporting documentation.

17. If a trustee's principal commission is claimed:

A. If based on a written agreement, attach a copy thereof.

Name of Trust: _____

B. If a principal commission is claimed, state amount.

C. If a principal commission is claimed, state the amounts and dates of any principal commissions previously paid in prior accounting periods.

<i>Amount</i>	<i>Date Paid</i>
_____	_____
_____	_____
_____	_____
_____	_____

18. If a reserve is requested, state amount and purpose.

Amount: _____

Purpose: _____

If a reserve is requested for counsel fees, has notice of the amount of fees to be paid from the reserve been given to the parties in interest? Yes No

If so, attach a copy of the notice.

19. Is the Court being asked to direct the filing of a Schedule of Distribution? Yes No

Name of Trust: _____

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____
_____	_____

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____
_____	_____

Submitted By:
*(All petitioners must sign.
Add additional lines if necessary):*

Name of Petitioner:

Name of Petitioner:

Name of Trust: _____

Verification of Petitioner
(Verification must be by **at least one** petitioner.)

The undersigned hereby verifies * [that *he/she* _____ is *title* _____ of the above-named *name of corporation* _____ and] that the facts set forth in the foregoing Petition for Adjudication / Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature of Petitioner

** Corporate petitioners must complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication / Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner

GUARDIANSHIP OF INCAPACITATED PERSON

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

ESTATE OF _____, AN INCAPACITATED PERSON
ACCOUNT OF _____, GUARDIAN
No. _____

**PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 6.9**

This form may be used in all cases involving the Audit of the Account of a Guardian of the Estate of an incapacitated person. If space is insufficient, riders may be attached.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____
Supreme Court I.D. No.: _____
Name of Law Firm: _____
Address: _____
Telephone: _____
Fax: _____

Estate of _____, An Incapacitated Person

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

Name: _____

Address: _____

2. Date of Adjudication of Incapacity: _____

Date of Appointment as Guardian: _____

Attach copy(ies) of Decree(s).

3. A. Explain the reason for filing this Account (if incapacitated person has died, state date of death, name and address of personal representative and of his or her counsel and attach a Short Certificate if available. If incapacitated person has been adjudged to have regained capacity, state date of Decree. If Account is filed for any other reason, state address of incapacitated person):

B. Have prior accountings been filed? Yes No

If yes, state accounting periods and dates of adjudication.

4. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

Estate of _____, An Incapacitated Person

5. Written Notice of the Audit as required by Pa. O.C. Rules 6.3, 6.7 and 6.8 has been or will be given to all parties in interest listed in item 6 below. In addition, notice of any questions requiring adjudication as discussed in item 4 above has been or will be given to all persons affected thereby.
 - A. If Notice has been given, attach a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice.
 - B. If Notice is yet to be given, a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice shall be submitted at the Audit together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.
 - C. If any such party in interest is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Audit has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 5.2.

6. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the estate, including the incapacitated person's heirs at law. This list shall:
 - A. State each party's relationship to the incapacitated person and the nature of each party's interest(s):

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>

Estate of _____, An Incapacitated Person

B. Identify each party who is not *sui juris* (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each Guardian and how each Guardian was appointed. If no Guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

7. Is the Court being asked to direct the filing of a Schedule of Distribution? Yes No

Estate of _____, An Incapacitated Person

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggests that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____

Submitted By:
*(All petitioners must sign.
Add additional lines if necessary):*

Name of Petitioner:

Name of Petitioner:

Estate of _____, An Incapacitated Person

Verification of Petitioner
(Verification must be by **at least one** petitioner.)

The undersigned hereby verifies * [that *he/she* _____ is *title* _____ of the above-named *name of corporation* _____ and] that the facts set forth in the foregoing Petition for Adjudication / Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature of Petitioner

** Corporate petitioners must complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication / Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner

GUARDIANSHIP OF MINOR

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

ESTATE OF _____, A MINOR
ACCOUNT OF _____, GUARDIAN
No. _____

**PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 6.9**

This form may be used in all cases involving the Audit of the Account of a Guardian of the Estate of a minor or late minor. If space is insufficient, riders may be attached.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____
Supreme Court I.D. No.: _____
Name of Law Firm: _____
Address: _____
Telephone: _____
Fax: _____

Estate of _____, A Minor

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

Name: _____

Address: _____

2. Date of Appointment as Guardian: _____

Attach copy(ies) of Decree(s).

3. A. Explain the reason for filing this Account (if minor has come of age, state date minor attained majority).

B. Have prior accountings been filed? Yes No

If yes, state accounting periods and dates of adjudication.

4. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

Estate of _____, A Minor

5. Written Notice of the Audit as required by Pa. O.C. Rules 6.3, 6.7 and 6.8 has been or will be given to all parties in interest listed in item 6 below. In addition, notice of any questions requiring adjudication as discussed in item 4 above has been or will be given to all persons affected thereby.
 - A. If Notice has been given, attach a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice.
 - B. If Notice is yet to be given, a copy of the Notice as well as a list of the names and addresses of the parties receiving such Notice shall be submitted at the Audit together with a statement executed by a Petitioner or counsel certifying that such Notice has been given.
 - C. If any such party in interest is not *sui juris* (e.g., minors or incapacitated persons), Notice of the Audit has been or will be given to the appropriate representative on such party's behalf as required by Pa. O.C. Rule 5.2.

6. List all parties of whom Petitioner(s) has/have notice or knowledge, having or claiming any interest in the estate, including the minor or late minor's heirs at law. This list shall:
 - A. State each party's relationship to the minor or late minor and the nature of each party's interest(s):

<i>Name and Address of Each Party in Interest</i>	<i>Relationship and Comments, if any</i>	<i>Interest</i>

Estate of _____, A Minor

B. Identify each party who is not *sui juris* (e.g., minors or incapacitated persons). For each such party, give date of birth, the name of each Guardian and how each Guardian was appointed. If no Guardian has been appointed, identify the next of kin of such party, giving the name, address and relationship of each.

7. Is the Court being asked to direct the filing of a Schedule of Distribution? Yes No

Wherefore, your Petitioner(s) ask(s) that distribution be awarded to the parties entitled and suggest(s) that the distributive shares of income and principal (residuary shares being stated in proportions, not amounts) are as follows:

A. Income:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____

B. Principal:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____

Submitted By:
(**All** petitioners **must** sign.
Add additional lines if necessary):

Name of Petitioner:

Name of Petitioner:

Estate of _____, A Minor

Verification of Petitioner
(Verification must be by **at least one** petitioner.)

The undersigned hereby verifies * [that *he/she* _____ is *title* _____ of the above-named *name of corporation* _____ and] that the facts set forth in the foregoing Petition for Adjudication / Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature of Petitioner

** Corporate petitioners must complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication / Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner

**PRINCIPAL'S ESTATE
(Under Power of Attorney)**

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

ESTATE OF _____, PRINCIPAL
ACCOUNT OF _____, AGENT(S) *
No. _____

**PETITION FOR ADJUDICATION /
STATEMENT OF PROPOSED DISTRIBUTION
PURSUANT TO Pa. O.C. Rule 6.9**

This form may be used in all cases involving the Audit of the Account of one or more Agents acting under a Power of Attorney. If space is insufficient, riders may be attached.

INCLUDE ATTACHMENTS AT THE BACK OF THIS FORM.

Name of Counsel: _____
Supreme Court I.D. No.: _____
Name of Law Firm: _____
Address: _____
Telephone: _____
Fax: _____

** The term "Agent" shall include any person designated as an "attorney-in-fact" or acting in a similar capacity by the Principal's delegation.*

Estate of _____, Principal

1. Name(s) and address(es) of Petitioner(s):

Petitioner:

Petitioner:

Name: _____

Address: _____

2. Name(s) and address(es) of Agent(s) (if not Petitioner(s)):

Agent:

Agent:

Name: _____

Address: _____

3. Name and address of Principal (and, if applicable, of each guardian appointed for Principal, of each personal representative for any Principal or Agent who has died, and of his or her counsel, identifying the capacity of each):

4. A. Date of Principal's Power of Attorney under which Agent(s) acted:

B. Date Agent(s) first exercised control of Principal's assets under Power of Attorney:

(Attach copy of each different Power of Attorney granted to Agent(s) by Principal and copy of any Decree involving Agent(s) for Principal).

Estate of _____, Principal

- 8. Identify each existing safe deposit box of or for Principal and each one closed by Agent(s) (if not applicable, so state):

<i>Institution & Address</i>	<i>Box No.</i>	<i>Title or Registration</i>	<i>Date Closed (if applicable)</i>

- 9. Are the entire contents of each safe deposit box identified in item 8, above, included in the filed Account? Yes No

If not, explain:

- 10. A. Identify each known unpaid claim against Principal or Principal’s Estate and describe each in detail (if none, so state):

- B. Describe in detail any questions requiring adjudication and state the position of the Petitioner(s) as to each question:

Estate of _____, Principal

- 11. Written Notice of the Audit as required by Pa. O.C. Rules 6.3, 6.7 and 6.8 has been or will be given to each party in interest in the matter. In addition, Notice of any known unpaid claim not admitted and of all questions requiring adjudication, as described in item 10, above, has been or will be given to all parties who may be affected.
 - A. State the name and address of each such party and that party’s relationship to the Principal.
 - B. If Notice has been given, attach a copy of the Notice as well as a list with the name and address of each party receiving such Notice.
 - C. If Notice is yet to be given, a copy of the Notice as well as a list with the name and address of each party receiving such Notice shall be submitted at the Audit together with a statement executed by Petitioner(s) or counsel, certifying that such Notice has been given.
 - D. If any such party is not *sui juris* (e.g., incapacitated persons), Notice of the Audit has been or will be given to the appropriate representative on such party’s behalf as required by Pa. O.C. Rule 5.2.

- 12. Is the Court being asked to direct the filing of a Schedule of Distribution? Yes No

THE COURTS

Estate of _____, Principal

Wherefore, it is respectfully requested by your Petitioner(s) that distribution be awarded to the parties entitled as follows:

<i>Proposed Distributee(s)</i>	<i>Amount/Proportion</i>
_____	_____
_____	_____

Submitted By:
*(All petitioners must sign.
Add additional lines if necessary):*

Name of Petitioner:

Name of Petitioner:

Estate of _____, Principal

Verification of Petitioner
(Verification must be by **at least one** petitioner.)

The undersigned hereby verifies * [that *he/she* _____ is *title* _____ of the above-named *name of corporation* _____ and] that the facts set forth in the foregoing Petition for Adjudication / Statement of Proposed Distribution which are within the personal knowledge of the Petitioner are true, and as to facts based on the information of others, the Petitioner, after diligent inquiry, believes them to be true; and that any false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature of Petitioner

** Corporate petitioners must complete bracketed information.*

Certification of Counsel

The undersigned counsel hereby certifies that the foregoing Petition for Adjudication / Statement of Proposed Distribution is a true and accurate reproduction of the form Petition authorized by the Supreme Court, and that no changes to the form have been made beyond the responses herein.

Signature of Counsel for Petitioner

NOTICE OF CHARITABLE GIFT

(In Accordance with Pa. O.C. Rule 5.5)

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

ESTATE OF _____, SETTLOR DECEASED
No. _____

Chief, Charitable Trusts and Organizations Section
Office of the Attorney General

Date: _____

Dear Sir or Madam:

Notice is given of a charitable gift as follows:

1. The nature of the present proceeding is:

(a) An Account which has been or will be listed for Audit in the Orphans' Court on
_____, 20_____, in _____.
(State name of Courthouse and town/city.)

The time and place of the Audit is Court Room _____ at _____ o'clock. If not provided herein, the time and location will be provided upon request when that information becomes available.

(b) If the proceedings are other than an Account, state the nature of the proceedings and the place, date and time fixed for hearing:

* If more space is required, attach additional sheets.

Estate of _____ Settlor Deceased

2. Charitable gifts are made as follows:

(a) Give full names and addresses of charities, and names and addresses of counsel, if any.

(b) If pecuniary legacies, state exact amounts and indicate whether legacies will be or have been paid in full; if not give reasons therefor.

(c) If the charitable interest is a future interest and the estimated present value of the property involved exceeds \$25,000, a brief description thereof including the conditions precedent to its vesting in enjoyment and possession, the names and ages of persons known to have interests preceding such charitable interest, and the approximate market value of the property involved.

(d) If residuary gift, state nature and value of share.

Estate of _____ Settlor Deceased

- 7. (a) A copy of the instrument creating the gift is attached hereto.
- (b) If the gift is other than a pecuniary legacy which will be paid in full, there is attached hereto:
 - (1) A copy of the Account, if one has been filed
 - (2) A copy of any other relevant documents

Very truly yours,

Signature

Attorney's Name and Supreme Court I.D. No.

Attorney's Address

Attorney's Telephone

NOTICE OF CLAIM

(Filed Pursuant to 20 Pa.C.S. § 3532)

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

ESTATE OF _____, DECEASED

No. _____

To the Clerk of the Orphans' Court Division:

Enter the claim of _____ in the
(Claimant)
amount of \$ _____, against the above entitled Estate.

The Decedent, who resided at _____
(Street Address)
_____, died on _____.

Written notice of
(Date of Death)
said claim was given to _____
(Personal Representative or his/her counsel)

at _____
(Address)

on _____.
(Date)

(Claimant)

(Street Address)

(City, State, Zip)

(Claimant's Counsel) *(Supreme Court I.D. No.)*

(Address)

(Telephone)

**IMPORTANT NOTICE
CITATION WITH NOTICE**

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

To _____:

**IMPORTANT NOTICE
CITATION WITH NOTICE**

A Petition has been filed with this Court to have you declared an Incapacitated Person. If the Court finds you to be an Incapacitated Person, your rights will be affected, including your right to manage money and property and to make decisions. A copy of the Petition which has been filed by _____ is attached.

You are hereby ordered to appear at a hearing to be held in Courtroom No. _____, _____, Pennsylvania on _____, 2____ at _____ .m. to tell the Court why it should not find you to be an Incapacitated Person and appoint a Guardian to act on your behalf.

To be an Incapacitated Person means that you are not able to receive and effectively evaluate information and communicate decisions and that you are unable to manage your money and/or other property, or to make necessary decisions about where you will live, what medical care you will get, or how your money will be spent.

At the hearing, you have the right to appear, to be represented by an attorney, and to request a jury trial. If you do not have an attorney, you have the right to request the Court to appoint an attorney to represent you and to have the attorney's fees paid for you if you cannot afford to pay them yourself. You also have the right to request that the Court order that an independent evaluation be conducted as to your alleged incapacity.

If the Court decides that you are an Incapacitated Person, the Court may appoint a Guardian for you, based on the nature of any condition or disability and your capacity to make and communicate decisions. The Guardian will be of your person and/or your money and other property that will have either limited or full powers to act for you.

THE COURTS

To _____:

If the Court finds you are totally incapacitated, your legal rights will be affected and you will not be able to make a contract or gift of your money or other property. If the Court finds that you are partially incapacitated, your legal rights will also be limited as directed by the Court.

If you do not appear at the hearing (either in person or by an attorney representing you) the Court will still hold the hearing in your absence and may appoint the Guardian requested.

By: _____
Clerk, Orphans' Court

**ANNUAL REPORT OF
GUARDIAN OF THE ESTATE**

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

Estate of _____, an Incapacitated Person

No. _____

I. INTRODUCTION

_____, was appointed

Plenary Limited Guardian of the Estate by Decree of _____, J.,
dated _____.

A. This is the **Annual Report** for the period from _____, _____
to _____, _____ (the "Report Period"); *or*

B. This is the **Final Report** for the period from _____, _____
to _____, _____ (the "Report Period"), and is filed

for the following reason:

1. The death of the Incapacitated Person. Date of death: _____
Name of Personal Representative : _____

2. The Guardianship was terminated by the Court by Decree of
_____ J., dated _____

Estate of _____, An Incapacitated Person

II. SUMMARY

- A. State the value of the estate reported on the Inventory \$ _____
- B. State the value(s) of principal assets at the beginning of the Report Period. (Same as Inventory if first Report, otherwise, ending balance from last Report.) \$ _____
- C. What is the total amount of income earned during the Report Period? \$ _____
- D. What is the total amount of income and principal spent for all purposes during the Report Period? \$ _____
- E. What are the balances remaining at the end of the Report Period?
 - 1. Principal \$ _____
 - 2. Income \$ _____
 - 3. Total of Principal and Income \$ _____

III. ADDITIONAL INFORMATION

(If more space is needed, please attach additional pages.)

A. Principal

- 1. How is the principal balance listed above currently invested? (Please specify, e.g., real estate, certificates of deposit, restricted bank accounts, etc.):

- 2. Have there been any expenditures from the principal during the Report Period? Yes No

If yes:

- a. Have all expenditures from the principal been for the sole benefit of the Incapacitated Person? Yes No

Estate of _____, An Incapacitated Person

b. List purpose and amount of expenditures:

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

c. Was Court approval received prior to expending the principal? Yes No

3. Were additional principal assets received during the Report Period which were not included in the Inventory or a prior Report filed for the Estate? Yes No

If yes:

a. Was Court approval requested prior to receiving the additional principal? Yes No

b. State the sources and amounts of the additional principal received:

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

B. Income

1. State sources and amounts of income received during the Report Period (e.g., Social Security, pension, rents, etc.):

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

Total income received during Report Period: \$ _____

Estate of _____, An Incapacitated Person

2. How is income currently invested? (Please specify, e.g., restricted bank accounts, client care account, etc.):

C. Expenses for Care and Maintenance

Specify what expenditures were made from the principal and income for the care and maintenance of the Incapacitated Person (e.g., clothing, nursing home, medicine, support, etc.):

D. Other Expenditures

Specify what other expenditures were made during the Report Period. (Do not include any items stated in response to question C above.)

E. Guardian's Commissions

List amounts of compensation paid as Guardian's commission and state how amount was determined:

<i>Amount</i>	<i>Method of Determination</i>	<i>Court Approval Obtained</i>
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

Estate of _____, An Incapacitated Person

F. Counsel Fee

List amounts paid as counsel fee, and indicate whether Court approval was obtained.

<i>Amount</i>	<i>Court Approval Obtained</i>
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

I verify that the foregoing information is correct to the best of my knowledge, information and belief; and that this Verification is subject to the penalties of 18 Pa.C.S. § 4904 relative to unsworn falsification to authorities.

Date

Signature of Guardian of the Estate

Name of Guardian of the Estate (type or print)

Address

City, State, Zip

Telephone

**ANNUAL REPORT OF
GUARDIAN OF THE PERSON**

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

Estate of _____, an Incapacitated Person

No. _____

I. INTRODUCTION

_____, was appointed

Plenary Limited Guardian of the Person by Decree of _____, J.,
dated _____.

A. This is the **Annual Report** for the period from _____, _____
to _____, _____ (the "Report Period"); *or*

B. This is the **Final Report** for the period from _____, _____
to _____, _____ (the "Report Period"), and is filed

for the following reason:

1. The death of the Incapacitated Person. Date of death: _____

2. The Guardianship was terminated by the Court by Decree of
_____ J., dated _____.

For a Final Report, omit Sections II through IV.

Estate of _____, an Incapacitated Person

II. PERSONAL DATA

Age of the Incapacitated Person: _____ Date of Birth: _____

III. LIVING ARRANGEMENTS

A. Current address of the Incapacitated Person:

B. The Incapacitated Person's residence is:

- own home / apartment
- nursing home
- boarding home / personal care home
- Guardian's home / apartment
- hospital or medical facility
- relative's home (name, relationship and address)

other:

C. The Incapacitated Person has been in the present residence since _____

_____. If the Incapacitated Person has moved within the

past year, state prior residence and reason(s) for move: _____

Estate of _____, an Incapacitated Person

D. Name and address of the Incapacitated Person’s primary caregiver:

IV. MEDICAL INFORMATION

A. The major medical or mental problems of the Incapacitated Person are as follows:

B. Specify what, if any, social, medical, psychological and support services the Incapacitated Person is receiving:

V. GUARDIAN’S OPINION

A. It is the opinion of the Guardian of the Person that the guardianship should:

- continue
- be modified
- be terminated

Estate of _____, an Incapacitated Person

The reasons for the foregoing opinion are: _____

B. During the past year, the Guardian of the Person has visited the Incapacitated Person

_____ times with the average visit lasting _____ hours, _____ minutes.

The report of a social service organization employed by the Guardian to oversee and coordinate the care of the Incapacitated Person for the period covered by this Report may be attached to supplement this Report.

I verify that the foregoing information is correct to the best of my knowledge, information and belief; and that this Verification is subject to the penalties of 18 Pa.C.S. § 4904 relative to unsworn falsification to authorities.

Date

Signature of Guardian of the Person

Name of Guardian of the Person (type or print)

Address

City, State, Zip

Telephone

GUARDIAN'S INVENTORY

COURT OF COMMON PLEAS OF _____ COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

Estate of _____ } an Incapacitated Person
a Minor

No. _____

1. Real Estate: (Location, by whom occupied and rental terms, if applicable)

Estimated Value:

Sub-Total for Real Estate:

2. Personal Property:

Estimated Value:

3. Jointly Held Property:

(Set forth real and personal property owned by the Incapacitated Person JOINTLY with any other person(s). State whether held as tenants by the entireties; if not, whether the right of survivorship exists.)

Jointly Held Property

Estimated Value:

Estate of _____ } an Incapacitated Person
a Minor

4. Anticipated Assets:

Estimated Value:

(Set forth property of any kind expected to be acquired hereafter, together with anticipated date of acquisition.)

<i>Property</i>	<i>Anticipated Date of Acquisition</i>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sub-Total for Personal Estate:

(Attach additional sheets if necessary)

TOTAL OF ITEMS 1, 2, 3, and 4: _____

Commonwealth of Pennsylvania :
 : ss.
County of _____ :

_____, says that the foregoing is a full, true and complete
Guardian
Inventory of the Estate of _____, the aforesaid Incapacitated Person
or Minor; and that all of the information set forth herein is true and correct to the best of the
Guardian's knowledge and belief.

I verify that the statements made in this)
Inventory are true and correct. I under-)
stand that false statements herein are)
made subject to the penalties of)
18 Pa.C.S. § 4904 relating to unsworn)
falsification to authorities.)

Guardian

Attorney for Guardian: _____

Supreme Court I.D. No.: _____

Address: _____

Telephone: _____

**MINOR'S APPLICATION FOR
JUDICIAL AUTHORIZATION OF AN ABORTION**

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
(JUVENILE COURT SECTION OF THE FAMILY DIVISION),
 ORPHANS' OR FAMILY COURT DIVISION

IN RE: Matter of _____, A Minor : Application No. _____
(Initials) : of 2 _____

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

Applicant, a minor, whose initials are _____, respectfully states:

1. Applicant is a pregnant woman, who (choose one):
 - is a resident of this county; or
 - seeks an abortion within this county.
2. Applicant's date of birth is _____, _____.
3. Applicant is approximately _____ weeks pregnant.
4. The name and address of each parent or guardian or person standing in *loco parentis* are contained in Applicant's separate unsworn verification.
- Yes No 5. Applicant desires to terminate her pregnancy and has consulted with the physician who is to perform the abortion, or with a referring physician, for that purpose on *(date)* _____ at _____ o'clock a.m. / p.m. Applicant has been fully informed of the risks and consequences of the abortion.
- Yes No 6. Applicant consents to the abortion procedure.
- Yes No 7. Applicant is of sound mind and has sufficient intellectual capacity to consent to an abortion.

IN RE: Matter of _____, A Minor
(Initials)

Yes No 8. Applicant is mature and capable of giving informed consent to the proposed abortion.

OR

Yes No The performance of an abortion upon the applicant would be in the applicant's best interests.

9. Applicant is executing an unsworn verification with respect to statements of fact in this application. The unsworn verification is set forth in a document separate from this application but incorporated herein by reference. Applicant is aware that any false statements made in this application are punishable by law.

Wherefore, Applicant prays this Honorable Court to enter an Order authorizing a physician to perform an abortion upon Applicant.

Respectfully submitted,

Applicant's Signature
(Initials may be used as signature)

CONFIDENTIAL VERIFICATION

COURT OF COMMON PLEAS OF
_____ COUNTY, PENNSYLVANIA
(JUVENILE COURT SECTION OF THE FAMILY DIVISION)
 ORPHANS' OR FAMILY COURT DIVISION

IN RE: Matter of _____, A Minor : Application No. _____
(Initials) : of 2 _____

1. I, _____ (*initials only*), am the applicant in a separate application for an abortion under Section 3206 of the Abortion Control Act, 18 Pa.C.S. § 3206.
2. The name and address of each of my parents, guardian or person standing in *loco parentis* is as follows (*please print*):

Father: Name _____
Street _____
City, State, Zip _____

Mother: Name _____
Street _____
City, State, Zip _____

Guardian: Name _____
Street _____
City, State, Zip _____

IN RE: Matter of _____, A Minor
(Initials)

3. I verify that the statements made in the separate application and in this unsworn verification are true and correct to the best of my personal knowledge or information and belief.

I understand that false statements herein are made subject to penalties of Section 4904 of the Crimes Code, 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Applicant's Signature
(Initials may be used as signature)

Applicant's Date of Birth

Date

REV-346 EX (8-92)

PA DEPARTMENT OF REVENUE

ESTATE INFORMATION SHEET

FOR REGISTER'S OFFICE USE ONLY		
County Code	Year	File Number

DECEDENT INFORMATION: Enter data as it will appear on all documents submitted to the department.

Name (Last) (First) (Middle)		
Decedent's Social Security Number	Date of Death	Date of Birth

TYPE FILING: Enter check (✓) mark to indicate the nature of the return to be filed with the department.

<input type="checkbox"/> Probate Return	<input type="checkbox"/> Joint Assets Only	<input type="checkbox"/> Estate Tax Only	<input type="checkbox"/> Litigation Purposes (No Other Assets)
---	--	--	--

LETTERS GRANTED: Enter check (✓) mark to indicate the nature of the proceedings at the Register of Wills Office. (Attach additional sheets if explanation is necessary.)

<input type="checkbox"/> Testamentary	<input type="checkbox"/> Administration	<input type="checkbox"/> No Letters	<input type="checkbox"/> Other (Please Explain)
---------------------------------------	---	-------------------------------------	---

ATTORNEY/CORRESPONDENT: Enter all data concerning the attorney or other individual to receive all tax information and correspondence.

Name (Last) (First) (Middle)			Supreme Court I.D. No.
Street Address			
City	State	Zip Code	Telephone Number

PERSONAL REPRESENTATIVE INFORMATION: Enter all data concerning the personal representative(s) of the estate authorized by the Register of Wills

Executor/Administrator

Name (Last) (First) (Middle)			Social Security Number
Street Address			
City	State	Zip Code	Telephone Number

Co-Executor/Administrator

Name (Last) (First) (Middle)			Social Security Number
Street Address			
City	State	Zip Code	Telephone Number

Co-Executor/Administrator

Name (Last) (First) (Middle)			Social Security Number
Street Address			
City	State	Zip Code	Telephone Number

Prepared By	Date
-------------	------

rev. 10.13.06

Form RW-02

PETITION FOR PROBATE AND GRANT OF LETTERS

REGISTER OF WILLS OF _____ COUNTY, PENNSYLVANIA

Estate of _____
also known as _____, Deceased

File Number _____
Social Security Number _____

Petitioner(s), who is/are 18 years of age or older, apply(ies) for:
(COMplete 'A' or 'B' BELOW:)

[] A. Probate and Grant of Letters Testamentary and aver that Petitioner(s) is / are the _____ named in the last Will of the Decedent dated _____ and codicil(s) dated _____
(State relevant circumstances, e.g., renunciation, death of executor, etc.)

Except as follows, Decedent did not marry, was not divorced, and did not have a child born or adopted after execution of the instrument(s) offered for probate, was not the victim of a killing and was never adjudicated an incapacitated person: _____

[] B. Grant of Letters of Administration
(If applicable, enter: c.t.a.; d.b.n.c.t.a.; pendente lite; durante absentia; durante minoritate)

Petitioner(s) after a proper search has / have ascertained that Decedent left no Will and was survived by the following spouse (if any) and heirs: (If Administration, c.t.a. or d.b.n.c.t.a., enter date of Will in Section A above and complete list of heirs.)

Table with 3 columns: Name, Relationship, Residence

(COMPLETE IN ALL CASES:) Attach additional sheets if necessary.

Decedent was domiciled at death in _____ County, Pennsylvania with his / her last principal residence at _____

(List street address, town/city, township, county, state, zip code)

Decedent, then _____ years of age, died on _____ at _____

Decedent at death owned property with estimated values as follows:

Table with 3 columns: Description, Value, Dollar sign

situated as follows: _____

Wherefore, Petitioner(s) respectfully request(s) the probate of the last Will and Codicil(s) presented with this Petition and the grant of Letters in the appropriate form to the undersigned:

Table with 2 columns: Signature, Typed or printed name and residence

Oath of Personal Representative

COMMONWEALTH OF PENNSYLVANIA :
: SS

COUNTY OF _____ :

The Petitioner(s) above-named swear(s) or affirm(s) that the statements in the foregoing Petition are true and correct to the best of the knowledge and belief of Petitioner(s) and that, as personal representative(s) of the Decedent, Petitioner(s) will well and truly administer the estate according to law.

Sworn to or affirmed and subscribed

before me the _____ day of

_____, _____

For the Register

Signature of Personal Representative

Signature of Personal Representative

Signature of Personal Representative

File Number: _____

Estate of _____, Deceased

Social Security Number: _____ Date of Death: _____

AND NOW, _____, _____, in consideration of the foregoing Petition, satisfactory proof having been presented before me, IT IS DECREED that Letters _____ are hereby granted to _____

_____ in the above estate and that the instrument(s) dated _____ described in the Petition be admitted to probate and filed of record as the last Will (and Codicil(s)) of Decedent.

FEES

Letters \$ _____
Short Certificate(s) \$ _____
Renunciation(s) \$ _____
..... \$ _____
..... \$ _____
..... \$ _____
..... \$ _____
..... \$ _____
..... \$ _____
..... \$ _____
..... \$ _____
TOTAL \$ _____

Register of Wills

Attorney Signature: _____

Attorney Name: _____

Supreme Court I.D. No.: _____

Address: _____

Telephone: _____

OATH OF SUBSCRIBING WITNESS(ES)

REGISTER OF WILLS

_____ COUNTY, PENNSYLVANIA

Estate of _____, Deceased

_____, (each) a subscribing witness to the Will Codicil(s) presented herewith, (each) being duly qualified according to law, depose(s) and say(s) that she / he / they was / were present and saw the above Testator / Testatrix sign the same and that she / he / they signed the same and that she / he / they signed as a witness at the request of the Testator / Testatrix in her / his presence and in the presence of each other.

(Signature)

(Signature)

(Street Address)

(Street Address)

(City, State, Zip)

(City, State, Zip)

Executed in Register's Office

Sworn to or affirmed and subscribed before me this _____ day of _____, _____.

Executed out of Register's Office

Sworn to or affirmed and subscribed before me this _____ day of _____, _____.

Deputy for Register of Wills

Notary Public
My Commission Expires:
(Signature and Seal of Notary or other official qualified to administer oaths. Show date of expiration of Notary's Commission.)

NOTE: To be taken by Officer authorized to administer oaths. Please have present the original or copy of instrument(s) at time of notarization.

OATH OF NON-SUBSCRIBING WITNESS(ES)

REGISTER OF WILLS

_____ COUNTY, PENNSYLVANIA

Estate of _____, Deceased

_____ and _____,

(each) being duly qualified according to law, depose(s) and say(s) that she / he / they was / were well-acquainted with _____ and am/are familiar with the handwriting and signature of the decedent, and that the signature of _____ to the foregoing instrument purporting to be the Last Will and Testament/Codicil of _____ is in his/her own proper handwriting.

(Signature)

(Signature)

(Street Address)

(Street Address)

(City, State, Zip)

(City, State, Zip)

Executed in Register's Office

Sworn to or affirmed and subscribed before me this _____ day of _____, _____.

Deputy for Register of Wills

OATH OF WITNESS(ES) TO WILL EXECUTED BY MARK

REGISTER OF WILLS

_____ COUNTY, PENNSYLVANIA

Estate of _____, Deceased

_____, _____ (each) a
(Print Name/s)

subscribing witness to the Will Codicil(s) presented herewith, (each) being duly qualified according to law, depose(s) and say(s) that: Testator / Testatrix was unable to sign his / her name thereto; Testator's / Testatrix' name was subscribed thereto in Testator's / Testatrix' presence; Testator / Testatrix made his / her mark thereon; Testator / Testatrix and deponent(s) were present when Testator's / Testatrix' name was subscribed and when Testator / Testatrix made his / her mark; and Testator / Testatrix was present when the undersigned signed the Will Codicil as witness(es).

(Signature)

(Signature)

(Street Address)

(Street Address)

(City, State, Zip)

(City, State, Zip)

Sworn to or affirmed and subscribed before me this _____ day of _____, _____.

Deputy for Register of Wills

RENUNCIATION

REGISTER OF WILLS

_____ COUNTY, PENNSYLVANIA

Estate of _____, Deceased

I, _____, in my capacity/relationship as
(Print Name)
_____ of the above Decedent, hereby renounce the right to
administer the Estate of the Decedent and respectfully request that Letters be issued to

_____.

(Date)

(Signature)

(Street Address)

(City, State, Zip)

Executed in Register's Office

Sworn to or affirmed and subscribed
before me this _____ day
of _____, _____.

Deputy for Register of Wills

Executed out of Register's Office

Before the undersigned personally appeared the
party executing this renunciation and certified
that he or she executed the renunciation for the
purposes stated within on this _____ day
of _____, _____.

Notary Public
My Commission Expires:

(Signature and Seal of Notary or other official qualified to
administer oaths. Show date of expiration of Notary's Commission.)

IMPORTANT NOTICE

**NOTICE OF ESTATE ADMINISTRATION
PURSUANT TO Pa. O.C. Rule 5.6**

**THIS NOTICE DOES NOT MEAN THAT YOU WILL RECEIVE
ANY MONEY OR PROPERTY FROM THIS ESTATE OR OTHERWISE**

Whether you will receive any money or property will be determined wholly or partly by the decedent's will. If the decedent died without a will, whether you will receive any money or property will be determined by the intestacy laws of Pennsylvania.

BEFORE THE REGISTER OF WILLS, COUNTY OF _____, PENNSYLVANIA
IN RE: ESTATE OF _____, Deceased
File Number _____

TO: _____ (Beneficiary)
_____ (Address)

Please take notice of the death of the Decedent and the grant of Letters to the personal representative(s) named below. The Decedent died on the day of _____, _____, a resident of _____ County, PA.

The Decedent died: _____ testate (with a will) or _____ intestate (without a will).

You may have a beneficial interest in the estate as follows:

(If additional space is needed, use separate sheet)

The name(s), address(es) and telephone number(s) of all personal representatives appointed are:
NAME ADDRESS TELEPHONE

If the Decedent died testate, the will has been filed with Office of the Register of Wills of _____ County.

If the Decedent died intestate, a Petition for the Grant of Letters of Administration was filed with the Office of the Register of Wills of _____ County.

The Register's address is _____, and telephone number is _____.

A copy of the Will or Petition may be obtained by contacting the Register of Wills and paying the charges for duplication.

Date _____

Signature of Person Filing this Form

Name of Person Filing this Form

Capacity: Personal Representative
 Counsel for Personal Representative

Address

Telephone

CERTIFICATION OF NOTICE UNDER Pa. O.C. Rule 5.6(a)

REGISTER OF WILLS

_____ COUNTY, PENNSYLVANIA

Name of Decedent: _____

Date of Death: _____ File Number: _____

Date Letters Granted: _____

To the Register:

I certify that Notice of Estate Administration required by Pa. O.C. Rule 5.6(a) of the Orphans' Court Rules was served on or mailed to the following beneficiaries of the above-captioned estate on

_____, _____ :

Name:

Address:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(If more space is needed, attach separate sheet.)

Notice has now been given to all persons entitled thereto under Pa. O.C. Rule 5.6(a) except:

Date _____

Signature of Person Filing this Form

Capacity: Personal Representative Counsel

Name of Person Filing this Form

Address

Telephone

INVENTORY

REGISTER OF WILLS OF _____ COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF } SS

File Number _____

Personal Representative(s) of the Estate of _____
deceased, depose(s) and say(s) that the items appearing in the following inventory include all of the personal assets wherever situate
and all of the real estate in the Commonwealth of Pennsylvania of said Decedent, that the valuation placed opposite each item of said
inventory represents its fair value as of the date of the decedent's death, and that Decedent owned no real estate outside of the
Commonwealth of Pennsylvania except that which appears in a memorandum at the end of this inventory.

I verify that the statements made in this Inventory are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Attorney -- (Name) _____ (Supreme Court I.D. No.) _____
(Address) _____
(Telephone) _____

Table with 3 columns: DATE OF DEATH, LAST RESIDENCE, DECEDENT'S SOC. SEC. NO.

FIGURES MUST BE TOTALED

Main inventory table with a 'TOTAL:' label at the bottom right.

(Attach additional sheets as needed)

NOTE: The Memorandum of real estate outside the Commonwealth of Pennsylvania may, at the election of the personal representative include the value of each item, but such figures should not be extended into the total of the Inventory. (See 20 Pa. C.S. § 3301(b))

THE COURTS

Form RW-10

Pa. O.C. Rule 6.12 STATUS REPORT

REGISTER OF WILLS OF _____ COUNTY, PENNSYLVANIA

Name of Decedent: _____

Date of Death: _____ File Number: _____

Pursuant to Pa. O.C. Rule 6.12, I report the following with respect to completion of the administration of the above-captioned estate:

1. State whether administration of the estate is complete: Yes No

2. If the answer is No, state when the personal representative reasonably believes that the administration will be complete: _____

3. If the answer to No. 1 is YES, state the following:

a. Did the personal representative file a final account with the Court? Yes No

b. The separate Orphans' Court No. (if any) for the personal representative's account is: _____

c. Did the personal representative state an account informally to the parties in interest? Yes No

d. Copies of receipts, releases, joinders and approvals of formal or informal accounts may be filed with the Clerk of the Orphans' Court and may be attached to this report.

Date _____

Signature of Person Filing this Form

Capacity: Personal Representative Counsel

Name of Person Filing this Form

Address

Telephone

